

# The City Record

Official Publication of the Council of the City of Cleveland



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December the Twenty-First, Two Thousand and Eleven

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**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

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# The City Record

71 OFFICIAL PUBLICATION OF THE COUNCIL OF THE CITY OF CLEVELAND

Vol. 98

WEDNESDAY, DECEMBER 21, 2011

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## CITY COUNCIL

MONDAY, DECEMBER 19, 2011

The City Record  
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[www.clevelandcitycouncil.org](http://www.clevelandcitycouncil.org)  
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**PATRICIA J. BRITT**  
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

NO MEETING

### THE CALENDAR

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

NONE

### BOARD OF CONTROL

December 14, 2011

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, December 14, 2011 at 11:01 a.m. with Interim Director Langhenry presiding.

Present: Interim Director Langhenry, Directors Dumas, Withers, R. Smith, Cox, Butler, Rush, Southerington, Nichols, Fumich and Acting Director O'Leary.

Absent: Mayor Jackson and Director Flask.

Others: C. Whitaker, Acting 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. 592-11.

By Director Dumas.  
Resolved by the Board of Control of the City of Cleveland, that under Section 101 of the Charter, Section 181.19 of the Codified Ordinances of Cleveland, Ohio, 1976, and Resolution No. 921-52, adopted by the Board of Control on November 26, 1952, the report of the Commissioner of Purchases and Supplies for the sale of scrap, personal property, and by-

products during the month of November, 2011 in the amount of \$23,307.10, attached and made apart of this resolution is received, approved and ordered filed.

Yeas: Interim Director Langhenry, Directors Dumas, Withers, R. Smith, Cox, Butler, Rush, Southerington, Nichols, Fumich and Acting Director O'Leary.

Nays: None.

Absent: Mayor Jackson and Director Flask.

#### Resolution No. 593-11.

By Director Withers.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Intelligent Illuminations, Inc. for the following: purchase of an intelligent street light monitoring system including labor and materials needed to install the system and installation, if necessary, Group A, all items, (0%, Net 0 Days), for the Division of Cleveland Public Power, Department of Public Utilities, received on September 9, 2011, under the authority of Ordinance No. 544-10, passed July 14, 2010, which on the basis of the order quantities would amount to \$137,000.00, is approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into contract for the items.

Yeas: Interim Director Langhenry, Directors Dumas, Withers, R. Smith, Cox, Butler, Rush, Southerington, Nichols, Fumich and Acting Director O'Leary.

Nays: None.

Absent: Mayor Jackson and Director Flask.

#### Resolution No. 594-11.

By Director Withers.

Be it resolved by the Board of Control of the City of Cleveland that the bid of DUECO, Inc. for an estimated quantity of Labor and Materials Necessary to Inspect, Test and Repair Bucket and Derrick Trucks, all items, for the Division of Cleveland Public Power, Department of Public Utilities, for a period of two years starting upon the execution of a contract, received on August 18, 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 \$457,500.00 (0%, 0 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 contract shall provide for an initial delivery order, the cost of which shall be certified against the contract in an amount not less than \$81,500.00.

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

Yeas: Interim Director Langhenry, Directors Dumas, Withers, R. Smith, Cox, Butler, Rush, Southerington, Nichols, Fumich and Acting Director O'Leary.

Nays: None.

Absent: Mayor Jackson and Director Flask.

**Resolution No. 595-11.**

By Director Withers.

Be it resolved by the Board of Control of the City of Cleveland that the bid of LCI Construction Inc. for landscape maintenance at various Public Utilities facilities, Crown Water Works, Items C1-C39, Garrett A. Morgan Water Works, Items G1-G42, Harvard Service Center, Items H1-H39, Mindszenty Plaza/Public Utilities Building/1825 Lakeside, Items M1-M42, and Front Street Pump Station/Kirby Avenue Headquarters, Items W1-W42, for the Divisions of Water and Water Pollution Control, 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 November 4, 2011 under the authority of Ordinance No. 1599-10, passed December 6, 2010, which on the basis of the estimated quantity would amount to \$458,572.00 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 \$38,000.00.

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.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by LCI Construction Inc. for the contract authorized is approved:

<u>SUBCONTRACTOR</u>	<u>WORK PERCENTAGE</u>
Caver Brothers, Inc. (CSB/MBE)	\$114,750.00 25.023%

Yeas: Interim Director Langhenry, Directors Dumas, Withers, R. Smith, Cox, Butler, Rush, Southerington, Nichols, Fumich and Acting Director O'Leary.

Nays: None.

Absent: Mayor Jackson and Director Flask.

**Resolution No. 596-11.**

By Director Smith.

Resolved, by the Board of Control of the City of Cleveland that the bid of Best Equipment Co., Inc., for labor and materials for repair and

replacement parts for various Tymco street sweeper models, 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, with two one-year options to renew, received on September 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 \$67,160.00, 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 labor and materials 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 \$3,500.00.

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

Yeas: Interim Director Langhenry, Directors Dumas, Withers, R. Smith, Cox, Butler, Rush, Southerington, Nichols, Fumich and Acting Director O'Leary.

Nays: None.

Absent: Mayor Jackson and Director Flask.

**Resolution No. 597-11.**

By Director Smith.

Resolved, by the Board of Control of the City of Cleveland that the bid of Fabrizi Trucking & Paving Co., Inc., for the rental of large capacity trucks with operators and other equipment with operators for use on airport property, 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, with two one-year options to renew, received on October 14, 2011, under the authority of Ordinance No. 598-11, passed July 20, 2011, which on the basis of the estimated quantity would amount to \$178,282.92, 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 labor and materials 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 \$9,000.00.

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

Be it further resolved by the Board of Control that the employment of the following subcontractors by Fabrizi Trucking & Paving Co., Inc. is approved:

<u>Subcontractor</u>	<u>CSB/MBE/FBE %</u>	<u>Amount</u>
Cook Paving Construction Co.	15% CSB/MBE	\$26,742.44
Fabrizi Recycling, Inc.	5% CSB/FBE	\$ 8,914.14

Yeas: Interim Director Langhenry, Directors Dumas, Withers, R. Smith, Cox, Butler, Rush, Southerington, Nichols, Fumich and Acting Director O'Leary.

Nays: None.

Absent: Mayor Jackson and Director Flask.

**Resolution No. 598-11.**

By Director Smith.

Resolved by the Board of Control of the City of Cleveland that all bids received for necessary items of labor and materials necessary to install window panes and glass panels at Cleveland Hopkins International Airport and Burke Lakefront Airport, all items, for the Department of Port Control received on July 13, 2011, under the authority of Section 181.101 of the Codified Ordinances of Cleveland, Ohio 1976, be and the same are rejected.

Yeas: Interim Director Langhenry, Directors Dumas, Withers, R. Smith, Cox, Butler, Rush, Southerington, Nichols, Fumich and Acting Director O'Leary.

Nays: None.

Absent: Mayor Jackson and Director Flask.

**Resolution No. 599-11.**

By Director Cox.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of Custom Clutch, Joint & Hydraulics, Inc., for an estimated quantity of various hydraulic hoses, hose ends, adaptors, fittings, brass tooling, equipment and accessories, all items, for the Division of Motor Vehicle Maintenance, Department of Public Works, for the period of one year, with two options for one year renewals, beginning with the date of execution of a contract, received on September 14, 2011, 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 the amount not less than \$2,500.00.

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, Directors Dumas, Withers, R. Smith, Cox, Butler, Rush, Southerington, Nichols, Fumich and Acting Director O'Leary.

Nays: None.

Absent: Mayor Jackson and Director Flask.

**Resolution No. 600-11.**

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. 016-08-066 located at 3137 West 61st Street in Ward 15; 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 to adjacent or abutting landowners; and

Whereas, West 58th Street Church of God, abutting/adjacent landowner, has proposed to the City to purchase and develop the parcel for green space; and

Whereas, the following conditions exist:

1. The member of Council from Ward 15 has consented to the proposed sale;

2. The parcel is either less than 4,800 square feet or less than 40 feet frontage;

3. 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 West 58th Street Church of God for the sale and development of Permanent Parcel No. 016-08-066 located at 3137 West 61st 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 \$100.00, 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, Directors Dumas, Withers, R. Smith, Cox, Butler, Rush, Southerington, Nichols, Fumich and Acting Director O'Leary.

Nays: None.

Absent: Mayor Jackson and Director Flask.

#### **Resolution No. 601-11.**

By Director Rush.

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

Whereas, City has acquired Permanent Parcel No. 132-03-008 (Southerly Portion) under the Land Reutilization Program; and

Whereas, Ordinance No. 1481-11, passed November 21, 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, FBE, Inc. has proposed to the City to purchase and develop the parcel; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that under the authorization of Ordinance No. 1481-11, passed November 21, 2011, passed by the Cleveland City Council, the Mayor is autho-

riized to execute an official deed for and on behalf of the City of Cleveland with FBE, Inc. for the sale and development of Permanent Parcel No. 132-03-008 (Southerly Portion) as described in the Ordinance in accordance with 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 parcels shall be \$100.00, which amount is determined to be not less than the fair market value of the parcels for uses in accordance with the Land Reutilization Program.

Yeas: Interim Director Langhenry, Directors Dumas, Withers, R. Smith, Cox, Butler, Rush, Southerington, Nichols, Fumich and Acting Director O'Leary.

Nays: None.

Absent: Mayor Jackson and Director Flask.

#### **Resolution No. 602-11.**

By Director Nichols.

Whereas, Board of Control Resolution No. 571-11, adopted November 23, 2011, under the authority of Ordinance No. 796-10, passed June 7, 2010 by the Council of the City of Cleveland, directed the Commissioner of Purchases and Supplies to sell some or all of certain City-owned property no longer needed for public use, consisting of the property identified as Permanent Parcel No. 124-20-012, the consolidation of certain parcels identified in Ordinance No. 796-10 and formerly known as permanent parcel nos. 124-20-012 through -047, 124-20-051 through -067, 124-20-071 through -076, into a single parcel consisting of 9.8965 acres (the "Property") to Evergreen Real Estate Corporation ("EREC") as designee of Green City Growers, LLC for the consideration of demolition costs and a payment of \$417,392.53; and

Whereas, a new appraisal of the Property supports a revision of the fair market value consideration for the property to be sold; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that Resolution No. 571-11, adopted by this Board November 23, 2011, authorizing the sale of the Property to Evergreen Real Estate Corporation is amended by substituting \$319,280.53 for \$417,392.53 where appearing in the resolution.

Be it further resolved that all other provisions of Resolution No. 571-11 not expressly amended above shall remain unchanged and in full force and effect.

Yeas: Interim Director Langhenry, Directors Dumas, Withers, R. Smith, Cox, Butler, Rush, Southerington, Nichols, Fumich and Acting Director O'Leary.

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**

**TUESDAY, JANUARY 3, 2012**

**9:30 A.M.**

**Calendar No. 11-189:** 1032 Hartley Road (Ward 10)

MCM /Superior-Glen, LLC, owner, and Ted Lichko appeal to establish an open used car sales lot on an irregular shaped corner lot in a B3 Local Retail Business District where the use is not permitted and under Section 343.11(b)(2)(I)(4), first allowed in a General Retail Business District, provided that all vehicles, advertising matter and structures, movable or fixed, are kept back of a structurally-sound barrier at least one and one-half feet high; and Section 349.04(f) requires that used car lots must provide 25% of the gross lot area for customer parking, and accessory off-street parking spaces, driveways and maneuvering areas to be properly graded for drainage so that all water is drained within the lot providing such parking, and surfaced with concrete, asphaltic concrete, asphalt or other surfacing materials according to Section 349.07(a), and provisions under Section 325.03 require that a parking space shall be 180 square feet; and the front yard setback shall be equal to 15% of the lot depth but a distance not required to exceed 30 feet according to Section 357.04(a), and fences in actual front and side street yards shall not exceed four feet in height and be at least 50% open above two feet in height, and in actual rear and interior side yards a fence shall not exceed six feet in height and may be open or solid under the provisions in Section 358.05(a)1) in the Cleveland Codified Ordinances.

**Calendar No. 11-229:** 2639 East 87th Street (Ward 4)

Jerry Roman and Anthony Peacock appeal to establish use as motor vehicle major repair, which

includes minor repairs and auto body repairs, in a one-story building located on an 85.07' x 60' lot in a C2 General Retail Business District; and the use for a motor vehicle minor repair garage is subject to the provisions under Section 343.14; and an auto body repair garage is not a permitted use under Section 343.11 and is first allowed in a Semi-Industry District according to the Cleveland Codified Ordinances.

**Calendar No. 11-230:** 1867-73 West 25th Street (Ward 3)  
P&M Ohio City, LLC, owner, appeal to change use from a non-conforming night club to an ice cream production facility with a dining area in an existing two-story building located in a C4 Local Retail Business District, subject to the limitations under Section 343.01(b) food preparation/production is not permitted; and accessory off-street parking is required at the rate of one space for each employee, plus one for each four seats in the dining area, and at the rate of one space for each three employees in the ice cream production facility under the provisions in Section 349.04(f)(j); and in accordance with Section 359.01, no substitution for a nonconforming use is permitted without a special permit from the Board of Zoning Appeals.

**Tow Truck Driver's License**  
**Calendar No. 11-231:** Carlan V. Frazier  
Carlan V. Frazier appeals under the authority of Section 76-6 of the Charter of the City of Cleveland from the decision of the Assistant Commissioner of Assessments and Licenses on November 22, 2011 to not issue a Tow Truck Drivers License, based upon the report of a felony in the commission of which a motor vehicle was used, according to a background check conducted by the Cleveland Police Department, as required under Section 677A.16(b) in the Cleveland Codified Ordinances.

**Calendar No. 11-233:** 3342 East 119th Street (Ward 6)  
Covenant Community Church of Cleveland, owner, appeals to expand the use of a church to accommodate a day care center located in a B1 Two-Family District; subject to Section 359.01 of the Cleveland Codified Ordinances, no enlargement or expansion is permitted except as a variance under the terms of Chapter 329 and no substitution or other change in such nonconforming use to other than a conforming use shall be permitted except by special permit from the Board of Zoning Appeals. Such special permit issued only if the Board finds after public hearing that such substitution or other change is no more harmful or objectionable than the previous non-conforming use in floor or other space occupied, in volume of trade or production, in kind of goods sold or produced, in daily hours or other period of use, in the type or number of persons to occupy or to be attracted to the premises, or in any other characteristic of the new use as compared with the previous use; and the proposed expansion to accommodate a day care with the church and its uses requires the Board of Zoning Appeals approval to deter-

mine that adequate yard spaces and other characteristics to protect the character of the neighborhood are provided; and landscaping strips along the church parking lots shall be maintained according to Section 352.06 and as shown on the original plan for the proposed expansion.

**10:30**

**Calendar No. 11-195:** 12801 St. Clair Avenue (Ward 10)  
Alonso Pagan Jr., owner, appeals to construct a major auto repair shop for installation of security systems, alarms, speakers and air ride technology in automobiles and sale of various related products on a 65' x 120' lot located in a C2 Local Retail Business District; subject to the limitations of Section 343.01 the proposed major motor vehicle repair shop is not permitted and first permitted under Section 345.03 in a Semi-Industry District, provided that it is located not less than 100 feet from a residence district. (Filed 10-7-11; dismissed 11-7-11; reinstated 11-14-11)

Secretary

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**REPORT OF THE BOARD OF ZONING APPEALS**

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**MONDAY, DECEMBER 19, 2011**

At the meeting of the Board of Zoning Appeals on Monday, December 19, 2011 the following appeals were heard by the Board.

The following appeals were **APPROVED:**

**Calendar No. 11-226:** 4200 Bailey Avenue  
Cleveland Metropolitan School District appealed to construct a three-story PK-8 elementary school on acreage in a B1 Two-Family District.

**Calendar No. 11-228:** 1206 East 81st Street  
George Alston appealed to erect a wooden open front porch to a one family dwelling in a B1 Two-Family District; subject to condition.

**Calendar No. 11-232:** 11009 Ashbury Avenue  
House of God Church appealed to install 39 lineal feet of 6 foot high ornamental aluminum fence at the front of a lot in a C1 Local Retail Business District.

**Calendar No. 11-203:** 4422 West 143rd Street  
Donovan Francis appealed to use the first floor and basement as a Type A day care in a single family dwelling on a 100' x 204' lot in a A1 One-Family District.

The following appeals were **DISMISSED:**

None.

The following appeal was **WITHDRAWN:**

**Calendar No. 11-32:** 961 Jefferson Avenue  
Angel Cuevas appealed to install two prefab sheds and a fence 6 feet

high on a triangular shaped corner parcel in a B1 Two-Family District.

The following appeals were **POSTPONED:**

**Calendar No. 11-225:** 2200 West 28th Street postponed to February 6, 2012.

**Calendar No. 11-227:** 2500 Denison Avenue postponed to January 23, 2012.

**Calendar No. 11-198:** 2401 Meyer Avenue postponed to April 16, 2012.

The following appeals will be set for **REHEARING** on January 17, 2012:

**Calendar Nso. 10-194:** 4300 Bradley Road

**Calendar No. 10-259:** 4300 Bradley Road

**Calendar No. 10-260:** 4300 Bradley Road.

The following appeals heard by the Board on December 12, 2011 were adopted and approved on December 19, 2011.

The following appeals were **APPROVED:**

**Calendar No. 11-221:** 1801 Superior Avenue  
The Plain Dealer, Forest City Publishing Company, appealed to install 6' high ornamental fence along the side street yard on property located in an E5 Semi-Industry District.

**Calendar No. 11-222:** 5501 Memphis Avenue  
5501 Memphis Avenue appealed to erect a double faced illuminated identification pole sign and a double faced illuminated message center board in a C1 Local Retail Business District.

**Calendar No. 11-223:** 3430 Rocky River Drive  
The Sisters of St. Joseph appealed to build an addition and a garage on acreage located in an A1 One-Family District.

**Calendar No. 11-184:** 6310 Brookpark Road  
Lewis and Jeremy Mitchell, owners, and Greg Deimling, tenant, appealed to establish use as a tattoo parlor in a Semi-Industry District.

Secretary

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

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NO MEETING

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**PUBLIC NOTICE**

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NONE

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**NOTICE OF PUBLIC HEARING**

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NONE

**CITY OF CLEVELAND BIDS**

**For All Departments**

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

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

187.10 Negotiated contracts; Notice required in Advertisement for Bids.

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

**WEDNESDAY, JANUARY 18, 2012**

**File No. 209-11 — Replacement Registers for Water Meters 1 1/2"-8"**, for the Division of Water, Department of Public Utilities, as authorized by Section 129.25 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** THURSDAY, DECEMBER 22, 2011 AT 11:30 A.M. THE CARL B. STOKES PUBLIC UTILITIES BUILDING, 1201 LAKESIDE AVENUE, 4TH FLOOR AUDITORIUM, CLEVELAND, OHIO 44114.

**File No. 210-11 — Ion Chromatograph and Appurtenances**, for the Division of Water, Department of Public Utilities, as authorized by Section 129.28 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** WEDNESDAY, DECEMBER 28, 2011 AT 10:00 A.M. THE GARRETT MORGAN WATER WORKS PLANT, 1245 WEST 45TH STREET, GARRETT MOR-

GAN CONFERENCE ROOM, CLEVELAND, OHIO 44102.

**File No. 214-11 — Annual Maintenance Support — Court's Cisco Infrastructure Software and Hardware Supporting All Data Communications**, for the Cleveland Municipal Court, 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** THURSDAY, DECEMBER 22, 2011 AT 1:30 P.M. THE CIJIS COURT HOUSE SQUARE TRAINING ROOM, 310 WEST LAKESIDE AVENUE STE 350, CLEVELAND, OHIO 44113.

December 14, 2011 and December 21, 2011

**THURSDAY, JANUARY 19, 2012**

**File No. 211-11 — Wire, Cable and Accessories**, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Section 129.26 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** FRIDAY, JANUARY 6, 2012 AT 10:30 A.M. THE TOM L. JOHNSON BUILDING, CLEVELAND PUBLIC POWER DIVISION, 1300 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

**File No. 212-11 — Purchase of PVC & FRC Conduits, Fittings and Accessories**, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 362-11, passed by the Council of the City of Cleveland, May 9, 2011.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** THURSDAY, JANUARY 5, 2012 AT 2:30 P.M. THE TOM L. JOHNSON BUILDING, 1300 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

December 14, 2011 and December 21, 2011

**FRIDAY, JANUARY 20, 2012**

**File No. 207-11 — 1201 Lakeside Avenue Marble Emergency Repairs**, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 2081-06, passed by the Council of the City of Cleveland, March 5, 2007.

THERE WILL BE A **NON-REFUNDABLE FEE FOR PLANS AND SPECIFICATIONS** IN THE AMOUNT OF ONE HUNDRED DOLLARS (\$100.00) THE ONLY FORM OF PAYMENTS ACCEPTED ARE CASHIER CHECKS AND OR MONEY ORDERS MADE OUT TO THE CITY OF CLEVELAND (NO COMPANY CHECKS, NO CASH AND NO CREDIT CARDS WILL BE ACCEPTED TO PURCHASE THE PLANS AND SPECIFICATIONS).

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** THURSDAY, DECEMBER 22, 2011 AT 2:30 P.M. THE PUBLIC

UTILITIES AUDITORIUM, 1201 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

**File No. 208-11 — 2012-13 Contractual Repair of Water Mains, Fire Hydrants, Valves, Service Connections and Appurtenances (Area A) (Re-Bid)**, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 361-11, passed by the Council of the City of Cleveland, May 9, 2011.

THERE WILL BE A **MANDATORY PRE-BID MEETING** THURSDAY, DECEMBER 22, 2011 AT 11:30 A.M. THE CARL B. STOKES PUBLIC UTILITIES BUILDING, 1201 LAKESIDE AVENUE, 4TH FLOOR AUDITORIUM, CLEVELAND, OHIO 44114.

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

December 14, 2011 and December 21, 2011

**FRIDAY, FEBRUARY 17, 2012**

**File No. 213-11 — Centralized Deicing Facility, Phase III**, for the Division of Cleveland Hopkins International Airport, Department of Port Control, as authorized by Ordinance No. 465-05, passed by the Council of the City of Cleveland, May 9, 2005.

THERE WILL BE A **NON-REFUNDABLE FEE FOR PLANS AND SPECIFICATIONS** IN THE AMOUNT OF FIFTY DOLLARS (\$50.00) THE ONLY FORM OF PAYMENTS ACCEPTED ARE CASHIER CHECKS AND OR MONEY ORDERS MADE OUT TO THE CITY OF CLEVELAND (NO COMPANY CHECKS, NO CASH AND NO CREDIT CARDS WILL BE ACCEPTED TO PURCHASE THE PLANS AND SPECIFICATIONS).

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** THURSDAY, THURSDAY JANUARY 12, 2012 AT 10:00 A.M. THE DEPARTMENT OF PORT CONTROL, CLEVELAND HOPKINS INTERNATIONAL ENGINEERING BUILDING #206, 19501 FIVE POINTS ROAD, CLEVELAND, OHIO 44135-3193.

December 14, 2011 and December 21, 2011

**ADOPTED RESOLUTIONS AND ORDINANCES**

NONE

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NO MEETINGS

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O—Ordinance; R—Resolution; F—File  
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