

The City Record

Official Publication of the Council of the City of Cleveland



March the Seventh, Two Thousand and Twelve

Frank G. Jackson
Mayor

Martin J. Sweeney
President of Council

Patricia J. Britt
City Clerk, Clerk of Council

Ward Name

- 1 Terrell H. Pruitt
- 2 Zachary Reed
- 3 Joe Cimperman
- 4 Kenneth L. Johnson
- 5 Phyllis E. Cleveland
- 6 Mamie J. Mitchell
- 7 TJ Dow
- 8 Jeffrey D. Johnson
- 9 Kevin Conwell
- 10 Eugene R. Miller
- 11 Michael D. Polensek
- 12 Anthony Brancatelli
- 13 Kevin J. Kelley
- 14 Brian J. Cummins
- 15 Matthew Zone
- 16 Jay Westbrook
- 17 Dona Brady
- 18 Martin J. Sweeney
- 19 Martin J. Keane

The City Record is available online at
www.clevelandcitycouncil.org

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DIRECTORY OF CITY OFFICIALS

CITY COUNCIL – LEGISLATIVE

President of Council – Martin J. Sweeney

Ward	Name	Residence	
1	Terrell H. Pruitt	3877 East 189th Street	44122
2	Zachary Reed	3734 East 149th Street	44120
3	Joe Cimperman	P.O. Box 91688	44101
4	Kenneth L. Johnson	2948 Hampton Road	44120
5	Phyllis E. Cleveland	2369 East 36th Street	44105
6	Mamie J. Mitchell	12701 Shaker Boulevard, #712	44120
7	TJ Dow	7715 Decker Avenue	44103
8	Jeffrey D. Johnson	9024 Parkgate Avenue	44108
9	Kevin Conwell	10647 Ashbury Avenue	44106
10	Eugene R. Miller	13615 Kelso Avenue	44110
11	Michael D. Polensek	17855 Brian Avenue	44119
12	Anthony Brancatelli	6924 Ottawa Road	44105
13	Kevin J. Kelley	5904 Parkridge Avenue	44144
14	Brian J. Cummins	3104 Mapledale Avenue	44109
15	Matthew Zone	1228 West 69th Street	44102
16	Jay Westbrook	1278 West 103rd Street	44102
17	Dona Brady	1272 West Boulevard	44102
18	Martin J. Sweeney	3632 West 133rd Street	44111
19	Martin J. Keane	15907 Colletta Lane	44111

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

MAYOR – Frank G. Jackson

Ken Silliman, Secretary to the Mayor, Chief of Staff
Darnell Brown, Executive Assistant to the Mayor, Chief Operating Officer
Valarie J. McCall, Executive Assistant to the Mayor, Chief of Government Affairs
Chris Warren, Executive Assistant to the Mayor, Chief of Regional Development
Monyka S. Price, Executive Assistant to the Mayor, Chief of Education
Maureen Harper, Executive Assistant to the Mayor, Chief of Communications
Andrea V. Taylor, Executive Assistant to the Mayor, Press Secretary
Jenita McGowan, Executive Assistant to the Mayor, Chief of Sustainability
Natoya J. Walker Minor, Chief of Public Affairs – Interim Director of Equal Opportunity.

OFFICE OF CAPITAL PROJECTS – Jonmarie Wasik, Director

DIVISIONS:

Architecture and Site Development – Robert Vilkas, Chief Architect, Manager
Engineering and Construction – _____, Manager
Real Estate – _____, Commissioner

DEPT. OF LAW – Barbara A. Langhenry, Interim Director, _____, Chief Counsel,
Richard F. Horvath, Chief Corporate Counsel, Thomas J. Kaiser, Chief Trial Counsel,
Room 106; Michael Ruffing, Law Librarian, Room 100

DEPT. OF FINANCE – Sharon Dumas, Director, Room 104;

Frank Badalamenti, Manager, Internal Audit

DIVISIONS:

Accounts – Lonya Moss Walker, Interim Commissioner, Room 19
Assessments and Licenses – Dedrick Stephens, Commissioner, Room 122
City Treasury – _____, Treasurer, Room 115
Financial Reporting and Control – James Gentile, Controller, Room 18
Information Technology and Services – Douglas Divish, Commissioner, 205 W. St. Clair Avenue
Purchases and Supplies – James E. Hardy, Commissioner, Room 128
Printing and Reproduction – Michael Hewitt, Commissioner, 1735 Lakeside Avenue
Taxation – Nassim Lynch, Tax Administrator, 205 W. St. Clair Avenue

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

DIVISIONS:

Cleveland Public Power – Ivan Henderson, Commissioner
Street Lighting Bureau – _____, Acting Chief
Utilities Fiscal Control – Dennis Nichols, Commissioner
Water – Alex Margevicius, Interim Commissioner
Water Pollution Control – Rachid Zoghaib, Commissioner

DEPT. OF PORT CONTROL – Ricky D. Smith, Director, Cleveland Hopkins International Airport, 5300 Riverside Drive

DIVISIONS:

Burke Lakefront Airport – Khalid Bahhur, Commissioner
Cleveland Hopkins International Airport – Fred Szabo, Commissioner

DEPT. OF PUBLIC WORKS – Michael Cox, Director

OFFICES:

Administration – John Laird, Manager
Special Events and Marketing – Tangee Johnson, Manager

DIVISIONS:

Motor Vehicle Maintenance – Daniel A. Novak, Commissioner
Park Maintenance and Properties – Richard L. Silva, Commissioner
Parking Facilities – Leigh Stevens, Commissioner
Property Management – Tom Nagle, Commissioner
Recreation – Kim Johnson, Commissioner
Streets – _____, Commissioner
Traffic Engineering – Robert Mavec, Commissioner
Waste Collection and Disposal – Ron Owens, Commissioner

DEPT. OF PUBLIC HEALTH – Karen Butler, Interim Director, Mural Building, 75

Erieview Plaza

DIVISIONS:

Air Quality – George Baker, Commissioner
Environment – Pamela Cross, Commissioner, Mural Building, 75 Erieview Plaza
Health – Karen K. Butler, Commissioner, Mural Building, 75 Erieview Plaza

DEPT. OF PUBLIC SAFETY – Martin Flask, Director, Room 230

DIVISIONS:

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

DEPT. OF COMMUNITY DEVELOPMENT – Daryl Rush, Director

DIVISIONS:

Administrative Services – Jesus Rodriguez, Commissioner
Fair Housing and Consumer Affairs Office – _____, Manager
Neighborhood Development – Chris Garland, Commissioner
Neighborhood Services – Louise V. Jackson, Commissioner

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

DIVISIONS:

Code Enforcement – Thomas E. Vanover, Commissioner
Construction Permitting – Timothy R. Wolosz, Commissioner

DEPT. OF HUMAN RESOURCES – Deborah Southerington, Director, Room 121

DEPT. OF ECONOMIC DEVELOPMENT – Tracey A. Nichols, Director, Room 210

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

COMMUNITY RELATIONS BOARD – Room 11, Blaine Griffin, Director, Mayor Frank

G. Jackson, Chairman Ex-Officio; Rev. Dr. Charles P. Lucas, Jr., Vice-Chairman, Council Member Brian Cummins, Council Member Eugene R. Miller, Jeff Marks, (Board Lawyer), Roosevelt E. Coats, Jenice Contreras, Kathryn Hall, Yasir Hamdallah, Evangeline Hardaway, John O. Horton, Annie Key, Stephanie Morrison-Hrbek, Roland Muhammad, Gia Hoa Ryan, Ted C. Wammes, Peter Whitt.

CIVIL SERVICE COMMISSION – Room 119, Robert Bennett, President; Michael L.

Nelson, Sr., Vice-President; Lucille Ambroz, Secretary; Members: Pastor Gregory Jordan, Michael Flickinger.

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;

Mary Haas McGraw, Ozell Dobbins, Joan Shaver Washington, Tim Donovan, Jan Huber, Secretary.

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

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

BOARD OF REVISION OF ASSESSMENTS – Interim Law Director Barbara A.

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

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

Director Barbara A. Langhenry; Council Member Eugene R. Miller.

BOARD OF REVIEW – (Municipal Income Tax) – Interim Law Director Barbara A.

Langhenry; Utilities Director Barry A. Withers; Council President Martin J. Sweeney.

CITY PLANNING COMMISSION – Room 501 – Robert N. Brown, Director; Anthony J.

Coyne, Chairman; David H. Bowen, Lillian Kuri, Lawrence A. Lumpkin, Gloria Jean Pinkney, Norman Krumholz, Council Member Phyllis E. Cleveland.

FAIR HOUSING BOARD – Charles See, Chair; Lisa Camacho, Daniel Conway, Robert L.

Render, Genesis O. Brown.

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

Eaton-Johnson, Mike Foley, Eric Hodderson, Janet Loehr, Mark McDermott, Marcia Nolan, David Perkowski, Joan Shaver Washington, Keith Sutton.

CLEVELAND BOXING AND WRESTLING COMMISSION – Robert Jones, Chairman;

Clint Martin, Mark Rivera.

MORAL CLAIMS COMMISSION – Interim Law Director Barbara A. Langhenry;

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

POLICE REVIEW BOARD – Thomas Jones, Board Chair Person; Vernon Collier, Vermel

Whalen, Nancy Cronin, Elvin Vauss.

CLEVELAND LANDMARKS COMMISSION – Room 519 – Jennifer Coleman, Chair;

Laura M. Bala, Council Member Anthony Brancatelli, Robert N. Brown, Thomas Coffey, Allan Dreyer, William Mason, Michael Rastatter, Jr., John Torres, N. Kurt Wiebusch, Robert Keiser, Secretary.

AUDIT COMMITTEE – Yvette M. Itu, Chairman; Debra Janik, Bracy Lewis, Diane

Downing, Donna Sciarappa, Council President Martin J. Sweeney; Interim Law Director Barbara A. Langhenry.

CLEVELAND MUNICIPAL COURT

JUSTICE CENTER – 1200 ONTARIO STREET

JUDGE COURTROOM ASSIGNMENTS

Judge Courtroom

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

Judge Pinkey S. Carr – Courtroom 12A

Judge Marilyn B. Cassidy – Courtroom 12B

Judge Michelle Denise Earley – Courtroom 12C

Judge Emanuella Groves – Courtroom 14B

Judge Anita Laster Mays – Courtroom 14C

Judge Lauren C. Moore – Courtroom 14A

Judge Charles L. Patton, Jr. – Courtroom 13D

Judge Raymond L. Pianka (Housing Court Judge) – Courtroom 13B

Judge Michael John Ryan – Courtroom 13A

Judge Angela R. Stokes – Courtroom 15C

Judge Pauline H. Tarver – Courtroom 13C

Judge Joseph J. Zone – Courtroom 14D

Earle B. Turner – Clerk of Courts, Russell R. Brown III – Court Administrator, Paul J.

Mizerak – Bailiff; Jerome M. Krakowski – Chief Probation Officer, Gregory F. Clifford – Chief Magistrate, Victor Perez – City Prosecutor

The City Record

71 OFFICIAL PUBLICATION OF THE COUNCIL OF THE CITY OF CLEVELAND

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WEDNESDAY, MARCH 7, 2012

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CITY COUNCIL

MONDAY, MARCH 5, 2012

The City Record
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City Clerk, Clerk of Council
216 City Hall

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 2010-2013

MONDAY — Alternating

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

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

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

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

MONDAY

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

TUESDAY

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

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

WEDNESDAY — Alternating

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

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

WEDNESDAY — Alternating

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

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

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

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

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

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

OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio
Monday, March 5, 2012

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

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

Also present were Mayor Frank G. Jackson, Valarie J. McCall, Chief of Government Affairs, Andrea V. Taylor, Press Secretary, Directors Dumas, Smith, Wasik, Rush, Rybka, Ambrose, and Teresa Stevenson of Legislative Affairs.

Council Members, Administration, Staff and those in the audience rose for a moment of silent reflection. Pledge of Allegiance.

MOTION

On the motion of Council Member Polensek, the reading of the minutes of the last meeting was dispensed with and the journal approved. Seconded by Council Member Miller.

File No. 242-12

OFFICIAL CALL FOR SPECIAL MEETING OF COUNCIL HELD ON MONDAY, MARCH 5, 2012

In accordance with the Charter of the City of Cleveland and the Rules of Council, please be advised that

there will be a meeting of Cleveland City Council's Finance Committee, followed immediately by a Special Meeting of Cleveland City Council on Monday, March 5, 2012, for the purpose of considering Ordinance No. 137-12. The Finance Committee Meeting will be held in the Mercedes Cotner Committee Room, 217, City Hall. The Special Meeting of Cleveland City Council will take place in the Council Chamber on the second floor of Cleveland City Hall, 601 Lakeside Avenue, N.E.

Martin J. Sweeney,
Council President

SECOND READING EMERGENCY ORDINANCE

Ord. No. 137-12.

By Council Member Sweeney (by departmental request).

An emergency ordinance to make appropriations and provide current expenses for the daily operation of all municipal departments of the City of Cleveland for the fiscal year from January 1, 2012 until December 31, 2012.

Approved by Directors of Public Finance, Law; Passage recommended by Committee on Finance, when amended, as follows:

1. In Section 1, strike lines 3 and 4 in their entirety and insert **"The sum of Five Hundred Seven Million, Fifty-Five Thousand, Nine Hundred Three Dollars (\$507,055,903) from the General Fund;"**

2. In Section 1, at "Judicial Branch" strike "37,970,969" and insert **"38,145,969"**

3. In Section 1, at "Executive Branch" at "General Government", strike "12,289,388" and insert **"12,339,388"**; at "Department of Public Safety", strike "300,158,881" and insert **"299,408,881"**; at "Department of Public Works", strike "66,015,646" and insert **"66,765,646"**; at "Department of Building and Housing", strike "9,772,136" and insert **"9,822,136"**; at "Nondepartmental" strike "40,508,966" and insert **"40,308,966"**; and at "Total Executive Branch", strike "462,482,509" and insert **"462,382,509"**.

4. In Section 1, at "GENERAL FUND" at "TOTAL GENERAL FUND" strike "506,980,903" and insert **"507,055,903"**.

5. In Section 1, at "GENERAL FUND" at "TOTAL APPROPRIATIONS FOR 2012" strike "1,296,472,607" and insert **"1,296,547,607"**.

6. In Section 1, at "GENERAL FUND" at "JUDICIAL BRANCH" at "Municipal Court" strike "20,758,971" and insert **"20,933,971"**; at "IL Other Expenses", strike "2,567,992" and insert **"2,742,992"**; and at "TOTAL JUDICIAL BRANCH" strike "\$37,970,969" and insert **"\$38,145,969"**.

7. In Section 1, at "GENERAL FUND" at "EXECUTIVE BRANCH" at "Landmarks Commission" strike "184,020" and insert "234,020"; at "II. Other Expenses", strike "5,298" and insert "55,298"; and at "TOTAL GENERAL GOVERNMENT" strike "\$12,289,388" and insert "**\$12,339,388**".

8. In Section 1, at "GENERAL FUND" at "DEPARTMENT OF PUBLIC SAFETY" at "Division of Police", strike "172,532,606" and insert "**172,032,606**"; and at "I. Personnel and Related Expenses", strike "162,467,669" and insert "**161,967,669**".

9. In Section 1, at "GENERAL FUND" at "DEPARTMENT OF PUBLIC SAFETY" at "Division of Fire", strike "85,913,897" and insert "**85,663,897**"; at "I. Personnel and Related Expenses", strike "82,556,937" and insert "**82,306,937**";

and at "TOTAL DEPARTMENT OF PUBLIC SAFETY" strike "\$300,158,881" and insert "**\$299,408,881**".

10. In Section 1, at "GENERAL FUND" at "DEPARTMENT OF PUBLIC WORKS" at "Division of Property Management", strike "8,094,307" and insert "**8,594,307**"; and at "II. Other Expenses", strike "2,612,172" and insert "**3,112,172**".

11. In Section 1, at "GENERAL FUND" at "DEPARTMENT OF PUBLIC WORKS" at "Division of Park Maintenance and Properties", strike "12,671,720" and insert "**12,921,720**"; at "II. Other Expenses" strike "4,608,548" and insert "**4,858,548**"; and at "TOTAL DEPARTMENT OF PUBLIC WORKS" strike "\$66,015,646" and insert "**\$66,765,646**".

12. In Section 1, at "GENERAL FUND" at "DEPARTMENT OF

BUILDING AND HOUSING" at "Division of Code Enforcement", strike "6,290,876" and insert "**6,340,876**"; at "II. Other Expenses", strike "543,739" and insert "**593,739**"; and at "TOTAL DEPARTMENT OF BUILDING AND HOUSING" strike "\$9,772,136" and insert "**\$9,822,136**".

13. In Section 1, at "GENERAL FUND" at "NONDEPARTMENTAL" at "Other Administrative", strike "17,900,086" and insert "**17,700,086**"; at "II. Other Expenses", strike "17,900,086" and insert "**17,700,086**"; and at "TOTAL NONDEPARTMENTAL" strike "\$40,508,966" and insert "**\$40,308,966**".

14. In Section 1, at "GENERAL FUND" at "TOTAL EXECUTIVE BRANCH" strike "\$462,482,509" and insert "**\$462,382,509**"; and at "TOTAL GENERAL FUND" strike "\$506,980,903" and insert "**\$507,055,903**".

**APPROPRIATION FOR THE YEAR 2012
(SECOND READING EMERGENCY ORDINANCE)
ORDINANCE NO. 137-12**

Ord. No. 137-12.

By Council Member Sweeney (by departmental request).

An emergency ordinance to make appropriations and provide current expenses for the daily operation of all municipal departments of the City of Cleveland for the fiscal year from January 1, 2012 until December 31, 2012.

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

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

Section 1. That to provide for the current expenses for the City of Cleveland for the fiscal year ending December 31, 2012, the following sums be and they are hereby appropriated viz:

The sum of Five Hundred Seven Million, Fifty Five Thousand, Nine Hundred Three Dollars (\$507,055,903) from the General Fund;

The sum of Seventy Eight Million, Eighteen Thousand, Nine Hundred Forty Seven Dollars (\$78,018,947) from the Special Revenue Funds;

The sum of Thirty Million, Seven Hundred Twenty Eight Thousand, Nine Hundred Thirty Eight Dollars (\$30,728,938) from the Internal Service Funds;

The sum of Six Hundred Nine Million, Four Hundred Eleven Thousand, One Hundred Thirty Three Dollars (\$609,411,133) from the Enterprise Funds;

The sum of Ten Million, Forty One Thousand, Four Hundred Ninety Four Dollars (\$10,041,494) from the Trust and Agency Funds;

The sum of Sixty One Million, Two Hundred Ninety One Thousand, One Hundred Ninety Two Dollars (\$61,291,192) from the Debt Service Fund;

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

GENERAL FUND

Legislative Branch	\$ 6,527,425
Judicial Branch	38,145,969
EXECUTIVE BRANCH	
General Government	12,339,388
Department of Aging	895,250
Department of Personnel	1,976,417
Department of Law	9,213,237
Department of Finance	14,452,175
Department of Port Control	105,398
Department of Public Health	5,298,444
Department of Public Safety	299,408,881
Department of Public Works	66,765,646
Department of Community Development	271,140
Department of Building and Housing	9,822,136
Department of Economic Development	1,525,431
Nondepartmental	40,308,966
TOTAL EXECUTIVE BRANCH	\$ 462,382,509
TOTAL GENERAL FUND	\$ 507,055,903
Special Revenue Funds	78,018,947
Internal Service Funds	30,728,938
Enterprise Funds	609,411,133
Agency Funds	10,041,494
Debt Service Funds	61,291,192
TOTAL APPROPRIATIONS FOR 2012	\$1,296,547,607

GENERAL FUND

LEGISLATIVE BRANCH

Council and Clerk of Council		\$	6,527,425
I. Personnel and Related Expenses	\$	4,862,654	
II. Other Expenses		1,664,771	
TOTAL LEGISLATIVE BRANCH			\$ 6,527,425

JUDICIAL BRANCH

Municipal Court - Judicial Division		\$	20,933,971
I. Personnel and Related Expenses	\$	18,190,979	
II. Other Expenses		2,742,992	
Municipal Court - Clerk's Division		\$	14,053,350
I. Personnel and Related Expenses	\$	8,703,894	
II. Other Expenses		5,349,456	
Municipal Court - Housing Division		\$	3,158,648
I. Personnel and Related Expenses	\$	3,018,461	
II. Other Expenses		140,187	
TOTAL JUDICIAL BRANCH			\$ 38,145,969

EXECUTIVE BRANCH

GENERAL GOVERNMENT

Office of the Mayor		\$	2,438,884
I. Personnel and Related Expenses	\$	2,305,179	
II. Other Expenses		133,705	
Office of Capital Projects		\$	4,285,729
I. Personnel and Related Expenses	\$	3,744,903	
II. Other Expenses		540,826	
Landmarks Commission		\$	234,020
I. Personnel and Related Expenses	\$	178,722	
II. Other Expenses		55,298	
Board of Building Standards and Appeals		\$	125,524
I. Personnel and Related Expenses	\$	112,284	
II. Other Expenses		13,240	
Board of Zoning Appeals		\$	209,019
I. Personnel and Related Expenses	\$	193,687	
II. Other Expenses		15,332	
Civil Service Commission		\$	961,465
I. Personnel and Related Expenses	\$	570,667	
II. Other Expenses		390,798	
Community Relations Board		\$	1,190,107
I. Personnel and Related Expenses	\$	1,127,411	
II. Other Expenses		62,696	
City Planning Commission		\$	1,524,233
I. Personnel and Related Expenses	\$	1,424,878	
II. Other Expenses		99,355	
Boxing and Wrestling Commission		\$	7,701
I. Personnel and Related Expenses	\$	7,701	
Office of Equal Opportunity		\$	467,899
I. Personnel and Related Expenses	\$	445,454	
II. Other Expenses		22,445	
Office of Budget & Management-Budget Admin.		\$	894,807
I. Personnel and Related Expenses	\$	878,557	
II. Other Expenses		16,250	
TOTAL GENERAL GOVERNMENT			\$ 12,339,388

DEPARTMENT OF AGING

Department of Aging		\$	895,250
I. Personnel and Related Expenses	\$	745,887	
II. Other Expenses		149,363	
TOTAL DEPARTMENT OF AGING		\$	895,250

DEPARTMENT OF PERSONNEL

Office of Personnel		\$	1,976,417
I. Personnel and Related Expenses	\$	1,281,413	
II. Other Expenses		695,004	
TOTAL DEPARTMENT OF PERSONNEL		\$	1,976,417

DEPARTMENT OF LAW

Division of Law		\$	9,213,237
I. Personnel and Related Expenses	\$	6,334,920	
II. Other Expenses		2,878,317	
TOTAL DEPARTMENT OF LAW		\$	9,213,237

DEPARTMENT OF FINANCE

Finance Administration		\$	854,582
I. Personnel and Related Expenses	\$	818,196	
II. Other Expenses		36,386	
Division of Accounts		\$	1,916,691
I. Personnel and Related Expenses	\$	1,255,078	
II. Other Expenses		661,613	
Division of Assessments and Licenses		\$	4,532,126
I. Personnel and Related Expenses	\$	2,240,617	
II. Other Expenses		2,291,509	
Division of Treasury		\$	560,732
I. Personnel and Related Expenses	\$	467,914	
II. Other Expenses		92,818	
Division of Purchases and Supplies		\$	602,376
I. Personnel and Related Expenses	\$	563,390	
II. Other Expenses		38,986	
Bureau of Internal Audit		\$	984,997
I. Personnel and Related Expenses	\$	546,514	
II. Other Expenses		438,483	
Division of Financial Reporting and Control		\$	1,240,172
I. Personnel and Related Expenses	\$	1,213,544	
II. Other Expenses		26,628	
Information Systems Services		\$	3,590,175
I. Personnel and Related Expenses	\$	1,778,706	
II. Other Expenses		1,811,469	
Information Tech & Planning		\$	170,324
I. Personnel and Related Expenses	\$	163,724	
II. Other Expenses		6,600	
TOTAL DEPARTMENT OF FINANCE		\$	14,452,175

DEPARTMENT OF PORT CONTROL

Division of Harbors		\$	105,398
I. Personnel and Related Expenses	\$	105,398	
TOTAL DEPARTMENT OF PORT CONTROL		\$	105,398

DEPARTMENT OF PUBLIC HEALTH

Public Health Administration		\$	895,942
I. Personnel and Related Expenses	\$	582,098	
II. Other Expenses		313,844	
Division of Health		\$	3,061,804
I. Personnel and Related Expenses	\$	1,805,069	
II. Other Expenses		1,256,735	
Division of Environment		\$	951,606
I. Personnel and Related Expenses	\$	804,894	
II. Other Expenses		146,712	
Division of Air Quality		\$	389,092
I. Personnel and Related Expenses	\$	107,992	
II. Other Expenses		281,100	
TOTAL DEPARTMENT OF PUBLIC HEALTH		\$	<u>5,298,444</u>

DEPARTMENT OF PUBLIC SAFETY

Public Safety Administration		\$	3,880,523
I. Personnel and Related Expenses	\$	2,720,218	
II. Other Expenses		1,160,305	
Division of Police		\$	172,032,606
I. Personnel and Related Expenses	\$	161,967,669	
II. Other Expenses		10,064,937	
Division of Fire		\$	85,663,897
I. Personnel and Related Expenses	\$	82,306,937	
II. Other Expenses		3,356,960	
Division of Emergency Medical Services		\$	21,925,577
I. Personnel and Related Expenses	\$	19,321,079	
II. Other Expenses		2,604,498	
Division of Animal Control Services		\$	1,259,665
I. Personnel and Related Expenses	\$	890,825	
II. Other Expenses		368,840	
Division of Correction		\$	14,646,613
I. Personnel and Related Expenses	\$	10,588,909	
II. Other Expenses		4,057,704	
TOTAL DEPARTMENT OF PUBLIC SAFETY		\$	<u>299,408,881</u>

DEPARTMENT OF PUBLIC WORKS

Division of Public Works Administration		\$	2,817,905
I. Personnel and Related Expenses	\$	2,666,991	
II. Other Expenses		150,914	
Division of Recreation		\$	12,312,533
I. Personnel and Related Expenses	\$	8,425,655	
II. Other Expenses		3,886,878	
Division of Parking Facilities-On Street		\$	1,251,008
I. Personnel and Related Expenses	\$	1,196,835	
II. Other Expenses		54,173	
Division of Property Management		\$	8,594,307
I. Personnel and Related Expenses	\$	5,482,135	
II. Other Expenses		3,112,172	
Division of Park Maintenance and Properties		\$	12,921,720
I. Personnel and Related Expenses	\$	8,063,172	
II. Other Expenses		4,858,548	

Division of Waste		\$ 25,304,223
I. Personnel and Related Expenses	\$ 13,892,304	
II. Other Expenses	11,411,919	

Division of Traffic Engineering		\$ 3,563,950
I. Personnel and Related Expenses	\$ 2,741,542	
II. Other Expenses	822,408	

TOTAL DEPARTMENT OF PUBLIC WORKS		\$ 66,765,646
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DEPARTMENT OF COMMUNITY DEVELOPMENTMT DIRECTOR'S OFFICE

Department of Community Development Director's Office		\$ 271,140
I. Personnel and Related Expenses	\$ 252,056	
II. Other Expenses	19,084	

TOTAL DEPARTMENT OF COMMUNITY DEVELOPMENT		\$ 271,140
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DEPARTMENT OF BUILDING AND HOUSING

Building and Housing Dir Office		\$ 1,994,267
I. Personnel and Related Expenses	\$ 1,514,063	
II. Other Expenses	480,204	

Division of Code Enforcement		\$ 6,340,876
I. Personnel and Related Expenses	\$ 5,747,137	
II. Other Expenses	593,739	

Division of Construction Permit		\$ 1,486,993
I. Personnel and Related Expenses	\$ 1,470,668	
II. Other Expenses	16,325	

TOTAL DEPARTMENT OF BUILDING AND HOUSING		\$ 9,822,136
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DEPARTMENT OF ECONOMIC DEVELOPMENT

Economic Development		\$ 1,525,431
I. Personnel and Related Expenses	\$ 1,504,664	
II. Other Expenses	20,767	

TOTAL DEPARTMENT OF ECONOMIC DEVELOPMENT		\$ 1,525,431
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NONDEPARTMENTAL

County Auditor Deductions		\$ 1,736,000
II. Other Expenses	\$ 1,736,000	

Other Administrative		\$ 17,700,086
II. Other Expenses	\$ 17,700,086	

Transfers to Other Funds		\$ 20,872,880
II. Other Expenses	\$ 20,872,880	

TOTAL NONDEPARTMENTAL		\$ 40,308,966
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TOTAL EXECUTIVE BRANCH		\$ 462,382,509
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TOTAL GENERAL FUND		\$ 507,055,903
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SPECIAL REVENUE FUND

Restricted Income Tax Fund		\$ 35,599,417
I. Capital	\$ 3,797,282	
II. Debt Service	31,802,135	

Street Construction, Maintenance & Repair Fund		\$ 27,316,906
I. Personnel and Related Expenses	\$ 15,207,277	
II. Other Expenses	12,109,629	
Schools Recreation & Cultural Activities Fund		\$ 1,000,000
II. Other Expenses	\$ 1,000,000	
Division of Convention Center & Stadium-Stadium		\$ 14,102,624
II. Other Expenses	\$ 14,102,624	
TOTAL SPECIAL REVENUE FUNDS		<u>\$ 78,018,947</u>

INTERNAL SERVICE FUND

Sinking Fund Commission		\$ 1,149,445
I. Personnel and Related Expenses	\$ 183,373	
II. Other Expenses	966,072	
Information Systems Services-Telephone Exchange		\$ 6,116,921
I. Personnel and Related Expenses	\$ 1,191,248	
II. Other Expenses	4,925,673	
Division of Motor Vehicle Maintenance		\$ 20,444,390
I. Personnel and Related Expenses	\$ 5,612,776	
II. Other Expenses	14,831,614	
Division of Printing and Reproduction		\$ 2,367,110
I. Personnel and Related Expenses	\$ 833,374	
II. Other Expenses	1,533,736	
City Storeroom and Central Warehouse		\$ 651,072
I. Personnel and Related Expenses	\$ 113,497	
II. Other Expenses	537,575	
TOTAL INTERNAL SERVICE FUNDS		<u>\$ 30,728,938</u>

ENTERPRISE FUNDS

DEPARTMENT OF PUBLIC UTILITIES

Utilities Administration		\$ 3,396,795
I. Personnel and Related Expenses	\$ 2,657,065	
II. Other Expenses	739,730	
Radio		\$ 3,303,094
I. Personnel and Related Expenses	\$ 551,746	
II. Other Expenses	2,751,348	
Division of Fiscal Control		\$ 3,082,812
I. Personnel and Related Expenses	\$ 2,839,174	
II. Other Expenses	243,638	
Division of Water		\$ 256,400,000
I. Personnel and Related Expenses	\$ 80,071,477	
II. Other Expenses	176,328,523	
Division of Water Pollution Control		\$ 22,306,300
I. Personnel and Related Expenses	\$ 11,693,791	
II. Other Expenses	10,612,509	
Division of Cleveland Public Power		\$ 167,200,000
I. Personnel and Related Expenses	\$ 29,622,669	
II. Other Expenses	137,577,331	
TOTAL DEPARTMENT OF PUBLIC UTILITIES		<u>\$ 455,689,001</u>

DEPARTMENT OF PORT CONTROL

Divisions of Cleveland Hopkins & Burke Lakefront Airports - Operations		\$ 139,944,099
I. Personnel and Related Expenses	\$ 32,894,050	
II. Other Expenses	107,050,049	
TOTAL DEPARTMENT OF PORT CONTROL		<u>\$ 139,944,099</u>

DEPARTMENT OF PUBLIC WORKS

Division of Cemeteries		\$ 1,683,935
I. Personnel and Related Expenses	\$ 1,185,843	
II. Other Expenses	498,092	
Golf Course Fund		\$ 996,586
I. Personnel and Related Expenses	\$ 545,944	
II. Other Expenses	450,642	
Division of Parking Facilities-Off Street Parking		\$ 7,432,941
I. Personnel and Related Expenses	\$ 1,196,105	
II. Other Expenses	6,236,836	
Division of Convention Center		\$ 2,541,331
I. Personnel and Related Expenses	\$ 1,057,907	
II. Other Expenses	1,483,424	
Division of Convention Center & Stadium- West Side Market		\$ 1,083,240
I. Personnel and Related Expenses	\$ 406,723	
II. Other Expenses	676,517	
Division of Property Management - East Side Market		\$ 40,000
II. Other Expenses	\$ 40,000	
TOTAL DEPARTMENT OF PUBLIC WORKS		\$ 13,778,033
TOTAL ENTERPRISE FUNDS		\$ 609,411,133

AGENCY FUND

Central Collection Agency		\$ 10,041,494
I. Personnel and Related Expenses	\$ 6,440,783	
II. Other Expenses	3,600,711	
TOTAL AGENCY FUND		\$ 10,041,494

DEBT SERVICE FUND

Sinking Fund Commission		\$ 61,291,192
III Debt Service	\$ 61,291,192	
TOTAL DEBT SERVICE FUNDS		\$ 61,291,192

Section 2. That the appropriations herein made are based upon the detail of expenditures set forth in the Mayor's Estimate, but are appropriated to the several departments, offices, and purposes in the aggregate for I. — Personnel and Related Expenses; and II. — Other Expenses and are not severally and individually appropriated in said detail. Any unencumbered balance in an appropriation fund at the close of the year 2011 is hereby appropriated to such fund for the payment of unpaid obligations lawfully incurred in 2012 or prior years. The Mayor's Estimate, File No. 137-12-A, as modified by the schedule published pursuant to Section 39 of the Charter shall within the sums appropriated in Section 1 hereof, constitute the expenditure budget for the year 2012 and shall be subject to the control of the Mayor, provided, however, that no transfer from I. — Personnel and Related Expenses, or II. — Other Expenses within any department or office, or from one department or office to another shall be made except as provided in Section 41 of the Charter.

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

Section 4. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force upon its passage and approval by the Mayor; otherwise it shall take effect and be in force at the earliest period allowed by law.

**Schedule of Changes
(Published pursuant to Section 39 of the Charter)**

The following changes are made to provide for reductions/increases in various departments of City Government: to correct the total of the 2012 Appropriation Ordinance No. 137-12

2012 Mayor's Estimate Ordinance	DIFFERENCE
GENERAL FUND	
Legislative Branch	0
Judicial Branch	175,000
EXECUTIVE BRANCH	
General Government	50,000
Department of Public Safety	(750,000)
Department of Public Works	750,000
Department of Building and Housing	50,000
Nondepartmental	(200,000)
TOTAL EXECUTIVE BRANCH	(100,000)
TOTAL GENERAL FUND	75,000
TOTAL APPROPRIATIONS FOR 2012	75,000
GENERAL FUND	
JUDICIAL BRANCH	
Municipal Court - Judicial Division	175,000
II. Other Expenses	175,000
TOTAL JUDICIAL BRANCH	175,000
EXECUTIVE BRANCH	
GENERAL GOVERNMENT	
Landmarks Commission	50,000
II. Other Expenses	50,000
TOTAL GENERAL GOVERNMENT	50,000
DEPARTMENT OF PUBLIC SAFETY	
Division of Police	(500,000)
I. Personnel and Related Expenses	(500,000)
Division of Fire	(250,000)
I. Personnel and Related Expenses	(250,000)
TOTAL DEPARTMENT OF PUBLIC SAFETY	(750,000)
DEPARTMENT OF PUBLIC WORKS	
Division of Property Management	500,000
II. Other Expenses	500,000
Division of Park Maintenance and Properties	250,000
II. Other Expenses	250,000
TOTAL DEPARTMENT OF PUBLIC WORKS	750,000
DEPARTMENT OF BUILDING AND HOUSING	
Division of Code Enforcement	50,000
II. Other Expenses	50,000
TOTAL DEPARTMENT OF BUILDING AND HOUSING	50,000
NONDEPARTMENTAL	
Other Administrative	(200,000)
II. Other Expenses	(200,000)
TOTAL NONDEPARTMENTAL	(200,000)
TOTAL EXECUTIVE BRANCH	(100,000)
TOTAL GENERAL FUND	75,000

Ordinance No. 137-12 is herein published following the Public Hearing and before the third reading and final passage and reflects the necessary amendments required by this schedule.

MOTION

The Council Meeting adjourned at 12:55 p.m. to meet at the call of the Chair.



Patricia J. Britt
City Clerk, Clerk of Council

THE CALENDAR

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

NONE

BOARD OF CONTROL

February 29, 2012

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, February 29, 2012 at 10:47 a.m. with Interim Director Langhenry presiding.

Present: Interim Director Langhenry, Acting Director Hardy, Director Withers, Acting Directors Dangerfield, Thompson, Directors Butler, Rush, Southerington, Acting Director Thornton, Directors Fumich and Rybka.

Absent: Mayor Jackson and Director Flask.

Others: JoMarie Wasik, Director, Mayor's Office of Capital Projects.

Natoya Walker-Minor, Interim Director, Office of Equal Opportunity.

Jim Hardy, Commissioner, Division of Purchases & Supplies.

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

Resolution No. 82-12.

By Director Withers.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Badger Meter, Inc. for an estimated quantity of replacement registers for water meters, items 1-8, for the Division of Water, Department of Public Utilities, for a period of two years starting upon the later of the execution of a contract or the day following expiration of the currently effective contract for the goods or services, received on January 18, 2012 under the authority of Section 129.25 of the Codified Ordinances of Cleveland Ohio, 1976, which on the basis of the estimated quantity would amount to \$167,470.00 (Net 30), is affirmed and approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into a requirement contract for the goods and/or services, which contract shall provide for an initial order, the cost of which shall be certified to the contract in an amount not less than \$16,750.00.

The requirement contract shall further provide that the Contractor

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

Yeas: Interim Director Langhenry, Acting Director Hardy, Director Withers, Acting Directors Dangerfield, Thompson, Directors Butler, Rush, Southerington, Acting Director Thornton, Directors Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson and Director Flask.

Resolution No. 83-12.

By Director Withers.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Elster AMCO Water, LLC for an estimated quantity of replacement registers for water meters, items 11-25, for the Division of Water, Department of Public Utilities, for a period of two years starting upon the later of the execution of a contract or the day following expiration of the currently effective contract for the goods or services, received on January 18, 2012 under the authority of Section 129.25 of the Codified Ordinances of Cleveland Ohio, 1976, which on the basis of the estimated quantity would amount to \$507,070.00 (0%), is affirmed and approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into a requirement contract for the goods and/or services, which contract shall provide for an initial order, the cost of which shall be certified to the contract in an amount not less than \$50,710.00.

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

Yeas: Interim Director Langhenry, Acting Director Hardy, Director Withers, Acting Directors Dangerfield, Thompson, Directors Butler, Rush, Southerington, Acting Director Thornton, Directors Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson and Director Flask.

Resolution No. 84-12.

By Director Withers.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Lindsay Concrete Products Co., Inc. for an estimated quantity of manholes, item 1 through item 27, for the Divisions of Water, Water Pollution Control, and Cleveland Public Power, Department of Public Utilities, for a period of one year starting upon the execution of a contract, received on December 15, 2011, under the authority of Sections 129.25, 129.26, and 129.27 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to \$124,457.00 (2%, 30 Days), is affirmed and approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into a requirement contract for the goods and/or services, which con-

tract shall provide for an initial order, the cost of which shall be certified to the contract in the sum of not less than \$6,222.85.

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

Be it further resolved that the employment of the following subcontractor is approved:

SUBCONTRACTORS

	DOLLAR AMOUNT	PERCENTAGE
All Erection & Crane Rental. (CSB/M)	\$6,600.00	5.30%

Yeas: Interim Director Langhenry, Acting Director Hardy, Director Withers, Acting Directors Dangerfield, Thompson, Directors Butler, Rush, Southerington, Acting Director Thornton, Directors Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson and Director Flask.

Resolution No. 85-12.

By Director Withers.

Be it resolved, by the Board of Control of the City of Cleveland that all bids received on December 15, 2011 for materials and supplies necessary to repair or replace plumbing equipment and lines, including gas lines, and for installation if necessary, for the Division of Cleveland Public Power, Department of Public Utilities, under the authority of Ordinance No. 630-11, passed June 6, 2011, are rejected.

Yeas: Interim Director Langhenry, Acting Director Hardy, Director Withers, Acting Directors Dangerfield, Thompson, Directors Butler, Rush, Southerington, Acting Director Thornton, Directors Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson and Director Flask.

Resolution No. 86-12.

By Director Smith.

Whereas, under the authority of Ordinance No. 2432-03, passed by the Council of the City of Cleveland on February 2, 2004, and Board of Control Resolution No. 661-04, adopted November 24, 2004, the City through its Director of Port Control, entered into City Contract No. 64002 with URS Corporation ("Consultant"), to provide professional design services for the extension of Runway 6R-24L at Cleveland Hopkins International Airport; and

Whereas, under Board of Control Resolution No. 276-07, adopted June 6, 2007, the City, through its Director of Port Control, entered into a First Modification to City Contract No. 64002, revising the scope of work and increasing the compensation from an amount not to exceed \$2,899,761.00 to an amount not to exceed \$5,824,903.00; and

Whereas, under Board of Control Resolution No. 277-07, adopted June 6, 2007, the City, through its Director of Port Control, entered into a Second Modification to City Contract

No. 64002, revising the scope of work and increasing the compensation from an amount not to exceed \$5,824,903.00 to an amount not to exceed \$6,059,903.00; and

Whereas, the City has determined it necessary to further revise the scope of work to redesign Taxiway Whiskey Runway Safety Area project construction drawings, provide Taxiway Whiskey relocation inspection services, provide for Solar Testing Laboratories, Inc.'s testing and inspection overruns due to unanticipated construction of the uncoupling project and coordination of Navaid flight inspection, publication and construction phasing; and

Whereas, the Consultant has proposed by its letter dated August 1, 2011 to perform the additional work necessary for an amount of \$128,350.00; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that the Director of Port Control is authorized to enter into a Third Modification to City Contract No. 64002 between the City of Cleveland and URS Corporation for additional professional services necessary to redesign Taxiway Whiskey Runway Safety Area project construction drawings, provide Taxiway Whiskey relocation inspection services, provide for Solar Testing Laboratories, Inc.'s testing and inspection overruns due to unanticipated construction of the uncoupling project and coordination of Navaid flight inspection, publication and construction phasing. The amount to be paid for all services shall be increased by \$128,350.00 from \$6,059,903.00 to a total amount not to exceed \$6,188,253.00.

Be it further resolved that the amounts attributed to the following subconsultants approved in Board of Control Resolution No. 276-07, adopted June 6, 2007, are amended as follows:

<u>Subconsultant</u>	<u>DBE%</u> <u>Amount</u>
G & T Associates, Inc.	20.58% DBE \$1,273,240.00
Solar Testing Laboratories, Inc.	12.65% Non DBE \$ 783,200.00
KS Associates, Inc.	4.11% Non DBE \$ 254,500.00
AA Blueprint Co., Inc.	0.80% Non DBE \$ 49,800.00

Be it further resolved that the following additional subconsultant to URS Corporation under City Contract No. 64002 is approved:

<u>Subconsultant</u>	<u>DBE %</u> <u>Amount</u>
Richard H. McFarland, PhD	0.48% Non DBE \$ 30,000.00

Yeas: Interim Director Langhenry, Acting Director Hardy, Director Withers, Acting Directors Dangerfield, Thompson, Directors Butler, Rush, Southerington, Acting Director Thornton, Directors Fumich and Rybka.

Nays: None.
Absent: Mayor Jackson and Director Flask.

Resolution No. 87-12.

By Director Smith.
Resolved, by the Board of Control of the City of Cleveland that the bid of Finley Fire Equipment, Co. Inc., for all the necessary items bunker gear suits, including proximity pants, proximity coats, hoods, helmets, boots, all items, for the various divisions of the Department of Port Control, for a period of two years beginning with the date of execution of a contract, received on December 15, 2011, under the authority of Section 181.101 of the Codified Ordinances of Cleveland, Ohio 1976, which on the basis of the estimated quantity would amount to \$89,400.00, is affirmed and approved as the lowest and best bid, and the Director of Port Control is requested to enter into a requirement contract for the goods and services necessary, which contract shall provide for an initial order, the cost of which shall be certified to the contract in an amount not less than \$5,000.00.

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

Yeas: Interim Director Langhenry, Acting Director Hardy, Director Withers, Acting Directors Dangerfield, Thompson, Directors Butler, Rush, Southerington, Acting Director Thornton, Directors Fumich and Rybka.

Nays: None.
Absent: Mayor Jackson and Director Flask.

Resolution No. 88-12.

By Director Cox.
Resolved by the Board of Control of the City of Cleveland, that all bids received on December 9, 2011, for the sale of waste oil, anti-freeze and used oil filters, items 1, 2 and 3, for the Division of Motor Vehicle Maintenance, Department of Public Works, under the authority of Section 181.18 of the Codified Ordinances of Cleveland, Ohio, 1976, are rejected.

Yeas: Interim Director Langhenry, Acting Director Hardy, Director Withers, Acting Directors Dangerfield, Thompson, Directors Butler, Rush, Southerington, Acting Director Thornton, Directors Fumich and Rybka.

Nays: None.
Absent: Mayor Jackson and Director Flask.

Resolution No. 89-12.

By Director Cox.
Be it resolved, by the Board of Control of the City of Cleveland that the bid of C-Auto Glass, Inc., for an estimated quantity of various auto, truck and equipment, glass replacement and related repairs, all items, for the Division of Motor Vehicle Maintenance, Department of Public Works, for a period of one year, beginning with the date of execution of a contract, with two one-year renewal options, received on January 19, 2012, under the authority of Section 131.64 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to \$50,000.00 (Net), is affirmed and approved as

the lowest and best bid, and the Director of Public Works is requested to enter into a requirement contract for the goods and/or services, which contract shall provide for an initial order, the cost of which shall be certified to the contract in an amount not less than \$5,000.00.

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

Yeas: Interim Director Langhenry, Acting Director Hardy, Director Withers, Acting Directors Dangerfield, Thompson, Directors Butler, Rush, Southerington, Acting Director Thornton, Directors Fumich and Rybka.

Nays: None.
Absent: Mayor Jackson and Director Flask.

Resolution No. 90-12.

By Director Wasik.
Be it resolved by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 1204-11, passed by the Council of the City of Cleveland on December 5, 2011, Transystems Corporation of Ohio is selected upon the nomination of the Director of Capital Projects, from a list of qualified engineering consultants or firms of the consultants determined to be available after a full and complete canvass by the Director of Capital Projects as the firm to be employed by contract to supplement the regularly employed staff of the several departments of the City to obtain the engineering services necessary for the Remote Bridge Feasibility Study for 6 moveable bridges, namely Willow Avenue, Center Street, Columbus Road, Carter Road, Eagle Avenue and West 31 Street.

Be it further resolved that the Director of Capital Projects is authorized to enter into a written contract with Transystems Corporation of Ohio based on its proposal dated January 12, 2012, provided that the compensation to be paid shall not exceed \$170,847.55. The agreement authorized shall be prepared by the Director of Law and shall contain the other provisions as the Director of Law deems necessary to protect and benefit the public interest.

Be it further resolved that the employment of the following subconsultants by Transystems Corporation of Ohio for the above-authorized contract is approved:

Van Auken Architects, LLC (CSB) — \$14,477.80 — (8.474%)
Flanders Engineering Group, Inc. \$14,477.80 — (8.474%)
Stafford Bandlow Engineering, Inc. \$45,456.05 — (26.606%)

Yeas: Interim Director Langhenry, Acting Director Hardy, Director Withers, Acting Directors Dangerfield, Thompson, Directors Butler, Rush, Southerington, Acting Director Thornton, Directors Fumich and Rybka.

Nays: None.
Absent: Mayor Jackson and Director Flask.

Resolution No. 91-12.

By Director Rush.

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

Whereas, City has acquired Permanent Parcel No. 136-08-006, located at 10003 Harvard Avenue under the Land Reutilization Program; and

Whereas, Ordinance No. 5-12 passed January 30, 2012, authorized the sale of the parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, National Container Group, LLC has proposed to the City to purchase and develop the parcel for Commercial/Industrial Expansion; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 5-12 passed January 30, 2012, by the Cleveland City Council, the Mayor is authorized to execute an official deed for and on behalf of the City of Cleveland with National Container Group, LLC for the sale and development of Permanent Parcel No. 136-08-006, as described in the Ordinance according to the Land Reutilization Program in such manner as best carries out the intent of the program.

Be it further resolved that the consideration for the parcel shall be \$11,000.00, which amount is determined to be not less than the fair market value of the parcel for uses according to the Land Reutilization Program.

Yeas: Interim Director Langhenry, Acting Director Hardy, Director Withers, Acting Directors Dangerfield, Thompson, Directors Butler, Rush, Southerington, Acting Director Thornton, Directors Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson and Director Flask.

Resolution No. 92-12.

By Director Rush.

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

Whereas, City has acquired Permanent Parcel No. 024-27-032, located at 14500 Broxton Avenue under the Land Reutilization Program; and

Whereas, Ordinance No. 4-12 passed January 30, 2012, authorized the sale of the parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Cynthia J. Stowasser has proposed to the City to purchase and develop the parcel for Yard Expansion; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 4-12 passed January 30, 2012, by the Cleveland City Council, the Mayor is authorized to execute an official deed for and on behalf of the City of Cleveland with Cynthia J. Stowasser for the sale and development of Permanent Parcel No. 024-27-032, as described in the Ordinance according to the Land Reutilization Program in such manner as best carries out the intent of the program.

Be it further resolved that the consideration for the parcel shall be \$550.00, which amount is determined to be not less than the fair market value of the parcel for uses according to the Land Reutilization Program.

Yeas: Interim Director Langhenry, Acting Director Hardy, Director Withers, Acting Directors Dangerfield, Thompson, Directors Butler, Rush, Southerington, Acting Director Thornton, Directors Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson and Director Flask.

Resolution No. 93-12.

By Director Rush.

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

Whereas, City has acquired Permanent Parcel No. 117-06-033, located at 1692 Wayside Road under the Land Reutilization Program; and

Whereas, Ordinance No. 925-11 passed August 17, 2011, authorized the sale of the parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Romona Wentz-Blaine has proposed to the City to purchase and develop the parcel for Yard Expansion; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 925-11 passed August 17, 2011, by the Cleveland City Council, the Mayor is authorized to execute an official deed for and on behalf of the City of Cleveland with Romona Wentz-Blaine for the sale and development of Permanent Parcel No. 117-06-033, as described in the Ordinance according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Interim Director Langhenry, Acting Director Hardy, Director Withers, Acting Directors Dangerfield, Thompson, Directors Butler, Rush, Southerington, Acting Director Thornton, Directors Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson and Director Flask.

Resolution No. 94-12.

By Director Rush.

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

Whereas, under the Land Reutilization Program, the City has acquired Permanent Parcel Nos. 007-20-007 & 007-20-008, located at 3607 & 3601 Seymour Ave. under the Land Reutilization Program; and

Whereas, Ordinance No. 1648-11 passed January 23, 2012, authorized

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

Whereas, Caribe Development, LLC has proposed to the City to purchase and develop the parcels for a parking lot and business expansion; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 1648-11, passed January 23, 2012, by the Cleveland City Council, the Mayor is authorized to execute an official deed for and on behalf of the City of Cleveland with Caribe Development, LLC for the sale and development of Permanent Parcel Nos. 007-20-007 & 007-20-008, as described in the Ordinance according to the Land Reutilization Program in such manner as best carries out the intent of the program.

Be it further resolved that the consideration for the parcel shall be \$4,000.00, which amount is determined to be not less than the fair market value of the parcel for uses according to the Land Reutilization Program.

Yeas: Interim Director Langhenry, Acting Director Hardy, Director Withers, Acting Directors Dangerfield, Thompson, Directors Butler, Rush, Southerington, Acting Director Thornton, Directors Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson and Director Flask.

Resolution No. 95-12.

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 127-15-048 located at 9517 Fuller Avenue in Ward 6; and

Whereas, Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976 authorizes the Commissioner of Purchases and Supplies, when directed by the Director of Community Development and when certain specified conditions have been met, to sell Land Reutilization Program parcels; and

Whereas, Dorothy Cardwell has proposed to the City to purchase and develop the parcel for Yard Expansion; and

Whereas, the following conditions exist:

1. The member of Council from Ward 6 has consented to the proposed sale;

2. The proposed purchaser of the parcel is neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested to execute an Official Deed for and on behalf of the City of Cleveland, with Dorothy Cardwell for the sale and development of Permanent Parcel No. 127-15-048 located

at 9517 Fuller Avenue, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Interim Director Langhenry, Acting Director Hardy, Director Withers, Acting Directors Dangerfield, Thompson, Directors Butler, Rush, Southerington, Acting Director Thornton, Directors Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson and Director Flask.

Resolution No. 96-12.

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 139-03-066 located at 3830 East 143rd Street in Ward 2; and

Whereas, Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976 authorizes the Commissioner of Purchases and Supplies, when directed by the Director of Community Development and when certain specified conditions have been met, to sell Land Reutilization Program parcels; and

Whereas, Belinda Marshall has proposed to the City to purchase and develop the parcel for Yard Expansion and;

Whereas, the following conditions exist:

1. The member of Council from Ward 2 has consented to the proposed sale;

2. The proposed purchaser of the parcel is neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested to execute an Official Deed for and on behalf of the City of Cleveland, with Belinda Marshall for the sale and development of Permanent Parcel No. 139-03-066 located at 3830 East 143rd Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

Be it further resolved that the consideration for said parcel shall be \$1.00, which amount is determined to be not less than the Fair Market value of said parcel for uses according to the Program.

Yeas: Interim Director Langhenry, Acting Director Hardy, Director Withers, Acting Directors Dangerfield, Thompson, Directors Butler, Rush, Southerington, Acting Director Thornton, Directors Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson and Director Flask.

Resolution No. 97-12.

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 105-31-133 located at 1025 East 78th Street in Ward 7; and

Whereas, Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976 authorizes the Commissioner of Purchases and Supplies, when directed by the Director of Community Development and when certain specified conditions have been met, to sell Land Reutilization Program parcels; and

Whereas, Dorianne Buck has proposed to the City to purchase and develop the parcel for Yard Expansion; and

Whereas, the following conditions exist:

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

2. The proposed purchaser of the parcel is neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested to execute an Official Deed for and on behalf of the City of Cleveland, with Dorianne Buck for the sale and development of Permanent Parcel No. 105-31-133 located at 1025 East 78th Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

Be it further resolved that the consideration for said parcel shall be \$1.00, which amount is determined to be not less than the Fair Market value of said parcel for uses according to the Program.

Yeas: Interim Director Langhenry, Acting Director Hardy, Director Withers, Acting Directors Dangerfield, Thompson, Directors Butler, Rush, Southerington, Acting Director Thornton, Directors Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson and Director Flask.

Resolution No. 98-12.

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 106-02-012 located at Giddings Avenue in Ward 7; and

Whereas, Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976 authorizes the Commissioner of Purchases and Supplies, when directed by the Director of Community Development and when certain specified conditions have been met, to sell Land Reutilization Program parcels; and

Whereas, Douglas Campbell Jr. has proposed to the City to purchase and develop the parcel for Yard Expansion; and

Whereas, the following conditions exist:

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

2. The proposed purchaser of the parcel is neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested to execute an Official Deed for and on behalf of the City of Cleveland, with Douglas Campbell Jr. for the sale and development of Permanent Parcel No. 106-02-012 located at Giddings Avenue, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

Be it further resolved that the consideration for said parcel shall be \$1.00, which amount is determined to be not less than the Fair Market value of said parcel for uses according to the Program.

Yeas: Interim Director Langhenry, Acting Director Hardy, Director Withers, Acting Directors Dangerfield, Thompson, Directors Butler, Rush, Southerington, Acting Director Thornton, Directors Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson and Director Flask.

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.

ROBERT BENNETT,
President

SCHEDULE OF THE BOARD OF ZONING APPEALS

MONDAY, MARCH 19, 2012

9:30 A.M.

Calendar No. 12-28 12945 Lorain Avenue (Ward 17)

Joseph Coreno, owner, appeals to establish use for auto sales and auto minor repair garage as defined under Section 325.482 of the Cleveland Codified Ordinances, the proposed use to be located on parcels at the southeast corner of Lorain Avenue and West 130th Street in a General Retail Business District; and the required customer parking is 25 percent of the gross lot area (striped) according to Section 349.04 and under the provisions in Sections 343.11(b)(2)(H)(4), all vehicles must be kept back of a barrier of at least 18 inches high, erected at the front 15 foot specific setback line on Lorain Avenue and subject to the limitations of Section 357.14(a)(2) parking or displaying of vehicles is not permitted within the 15 foot specific setback; and an aisle width of 20 feet is proposed, contrary to Section 343.18 and a 24 foot width of aisle required for 90 degree parking; and subject to Sections 352.08-11, a frontage landscape strip 4 feet wide is required; an 8 feet wide transition strip is required along the rear where the lot abuts Multi-Family District and a 10 foot width of landscaping is required where the lot abuts a One-Family District.

Calendar No. 12-29 5033 Broadway Avenue (Ward 5)

City of Cleveland Department of Community Development, owner, and Fast Track Cycling, prospective tenant, appeal to construct an outdoor velodrome cycling track and use of property for cycling activities, events and competitions on acreage located in B1 and C2 General Retail Business and P1 Parking districts; and subject to the restrictions under Section 347.12(a)(1), no amusement, sport or recreational use shall be established within 500 feet of a residence district.

Calendar No. 12-30 5700 Lorain Avenue (Ward 15)

Ayad Gatea Abed, owner, appeals to establish use for auto sales on a 34.10' x 120' lot in a C1 Local Retail Business District; where the proposed use is not permitted under Section 343.01 and first allowed in a General Retail District according to Section 343.11(b)(2)(H)(4); and a minimum width of 60 feet is required in Section 347.11(a) for an open sales lot; and a one and one half high, structurally sound barrier is required at the front setback, behind which all vehicles and advertising matter must be kept to comply with Sections 343.11(b)(2)(i)(4); and under Sections 357.01(b)(4)(a), the parking or display of vehicles is not permitted within a front yard equal to 15 percent of the lot depth; and a frontage landscape strip 4 feet wide is required along Lorain Avenue and West 57th Street and no landscaping is proposed where an 8 foot wide transition strip is required at the rear of the lot where it abuts

a Two-Family District contrary to Sections 352.08-11 in the Cleveland Codified Ordinances.

Calendar No. 12-31 2020 West 28th Street (Ward 3)

St. Ignatius High School, owner, appeals for the expansion of a parking lot located on acreage between Chatham and Lorain Avenues in a B1 Two-Family District, which requires the Board of Zoning Appeals approval in accordance with the provisions under Section 359.01 to determine if the enlargement or expansion of a legally existing nonconforming use or building that does not conform to the use district may be permitted by a variance in accordance with the terms of Chapter 329 in the Cleveland Zoning Code; and no substitution or other change in a nonconforming use to other than a conforming use shall be permitted except by special permit from the Board of Zoning Appeals, having determined after public hearing that such substitution or other change is not more harmful or objectionable than he previous nonconforming use; and the Board of Zoning Appeals may permit, temporarily or permanently, the use of land in a residence district for a parking lot when the best interests of the community will be served according to Section 349.13(c)(d) in the Cleveland Codified Ordinances.

Calendar No. 12-37 1234 East 84th Street (Ward 7)

Jonathan Huckins, owner, and Helen Jackson, tenant, appeal to erect a 4' x 4' pre-manufactured wheelchair lift in the front yard of a dwelling located on a 40' x 104.86' lot in a B1 Two-Family District; and under the provisions in Section 329.04(c)(1) the wheelchair lift is not a permitted encroachment in the front yard area.

Secretary

REPORT OF THE BOARD OF ZONING APPEALS

MONDAY, MARCH 5, 2012

At the meeting of the Board of Zoning Appeals on Monday, March 5, 2012, the following appeals were heard by the Board.

The following appeals were **APPROVED:**

None.

The following appeals were **DISMISSED:**

None.

The following appeals were **WITHDRAWN:**

None.

The following appeals were **POSTPONED:**

Calendar No. 12-23: 4415-17 Detroit Avenue postponed to April 16, 2012.

Calendar No. 12-24: 3662 East 65th Street postponed to April 16, 2012.

Calendar No. 12-25: 5011 Woodland Avenue postponed to April 23, 2012.

Calendar No. 11-191: 3821 Lorain Avenue postponed to April 23, 2012.

The following appeals heard by the Board on February 27, 2012 were adopted and approved on March 5, 2012.

The following appeals were **APPROVED:**

Calendar No. 12-22: 3914 East 154th Street

Kenneth Underwood appealed to install a 5' x 5' pre-manufactured wheelchair lift and wooden porch landing at the front of a two family dwelling in a One-Family District.

Calendar No. 11-157: 1721 Fulton Road

Robert Schmidt appealed to erect a 1,463 square foot garage and studio on a lot in a B1 Two-Family District.

The following appeal heard by the Board on June 13, 2011 was adopted and approved on February 27, 2012.

The following appeal was **APPROVED:**

Calendar No. 11-75: 6102 Storer Avenue

Khalil Ewais appealed to change use from a restaurant to an ice cream parlor in General Retail and Two-Family Districts; completed lot consolidation and revised plan.

Secretary

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

Re: Report of the Meeting of February 29, 2012

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-228-11.

RE: Appeal of Donshirs Development Corp., Owner of the MXD Mixed Uses - Multiple Uses In one Building Four Story Wood Frame/Siding/Masonry Veneer Property located on the premises known as 14915 Woodworth Avenue from a CONDEMNATION ORDER - MAIN STRUCTURE, dated June 21, 2011 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant thirty (30) days in which to submit the required plans for the additional work, and to grant the Appellant until August 1, 2012 to

complete abatement of all violations; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Maschke and seconded by Mr. Saab.

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

* * *

Docket A-232-11.

RE: Appeal of Berger Properties of Ohio LLC, Owner of the R-2 Residential - Non-transient; Apartments (Shared Egress) Four Story Masonry Walls/Wood Floors Property located on the premises known as 3306 Bosworth Road from a CONDEMNATION ORDER - MAIN STRUCTURE, dated June 21, 2011 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant sixty (60) days in which to obtain all the required permits; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Maschke and seconded by Mr. Gallagher.

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

* * *

Docket A-233-11.

RE: Appeal of Khemraj Phalgoo, Owner of the One Dwelling Unit Single-Family Residence One & One-half Story Frame Property located on the premises known as 3108 Trowbridge Avenue from a CONDEMNATION ORDER - MAIN STRUCTURE, dated April 6, 2011 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant two (2) weeks in which to obtain all permits, two (2) months in which to abate all exterior violations, and six (6) months in which to complete abatement of all violations; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Saab.

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

* * *

Docket A-234-11.

RE: Appeal of Marvin Baker, Owner of the Two Dwelling Units Two-Family residence Two Story Frame Property, located on the premises known as 2029 West 100th Street from a CONDEMNATION ORDER - MAIN STRUCTURE, dated June 22, 2011 of the Director of the Department of Building and

Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

Docket A-234-11 has been WITHDRAWN at the request of the Appellant.

* * *

Docket A-236-11.

RE: Appeal of Jeffrey D. Schimmelman, Owner of the One Dwelling Unit Single-Family Residence Two & One-half Story Frame Property, located on the premises known as 17215 Valleyview Avenue from a CONDEMNATION ORDER - GARAGE, dated March 22, 2011 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

Docket A-236-11 have been POSTPONED; to be rescheduled for March 14, 2012.

* * *

Docket A-237-11.

RE: Appeal of US Bank, National Association, ND, Owner of the One Dwelling Unit Single-Family Residence Two & One-half Story Masonry Property located on the premises known as 2918 Bridge Avenue from a CONDEMNATION ORDER - MAIN STRUCTURE, dated may 24, 2011 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant ninety (90) days in which to submit the permit application to the Department of Building and Housing, the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Maschke and seconded by Mr. Gallagher.

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

* * *

Docket A-238-11.

RE: Appeal of Pamela R. Harris, Owner of the Two Dwelling Units Two-Family Residence Two & One-half Story Frame Property located on the premises known as 8805 Nevada Avenue from a NOTICE OF VIOLATION - UNAUTHORIZED/ILLEGAL USE, dated July 13, 2011 and from a CONDEMNATION ORDER - GARAGE, dated July 7, 2011 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to find that the Notice of Violation, and the Condemnation Order was properly issued based upon testimony and photographic evidence, the appeal is DENIED and the property is REMANDED at this time to the Department of Building and Housing for supervision and any required

further action, noting that the Appellant is not present for the hearing and the property has not been improved. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Saab.

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

* * *

Docket A-239-11.

RE: Appeal of Dennis Maxfield, Owner of the One Dwelling Unit Single-Family Residence Three Story Wood Frame/Siding/Masonry Veneer Property located on the premises known as 1607 Clark Avenue from a NOTICE OF VIOLATION - NO PERMIT, dated June 23, 2011 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant three (3) months in which to apply for the permit, the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Saab.

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

* * *

Docket A-240-11.

RE: Appeal of Schmelzer Brothers, LLC, Owner of the R-2 Residential - Non-transient; Apartments (Shared Egress) Four Story Masonry Walls/Wood Floors Property, located on the premises known as 9823 Lake Avenue from a NOTICE OF VIOLATION - EXTERIOR MAINTENANCE, dated June 3, 2011 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

Docket A-240-11 have been POSTPONED; to be rescheduled for March 14, 2012.

* * *

Docket A-241-11.

RE: Appeal of Le-Nell Johnson, Owner of the MXD Mixed Uses - Multiple Uses In One Building Two & One-half Story Masonry Property located on the premises known as 5905 Ackley Avenue from a CONDEMNATION ORDER - MAIN STRUCTURE, dated February 18, 2011 of the Director of the Department of Building and Housing requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to require the Appellant to obtain all permits within two (2) weeks and sixty (60) days in which to abate all violations, and to require that the property be secured, groomed, and debris-free during that entire period of time, and to require that the tenant be vacated immediately from the property because of unsafe condi-

tions; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Saab.

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

* * *

Docket A-242-11.

RE: Appeal of Harrison A. Hawthorne, Owner of the One Dwelling Unit Single-Family Residence One & One-half Story Frame Property located on the premises known as 4081 East 78th Street from a CONDEMNATION ORDER — MAIN STRUCTURE & SHED, dated July 26, 2011 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant two (2) weeks in which to obtain all permits and three (3) months in which to abate all violations, the property is REMANDED immediately should any of the deadlines be missed; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Maschke.

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

* * *

Docket A-244-11.

RE: Appeal of Pamela D. Brown, Owner of the One Dwelling Unit Single-Family Residence Two & One-half Story Frame Property and One Story Garage - Detached; Wood Frame Property located on the premises known as 1512 East 108th Street from a CONDEMNATION ORDER — MAIN STRUCTURE & GARAGE, dated March 3, 2011 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant thirty (30) days in which to obtain permits and six (6) months in which to complete abatement of the violations, the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Saab and seconded by Mr. Maschke.

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

* * *

Docket A-246-11.

RE: Appeal of Margaret R. Mueller, Owner of the Two Dwelling Units Two-Family Residence Two & One-half Story Frame and One Story Masonry Garage Property, located on the premises known as 2615 East 126th Street from a CONDEMNATION

ORDER — MAIN STRUCTURE & GARAGE, dated November 4, 2010 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

Docket A-246-11 has been WITHDRAWN at the request of the Appellant.

* * *

Docket A-247-11.

RE: Appeal of Jeffrey Null, Owner of the R-2 Residential - Non-transient; Apartments (Shared Egress) Two Story Frame Property located on the premises known as 4413 West 49th Street from a NOTICE OF VIOLATION — INTERIOR/EXTERIOR MAINTENANCE, dated April 15, 2011 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant four (4) months in which to complete abatement of the violations, the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Saab.

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

* * *

Docket A-313-11.

RE: Appeal of Carol Phillips-Bey, Owner of the One Dwelling Unit Single-Family Residence Two & One-half Story Frame Property located on the premises known as 2492 West 6th Street from a CONDEMNATION ORDER — MAIN STRUCTURE, dated November 5, 2010 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

Docket A-313-11 has been WITHDRAWN at the request of the Appellant.

* * *

Docket A-349-11.

RE: Appeal of Freddie Young III, Owner of the R-2 Residential - Non-transient; Apartments (Shared Egress) Two Story Masonry Property located on the premises known as 3397 East 139th Street from a NOTICE OF VIOLATION — SURVEY, dated August 9, 2011 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant two (2) weeks in which to obtain all permits and until June 01, 2012 to abate the exterior violations and until August 1, 2012 to abate the interior violations, the property is REMANDED immediately should any of the deadlines be missed; the property is REMANDED

at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Saab and seconded by Mr. Maschke.

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

* * *

Docket A-389-11.

RE: Appeal of Happy Dog, Owner of the MXD Mixed Uses - Multiple Uses In One Building Two Story Masonry Walls/Wood Floors Property located on the premises known as 5801 Detroit Avenue from a NOTICE OF VIOLATION — UNAUTHORIZED /ILLEGAL USE, dated December 21, 2011 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to find that the Violation Notice was properly issued and that the basement occupancy is not permitted under the current circumstances, the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Saab.

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

* * *

Docket A-30-12.

RE: Appeal of Van Kim Enterprises LLC, Owner of the Property located on the premises known as 3801 St. Clair Avenue from an ADJUDICATION ORDER, dated January 20, 2012 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the variance to allow the tenant to post the occupancy load of ninety (90) people, with the condition that all other fire prevention issues be properly addressed, noting that action may be taken by the Fire Prevention Bureau and the Board in the event of overuse of the facility. Motion so in order. Motioned by Mr. Saab and seconded by Mr. Gallagher.

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

* * *

Docket A-36-12.

RE: Appeal of Jean Yacoub/Connie Nahra, Owners of the Property located on the premises known as 1301 Carnegie Avenue from an ADJUDICATION ORDER, dated February 6, 2012 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the variance and accept the NFPA 701-2004

test as compliance with the requirements of the Codified Ordinances of the City of Cleveland. Motion so in order. Motioned by Mr. Saab and seconded by Mr. Gallagher.

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

* * *

APPROVAL OF RESOLUTIONS:

Separate motions were entered by Mr. Bradley and seconded by Mr. Maschke 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-218-11 — Ryan Eugene Orahoske
- A-221-11 — Lloyd Brooks
- A-222-11 — Lloyd Brooks
- A-223-11 — Alexandru & Ecaterina Badea
- A-224-11 — CB Florida RRE Holdings LLC
- A-227-11 — Douglas Neal
- A-229-11 — T.J. Innovative Solution
- A-230-11 — Hector Lopez
- A-245-11 — Michael McCarthy
- A-315-11 — Yvette Attaway
- A-336-11 — Macron Investment Co.
- A-380-11 — Joseph K. Hasrouni
- A-1-12 — Joseph K. Hasrouni
- A-28-12 — Rock Ohio Caesars

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

* * *

APPROVAL OF MINUTES:

Separate motions were entered by Mr. Maschke 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):

February 15, 2012

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

* * *

JOSEPH F. DENK
Chairman

PUBLIC NOTICE

NONE

NOTICE OF PUBLIC HEARING

NONE

CITY OF CLEVELAND BIDS

For All Departments

Scaled 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, MARCH 28, 2012

File No. 25-12 — Gym Floor Restoration at Various Recreation Centers, for the Division of Architecture and Site Development, Department of Public Works, as authorized by Ordinance No. 922-07, passed by the Council of the City of Cleveland, July 11, 2007.

THERE WILL BE A NON-REFUNDABLE FEE FOR PLANS AND SPECIFICATIONS IN THE AMOUNT OF TWENTY-FIVE DOLLARS (\$25.00) ONLY IN THE FORM OF A CASHIER'S CHECK OR A MONEY ORDER (NO COMPANY CHECKS, NO CASH AND NO CREDIT CARDS WILL BE ACCEPTED TO PURCHASE PLANS).

THERE WILL BE A NON-MANDATORY PRE-BID MEETING THURSDAY, MARCH 15, 2012 AT 2:00 P.M. THE CLEVELAND CITY HALL, ROOM 517A, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

File No. 26-12 — Harvard Yards Service Facility Building Two Roof Replacement, for the Division of Architecture and Site Development, Department of Public Works, as authorized by Ordinance No. 1724-09, passed by the Council of the City of Cleveland, February 8, 2010.

THERE WILL BE A NON-REFUNDABLE FEE FOR PLANS AND SPECIFICATIONS IN THE AMOUNT OF TWENTY-FIVE

DOLLARS (\$25.00) ONLY IN THE FORM OF A CASHIER'S CHECK OR A MONEY ORDER (NO COMPANY CHECKS, NO CASH AND NO CREDIT CARDS WILL BE ACCEPTED TO PURCHASE PLANS).

THERE WILL BE A NON-MANDATORY PRE-BID MEETING THURSDAY, MARCH 15, 2012 AT 10:00 A.M. THE CLEVELAND CITY HALL, ROOM 517A, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

File No. 27-12 — Miscellaneous Sized Steel, for the Various Divisions of City Government, Department of Finance, as authorized by Section 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING MONDAY, MARCH 19, 2012 AT 10:30 A.M. THE CLEVELAND CITY HALL, DIVISION OF PURCHASES AND SUPPLIES, ROOM 128, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

March 7, 2012 and March 14, 2012

WEDNESDAY, APRIL 11, 2012

File No. 24-12 — Collection, Pick-Up and Disposal of Waste Engine Oil, Anti-Freeze and Used Oil Filters, for the Division of Motor Vehicle Maintenance, Department of Public Works, as authorized by Section 181.18 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING TUESDAY, MARCH 20, 2012 AT 1:30 P.M. CLEVELAND CITY HALL, DIVISION OF PURCHASES AND SUPPLIES, ROOM 128, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

March 7, 2012 and March 14, 2012

THURSDAY, MAY 10, 2012

File No. 23-12 — South HVAC Upgrade Project, for the Division of Cleveland Hopkins International Airport, Department of Port Control, as authorized by Ordinance No. 359-05, passed by the Council of the City of Cleveland, May 2, 2005.

THERE WILL BE A NON-REFUNDABLE FEE FOR PLANS AND SPECIFICATIONS IN THE AMOUNT OF FIFTY DOLLARS (\$50.00) ONLY IN THE FORM OF A CASHIER'S CHECK OR A MONEY ORDER (NO COMPANY CHECKS, NO CASH AND NO CREDIT CARDS WILL BE ACCEPTED TO PURCHASE PLANS).

THERE WILL BE A NON-MANDATORY PRE-BID MEETING THURSDAY, MARCH 29, 2012 AT 10:00 A.M. THE CLEVELAND HOPKINS INTERNATIONAL AIRPORT, ENGINEERING BUILDING, 19501 FIVE POINTS ROAD, CLEVELAND, OHIO 44135.

March 7, 2012 and March 14, 2012

ADOPTED RESOLUTIONS AND ORDINANCES

Res. No. 217-12.

By Council Member Cummins.

An emergency resolution withdrawing objection to the renewal of a C1 and C2 Liquor Permit at 3101 Scranton Road and repealing Resolution No. 1241-11, objecting to said renewal.

Whereas, this Council objected to a C1 and C2 Liquor Permit to 3101 Scranton Road by Resolution No. 1241-11 adopted by the Council on September 12, 2011; and

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

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

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

Section 1. That objection to a C1 and C2 Liquor Permit to 3101 Scranton, Inc., DBA Gas USA, 3101 Scranton Road, Cleveland, Ohio 44109, Permanent Number 8917950 be and the same is hereby withdrawn and Resolution No. 1241-11, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

Adopted February 27, 2012.

Effective February 29, 2012.

Res. No. 218-12.

By Council Member Pruitt.

An emergency resolution objecting to the transfer of Liquor License of a D1, D2, D3, D3A and D6 Liquor Permit to 16800 Miles Road.

Whereas, Council has been notified by the Department of Liquor Control of an application for a transfer of Liquor License of a D1, D2, D3, D3A and D6 Liquor Permit from WB Holdings, Inc., Thomas G. Lobe, Rcvr., 10510-12 Madison Avenue, 1st floor and basement, Cleveland, Ohio 44102, Permanent Number 9279410 to Sipp & Chatt, Inc., 16800 Miles Road, Cleveland, Ohio 44128, Permanent Number 8194664; 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 a transfer of Liquor License of a D1, D2, D3, D3A and D6 Liquor Permit from WB Holdings, Inc., Thomas G. Lobe, Rcvr., 10510-12 Madison Avenue, 1st floor and basement, Cleveland, Ohio 44102, Permanent Number 9279410 to Sipp & Chatt, Inc., 16800 Miles Road, Cleveland, Ohio 44128, Permanent Number 8194664, 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 27, 2012.

Effective February 29, 2012.

Res. No. 219-12.

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

An emergency resolution urging the United States Congress to reconsider our national priorities, reduce military spending, and redirect our federal tax dollars to fund urgently needed deficit reduction and City and State domestic services.

Whereas, the United States is engaged in a serious crisis and debate about our national priorities, international role, national debt, and government spending; and

Whereas, Cleveland and Ohio have been adversely affected by budget cuts, deficit reduction, and are facing serious financial shortfalls in the current recession with domestic spending being the hardest hit, and Cleveland has been forced to cut essential services and personnel; and

Whereas, Cleveland's taxpayers,

even in this time of economic crisis and fiscal austerity, are posed to pay \$518.4 million this coming year as their share of the military budget of the United States; and

Whereas, for a similar amount of money, all of the following could be provided:

- 25,188 children receiving low-income healthcare for one year, and 8016 people receiving low-income healthcare for one year;

- 696 elementary school teachers for one year, and 6844 Head Start slots for children for one year;

- 20,550 households with solar photovoltaic electricity for one year, and 43,156 households with wind-power electricity for one year;

- 5847 military veterans receiving VA medical care for one year;

- 702 police and sheriff's patrol officers for one year, and 890 firefighters for one year; and

- 5430 scholarships for university students for one year, and 8491 students receiving Pell Grants of \$5550.

Whereas, U.S. troops, including those from Cleveland and other cities and towns across Ohio have served valiantly in Iraq and Afghanistan, and our troops have made the ultimate sacrifice with over 4,400 U.S. troops having been killed in Iraq and over 1,140 U.S. troops having been killed in Afghanistan; over 39,000 U.S. troops have been wounded in both conflicts according to the Department of Defense;

Whereas, the wars in Iraq and Afghanistan have become controversial with the American public; and

Whereas, overall military spending is in excess of what is actually needed to defend our country, including the military budget of now \$670 billion per year, more than 700 United States military bases overseas, plans to spend \$185 billion to expand and modernize the U.S. nuclear weapons complex, weapons systems the Pentagon doesn't need, and scores of other unnecessary Pentagon programs; and

Whereas, Cleveland City Council urges U.S. Senator Brown, U.S. Senator Portman, U.S. Representative Fudge, and U.S. Representative Kucinich to oppose further funding of the war Afghanistan and urge them to take leadership in the Congress to bring our troops safely home, substantially reduce overall military spending, and redirect our federal tax dollars to the pressing educational, employment, health, housing, nutritional, infrastructure, energy, and environmental needs of our city, state, and country; and

Whereas, Cleveland City Council supports public discussion and dialogue about the cost of military spending to our community, and this Council supports a more balanced approach to military spending and priority-setting by the Federal government; and

Whereas, Cleveland City Council calls on Congress members Fudge, Kucinich, Brown and Portman to support federal funding for the over 2 million new Iraq and Afghanistan war veterans – particularly the thousands who have come home disabled or otherwise physically or mentally wounded – to ensure they receive health care, housing, jobs, education and other support services they deserve; and

Whereas, this resolution consti-

tutes an emergency measure for the immediate preservation of public peace, property, health, or safety, now, therefore.

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

Section 1. Cleveland City Council urges the United States Congress to reconsider our national priorities, reduce military spending, and redirect our federal tax dollars to fund urgently needed deficit reduction and City and State domestic services.

Section 2. That the Clerk of Council is hereby directed to transmit copies of this resolution to the United States Congress, U.S. Senator Brown, U.S. Senator Portman, U.S. Representative Fudge, and U.S. Representative Kucinich.

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 27, 2012.

Effective February 29, 2012, without the signature of the Mayor.

Ord. No. 143-12.

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

An emergency ordinance authorizing the Director of Economic Development to enter into a grant agreement with Ohio City Near West Development Corporation, dba Ohio City Incorporated to provide economic development assistance to partially finance promotional activities for events related to the West Side Market Centennial celebration.

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

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

Section 1. That the Director of Economic Development is authorized to enter into a grant agreement with Ohio City Near West Development Corporation, dba Ohio City Incorporated to provide economic development assistance to partially finance promotional activities for events related to the West Side Market Centennial celebration.

Section 2. That the costs of the grant shall not exceed an amount of \$75,000 and shall be paid from Fund No. 17 SF 652, Request No. RQS 9501, 2012-12.

Section 3. That the agreement and other appropriate documents needed to complete the transaction authorized by this legislation shall be prepared by the Director of Law.

Section 4. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed February 27, 2012.

Effective February 29, 2012.

Ord. No. 213-12.

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

An emergency ordinance authorizing the Director of Capital Projects to issue one or more permits to the Rock and Roll Hall of Fame and Museum, Inc. to encroach into public rights-of-way at various locations within the Central Business District, by installing, using, and maintaining Rock and Roll Hall of Fame and Museum inductee plaques and further authorizing the Director of Capital Projects to accept from the Rock Hall the gift of materials, supplies, labor, and services preparing the encroachment area adjacent to Public Hall for installation of plaques.

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

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

Section 1. That the Director of Capital Projects is authorized, under the conditions set forth below, to issue one or more permits, revocable at the will of Council, to the Rock and Roll Hall of Fame and Museum, Inc., 751 Erieside Avenue, Cleveland, Ohio 44114 ("Permittee"), to encroach into the public rights-of-way at various locations within the Central Business District, by installing, using, and maintaining Rock and Roll Hall of Fame and Museum ("Rock Hall") plaques honoring the existing inductees to the Rock Hall and new inductees added for the years 2012 and 2013, provided, however, that the Director shall not issue permits for more than 280 inductees. The Director is authorized to issue immediately a permit for approximately 22 plaques honoring the 2012 inductees, which plaques shall be located in the sidewalk(s) adjacent to the Lakeside Avenue and East Sixth Street sides

of the Public Hall. The Director is authorized to issue thereafter one or more permits to install, use, and maintain not more than 258 additional plaques honoring existing inductees and year 2013 inductees at specifically identified locations in the Central Business District first expressly approved by the City Planning Commission and the Director of Capital Projects. Each permit(s) authorized above shall require the Rock Hall to agree to expend all proceeds and revenues it realizes or receives for or from the plaques permitted solely for the costs of the Rock Hall inductions held triennially in Cleveland.

Section 2. That the Director of Capital Projects is authorized to accept gratefully from the Rock and Roll Hall of Fame and Museum, Inc., as a gift to the City, the materials, supplies, and labor necessary to improve and/or prepare the encroachment area for installation of the year 2012 inductees' plaques in the sidewalk(s) adjacent to the Lakeside Avenue and East Sixth Street sides of Public Hall. The Director is further authorized to issue all licenses or permits, to file all papers and to execute all documents necessary to receive the above-authorized gift for the purposes identified in this ordinance.

Section 3. That Permittee may assign the permits only with the prior written consent of the Director of Capital Projects. That the encroaching structure(s) permitted by this ordinance shall conform to plans and specifications first approved by the Manager of Engineering and Construction. That Permittee shall obtain all other required permits, including but not limited to Building Permits, before installing the encroachments.

Section 4. That the Director of Law shall prepare the permits authorized by this ordinance and shall incorporate such additional provisions as the director determines necessary to protect and benefit the public interest. The permits shall be issued only when, in the opinion of the Director of Law, Permittee has properly indemnified the City against any loss that may result from the encroachments permitted.

Section 5. That the permits shall reserve to the City reasonable right of entry to the encroachment locations.

Section 6. 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 27, 2012.

Effective February 27, 2012.

Ord. No. 214-12.

By Council Member Zone.

An emergency ordinance authorizing the Director of Capital Projects to issue a permit to Detroit Shoreway Community Development Organization to encroach into the public rights-of-way above Detroit Avenue, Herman Avenue, West 73rd Street, and West 65th Street with up to 12 pole banners to implement the Gordon Square Arts District, branding and public interest program to be attached to Cleveland Public Power utility poles (by separate permission).

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

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

Section 1. That the Director of Capital Projects is authorized to issue a permit, revocable at the will of Council, to Detroit Shoreway Community Development Organization ("Permittee"), 6516 Detroit Avenue, Cleveland, Ohio

44102, to encroach into the public rights-of-way above Detroit Avenue, Herman Avenue, West 73rd Street, and West 65th Street by installing, using, and maintaining up to 12 pole banners to implement the Gordon Square Arts District branding and public interest program, to be attached to Cleveland Public Power utility poles (by separate permission) at the locations more fully described as follows:

LOCATION	POLE NUMBER	POLE OWNER
West 65th Street		
200' north of Lawn Ave	85016	CPP
1st pole SW corner of Lawn Ave	35015	CPP
East side in front of St. Coleman sign 15' south of Hyd.	34416	CPP
3rd pole from SW corner of Herman Ave	none	CPP
Herman Avenue		
2nd pole from NW corner of West 65th St	12703	CPP
1st pole from SW corner of West 65th St	none	CPP
Detroit Avenue		
1st pole NE corner West 65th Street	none	CPP
1st pole NW corner West 65th Street	none	CPP
1st pole SE corner West 65th Street	none	CPP
1st pole SW corner West 65th Street	none	CPP
West 73rd Street		
1st pole SW corner Herman Avenue	38067	CPP (2 banners)

Section 2. That Permittee may assign the permit only with the written consent of the Director of Capital Projects. That nothing in this ordinance grants or shall be considered to grant to Permittee any right, privilege, or permission to use, or to attach or affix any object to, poles; Permittee shall obtain such permission from the respective pole owner.

Section 3. That the encroaching objects permitted by this ordinance shall conform to plans and specifications first approved by the Manager of Engineering and Construction. That Permittee shall obtain all other required permits, including but not limited to Building Permits, before installing the encroachments.

Section 4. That the Director of Law shall prepare the permit authorized by this ordinance and shall incorporate such additional provisions as the director determines necessary to protect and benefit the public interest. The permit shall be issued only when, in the opinion of the Director of Law, a prospective Permittee has properly indemnified the City against any loss that may result from the encroachment(s) permitted.

Section 5. That the Permit shall reserve reasonable right of entry to the encroachment locations to the City.

Section 6. 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 27, 2012.

Effective February 29, 2012.

Ord. No. 220-12.

By Council Member Cimperman.

An emergency ordinance consenting and approving the issuance of a permit for the Annual St. Malachi Run, on March 10, 2012, sponsored by the Hermes Sports & Events, Inc.

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 Annual St. Malachi Run sponsored by the Hermes Sports & Events, Inc., on March 10, 2012, with the 5 Mile Run beginning at Washington Avenue; left on W. 25th Street; left on Detroit Avenue; continue on W. Superior Ave.; left on W. 9th St.; right on W. St. Clair Ave.; left on W. 3rd St.; right on Alfred Lerner Way; continue on Erieside Ave.; continue on Marginal Rd.; left into Burke Lakefront; right on Marginal Rd.; continue on Erieside Ave.; right on Erieside Ave.; go around Cleveland Browns Stadium; continue on W. 3rd St.; right on W. St. Clair Ave.; left on W. 9th St.; right on W. Superior Ave.; right on W. 25th St.; right on Washington Ave.; finish on Washington Ave.; 2 Mile Run starting on Washington Ave.; left on W. 25th St.; left on Detroit Ave.; continue on W. Superior Ave.; left on W. 6th St.; left on Frankfort Ave.; left on W. 9th St.;

right on W. Superior Ave.; continue on Detroit Ave.; right on W. 25th St.; right on Washington Ave.; finish on Washington Ave.; 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 27, 2012.

Effective February 29, 2012.

COUNCIL COMMITTEE MEETINGS

**Thursday, March 1, 2012
9:00 a.m.**

General Fund Budget Hearings:
Finance Committee: Present:

Sweeney, Chair; Kelley, Vice Chair; Brady, Brancatelli, Keane, Miller, Mitchell, Polensek, Westbrook. *Authorized Absence:* Cleveland, Pruitt.

**Friday, March 2, 2012
9:00 a.m.**

General Fund Budget Hearings:
Finance Committee: NO MEETING.

**Monday, March 5, 2012
12:00 p.m.**

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

**Wednesday, March 7, 2012
10:00 a.m.**

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

1:30 p.m.

Public Utilities Committee: Present: Kelley, Chair; Conwell, Cummins, Dow, Polensek, Pruitt, Westbrook. *Authorized Absence:* Brady, Vice Chair; Miller. Pro tempore: Brancatelli.

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O—Ordinance; R—Resolution; F—File
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