

The City Record

Official Publication of the Council of the City of Cleveland



July the Seventh, 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	3760 East 126th Street	44105
3	Zachary Reed	3734 East 149th Street	44120
4	Kenneth L. Johnson	2948 Hampton Road	44120
5	Frank G. Jackson	2327 East 38th Street	44115
6	Patricia J. Britt	12402 Britton Drive	44120
7	Fannie M. Lewis	7416 Star Avenue	44103
8	Sabra Pierce Scott	9212 Kempton Avenue	44108
9	Kevin Conwell	774 East 131st Street	44108
10	Roosevelt Coats	1775 Cliffview Road	44112
11	Michael D. Polensek	17855 Brian Avenue	44119
12	Edward W. Rybka	6832 Indiana Avenue	44105
13	Joe Cimperman	3053 West 12th Street	44113
14	Nelson Cintron, Jr.	3004 Vega Avenue	44113
15	Merle R. Gordon	1700 Denison Avenue	44109
16	Michael C. O'Malley	6710 Brookside Drive	44144
17	Matthew Zone	1228 West 69th Street	44102
18	Jay Westbrook	1278 West 103rd Street	44102
19	Dona Brady	1272 West Boulevard	44102
20	Martin J. Sweeney	3632 West 133rd Street	44111
21	Michael A. Dolan	16519 West Park Road	44111

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

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

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

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

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, JULY 7, 2004

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CITY COUNCIL

MONDAY, JULY 5, 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 Com-
mittee:** Sweeney, Chairman; Jones,
Vice Chairman; Brady, Cimperman,
Johnson, O'Malley, Polensek, White,
Zone.

11:00 A.M. — **Employment, Affir-
mative Action & Training Commit-
tee:** 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, Gor-
don, O'Malley, Reed, Scott, West-
brook, White.

TUESDAY

9:30 A.M. — **Community and Econo-
mic Development Committee:** Gor-
don, Chairman; Cimperman, Vice
Chairman; Cintron, Coats, Jones,
Lewis, Reed, Scott, Zone.

TUESDAY—Alternating

1:00 P.M. — **Health & Human Ser-
vices Committee:** Britt, Chairman;
Zone, Vice Chairman; Cintron, Con-
well, Gordon, Scott, Polensek.

1:30 P.M. — **Legislation Committee:**
White, Chairman; Scott, Vice Chair-
man; Dolan, Gordon, Johnson, Ryb-
ka, Westbrook.

WEDNESDAY—Alternating

10:00 A.M.—**Aviation & Transporta-
tion Committee:** Westbrook, Chair-
man; Sweeney, Vice Chairman; Britt,
Dolan, Gordon, Reed, Rybka.

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

WEDNESDAY—Alternating

1:30 P.M. — **Public Utilities Com-
mittee:** Coats, Chairman; O'Malley,
Vice Chairman; Brady, Cintron,
Jones, Polensek, Sweeney, West-
brook, Zone.

1:30 P.M.—**City Planning Commit-
tee:** 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, Chair-
man; O'Malley, Reed, Sweeney,
Westbrook.

**Personnel and Operations Commit-
tee:** Gordon, Chairman; Britt, Cim-
perman, Coats, Scott.

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

OFFICIAL PROCEEDINGS CITY COUNCIL

NO MEETING

THE CALENDAR

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

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

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

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

Whereas, this ordinance consti-
tutes an emergency measure provid-
ing for the usual daily operation of
a municipal department; now, there-
fore,

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

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

P. P. No. 013-11-003

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

BOARD OF CONTROL

June 30, 2004

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

Present: Mayor Campbell, Director Chandra, Acting Director Dumas, Director Konicek, Acting Director McGraw, Directors Ricchiuto, Carroll, Acting Directors Pettus, Brown, Directors Huth, Fumich, Taylor and Williams.

Absent: Director Rush.

Others: Myrna Branche, Acting Commissioner, Purchases and Supplies.

Collette Appolito, Director, Office of Equal Opportunity.

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

Resolution No. 390-04.

By Director Mok.

Whereas, by Resolution No. 345-04, adopted June 9, 2004, this Board of Control authorized the Director of Port Control to enter into a contract with Middough Associates, Inc. ("Consultant"), to provide professional services necessary for architectural, engineering and project management services for the Central Chemical Storage Facility and Cryogenics Component Laboratory Construction, NASA South 40 Relocation Project, for the various divisions of the Department of Port Control; and

Whereas, Resolution No. 345-04 omitted reference to Ordinance No. 1107-94, passed June 13, 1994, and compensation for all services failed to include additional project alter-

natives that the Department of Port Control would like to proceed with; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that Resolution No. 345-04, adopted June 9, 2004, is amended by inserting "Ordinance No. 1107-94, passed by the Cleveland City Council on June 13, 1994," in the first paragraph of the resolution after "under the authority of" and by substituting, "One Million Two Hundred Thousand and 00/100 Dollars (\$1,200,000.00)" for the compensation to be paid as stated in the Resolution.

Be it further resolved that all other provisions of Resolution No. 345-04 not expressly amended by this resolution shall remain unchanged and in full force and effect.

Yeas: Mayor Campbell, Director Chandra, Acting Director Dumas, Director Konicek, Acting Director McGraw, Directors Ricchiuto, Carroll, Acting Director Pettus, Director Ronayne, Acting Director Brown, Directors Huth, Fumich, Taylor and Williams.

Nays: None.

Absent: Director Rush.

Resolution No. 391-04.

By Director Ronayne.

Whereas, under the authority of Ordinance Nos. 1264-03, passed by the Council of the City of Cleveland on July 16, 2003, and Resolution No. 681-03 adopted by this Board on November 5, 2003, the City, through its Director of Parks, Recreation, and Properties entered into City Contract No. 62450 with Clark & Post Architects, Inc., ("Architect"), to provide the professional services necessary for building improvements for the city-wide recreation centers improvements; and

Whereas, the City requires additional consultant services as requested by various members of Council and funded by City Council G.O. Bonds; and

Whereas, Architect proposed by its letter dated May 11, 2004 to perform such additional services; and

Whereas, the City finds the Architect's proposal acceptable and desires to modify the agreement with the Architect on the basis of such proposal to provide for the performance of and payment for such additional services; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland, that the Director of Parks, Recreation, and Properties is authorized to enter into a first modification to City Contract No. 62450 with Clark & Post Architects, Inc., on the basis of Architect's letter dated May 11, 2004 for the above-mentioned additional consulting services and increasing the fees for all services by Fifty Three Thousand Nine Hundred and No/100 Dollars (\$53,900.00) to Two Hundred Thirty Eight Thousand Nine Hundred and No/100 Dollars (\$238,900.00) and increasing the reimbursable expenses by Five Thousand and No/100 (\$5,000.00) to Fourteen Thousand Five Hundred and No/100 Dollars (\$14,500.00), for a total contract cost not to exceed Two Hundred Fifty Three Thousand Four Hundred and No/100 Dollars (\$253,400.00).

Be it further resolved, that the employment of the following sub-consultants by Clark & Post Architects, Inc. is approved:

Ralph Tyler Companies
(MBE) — \$35,835 — (15%)

M.L. Warner Architects
(FBE) — \$11,945 — (5%)

Be it further resolved, that the Director of Parks, Recreation, and Properties is authorized to execute all documents and to do all things necessary to effect the first modification to the authorized Contract No. 62450.

Yeas: Mayor Campbell, Director Chandra, Acting Director Dumas, Director Konicek, Acting Director McGraw, Directors Ricchiuto, Carroll, Acting Director Pettus, Director Ronayne, Acting Director Brown, Directors Huth, Fumich, Taylor and Williams.

Nays: None.

Absent: Director Rush.

Resolution No. 392-04.
By Director Ronayne.

Be it resolved by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 2240-03, passed by the Council of the City of Cleveland on December 15, 2003, ParkWorks is selected from a list of firms determined after a full and complete canvas by the Director of the City Planning Commission as the firm to be employed by contract for professional services to assist with community outreach and research for Phase 3 of the City's Lakefront Plan.

Be it further resolved that the Director of the City Planning Commission is authorized to enter into contract with ParkWorks based on its proposal dated May 13, 2004, which contract shall be prepared by the Director of Law, shall provide for the furnishing of professional services as contained in said proposal and letter, for an aggregate fee not to exceed \$65,000, and shall contain such additional provisions as the Director of Law deems necessary to protect and benefit the public interest.

Yeas: Mayor Campbell, Director Chandra, Acting Director Dumas, Director Konicek, Acting Director McGraw, Directors Ricchiuto, Carroll, Acting Director Pettus, Director Ronayne, Acting Director Brown, Directors Huth, Fumich, Taylor and Williams.

Nays: None.

Absent: Director Rush.

Resolution No. 393-04.
By Director Rush.

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

Whereas, City has acquired Permanent Parcel No. 004-02-032 under said Land Reutilization Program; and

Whereas, Ordinance No. 628-04 passed June 14, 2004, authorized the sale of said parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Sammy Catania and Thomas C. Catania have proposed to the City to purchase and develop said parcel; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 628-04 passed June 14, 2004, by the Cleveland City Council, the Mayor is hereby authorized to execute an official deed for and on behalf of the City of Cleveland with Sammy Catania and Thomas C. Catania for the sale and development of Permanent Parcel No. 004-02-032, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Yeas: Mayor Campbell, Director Chandra, Acting Director Dumas, Director Konicek, Acting Director McGraw, Directors Ricchiuto, Carroll, Acting Director Pettus, Director Ronayne, Acting Director Brown, Directors Huth, Fumich, Taylor and Williams.

Nays: None.

Absent: Director Rush.

Resolution No. 394-04.
By Director Rush.

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

Whereas, City has acquired Permanent Parcel No. 119-09-095 under said Land Reutilization Program; and

Whereas, Ordinance No. 1103-04 passed June 14, 2004, authorized the sale of said parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Ace Jovanovski has proposed to the City to purchase and develop said parcel; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 1103-04 passed June 14, 2004, by the Cleveland City Council, the Mayor is hereby authorized to execute an official deed for and on behalf of the City of Cleveland with Ace Jovanovski for the sale and development of Permanent Parcel No. 119-09-095, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcel shall be \$500.00, which amount is hereby determined to be not less than the fair market value of said parcel for uses in accordance with the Land Reutilization Program.

Yeas: Mayor Campbell, Director Chandra, Acting Director Dumas, Director Konicek, Acting Director McGraw, Directors Ricchiuto, Carroll, Acting Director Pettus, Director Ronayne, Acting Director Brown, Directors Huth, Fumich, Taylor and Williams.

Nays: None.

Absent: Director Rush.

Resolution No. 395-04.

By Director Rush.

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

Whereas, City has acquired Permanent Parcel Nos. 126-14-016, 126-14-017, 126-14-097, 126-14-098 and 126-14-099 under said Land Reutilization Program; and

Whereas, Ordinance No. 2467-02 passed April 14, 2003, authorized the sale of said parcels for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Greater Mount Tabor Missionary Baptist Church has proposed to the City to purchase and develop said parcels; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 2467-02 passed April 14, 2003, by the Cleveland City Council, the Mayor is hereby authorized to execute an official deed for and on behalf of the City of Cleveland with Greater Mount Tabor Missionary Baptist Church for the sale and development of Permanent Parcel Nos. 126-14-016, 126-14-017, 126-14-097, 126-14-098 and 126-14-099, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcels shall be \$300.00, plus other valuable consideration, which amount is hereby determined to be not less than the fair market value of said parcels for uses in accordance with the Land Reutilization Program.

Yeas: Mayor Campbell, Director Chandra, Acting Director Dumas, Director Konicek, Acting Director McGraw, Directors Ricchiuto, Carroll, Acting Director Pettus, Director Ronayne, Acting Director Brown, Directors Huth, Fumich, Taylor and Williams.

Nays: None.

Absent: Director Rush.

Resolution No. 396-04.

By Director Rush.

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

Whereas, City has acquired Permanent Parcel No. 002-36-078 under said Land Reutilization Program; and

Whereas, Ordinance No. 862-04 passed June 14, 2004, authorized the sale of said parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Ohio City Near West Development Corporation or designee has proposed to the City to purchase and develop said parcel; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 862-04 passed June 14, 2004, by the Cleveland City Council, the Mayor is hereby authorized to execute an official deed for and on

behalf of the City of Cleveland with Ohio City Near West Development Corporation or designee for the sale and development of Permanent Parcel No. 002-36-078, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Yeas: Mayor Campbell, Director Chandra, Acting Director Dumas, Director Konicek, Acting Director McGraw, Directors Ricchiuto, Carroll, Acting Director Pettus, Director Ronayne, Acting Director Brown, Directors Huth, Fumich, Taylor and Williams.

Nays: None.

Absent: Director Rush.

Resolution No. 397-04.

By Director Rush.

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

Whereas, City has acquired Permanent Parcel No. 137-15-040 under said Land Reutilization Program; and

Whereas, Ordinance No. 861-04 passed June 14, 2004, authorized the sale of said parcels for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, John Griffin and Dominion Griffin have proposed to the City to purchase and develop said parcels; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 861-04 passed June 14, 2004, by the Cleveland City Council, the Mayor is hereby authorized to execute an official deed for and on behalf of the City of Cleveland with John Griffin and Dominion Griffin for the sale and development of Permanent Parcel No. 137-15-040, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcels shall be \$400.00, which amount is hereby determined to be not less than the fair market value of said parcels for uses in accordance with the Land Reutilization Program.

Yeas: Mayor Campbell, Director Chandra, Acting Director Dumas, Director Konicek, Acting Director McGraw, Directors Ricchiuto, Carroll, Acting Director Pettus, Director Ronayne, Acting Director Brown, Directors Huth, Fumich, Taylor and Williams.

Nays: None.

Absent: Director Rush.

Resolution No. 398-04.

By Director Rush.

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

Whereas, City has acquired Permanent Parcel No. 134-09-008 under said Land Reutilization Program; and

Whereas, Ordinance No. 636-04 passed June 14, 2004, authorized the sale of said parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Chris Penman and Amelia Penman have proposed to the City to purchase and develop said parcel; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 636-04 passed June 14, 2004, by the Cleveland City Council, the Mayor is hereby authorized to execute an official deed for and on behalf of the City of Cleveland with Chris Penman and Amelia Penman for the sale and development of Permanent Parcel No. 134-09-008, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcel shall be \$500.00, which amount is hereby determined to be not less than the fair market value of said parcel for uses in accordance with the Land Reutilization Program.

Yeas: Mayor Campbell, Director Chandra, Acting Director Dumas, Director Konicek, Acting Director McGraw, Directors Ricchiuto, Carroll, Acting Director Pettus, Director Ronayne, Acting Director Brown, Directors Huth, Fumich, Taylor and Williams.

Nays: None.

Absent: Director Rush.

Resolution No. 399-04.

By Director Rush.

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

Whereas, City has acquired Permanent Parcel Nos. 106-18-040, 106-18-041, 106-18-042, and 106-18-094 under said Land Reutilization Program; and

Whereas, Ordinance No. 1100-04 passed June 14, 2004, authorized the sale of said parcels for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Kingdom Life Ministries has proposed to the City to purchase and develop said parcels; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 1100-04 passed June 14, 2004, by the Cleveland City Council, the Mayor is hereby authorized to execute an official deed for and on behalf of the City of Cleveland with Kingdom Life Ministries for the sale and development of Permanent Parcel Nos. 106-18-040, 106-18-041, 106-18-042, and 106-18-094, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcels shall be \$100.00 each, which amount is here-

by determined to be not less than the fair market value of said parcels for uses in accordance with the Land Reutilization Program.

Yeas: Mayor Campbell, Director Chandra, Acting Director Dumas, Director Konicek, Acting Director McGraw, Directors Ricchiuto, Carroll, Acting Director Pettus, Director Ronayne, Acting Director Brown, Directors Huth, Fumich, Taylor and Williams.

Nays: None.

Absent: Director Rush.

Resolution No. 400-04.

By Director Rush.

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

Whereas, City has acquired Permanent Parcel Nos. 126-01-082, 126-01-083, 126-02-103, and 126-02-104 under said Land Reutilization Program; and

Whereas, Ordinance No. 1029-04 passed June 14, 2004, authorized the sale of said parcels for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Fairfax Renaissance Development Corporation has proposed to the City to purchase and develop said parcels; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 1029-04 passed June 14, 2004, by the Cleveland City Council, the Mayor is hereby authorized to execute an official deed for and on behalf of the City of Cleveland with Fairfax Renaissance Development Corporation for the sale and development of Permanent Parcel Nos. 126-01-082, 126-01-083, 126-02-103, and 126-02-104, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcels shall be \$1.00 each, which amount is hereby determined to be not less than the fair market value of said parcels for uses in accordance with the Land Reutilization Program.

Yeas: Mayor Campbell, Director Chandra, Acting Director Dumas, Director Konicek, Acting Director McGraw, Directors Ricchiuto, Carroll, Acting Director Pettus, Director Ronayne, Acting Director Brown, Directors Huth, Fumich, Taylor and Williams.

Nays: None.

Absent: Director Rush.

Resolution No. 401-04.

By Director Rush.

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

Whereas, City has acquired Permanent Parcel Nos. 138-12-069, 138-12-152, 138-23-054, 139-05-065, 139-05-101, 142-01-069, 142-02-005, 142-16-043, 142-16-048, 142-16-049, and 142-16-050 under said Land Reutilization Program; and

Whereas, Ordinance No. 631-04 passed June 14, 2004, authorized the

sale of said parcels for a consideration established by the Board of Control at not less than the Fair Market Value; and

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

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 631-04 passed June 14, 2004, by the Cleveland City Council, the Mayor is hereby authorized to execute an official deed for and on behalf of the City of Cleveland with Amistad Development Corporation or designee for the sale and development of Permanent Parcel Nos. 138-12-069, 138-12-152, 138-23-054, 139-05-065, 139-05-101, 142-01-069, 142-02-005, 142-16-043, 142-16-048, 142-16-049, and 142-16-050, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Yeas: Mayor Campbell, Director Chandra, Acting Director Dumas, Director Konicek, Acting Director McGraw, Directors Ricchiuto, Carroll, Acting Director Pettus, Director Ronayne, Acting Director Brown, Directors Huth, Fumich, Taylor and Williams.

Nays: None.

Absent: Director Rush.

JEFFREY B. MARKS,
Secretary

CIVIL SERVICE NOTICES

General Information

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

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

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

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

REYNALDO GALINDO,
President

SCHEDULE OF THE BOARD OF ZONING APPEALS

MONDAY, JULY 19, 2004

9:30 A.M.

Calendar No. 04-154: 1714 Urbana Road (Ward 10)

Maury Rosenbaum, owner, and Nick Fanous, tenant, appeal to establish use for the sales of auto parts, wrecking, dismantling and the storage of vehicles, that are being kept for wrecking or dismantling, on an acreage parcel that is situated in split zoning for Semi-Industry and General Industry Districts on the west side of Urbana Road at 1714 Urbana Road; contrary to the Industrial Districts Regulations, where the storage of motor vehicles, pending their wrecking or dismantling, is not permitted in a Semi-Industry District but first permitted in a General Industry District as stated in Section 345.03 of the Codified Ordinances.

Calendar No. 04-155: 2472 West 7th Street (Ward 13)

Cleveland Housing Network, owner c/o Paul Kapczuk, agent, appeals to erect a 16' x 22' concrete one-story garage and a retaining wall at the front of a 25' x 43' two-story, frame dwelling house, situated on a 33' x 146' parcel located in a Two-Family District on the west side of West 7th Street at 2472 West 7th Street; contrary to Section 357.06(a) of the Yards and Courts Regulations, a front yard setback of 20'-4" is provided where the average setback of existing buildings is 54' and an interior side yard of 1'-6" is provided, where a 3' interior side yard is required in a Two-Family District as stated in Section 357.09(2)B of the Codified Ordinances.

Calendar No. 04-156: 6405 Fleet Avenue (Ward 12)

Hussni Al-Zayed, owner, appeals to erect an approximate 85' x 73' receiving and storage addition to the west side of an existing two and one-story store and suites building, situated on a 79' x 150' parcel in a Local Retail Business District on the northwest corner of East 65th Street and Fleet Avenue at 6405 Fleet Avenue; contrary to Section 339.02(a) of the Parking Districts Requirements, there is an approximate 5' distance proposed, where accessory off-street parking must be at least 10' from a residential building; and contrary to the Landscaping and Screening Requirements of Section 352.10, no landscape detail is provided along Fleet Avenue between the street and the parking and a 6' landscape strip is required; and subject to the provisions for Nonconforming Uses, an expansion, the proposed addition, for a nonconforming use requires the Board of Zoning Appeals approval as stated in Section 359.01 of the Codified Ordinances.

Calendar No. 04-157: 12312 Lena Avenue (Ward 20)

Joseph Repine, owner, appeals to erect an 8' x 18' wolmanized wood-

en deck to the front of a 28' x 42' one-story, brick dwelling, situated on a 40' x 174' parcel in an A1 One-Family District on the north side of Lena Avenue at 12312 Lena Avenue; contrary to the Regulations for Yards and Courts, an 8' projection is proposed where open front porches shall not project more than 6' as stated in Section 357.13(b)(4) of the Codified Ordinances.

Calendar No. 04-158: 2401 Garden Avenue (Ward 15)

Emilia Colon, owner, appeals to install a 4' high chain link fence along the front yard setback of a one family dwelling, situated on a 35' x 70' parcel in a Two-Family District on the south side of Garden Avenue at 2401 Garden Avenue; the proposed chain link fence is contrary to the Fence Regulations for Residential Districts, where only ornamental fences may be installed in the actual front yards, unless the Board of Zoning Appeals determines that chain link fences are common in the immediate vicinity, as stated in Section 358.04(c)(1) of the Codified Ordinances.

Calendar No. 04-160: Appeal of North Coast Payphones ClevePhones, Inc.

North Coast Payphones/ClevePhones, Inc. c/o Howard Meister, president, appeal under Section 76-6 of the Charter of the City of Cleveland from an order to remove outdoor payphones from five (5) sites, identified by the Commissioner of Assessments and Licenses on June 23, 2004, under the authority of Section 670B.06, where the appellant is ordered to remove the payphones that have been declared a nuisance by the Director of Public Safety.

Calendar No. 04-62: 9515 Woodland Avenue (Ward 6)

M. Weingold & Company, owner, and Independence Excavating c/o Justin Fox, lessee, appeal to do rock crushing on a portion of an irregular shaped acreage parcel situated in a General Industry District on the north side of Woodland Avenue at 9515 Woodland Avenue; the proposed rock crushing by definition in Section 325.571, meaning any activity that uses mechanical processes to break down any man-made or naturally formed consolidated or coherent and relatively hard mass of material, including but not limited to stone, concrete, cement, asphalt, conglomerate or any similar material into gravel or other small particulate matter, and is contrary to Section 345.04(b)(15) of the Industrial Districts Regulations, where the proposed rock crushing may be only permitted as accessory or incidental to a permitted use in a General Industry District and only on a special permit from the Board of Zoning Appeals and is otherwise prohibited in a General Industry District under Section 345.04(c) of the Codified Ordinances. (Motion for Reconsideration granted 7-6-04)

Secretary

REPORT OF THE BOARD OF ZONING APPEALS

TUESDAY, JULY 6, 2004

At the meeting of the Board of Zoning Appeals on Tuesday, July 6, 2004, the following appeals were heard by the Board:

The following appeals were **Approved**:

Calendar No. 04-141: 14222 Westropp Avenue
Cleveland Housing Network appealed to erect a 22' x 34' two-story, frame dwelling and a 20' x 20' detached garage on a 38' x 123' parcel in a Multi-Family District.

Calendar No. 04-144: 3559 West 122nd Street
Hammad Hammad appealed to enclose an 8' x 27' front porch of a two-story dwelling in a Two-Family District.

The following appeals were **Denied**:

Calendar No. 04-138: 4798 Clark Avenue
Yousif Hamdeh appealed to establish use as a tattoo/body piercing business an existing one-story building in a Semi-Industry District.

Calendar No. 04-142: Appeal of Patricia Allen — Violation Notice — 1552 Ansel Road
Patricia Allen appealed from a Violation Notice issued by Building and Housing for failure to maintain in good condition accessory off-street parking spaces.

The following appeals were **Postponed**:

Calendar No. 04-137: 11113 Fidelity Avenue postponed to August 2, 2004.

Calendar No. 04-139: 5718 Bridge Avenue postponed to August 2, 2004.

Calendar No. 04-140: Appeal of Mahad Mohamed — Hack License Revocation postponed to July 26, 2004.

In Executive Session on July 6, 2004, the following appeals heard by the Board on June 28, 2004 were adopted or approved.

The following appeals were **Approved**:

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

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

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

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

The following appeals were **Denied**:

None.

The following appeal was **Reinstated**:

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

Motion for Reconsideration **Granted**:

Calendar No. 04-62: 9515 Woodland Avenue
M. Weingold & Company, owner, and Independence Excavating/Recycling, lessee, appealed to do rock crushing for a temporary period of time on a portion of an acreage parcel in a General Industry District.

Secretary

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

Re: Report of the Meeting of June 30, 2004

As required by the provisions of Section 3103.20(2) of the Codified Ordinances of the City of Cleveland, Ohio 1976, the following brief of action of the subject meeting is given for publication in The City Record:

* * *

Docket A-12-04.
RE: Appeal of Kiddeese G. Mansour, Owner of the Three Story Wood Frame Residential Property located on the premises known as 7102 Wakefield Avenue (aka 7102-04 Wakefield Avenue) from a NOTICE OF VIOLATION — INTERIOR/EXTERIOR MAINTENANCE of the Director of the Department of Building and Housing, dated February 5, 2004, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to require that the electric service for the second and third floors be combined at the meter and the third floor cannot be rented as a separate unit. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Bradley.
Yeas: Messrs. Denk, Saunders, Saab, Bradley. Nays: None. Absent: Mr. Gallagher.

Docket A-32-04.
RE: Appeal of Janeen & Hikmat Dakdouk, Owner of the Property located on the premises known as 2118 Broadview Road from a NOTICE OF VIOLATION — UNAUTHORIZED USE of the Director of the Department of Building and Housing, dated March 29, 2004, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

No action required by the Board, noting that the building code violations have been Withdrawn by the Building Department and the data presented to the Board will be presented to the Board of Zoning Appeals and the Division of Sidewalks.

* * *

Docket A-44-04.
RE: Appeal of Sebastian Hale, Owner of the Residential Apartment Property located on the premises known as 14108 Aspinwall Avenue from a BUILDING PERMIT (requirement to install sprinklers) of the Director of the Department of Building and Housing, dated May 4, 2004, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to DENY the Appellant's appeal request for variance and to require that the property be brought up to the present code, including sprinklers; noting and that the new code went into effect in January of 2003 and should be complied with in regard to the sprinklers and upgrading of the electrical. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Bradley.

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

* * *

Docket A-47-04.
RE: Appeal of Veronica Becker, Owner of the One Dwelling Unit/Two & One-half Story Masonry Property located on the premises known as 3434 Broadview Road from a 30 DAY CONDEMNATION ORDER — MS of the Director of the Department of Building and Housing, dated April 16, 2004, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

Docket A-47-04 has been POSTPONED; to be rescheduled for July 14, 2004.

* * *

Docket A-48-04.
RE: Appeal of Veronica Becker, Owner of the One Dwelling Unit/Two & One-half Story Frame Property located on the premises known as 3436 Broadview Road from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE of the Director of the Department of Building and Housing, dated April 16, 2004, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

Docket A-48-04 has been POSTPONED; to be rescheduled for July 14, 2004.

Docket A-49-04.

RE: Appeal of Veronica Becker, Owner of the One Dwelling Unit/Two & One/half Story Frame Property located on the premises known as 3438 Broadview Road (aka 3438-40 Broadview Road) from a 30 DAY CONDEMNATION ORDER — MS of the Director of the Department of Building and Housing, dated April 20, 2004, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

Docket A-49-04 has been POSTPONED; to be rescheduled for July 14, 2004.

* * *

Docket A-58-04.

RE: Appeal of Ann Carla Jones C/O Kings Property LLC, Owner of the Property located on the premises known as 1594 East 85th Street from a NOTICE OF VIOLATION — ELECTRICAL of the Director of the Department of Building and Housing, dated May 19, 2004, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

Docket A-58-04 has been WITHDRAWN at the request of the Appellants.

* * *

Docket A-61-04.

RE: Appeal of Landmark Mgmt. Ltd., Owner of the Property located on the premises known as 530 Euclid Avenue from an ADJUDICATION ORDER of the Director of the Department of Building and Housing, dated May 13, 2004, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to permit the sign to be installed in the manner presented, noting that it will be eight feet/ten inches (8'10") from the sidewalk rather than the required seven feet/six inches (7'6"). Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Saab.

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

* * *

Docket A-63-04.

RE: Appeal of Ura Leibovith & Alex Leibovith, Owners of the Proposed Single Family Residential Property located on the premises known as 5700 Fullerton Avenue from a NOTICE OF NONCONFORMANCE, of the Director of the Department of Building and Housing, dated June 17, 2004, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to grant the requested variance and permit the house to be built without the one-hour separation, noting that the property is a corner lot and the concurrence of the Department of Building and Housing. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Saab.

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

APPROVAL OF RESOLUTIONS:

Separate motions were entered by Mr. Saunders and seconded by Mr. Bradley for Approval and Adoption of the Resolutions as presented by the Secretary for the following Dockets respectively, subject to the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC):

- A-36-04—Kenneth D. Icke.
- A-38-04—Bessie Cameron.
- A-51-04—Robert Mintz/White Hat Mgmt.

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

* * *

APPROVAL OF MINUTES:

Separate motions were entered by Mr. Saunders and seconded by Mr. Bradley for Approval and Adoption of the Minutes as presented by the Secretary, subject to the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC):

June 16, 2004

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

* * *

Secretary

PUBLIC NOTICE

NONE

NOTICE OF PUBLIC HEARING

By the Cleveland City Council Committee on Community and Economic Development

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

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

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

MERLE R. GORDON
Chairwoman
Community and Economic
Development Committee

June 30, 2004 and July 7, 2004

CITY OF CLEVELAND BIDS

For All Departments

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

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

187.10 Negotiated contracts; Notice required in Advertisement for Bids.

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

WEDNESDAY, JULY 14, 2004

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

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

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

June 30, 2004 and July 7, 2004

THURSDAY, JULY 15, 2004

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

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

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

June 30, 2004 and July 7, 2004

WEDNESDAY, JULY 21, 2004

Citywide Scrap Metal Sales, for the Various Divisions of City Government, Department of Finance, as authorized by Section 181.19, of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING, FRIDAY, JULY 16, 2004 AT 3:30 P.M., CITY HALL, 601 LAKESIDE AVENUE, ROOM 514, CLEVELAND, OHIO 44114.**

July 7, 2004 and July 14, 2004

THURSDAY, JULY 29, 2004

Painting of Streetside Elements, for the Division of Cleveland Public Power, Department of Public Util-

ities, as authorized by Ordinance No. 249-04, passed by the Council of the City of Cleveland, June 7, 2004.

THERE WILL BE A **MANDATORY PRE-BID MEETING FRIDAY, JULY 16, 2004 AT 11:00 A.M., AT CLEVELAND PUBLIC POWER, 1300 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.**

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

City Wide Recreation Centers Improvements 2004 (Mayor's Warm, Safe and Dry Initiative), for the Division of Architecture, Department of Public Service, as authorized by Ordinance No. 1264-03, passed by the Council of the City of Cleveland, July 16, 2003.

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

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING, THURSDAY, JULY 15, 2004 AT 10:00 A.M., CUDELL RECREATION CENTER, 1910 WEST BLVD. (at DETROIT ROAD), CLEVELAND, OHIO 44102.**

July 7, 2004 and July 14, 2004

THURSDAY, AUGUST 5, 2004

Furnish and Installation of Carpeting, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 2025-02, passed by the Council of the City of Cleveland, November 18, 2002.

THERE WILL BE A **MANDATORY PRE-BID MEETING THURSDAY, JULY 22, 2004 AT 11:00 A.M., AT CLEVELAND PUBLIC POWER, 1300 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.**

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

July 7, 2004 and July 14, 2004

ADOPTED RESOLUTIONS AND ORDINANCES

NONE

COUNCIL COMMITTEE MEETINGS

NO MEETINGS

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O—Ordinance; R—Resolution; F—File
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