

The City Record

Official Publication of the Council of the City of Cleveland



February the Twentieth, Two Thousand and Eight

Frank G. Jackson
Mayor

Martin J. Sweeney
President of Council

Patricia J. Britt
City Clerk, Clerk of Council

| Ward | Name |
|------|----------------------|
| 1 | Nina Turner |
| 2 | Robert J. White |
| 3 | Zachary Reed |
| 4 | Kenneth L. Johnson |
| 5 | Phyllis E. Cleveland |
| 6 | Mamie J. Mitchell |
| 7 | Fannie M. Lewis |
| 8 | Sabra Pierce Scott |
| 9 | Kevin Conwell |
| 10 | Roosevelt Coats |
| 11 | Michael D. Polensek |
| 12 | Anthony Brancatelli |
| 13 | Joe Cimperman |
| 14 | Joseph Santiago |
| 15 | Brian J. Cummins |
| 16 | Kevin J. Kelley |
| 17 | Matthew Zone |
| 18 | Jay Westbrook |
| 19 | Dona Brady |
| 20 | Martin J. Sweeney |
| 21 | Martin J. Keane |

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| Containing | PAGE |
|---|------|
| City Council | 3 |
| The Calendar | 3 |
| Board of Control | 3 |
| Civil Service | 5 |
| Board of Zoning Appeals | 6 |
| Board of Building Standards and Building Appeals | 7 |
| Public Notice | 7 |
| Public Hearings | 7 |
| City of Cleveland Bids | 7 |
| Adopted Resolutions and Ordinances | 8 |
| Committee Meetings | 9 |
| Index | 9 |

DIRECTORY OF CITY OFFICIALS

CITY COUNCIL – LEGISLATIVE

President of Council – Martin J. Sweeney

| Ward | Name | Residence | |
|------|---------------------------|------------------------------|-------|
| 1 | Nina Turner..... | 16204 Sunny Glen Avenue | 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 | Phyllis E. Cleveland..... | 2369 East 36th Street | 44105 |
| 6 | Mamie J. Mitchell..... | 12701 Shaker Boulevard, #712 | 44120 |
| 7 | Fannie M. Lewis..... | 7416 Star Avenue | 44103 |
| 8 | Sabra Pierce Scott..... | 1136 East 98th Street | 44108 |
| 9 | Kevin Conwell..... | 10647 Ashbury Avenue | 44106 |
| 10 | Roosevelt Coats..... | 1775 Cliffview Road | 44112 |
| 11 | Michael D. Polensek..... | 17855 Brian Avenue | 44119 |
| 12 | Anthony Brancatelli..... | 6924 Ottawa Road | 44105 |
| 13 | Joe Cimperman..... | 3053 West 12th Street | 44113 |
| 14 | Joseph Santiago..... | 3169 West 14th Street | 44109 |
| 15 | Brian J. Cummins..... | 3104 Mapledale Avenue | 44109 |
| 16 | Kevin J. Kelley..... | 6608 Woodhaven Avenue | 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 | Martin J. Keane..... | 15907 Colletta Lane | 44111 |

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

MAYOR – Frank G. Jackson

Ken Silliman, Secretary to the Mayor, Chief of Staff
Darnell Brown, Executive Assistant to the Mayor, Chief Operating Officer
Valarie J. McCall, Executive Assistant to the Mayor, Chief of Government Affairs
Monyka S. Price, Executive Assistant to the Mayor, Chief of Education
Maureen Harper, Executive Assistant to the Mayor, Chief of Communications
Andrea V. Taylor, Executive Assistant to the Mayor, Press Secretary
Debra Linn Talley, Director, Office of Equal Opportunity

DEPT. OF LAW – Robert J. Triozzi, Director, Richard F. Horvath, Chief Corporate Counsel, Thomas J. Kaiser, Chief Trial Counsel, Barbara A. Langhenry, Chief Counsel, Rm. 106
Karen E. Martines, Law Librarian, Room 100

DEPT. OF FINANCE – Sharon Dumas, Director, Room 104;
Frank Badalamenti, Manager, Internal Audit
DIVISIONS: Accounts – Richard W. Sensenbrenner, Commissioner, Room 19
Assessments and Licenses – Dedrick Stephens, Commissioner, Room 122
City Treasury – Algeron Walker, Treasurer, Room 115
Financial Reporting and Control – James Gentile, Controller, Room 18
Information Technology and Services – Douglas Divish, Commissioner, 205 W. St. Clair Avenue
Purchases and Supplies – James E. Hardy, Commissioner, Room 128
Printing and Reproduction – Michael Hewitt, Commissioner, 1735 Lakeside Avenue
Taxation – Nassim Lynch, Tax Administrator, 205 W. St. Clair Avenue

DEPT. OF PUBLIC UTILITIES – Barry A. Withers, Interim Director, 1201 Lakeside Avenue
DIVISIONS – 1201 Lakeside Avenue
Cleveland Public Power – Ivan Henderson, Commissioner
Street Lighting Bureau – _____, Acting Chief
Utilities Fiscal Control – Dennis Nichols, Commissioner
Water – John Christopher Nielson, Commissioner
Water Pollution Control – Ollie Shaw, Commissioner

DEPT. OF PORT CONTROL – Ricky D. Smith, 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 – Jomarjie Wasik, 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 – 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

DEPT. OF PUBLIC HEALTH – Matt Carroll, Director, Mural Building, 1925 St. Clair Ave.
DIVISIONS: Air Quality – Richard L. Nemeth, Commissioner
Environment – Willie Bess, Commissioner, Mural Building, 1925 St. Clair Ave.
Health – Anjou Parekh, Commissioner, Mural Building, 1925 St. Clair Ave.

DEPT. OF PUBLIC SAFETY – Martin Flask, Director, Room 230
DIVISIONS: Dog Pound – John Baird, Chief Dog Warden, 2690 West 7th Street
Correction – Robert Taskey, Commissioner, Cleveland House of Corrections, 4041 Northfield Rd.
Emergency Medical Service – Edward Eckart, Commissioner, 1708 South Pointe Drive
Fire – Paul A. Stubbs, Chief, 1645 Superior Avenue
Police – Michael C. McGrath, Chief, Police Hdqtrs. Bldg., 1300 Ontario Street

DEPT. OF PARKS, RECREATION & PROPERTIES – Michael Cox, 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 – Leigh Stevens, 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 – Kim Johnson, 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 – Edward W. Rybka, Director, Room 500
DIVISIONS: Code Enforcement – Tyrone L. Johnson, Commissioner
Construction Permitting – Timothy R. Wolosz, Commissioner

DEPT. OF PERSONNEL AND HUMAN RESOURCES – Trudy Hutchinson, Director, Room 121

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

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

DEPT. OF CONSUMER AFFAIRS – Angel Guzman, Director

COMMUNITY RELATIONS BOARD – Room 11, Blaine Griffin, Director; Mayor Frank G. Jackson, Chairman Ex-Officio; Rev. Charles Lucas, Jr., Vice-Chairman; Councilman Kevin Conwell, Councilman Brian J. Cummins, Councilman Joe Santiago, 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; Lucille Ambroz, Secretary; Members: Diane M. Downing, Michael L. Nelson.

SINKING FUND COMMISSION – Frank G. Jackson, President; Council President Martin J. Sweeney; Betsy Hruby, Asst. Sec’y; Sharon Dumas, Director.

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

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

BOARD OF REVISION OF ASSESSMENTS – Law Director Robert J. Triozzi, President; Finance Director Sharon Dumas, Secretary; Council President Martin J. Sweeney.

BOARD OF SIDEWALK APPEALS – Service Director Jomarjie Wasik, Law Director Robert J. Triozzi; Councilman _____.

BOARD OF REVIEW – (Municipal Income Tax) – Law Director Robert J. Triozzi; Utilities Director _____; Council President Martin J. Sweeney.

CITY PLANNING COMMISSION – Room 501 – Robert N. Brown, Director; Anthony J. Coyne, Chairman; David H. Bowen, Lillian Kuri, Lawrence A. Lumpkin, Gloria Jean Pinkney, Norman Krumholz, Council Member Joe Cimperman.

FAIR CAMPAIGN FINANCE COMMISSION – Chris Warren, C. Ellen Connally, Hillary S. Taylor.

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

FAIR HOUSING BOARD – Charles See, Chair; _____, Vice Chair; Daniel Conway, Doris Honsa, Lisa Camacho.

HOUSING ADVISORY BOARD – Room 310 – Keith Brown, Terri Hamilton Brown, Vickie Eaton-Johnson, Mike Foley, Eric Hodderson, Janet Loehr, Mark McDermott, Marcia Nolan, David Perkowski, Joan Shaver Washington, Keith Sutton.

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

MORAL CLAIMS COMMISSION – Law Director Robert J. Triozzi; Chairman; Finance Director Sharon Dumas; Council President Martin J. Sweeney; Councilman Kevin Kelley; Councilman Nina Turner.

POLICE REVIEW BOARD – Thomas Jones, Board Chair Person; Vernon Collier, Vermel Whalen, Nancy Cronin, Elvin Vauss.

CLEVELAND LANDMARKS COMMISSION – Room 519 – Laura M. Bala, Chair; Jennifer Coleman, Vice Chair; Robert N. Brown, Council Member Joe Cimperman, Thomas Coffey, Robert Jackimowicz; Ari Maron, William Mason, Michael Rastatter, Jr., John Torres, N. Kurt Wiebusch, Robert Keiser, Secretary.

AUDIT COMMITTEE – Robert Rawson, Chairman; Yvette Ittu, Debra Janik, Bracy Lewis, Don Neebes, Council President Martin J. Sweeney; Law Director Robert J. Triozzi.

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

| Judge | Courtroom |
|---|-----------|
| Presiding and Administrative Judge Larry A. Jones | 14B |
| Judge Ronald B. Adrine | 15A |
| Judge Marilyn B. Cassidy | 12A |
| Judge Emanuella Groves | 13A |
| Judge Kathleen Ann Keough | 13D |
| Judge Anita Laster Mays | 14C |
| Judge Lauren C. Moore | 14A |
| Judge Charles Patton, Jr. | 12B |
| Judge Raymond L. Pianka (Housing Court Judge) | 13B |
| Judge Michael John Ryan | 12C |
| Judge Angela R. Stokes | 15C |
| Judge Pauline H. Tarver | 13C |
| Judge Joseph J. Zone | 14D |

Earle B. Turner – Clerk of Courts, Russell R. Brown III – Court Administrator, Paul J. Mizerak – Bailiff; Jerome M. Krakowski – Chief Probation Officer, Gregory F. Clifford – Chief Magistrate

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WEDNESDAY, FEBRUARY 20, 2008

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CITY COUNCIL

MONDAY, FEBRUARY 18, 2008

The City Record

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Address all communications to

PATRICIA J. BRITT

City Clerk, Clerk of Council
216 City Hall

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 2006-2009

MONDAY—Alternating

9:30 A.M. — **Public Parks, Property & Recreation Committee:** Johnson, Chair; White, Vice Chair; Brancatelli, Cummins, Kelley, Polensek, Turner.

9:30 A.M. — **Health & Human Services Committee:** Brancatelli, Chair; Cleveland, Vice Chair; Conwell, Kelley, Mitchell, Reed, Santiago, Westbrook.

11:00 A.M. — **Public Service Committee:** Brady, Chair; Turner, Vice Chair; Cleveland, Cummins, Johnson, Polensek, Reed, Santiago, White.

11:00 A.M. — **Legislation Committee:** Cleveland, Chair; Keane, Vice Chair; Cimperman, Lewis, Pierce Scott, Reed, White.

MONDAY

2:00 P.M. — **Finance Committee:** Sweeney, Chair; Cimperman, Vice Chair; Brady, Brancatelli, Coats, Conwell, Pierce Scott, Turner, Westbrook, White, Zone.

TUESDAY

9:30 A.M. — **Community and Economic Development Committee:** Pierce Scott, Chair; Brancatelli, Vice Chair; Brady, Cimperman, Cummins, Coats, Lewis, Westbrook, Zone.

1:30 P.M. — **Employment, Affirmative Action & Training Committee:** Lewis, Chair; Santiago, Vice Chair; Coats, Conwell, Cummins, Johnson, Mitchell.

WEDNESDAY—Alternating

10:00 A.M. — **Aviation & Transportation Committee:** Kelley, Chair; Keane, Vice Chair; Brancatelli, Cleveland, Mitchell, Turner, Westbrook.

10:00 A.M. — **Public Safety Committee:** Conwell, Chair; Brady, Vice Chair; Coats, Cummins, Kelley, Mitchell, Polensek, Santiago, Turner.

WEDNESDAY—Alternating

1:30 P.M. — **Public Utilities Committee:** Zone, Chair; Reed, Vice Chair; Cleveland, Cummins, Keane, Kelley, Polensek, Santiago, Westbrook.

1:30 P.M. — **City Planning Committee:** Cimperman, Chair; Westbrook, Vice Chair; Conwell, Keane, Lewis, Reed, Zone.

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

Rules Committee: Sweeney, Chair; Cleveland, Kelley, Pierce Scott, Polensek.

Personnel and Operations Committee: Westbrook, Chair; Kelley, Mitchell, Pierce Scott, Santiago, Sweeney, White.

Mayor's Appointment Committee: Coats, Chair; Pierce Scott, Kelley, Sweeney, 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

February 13, 2008

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, February 13, 2008, at 10:30 a.m. with Director Triozzi presiding.

Present: Director Triozzi, Acting Director Withers, Director Smith, Acting Director Simmonds, Direc-

tors Carroll, Flask, Cox, Rush, Hutchinson, Nichols, Guzman and Rybka.

Absent: Mayor Jackson, Directors Dumas and Fumich.

Others: Jim Hardy, Commissioner, Purchases and Supplies.

Debra Linn Talley, Director, Office of Equal Opportunity.

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

Resolution No. 79-08.

By Interim Director Withers.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Consolidated Electrical Distributors, Inc., d.b.a. Leader Electric Supply Company for an estimated quantity of PVC and FRE Conduit, Fittings and Accessories, item numbers 1, 2, and 6 through 209, for the Division of Cleveland Public Power, Department of Public Utilities, for a period of two years beginning with the date of execution of a contract, received on December 20, 2007, under the authority of Section 129.26 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to \$511,661.34, is approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into a requirement contract for the goods and/or services, which shall provide for the immediate purchase as the initial amount of the following:

Requisition No. 168995

which shall be certified against the contract in the sum of \$50,000.00.

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

Yeas: Director Triozzi, Acting Director Withers, Director Smith, Acting Director Simmonds, Directors Carroll, Flask, Cox, Rush, Hutchinson, Nichols, Guzman and Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Dumas and Fumich.

Resolution No. 80-08.

By Interim Director Withers.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Best Equipment Co., Inc. for an estimated quantity of labor and materials necessary to repair and maintain catch basin cleaning trucks (all items), for the Division of Water Pollution Control, Depart-

ment of Public Utilities, for a period of two years starting upon the later of execution of the contract or the day following expiration of the currently effective contract for the goods or services, received on December 12, 2007, under the authority of Ordinance No. 1399-07, passed October 15, 2007, which on the basis of the estimated quantity would amount to \$250,000.00 (Net 30 Days), is affirmed and approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into a requirement contract for the commodities, which shall provide for the immediate purchase as the initial amount of the contract of the following:

Requisition No. 170686

which shall be certified against the contract in the sum of \$75,000.00.

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

Yeas: Director Triozzi, Acting Director Withers, Director Smith, Acting Director Simmonds, Directors Carroll, Flask, Cox, Rush, Hutchinson, Nichols, Guzman and Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Dumas and Fumich.

Resolution No. 81-08.

By Interim Director Withers.

Be it resolved by the Board of Control of the City of Cleveland that all bids received on December 20, 2007, for PVC and FRE Conduit, Fittings and Accessories, item numbers 3, 4 and 5, for the Division of Cleveland Public Power, Department of Public Utilities, under Section 129.26 of the Codified Ordinances of Cleveland, Ohio, 1976, are rejected.

Yeas: Director Triozzi, Acting Director Withers, Director Smith, Acting Director Simmonds, Directors Carroll, Flask, Cox, Rush, Hutchinson, Nichols, Guzman and Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Dumas and Fumich.

Resolution No. 82-08.

By Director Wasik.

Whereas, by Resolution No. 31-08, adopted January 16, 2008, under the authority of Section 131.17 of the Codified Ordinances of Cleveland, Ohio, 1976, this Board of Control approved the bid of Admiral Truck Parts, Inc. for the purchase of various automotive and truck parts, items 4, 5(a, b), 7, 8, 18, 19, and 38; and

Whereas, according to the bidder's tax preparer's January 28, 2008 letter, the bidder name in Resolution No. 31-08, Admiral Truck Parts, Inc., should be corrected to Ohio Transport & Refrigeration, Inc. dba Admiral Truck Parts; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland, that Resolution No. 31-08, adopted January 16, 2008, is amended by changing the bidder name from Admiral Truck Parts, Inc. to Ohio Transport & Refrigeration, Inc., d.b.a. Admiral Truck Parts.

Yeas: Director Triozzi, Acting Director Withers, Director Smith, Acting Director Simmonds, Directors Carroll, Flask, Cox, Rush, Hutchinson, Nichols, Guzman and Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Dumas and Fumich.

Resolution No. 83-08.

By Director Wasik.

Whereas, under authority of Ordinance No. 820-05, passed by the Cleveland City Council on June 6, 2005, this Board of Control, by its Resolution No. 488-07 adopted August 29, 2007, approved J. D. Williamson Construction Company, Inc. as lowest responsible bidder for the public improvement of and rehabilitation of the Cornell Road Bridge, for the Division of Engineering and Construction, Department of Public Service, in the aggregate amount of \$4,457,173.80; and

Whereas, J. D. Williamson Construction Company, Inc. wishes to employ Trafftech Inc., DOT Diamond Core Drilling Inc. as additional subcontractors and to replace majority subcontractor Lake Erie Construction Company with Able Contracting Group (FBE); now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors and replacement of one majority subcontractor by one FBE subcontractor by J. D. Williamson Construction Company, Inc. for the abovementioned public improvement be approved:

Trafftech Inc.
\$5,400.00 — 0.12%

DOT Diamond Core Drilling Inc.
\$20,000.00 — 0.45%

Able Contracting Group (FBE)
\$84,877.00 — 1.90%

Yeas: Director Triozzi, Acting Director Withers, Director Smith, Acting Director Simmonds, Directors Carroll, Flask, Cox, Rush, Hutchinson, Nichols, Guzman and Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Dumas and Fumich.

Resolution No. 84-08.

By Director Wasik.

Whereas, under the authority of Section 131.17 of the Codified Ordinances of Cleveland, Ohio, 1976, and Board of Control Resolution No. 602-07, adopted November 7, 2007, the City, through the Director of Public Service, entered into City Contract No. 67610 with Cleveland Peterbilt, LLC for the purchase of the City's requirements for radiator repair, all items, for a total estimated price of \$85,000.00; and

Whereas, by its letter dated January 9, 2008, Cleveland Peterbilt, LLC notified the City that it sold its radiator division to Erie Shore Industrial Radiator, LLC, and by its letter dated January 9, 2008, Erie Shore Industrial Radiator, LLC notified the City that it purchased the radiator division of Cleveland Peterbilt, LLC, and requested the City's consent to assignment of City Contract No.

67610 to Erie Shore Industrial Radiator, LLC effective December 28, 2007; now, therefore,

Be it resolved, by the Board of Control of the City of Cleveland, that this Board acknowledges Erie Shore Industrial Radiator, LLCs purchase of the radiator division of Cleveland Peterbilt, LLC and authorizes the Director of Public Service to consent, on behalf of the City, to the request of Cleveland Peterbilt, LLC to assign City Contract No. 67610 for the purchase of the City's requirements for radiator repair, all items, to Erie Shore Industrial Radiator, LLC, effective December 28, 2007.

Be it further resolved, that the Director of Public Service is authorized to execute all documents and do all things necessary to implement the consent to assignment of Contract No. 67610 authorized above. A copy of consent to assignment and the assignment of Contract No. 67610 shall be filed with the original of Contract No. 67610 in the office of the Commissioner of Accounts.

Yeas: Director Triozzi, Acting Director Withers, Director Smith, Acting Director Simmonds, Directors Carroll, Flask, Cox, Rush, Hutchinson, Nichols, Guzman and Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Dumas and Fumich.

Resolution No. 85-08.

By Director Wasik.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of Collins Equipment Corporation for an estimated quantity of various stationary air compressors and equipment maintenance and repair, all items, for the Division of Motor Vehicle Maintenance, Department of Public Service, for the period of three years with one option to renew for an additional one year beginning with the date of execution of a contract, received on November 21, 2007, under the authority of Section 131.18 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to \$200,000.00 (2% 10 Days (Net 30)), is affirmed and approved as the lowest and best bid, and the Director of Public Service is requested to enter into a requirement contract for the goods and/or services, which shall provide for the immediate purchase as the initial amount of the contract the following:

Requisition No. 177802

which shall be certified against the contract in the sum of \$25,000.00.

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

Yeas: Director Triozzi, Acting Director Withers, Director Smith, Acting Director Simmonds, Directors Carroll, Flask, Cox, Rush, Hutchinson, Nichols, Guzman and Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Dumas and Fumich.

Resolution No. 86-08.

By Director Wasik.

Be it resolved by the Board of Control of the City of Cleveland that the bid of The Sherwin-Williams Company for purchase of Traffic Paint used for the maintenance of pavement markings, Items 1, 2, 3, 4, and 5, for the Division of Traffic Engineering, Department of Public Service, for the period of "two (2) years" beginning with the date of execution of a contract, received on October 19, 2007, under the authority of Ordinance No. 639-07 passed June 11, 2007, which on the basis of estimated quantity would amount to \$553,970.00, is affirmed and approved as the lowest and best bid, and the Director of Public Service is authorized to enter into a requirement contract for such goods which shall provide for the immediate purchase as the initial amount of the contract of the following:

Requisition No. 180502

which shall be certified against the contract in the sum of \$108,205.00.

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

Yeas: Director Triozzi, Acting Director Withers, Director Smith, Acting Director Simmonds, Directors Carroll, Flask, Cox, Rush, Hutchinson, Nichols, Guzman and Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Dumas and Fumich.

Resolution No. 87-08.

By Director Wasik.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Potters Industries, Inc. for purchase of Glass Beads used for the maintenance of pavement markings, Item 6, for the Division of Traffic Engineering, Department of Public Service, for the period of "two (2) years" beginning with the date of execution of a contract, received on October 19, 2007, under the authority of Ordinance No. 639-07 passed June 11, 2007, which on the basis of the estimated quantity would amount to \$43,500.00, is affirmed and approved as the lowest and best bid, and the Director of Public Service is authorized to enter into a requirement contract for such goods which shall provide for the immediate purchase as the initial amount of the contract of the following:

Requisition No. 180503

which shall be certified against the contract in the sum of \$21,750.00.

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

Yeas: Director Triozzi, Acting Director Withers, Director Smith,

Acting Director Simmonds, Directors Carroll, Flask, Cox, Rush, Hutchinson, Nichols, Guzman and Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Dumas and Fumich.

Resolution No. 88-08.

By Director Wasik.

Be it resolved by the Board of Control of the City of Cleveland, that the bid of Perk Company Inc. for the public improvement of and rehabilitation of Bellaire Road, for the Division of Engineering and Construction, Department of Public Service, received on January 24, 2008, under the authority of Ordinance No. 55-07, passed by the Cleveland City Council March 26, 2007, upon a unit basis for the improvement, in the aggregate amount of \$1,999,175.52, is affirmed and approved as the lowest responsible bid, and the Director of Public Service is authorized to enter into contract for the improvement with the bidder.

Be it further resolved that the employment of the following subcontractors by Perk Company Inc. for the above-mentioned public improvement is approved:

McTech Corporation
(MBE) — \$315,000.00 — (15.756%)

Cuyahoga Supply & Tool Co. (Work)
(FBE) — \$21,000.00 — (1.050%)

Dot Sawing and Drilling
Non Minority — \$15,900.00 — (0.795%)

Pavement Technology
Non Minority — \$9,500.00 — (0.475%)

Trafftech Inc.
Non Minority — \$71,500.00 — (3.576%)

Yeas: Director Triozzi, Acting Director Withers, Director Smith, Acting Director Simmonds, Directors Carroll, Flask, Cox, Rush, Hutchinson, Nichols, Guzman and Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Dumas and Fumich.

Resolution No. 89-08.

By Director Cox.

Whereas, by Resolution No. 117-03, adopted on February 26, 2003, under the authority of Section 133.14(a) of the Codified Ordinances of Cleveland, Ohio, 1976, this Board of Control established rental rates for the Cleveland Public Auditorium and Convention Center, its various rooms and halls and portions thereof, and

Whereas, the City of Cleveland will sponsor Senior Day 2008 to be held on May 14, 2008; and

Whereas, Senior Day 2008 is open to the public free of charge; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that notwithstanding and as an exception to the terms of Resolution No. 117-03, adopted by this Board of Control on February 26, 2003, the use of the space at the Cleveland Convention Center for Senior Day 2008, shall be provided at no charge.

Be it further resolved that any labor, materials and equipment supplied to Senior Day 2008 by the Cleveland Convention Center is charged at the prevailing rate to the Department of Aging.

Yeas: Director Triozzi, Acting Director Withers, Director Smith, Acting Director Simmonds, Directors Carroll, Flask, Cox, Rush, Hutchinson, Nichols, Guzman and Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Dumas and Fumich.

Resolution No. 90-08.

By Director Cox.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Schindler Elevator Corporation, for the repair of the West elevator at Willard Garage, all items, for the Division of Parking Facilities, Department of Parks, Recreation and Properties, received on January 16, 2008, under the authority of Ordinance No. 1534-07, passed on October 29, 2007, which on the basis of the repair work would amount to \$19,500.00, is approved as the lowest and best bid, and the Director of Parks, Recreation, and Properties is requested to enter into contract for the items with the bidder.

Yeas: Director Triozzi, Acting Director Withers, Director Smith, Acting Director Simmonds, Directors Carroll, Flask, Cox, Rush, Hutchinson, Nichols, Guzman and Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Dumas and Fumich.

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, MARCH 3, 2008

9:30 A.M.

Calendar No. 08-18: 4733 Broadway Avenue (Ward 5)

4733 Broadway LLC and William Freed, owner, appeal to construct a 6,000 square foot building expansion to an existing food processing operation and a 13 space accessory off-street parking lot, proposed to be on consolidated parcels, located in a General Retail Business District on the northeast side of Broadway Avenue at 4733 Broadway Avenue; subject to the provisions of Section 359.01, the Board of Zoning Appeals approval is required for the expansion of a nonconforming use, a food processing operation not permitted in a General Retail Business District but first permitted in a Semi-Industry District; and contrary to Section 352.08 through 352.11, no landscaping is provided and a 10 foot wide landscaped transition strip with 100 percent year-round opacity is required at the rear property line, where the property abuts an alley and a residential district; and in non-residential districts other than General and Unrestricted Industry Districts, fences in actual front yards may not exceed 4 feet in height and a 6 foot high fence is proposed contrary to Section 358.05(a)(2) of the Codified Ordinances.

Calendar No. 08-21: 2201 East 49th Street (Ward 5)

The Cleveland Metropolitan School District, owner, appeals to construct a 64,300 square foot Kindergarten through Eighth Grade two-story school on an acreage parcel between East 49th Street and East 55th Street, located in split zoning between Multi-Family and General Retail Business Districts at 2201 East 49th Street; contrary to Section 349.04(c), 41 parking spaces are proposed and 93 are required, 70 spaces for a 7,000 square foot gymnasium and 23 spaces for 45 staff members; and a proposed driveway is located less than a foot from the property line, contrary to Section 343.18(c), where any driveway providing access to a property shall be located so that there would be not less than 15 feet between the point of tangency of the driveway apron radius and prolongation of the property line to the curb measured at the curb line. Contrary to the Fence Regulations, an 8 foot high chain link fence is proposed and in residential and non-residential districts, other than General and Unrestricted Industry Districts, a fence in actual front yards shall not exceed 4 feet in height and in actual interior side yards shall not exceed a 6 foot height, as stated in Sections 358.04 and 05 of the Codified Ordinances.

Calendar No. 08-23: 1829 East 55th Street (Ward 7)

Oriana Services Inc., owner, appeal to expand the use of a correctional halfway house, proposed to be on consolidated parcels, located in a

General Retail Business District, a Semi-Industry District and a Multi-Family District on the east side of East 55th Street at 1829 East 55th Street; the proposed expansion being subject to the provisions of Section 347.15(c) that require the Board of Zoning Appeals approval for the expansion of a correctional halfway house; and contrary to Section 347.15(f) 225 residents subject to correctional oversight are proposed where a maximum of 100 residents is allowed; and the limitations of 347.15(h) exclude residents from a correctional halfway house who have been convicted of felony crimes against children and applicant has admitted an offender convicted of a felonious sex offense against a child. There is no landscaping proposed contrary to Section 352.10, that requires a 6 foot wide landscape strip on East 55th Street and along Quimby and Hough Avenues where parking abuts the street; and there are 23 continuous parking spaces proposed in a row, contrary to Section 352.10(e), where island strips shall have a minimum area of 100 square feet each and shall be separated by no more than 20 parking spaces; and the provisions of Section 337.07(e) require a 15 foot wide transition strip where the lot abuts a residential district. No bumper guards are proposed and accessory off-street parking spaces shall be provided with wheel or bumper guards located so that no part of a parked vehicle extends beyond such parking space, as stated in Section 349.07(b) of the Codified Ordinances.

Secretary

**REPORT OF THE BOARD
OF ZONING APPEALS**

TUESDAY, FEBRUARY 19, 2008

At the meeting of the Board of Zoning Appeals on Tuesday, February 19, 2008, the following appeals were heard by the Board.

The following appeal was **Approved:**

Calendar No. 08-12: 819 Jefferson Avenue

Thomas Bell appealed to expand the use of a restaurant/bar into the second floor of an existing mixed use building in a General Retail Business District.

Calendar No. 08-15: 2067 Random Road - Unit 1

Turning Point Development Company appealed to erect a 21' x 76' three-story single family dwelling in a Multi-Family District.

Calendar No. 08-16: 2067 Random Road - Unit 2

Turning Point Development Company appealed to erect a 35' x 31' three-story single family dwelling in a Multi-Family District.

Calendar No. 08-2: 2708 Jay Avenue

David Posteraro appealed to erect a one-story addition to a single family dwelling in a Two-Family District.

The following appeal was **Denied:**

Calendar No. 08-14: 3319 Marvin Avenue

Euharia Eweroke appealed to change the use of a single family dwelling to a day care in a Two-Family District.

The following appeals were **Withdrawn:**

Calendar No. 07-178: 9709 Meech Avenue

James Gills appealed to establish use for storage of automobiles, not pending wrecking or dismantling, in a Semi-Industry District.

Calendar No. 07-179: 9801 Meech Avenue

James Gills appealed to establish use for storage of automobiles, not pending wrecking or dismantling, in a Semi-Industry District.

Calendar No. 07-180: 9805 Meech Avenue

James Gills appealed to establish use as auto repair and storage of automobiles for repair, no storage pending wrecking or dismantling, in a Semi-Industry District.

Calendar No. 07-181: 9809 Meech Avenue

James Gills appealed to establish use for storage of automobiles, not pending wrecking or dismantling, in a Semi-Industry District.

Calendar No. 07-253: 6411 Lexington Avenue

Stanley Manning appealed to erect a 49' x 32' two-story single family dwelling and attached garage in a Multi-Family District.

Calendar No. 08-13: 1255 Ansel Road

Haji Murray appealed to install 50 linear feet of 4 foot high chain link fence in the actual front yard of a parcel in a Two-Family District.

The following appeal was **Dismissed:**

None.

The following appeals were **Postponed:**

None.

In Executive Session on February 19, 2008 the following appeals heard by the Board on February 11, 2008 were adopted and approved.

The following appeal was **Approved:**

Calendar No. 08-9: 12106-12112 Mayfield Road

Flynn Properties LLC, owner, and Terry Tarantino, tenant, appealed to renovate an existing restaurant and include an additional 80 seat outdoor patio with an additional 34 indoor seats on a corner parcel in a General Retail District; subject to condition.

In Executive Session on February 19, 2008 the following appeal heard by the Board on January 22, 2008 was adopted and approved.

The following appeal was **Approved**:

Calendar No. 07-262: 3403-23 Clark Avenue

Hani and Samira Ziadeh, owners, and Visconsi Land Company prospective purchasers, appealed to construct a retail store on a consolidated corner parcel in split zoning between Local Retail Business and B1 Two-Family Districts; subject to legally effective date for zoning change legislation.

In Executive Session on February 19, 2008 the following appeal heard by the Board on January 28, 2008 was adopted and approved.

The following appeal was **Approved**:

Calendar No. 08-1: 3573 East 78th Street

Cleveland Wire Cloth and Manufacturing Company, owner, appealed to construct a one-story addition to an existing facility on an acreage parcel in a Semi-Industry District; subject to legally effective date for zoning change legislation.

Secretary

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

NO MEETING

PUBLIC NOTICE

NONE

NOTICE OF PUBLIC HEARING

NONE

CITY OF CLEVELAND BIDS

For All Departments

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

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

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

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

FRIDAY, FEBRUARY 29, 2008

File No. 23-08 — Constructing and Repairing Catch Basin and Manholes at Various Locations Throughout the City, for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Section 129.291 of the Codified Ordinances of Cleveland, Ohio, 1976.

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 (NO COMPANY CHECKS, NO CASH AND NO CREDIT CARDS WILL BE ACCEPTED). THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** FRIDAY, FEBRUARY 22, 2008 AT 10:00 A.M., DIVISION OF WATER POLLUTION CONTROL, 12302 KIRBY AVENUE, CLEVELAND, OHIO 44108.

February 13, 2008 and February 20, 2008

THURSDAY, MARCH 6, 2008

File No. 24-08 — Disposal of Construction and Demolition Debris - Contract C & D, for the Division of Waste Collection and Disposal, Department of Public Service, as authorized by Ordinance No. 1604-07, passed by the Council of the City of Cleveland, October 29, 2007.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** FRIDAY, FEBRUARY 22, 2008 AT 2:00 P.M., DIVISION OF WASTE COLLECTION, 5600 CARNEGIE AVENUE, CLEVELAND, OHIO 44103.

File No. 25-08 — Ballistic Vest, Carriers, T-Shirts, Bras and Tactical Carriers, for the Division of Police, Department of Public Safety, as authorized by Section 135.06 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** THURSDAY, FEBRUARY 21, 2008 AT 10:00 A.M., THE JUSTICE CENTER BUILDING, 8TH FLOOR, 1300 ONTARIO STREET, CLEVELAND, OHIO 44113.

February 13, 2008 and February 20, 2008

FRIDAY, MARCH 7, 2008

File No. 31-08 — Transfer and Disposal of Tires - Contract T (Re-Bid), for the Division of Waste Collection and Disposal, Department of Public Service, as authorized by Ordinance No. 1603-07, passed by the Council of the City of Cleveland, October 29, 2007.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** MONDAY, MARCH 3, 2008 AT 10:30 A.M., CITY HALL, THE DIVISION OF PURCHASES AND SUPPLIES, 601 LAKESIDE AVENUE, ROOM 128, CLEVELAND, OHIO 44114.

File No. 33-08 — Snow Removal Services, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 1926-07, passed by the Council of the City of Cleveland, December 10, 2007.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** FRIDAY, FEBRUARY 29, 2008 AT 10:00 A.M., DIVISION OF CLEVELAND PUBLIC POWER, MAIN OFFICE, 1300 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

File No. 34-08 — Repair/Replacement of Plumbing Equipment and Lines, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 1927-07, passed by the Council of the City of Cleveland, December 10, 2007.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** FRIDAY, FEBRUARY 29, 2008 AT 11:00 A.M., DIVISION OF CLEVELAND PUBLIC POWER, MAIN OFFICE, 1300 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

February 20, 2008 and February 27, 2008

THURSDAY, MARCH 13, 2008

File No. 32-08 — Janitorial Maintenance and Cleaning Supplies, for the Various Divisions of Port Control, Department of Port Control, as authorized by Ordinance No. 192-07, passed by the Council of the City of Cleveland, March 12, 2007.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** FRIDAY, FEBRUARY 29, 2008 AT 10:00 A.M., CLEVELAND HOPKINS INTERNATIONAL AIRPORT, CENTRAL RECEIVING BUILDING, 19451 FIVE POINTS ROAD, CLEVELAND, OHIO 44135-3193.

February 20, 2008 and February 27, 2008

WEDNESDAY, MARCH 19, 2008

File No. 30-08 — Fire and Extended Insurance Coverage for Various CPP Buildings, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 1257-06, passed by the Council of the City of Cleveland, November 20, 2006.

THERE WILL BE A **MANDATORY PRE-BID MEETING** THURSDAY, MARCH 6, 2008 AT 10:00 A.M., DIVISION OF CLEVELAND PUB-

LIC POWER, 1300 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

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

File No. 26-08 — Contractual Repair of Water Mains, Valves, Service Connections and Appurtenances — Area A, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 98-08, passed by the Council of the City of Cleveland, TBD.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** FRIDAY, FEBRUARY 29, 2008 AT 2:30 P.M., THE CARL B. STOKES PUBLIC UTILITIES BUILDING, 5TH FLOOR, ENGINEERING CONFERENCE ROOM, 1201 LAKE-SIDE AVENUE, CLEVELAND, OHIO 44114.

File No. 27-08 — Contractual Repair of Water Mains, Valves, Service Connections and Appurtenances — Area B, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 98-08, passed by the Council of the City of Cleveland, TBD.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** FRIDAY, FEBRUARY 29, 2008 AT 2:30 P.M., THE CARL B. STOKES PUBLIC UTILITIES BUILDING, 5TH FLOOR, ENGINEERING CONFERENCE ROOM, 1201 LAKE-SIDE AVENUE, CLEVELAND, OHIO 44114.

February 20, 2008 and February 27, 2008

THURSDAY, MARCH 20, 2008

File No. 28-08 — Contractual Repair of Water Mains, Valves, Service Connections and Appurtenances — Area C, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 98-08, passed by the Council of the City of Cleveland, TBD.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** FRIDAY, FEBRUARY 29, 2008 AT 2:30 P.M., THE CARL B. STOKES PUBLIC UTILITIES BUILDING, 5TH FLOOR, ENGINEERING CONFERENCE ROOM, 1201 LAKE-SIDE AVENUE, CLEVELAND, OHIO 44114.

File No. 29-08 — Contractual Repair of Water Mains, Valves, Service Connections and Appurtenances — Area D, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 98-08, passed by the Council of the City of Cleveland, TBD.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** FRIDAY, FEBRUARY 29, 2008 AT 2:30 P.M., THE CARL B. STOKES PUBLIC UTILITIES BUILDING, 5TH FLOOR, ENGINEERING CONFERENCE ROOM, 1201 LAKE-SIDE AVENUE, CLEVELAND, OHIO 44114.

February 20, 2008 and February 27, 2008

ADOPTED RESOLUTIONS AND ORDINANCES

Res. No. 245-08.

By Council Member Johnson.

An emergency resolution objecting to the transfer of ownership of a C2 and C2X Liquor Permit to 11312 Buckeye Road.

Whereas, Council has been notified by the Department of Liquor Control of an application for the transfer of ownership of a C2 and C2X Liquor Permit from Gene A. Sardon, DBA Gene's Corner Beverage Store #1, 11312 Buckeye Road, Cleveland, Ohio 44104, Permanent Number 7742555 to A & F Buckeye, LLC, DBA Gene's Speedy Service, 11312 Buckeye Road, Cleveland, Ohio 44104, Permanent Number 0009467; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a C2 and C2X Liquor Permit from Gene A. Sardon, DBA Gene's Corner Beverage Store #1, 11312 Buckeye Road, Cleveland, Ohio 44104, Permanent Number 7742555 to A & F Buckeye, LLC, DBA Gene's Speedy Service, 11312 Buckeye Road, Cleveland, Ohio 44104, Permanent Number 0009467; and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

Section 2. That the Clerk of Council be and she is hereby directed to

transmit two certified copies of this resolution, together with two copies of a letter of objection and two copies of a letter requesting that the hearing be held in Cleveland, Cuyahoga County.

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

Adopted February 11, 2008.

Effective February 14, 2008.

Ord. No. 1942-07.

By Council Members Pierce Scott and Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into one or more contract amendments with various original UDAG loan recipients.

Whereas, some current recipients of original UDAG loans have requested the opportunity to prepay their original UDAG loans at its net present value determined by discounting their loans; and

Whereas, the discount rate which will be used by the City will be 10.25%; and

Whereas, this ordinance constitutes an emergency measure providing for the immediate preservation of the public peace, property, health, and welfare in that its enactment is a necessary prerequisite to provide immediate assistance to create and preserve additional job opportunities and to advance and promote commercial and economic development in the City of Cleveland; now, therefore,

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

Section 1. That the Director of Economic Development is authorized to enter into one or more contract amendments with various original UDAG loan recipients to accept discount prepayments of their UDAG loans.

Section 2. That the Director of Economic Development is authorized to accept, on behalf of the City, discounted prepayments from original UDAG loan recipients to be paid to the City, in an amount equal to the net present value of the loan using a 10.25% discount rate in full satisfaction of the loans, provided that the original UDAG loan is due on or before December 31, 2023 and provided that the discounted prepayments are received by April 30, 2008. That the Director of Economic Development is authorized to file all papers and execute all documents necessary to receive the funds under the prepayments.

Section 3. That the contract amendments shall be prepared by the Director of Law.

Section 4. That the Director of Economic Development is authorized to release any and all collateral taken to secure repayments of the loans and to execute all documents necessary to release the col-

lateral. Any release of security instruments shall be prepared and approved by the Director of Law.

Section 5. That by May 1, 2008, the Director of Economic Development shall provide the Council President and Clerk of Council with a written list of companies that took advantage of the discounted prepayment plan.

Section 6. That the Director of Economic Development is authorized to deposit the prepayments into Fund No. 17 SF 006.

Section 7. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed February 11, 2008.
Effective February 14, 2008.

Ord. No. 244-08.

By Council Member Cimperman. An emergency ordinance consenting and approving the issuance of a permit for the first annual West Side Tavern Chili Bowl 5K, on February 16, 2008, sponsored by Hermes Sports.

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

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

Section 1. That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of the first annual West Side Tavern Chili Bowl 5K on February 16, 2008, Start: Huron and West 2nd; Huron to Superior; Superior across Detroit Superior Bridge; Detroit to West 45th; West 45 to Franklin; Franklin to West 28th; West 28th to Detroit; across Detroit Superior Bridge to Huron to finish, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

Passed February 11, 2008.
Effective February 14, 2008.

COUNCIL COMMITTEE MEETINGS

GENERAL FUND BUDGET HEARINGS

Thursday, February 14, 2008 9:00 a.m.

Finance Committee: Present: Sweeney, Chair; Cimperman, Vice Chair; Brady, Conwell, Turner, Zone, Brancatelli, Westbrook, Coats, White, Pierce Scott.

Friday, February 15, 2008 9:00 a.m.

Finance Committee: Present: Sweeney, Chair; Cimperman, Vice Chair; Brady, Conwell, Turner, Zone, Brancatelli, Westbrook, Coats, White. *Authorized Absence:* Pierce Scott.

Tuesday, February 19, 2008 9:00 a.m.

Finance Committee: Present: Sweeney, Chair; Conwell, Turner, Zone, Brancatelli, Westbrook, Coats, White, Pierce Scott. *Authorized Absence:* Cimperman, Vice Chair.

Wednesday, February 20, 2008 9:00 a.m.

Finance Committee: Present: Sweeney, Chair; Cimperman, Vice Chair; Brady, Conwell, Turner, Zone, Brancatelli, Westbrook, Coats, White. *Authorized Absence:* Pierce Scott.

Index

O—Ordinance; R—Resolution; F—File

Bold figures—Final Publication; D—Defeated; R—Reprint; T—Tabled; V—Vetoed;

Bold type in sections indicates amendments

Board of Control — Cleveland Public Power Division

PVC and FRE conduit, fittings and accessories — contract per C.O. Sec. 129.26 to Consolidated Electrical Distributors, Inc., d.b.a., Leader Electric Supply, Inc. — Dept. of Public Utilities (BOC Res. 79-08) 299
PVC and FRE conduit, fittings and accessories — per C.O. Sec. 129.26 — bids rejected — Dept. of Public Utilities (BOC Res. 81-08)..... 300

Board of Control — Convention Center and Stadium Division

Senior Day 2008 at Convention Center — May 14, 2008 — free of charge — exception to BOC Res. 117-03 — Dept. of Parks, Recreation and Properties (BOC Res. 89-08) 301

Board of Control — Engineering and Construction Division

Bellaire Road rehabilitation — contract per Ord. 55-07 to Perk Company Inc. — Dept. of Public Service (BOC Res. 88-08) 301
Cornell Road Bridge rehabilitation — approve subcontractors — BOC Res. 488-07 — Dept. of Public Service (BOC Res. 83-08) 300

Board of Control — Motor Vehicle Maintenance Division

Air compressors, stationary and equipment maintenance and repair — contract per C.O. Sec. 131.18 to Collins Equipment Corporation — Dept. of Public Service (BOC Res. 85-08) 300

Automotive and truck parts — amend BOC Res. 31-08 — Dept. of Public Service (BOC Res. 82-08) 300

Radiator repair — consent to assignment Contract #67610 per BOC Res. 602-07 — Dept. of Public Service (BOC Res. 84-08) 300

Board of Control — Parking Facilities Division

Elevator (West) repair at Willard Park Garage — contract per Ord. 1534-07 to Schindler Elevator Corporation — Dept. of Parks, Recreation and Properties (BOC Res. 90-08) 301

Board of Control — Parks, Recreation and Properties Department

Elevator (West) repair at Willard Park Garage — contract per Ord. 1534-07 to Schindler Elevator Corporation — Division of Parking Facilities (BOC Res. 90-08) 301

Senior Day 2008 at Convention Center — May 14, 2008 — free of charge — exception to BOC Res. 117-03 — Division of Convention Center and Stadium (BOC Res. 89-08) 301

Board of Control — Public Improvement Contracts

Bellaire Road rehabilitation — contract per Ord. 55-07 to Perk Company Inc. — Division of Engineering and Construction, Dept. of Public Service (BOC Res. 88-08) 301

Cornell Road Bridge rehabilitation — approve subcontractors — BOC Res. 488-07 — Division of Engineering and Construction, Dept. of Public Service (BOC Res. 83-08) 300

Board of Control — Public Service Department

Air compressors, stationary and equipment maintenance and repair — contract per C.O. Sec. 131.18 to Collins Equipment Corporation — Division of Motor Vehicle Maintenance (BOC Res. 85-08) 300

Automotive and truck parts — amend BOC Res. 31-08 — Division of Motor Vehicle Maintenance (BOC Res. 82-08) 300

Bellaire Road rehabilitation — contract per Ord. 55-07 to Perk Company Inc. — Division of Engineering and Construction (BOC Res. 88-08) 301

Cornell Road Bridge rehabilitation — approve subcontractors — BOC Res. 488-07 — Division of Engineering and Construction (BOC Res. 83-08) 300

Glass beads — contract per Ord. 639-07 to Potters Industries Inc. — Division of Traffic Engineering (BOC Res. 87-08) 301

Radiator repair — consent to assignment Contract #67610 per BOC Res. 602-07 — Division of Motor Vehicle Maintenance (BOC Res. 84-08) 300

Traffic paint — contract per Ord. 639-07 to The Sherwin Williams Company — Division of Traffic Engineering (BOC Res. 86-08) 301

Board of Control — Public Utilities Department

PVC and FRE conduit, fittings and accessories — contract per C.O. Sec. 129.26 to Consolidated Electrical Distributors, Inc., d.b.a., Leader Electric Supply, Inc. — Division of Cleveland Public Power (BOC Res. 79-08) 299

PVC and FRE conduit, fittings and accessories — per C.O. Sec. 129.26 — bids rejected — Division of Cleveland Public Power (BOC Res. 81-08) 300

Trucks, catch basin cleaning, repair and maintain — contract per Ord. 1399-07 to Best Equipment Co., Inc. — Division of Water Pollution Control (BOC Res. 80-08) 299

Board of Control — Requirement Contracts

Air compressors, stationary and equipment maintenance and repair — contract per C.O. Sec. 131.18 to Collins Equipment Corporation — Division of Motor Vehicle Maintenance, Dept. of Public Service (BOC Res. 85-08) 300

Automotive and truck parts — amend BOC Res. 31-08 — Division of Motor Vehicle Maintenance, Dept. of Public Service (BOC Res. 82-08) 300

Glass beads — contract per Ord. 639-07 to Potters Industries Inc. — Division of Traffic Engineering, Dept. of Public Service (BOC Res. 87-08)..... 301

PVC and FRE conduit, fittings and accessories — contract per C.O. Sec. 129.26 to Consolidated Electrical Distributors, Inc., d.b.a., Leader Electric Supply, Inc. — Division of Cleveland Public Power, Dept. of Public Utilities (BOC Res. 79-08) 299

Radiator repair — consent to assignment Contract #67610 per BOC Res. 602-07 — Division of Motor Vehicle Maintenance, Dept. of Public Service (BOC Res. 84-08) 300

Traffic paint — contract per Ord. 639-07 to The Sherwin Williams Company — Division of Traffic Engineering, Dept. of Public Service (BOC Res. 86-08) 301

Trucks, catch basin cleaning, repair and maintain — contract per Ord. 1399-07 to Best Equipment Co., Inc. — Division of Water Pollution Control, Dept. of Public Utilities (BOC Res. 80-08) 299

Board of Control — Standard Purchase Contracts

Elevator (West) repair at Willard Park Garage — contract per Ord. 1534-07 to Schindler Elevator Corporation — Division of Parking Facilities, Dept. of Parks, Recreation and Properties (BOC Res. 90-08) 301

Board of Control — Traffic Engineering Division

Glass beads — contract per Ord. 639-07 to Potters Industries Inc. — Dept. of Public Service (BOC Res. 87-08) 301

Traffic paint — contract per Ord. 639-07 to The Sherwin Williams Company — Dept. of Public Service (BOC Res. 86-08) 301

Board of Control — Water Pollution Control Division

Trucks, catch basin cleaning, repair and maintain — contract per Ord. 1399-07 to Best Equipment Co., Inc. — Dept. of Public Utilities (BOC Res. 80-08) 299

Board of Control — Willard Park Garage

Elevator (West) repair — contract per Ord. 1534-07 to Schindler Elevator Corporation — Division of Parking Facilities, Dept. of Parks, Recreation and Properties (BOC Res. 90-08) 301

Board of Zoning Appeals — Report

Ansel Road, 1255, (Ward 8) — Haji Murray, owner — appeal withdrawn on 2/19/08 (Cal. 08-13)..... 302

Clark Avenue, 3403-23, (Ward 14) — Hani and Samira Ziadah, owners and Visconsi Land Company, prospective purchaser — appeal granted and adopted on 2/19/2008 (Cal. 07-262)..... 303

East 785th Street, 3573, (Ward 12) — Cleveland Wire Cloth and Manufacturing Company, owner — appeal granted and adopted on 2/19/2008 (Cal. 08-1) 303

Jay Avenue, 2708, (Ward 13) — David Posteraro, owner — appeal heard on 2/19/2008 (Cal. 08-2) 302

Jefferson Avenue, 819, (Ward 13) — Thomas Bell, owner — appeal heard on 2/19/08 (Cal. 08-12)..... 302

Lexington Avenue, 6411, (Ward 7) — Stanley Manning, owner — appeal withdrawn on 2/19/2008 (Cal. 07-253)..... 302

Marvin Avenue, 3319, (Ward 15) — Euharia Eweroke, owner — appeal heard on 2/19/08 (Cal. 08-14)..... 302

Mayfield Road, 12106-12112, (Ward 6) — Flynn Properties, LLC, owner and Terry Tarantino, tenant — appeal granted and adopted on 2/19/2008 (Cal. 08-9)..... 302

Meech Avenue, 9709, (Ward 2) — James Gills, owner — appeal withdrawn on 2/19/2008 (Cal. 07-178)..... 302

Meech Avenue, 9801, (Ward 2) — James Gills, owner — appeal withdrawn on 2/19/2008 (Cal. 07-179)..... 302

Meech Avenue, 9805, (Ward 2) — James Gills, owner — appeal withdrawn on 2/19/2008 (Cal. 07-180)..... 302

| | |
|--|-----|
| Meech Avenue, 9809, (Ward 2) — James Gills, owner — appeal withdrawn on 2/19/2008 (Cal. 07-181) | 302 |
| Randon Road, 2067, Unit 1, (Ward 6) — Turning Point Development Company, owner and John Koncar — appeal heard on 2/19/08 (Cal. 08-15) | 302 |
| Randon Road, 2067, Unit 2, (Ward 6) — Turning Point Development Company, owner and John Koncar — appeal heard on 2/19/08 (Cal. 08-16) | 302 |

Board of Zoning Appeals — Schedule

| | |
|---|-----|
| Broadway Avenue, 4733, (Ward 5) — 4722 Broadway LLC and William Freed, owner — appeal to be heard on 3/3/2008 (Cal. 08-18) | 302 |
| East 49th Street, 2201, (Ward 5) — The Cleveland Metropolitan School District, owner — appeal to be heard on 3/3/2008 (Cal. 08-21) | 302 |
| East 55th Street, 1829, (Ward 7) — Oriana Services Inc., owner — appeal to be heard on 3/3/2008 (Cal. 08-23) | 302 |

City of Cleveland Bids

| | |
|--|-----|
| Ballistic vests, carriers, t-shirts, bras and tactical carriers — Department of Public Safety — Division of Police — per C.O. Sec. 135.06 — bid due March 6, 2008 (advertised 2/13/2008 and 2/20/2008) | 303 |
| Catch basin and manhole repair — Department of Public Utilities — Division of Water Pollution Control — per C.O. Sec. 129.291 — bid due February 29, 2008 (advertised 2/13/2008 and 2/20/2008) | 303 |
| Debris (construction and demolition) disposal (Contracts C & D) — Department of Public Service — Division of Waste Collection and Disposal — per Ord. 1604-07 — bid due March 6, 2008 (advertised 2/13/2008 and 2/20/2008) | 303 |
| Insurance, fire and extended for various CPP buildings — Department of Public Utilities — Division of Cleveland Public Power — per Ord. 1257-06 — bid due March 19, 2008 (advertised 2/20/2008 and 2/27/2008) | 303 |
| Janitorial maintenance and cleaning supplies — Department of Port Control — per Ord. 192-07 — bid due March 13, 2008 (advertised 2/20/2008 and 2/27/2008) | 303 |
| Plumbing equipment and lines repair and replacement — Department of Public Utilities — Division of Cleveland Public Power — per Ord. 1927-07 — bid due March 7, 2008 (advertised 2/20/2008 and 2/27/2008) | 303 |
| Snow removal services — Department of Public Utilities — Division of Cleveland Public Power — per Ord. 1926-07 — bid due March 7, 2008 (advertised 2/20/2008 and 2/27/2008) | 303 |
| Tires, transfer and disposal (Contract T) (Re-Bid) — Department of Public Service — Division of Waste Collection and Disposal — per Ord. 1603-07 — bid due March 7, 2008 (advertised 2/20/2008 and 2/27/2008) | 303 |
| Water mains, valves, service connections and appurtenances repair (Area A) — Department of Public Utilities — Division of Water — per Ord. 98-08 — bid due March 19, 2008 (advertised 2/20/2008 and 2/27/2008) | 304 |

Contracts

| | |
|---|-----|
| UDAG loan recipients — contract amendments — discount prepayments — Economic Development (O 1942-07) | 304 |
|---|-----|

Economic Development Department

| | |
|---|-----|
| UDAG loan recipients — contract amendments — discount prepayments (O 1942-07) | 304 |
|---|-----|

Liquor Permits

| | |
|---|-----|
| Buckeye Rd., 11312 — objection — transfer — (Ward 4) (R 245-08) | 304 |
|---|-----|

Permits

| | |
|---|-----|
| West Side Tavern Chili Bowl 5K — first annual on February 16, 2008 (O 244-08) | 305 |
|---|-----|

Ward 04

| | |
|--|-----|
| Buckeye Rd., 11312 — objection — transfer — liquor permit (R 245-08) | 304 |
|--|-----|

Ward 13

| | |
|--|-----|
| West Side Tavern Chili Bowl 5K — permit — first annual on February 16, 2008 (O 244-08) | 305 |
|--|-----|