

The City Record

Official Publication of the Council of the City of Cleveland



June the Fifth, Two Thousand and Thirteen

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	16920 Throckley Avenue	44128
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

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
 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 – Jomarie Wasik, Director

DIVISIONS:

Architecture and Site Development – Robert Vitkas, Chief Architect, Manager
 Engineering and Construction – Richard J. Switalski, Manager
 Real Estate – James DeRosa, Commissioner

DEPT. OF LAW – Barbara A. Langhenry, Director, _____, Chief Counsel,
 Richard F. Horvath, Chief Corporate Counsel, Thomas J. Kaiser, Chief Trial Counsel,
 Room 106: John Skrtic, Law Librarian, Room 100

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

Frank Badalamenti, Manager, Internal Audit

DIVISIONS:

Accounts – Lonya Moss Walker, Commissioner, Room 19
 Assessments and Licenses – Dedrick Stephens, Commissioner, Room 122
 City Treasury – James Hartley, Interim 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 – Antionette Thompson, Interim Commissioner
 Property Management – Tom Nagle, Commissioner
 Recreation – Samuel Gissentaner, Interim Commissioner
 Streets – _____, Commissioner
 Traffic Engineering – Robert Mavec, Commissioner
 Waste Collection and Disposal – Randell T. Scott, Interim Commissioner

DEPT. OF PUBLIC HEALTH – Karen Butler, 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 – Nicole Carlton, Acting Commissioner, 1708 South Pointe Drive
 Fire – Daryl W. McGinnis, 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 – John Mahoney, 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 – Narid Hussain, 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, Joseph F. Denk, Chairman; Howard Bradley, Patrick M. Gallagher, Robert Maschke, Halim M. Saab, P.E., Alternate Members – D. Cox, P. Frank, E. P. O’Brien, Richard Pace, J.F. Sullivan.

BOARD OF REVISION OF ASSESSMENTS – Law Director Barbara A. Langhenry, President; Finance Director Sharon Dumas, Secretary; Council President Martin J. Sweeney.

BOARD OF SIDEWALK APPEALS – Capital Projects Director Jomarie Wasik, Law Director Barbara A. Langhenry; Council Member Eugene R. Miller.

BOARD OF REVIEW – (Municipal Income Tax) – 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 – 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, Giancarlo Calicchia, John Torres, Robert Vilkas, Robert Keiser, Secretary.

AUDIT COMMITTEE – Yvette M. Itu, Chairman; Debra Janik, Bracy Lewis, Diane Downing, Donna Sciarappa, Council President Martin J. Sweeney; 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 12B
 Judge Marilyn B. Cassidy – Courtroom 13A
 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 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, Gregory A. Sims – Acting 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, JUNE 5, 2013

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CITY COUNCIL

MONDAY JUNE 3, 2013

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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.

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

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, Sweeney.

MONDAY

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

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:** Zone, Chair; Pruitt, Vice Chair; Cummins, J. Johnson, K. Johnson, Mitchell, 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:** Pruitt, Chair; Brady, Vice Chair; Conwell, Cummins, Dow, Kelley, Miller, Polensek, 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.

Sustainability Sub-Committee: Zone, Chair; Westbrook, Vice Chair; Cummins.

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

May 29, 2013

The Regular meeting of the Board of Control convened in the Mayor's office on Wednesday, May 29, 2013 at 10:40 a.m. with Director Langhenry presiding.

Present: Director Langhenry, Acting Director Hardy, Directors Bender, Smith, Flask, Rush, Southerington, Fumich and Rybka.

Absent: Mayor Jackson, Directors Cox, Butler and Nichols.

Others: L. Peculis, Acting Director, Office of Equal Opportunity.

Jim Hardy, Commissioner, Purchases & Supplies.

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

Resolution No. 263-13.

By Director Bender.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of Smith Truck Cranes & Equipment Co. for an estimated quantity of labor and materials necessary to repair and maintain plate trucks (all items), for the Division of Water Pollution Control, Department of Public Utilities, for a period of two (2) years beginning with the date of execution of a contract, received on March 29, 2013, 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 \$54,850.00, 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 specified goods and/or services.

The requirement contract shall further provide that the Contractor shall furnish all 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: Director Langhenry, Acting Director Hardy, Directors Bender, Smith, Flask, Rush, Southerington, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Cox, Butler and Nichols.

Resolution No. 264-13.

By Director Bender.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Terrace Construction Company, Inc. for the public improvement of year 2013-B cleaning and cement mortar lining of distribution mains, including a \$165,634.79 contingency allowance, all items, for the Division of Water, Department of Public Utilities, received on February 27, 2013, under the authority of Ordinance No. 1691-12, passed December 3, 2012, upon a unit basis for the improvement in the aggregate amount of \$1,821,982.69, is affirmed and approved as the lowest responsible bid, and the Director of Public Utilities is authorized to enter into a contract for the improvement with the bidder.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by Terrace Construction Company, Inc. for the above-mentioned public improvement is approved:

<u>SUBCONTRACTOR</u>	<u>WORK PERCENTAGE</u>
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The Vallejo Company (CSB/MBE)	\$425,000.00 23.326%
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Rockport Construction & Materials, Inc.
(CSB/FBE) \$124,500.00
6.833%

Yeas: Director Langhenry, Acting Director Hardy, Directors Bender, Smith, Flask, Rush, Southerington, Fumich and Rybka.

Nays: None.
Absent: Mayor Jackson, Directors Cox, Butler and Nichols.

Resolution No. 265-13.

By Director Smith.
Resolved, by the Board of Control of the City of Cleveland that all bids received for labor and materials necessary to clean and sanitize existing bathrooms at Cleveland Hopkins International Airport, Department of Port Control, received April 11, 2013, under the authority of Section 181.101 of the Codified Ordinances of Cleveland, Ohio 1976 be and the same are rejected.

Yeas: Director Langhenry, Acting Director Hardy, Directors Bender, Smith, Flask, Rush, Southerington, Fumich and Rybka.

Nays: None.
Absent: Mayor Jackson, Directors Cox, Butler and Nichols.

Resolution No. 266-13.

By Directors Cox and Wasik.
Be it resolved by the Board of Control of the City of Cleveland, that the bid of R.W. Clark Company (CSB/LPE), for the public improvement of Cory Recreation Center Exterior Envelope and HVAC Improvements, for Base Bid Items A and B and Optional Items 1, 2 and 3.2 for the Division of Architecture and Site Development, Department of Public Works, Office of Capital Projects received on March 28, 2013, under the authority of Ordinance No. 533-12, passed on June 4, 2012, upon a gross price basis for the improvement in the aggregate amount of \$267,305.00, is affirmed and approved as the lowest responsible bid; and the Directors of Department of Public Works and the Office of Capital Projects is authorized to enter into contract for the improvement with the bidder.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by Industrial Energy Systems, Inc. (CSB/LPE) for the aforementioned public improvement is approved:

<u>SUBCONTRACTORS</u>	<u>AMOUNT</u>	<u>PERCENTAGE</u>
Miles Mechanical (CSB/MBE)	\$177,725.00	57.135%
Work Best Electric (CSB/FBE)	\$ 8,050.00	3.012%
West Roofing Systems (other)	\$ 6,730.00	2.518%
Strano Construction (other)	\$ 2,700.00	1.010%

Yeas: Director Langhenry, Acting Director Hardy, Directors Bender, Smith, Flask, Rush, Southerington, Fumich and Rybka.

Nays: None.
Absent: Mayor Jackson, Directors Cox, Butler and Nichols.

Resolution No. 267-13.

By Director Cox.
Be it resolved, by the Board of Control of the City of Cleveland, that the bid of Hylant Group, Inc. for property insurance for the First Energy Stadium, all items, for the Department of Public Works, for a period of two (2) years beginning with the date of execution of a contract, with three (3) options to renew for a successive one (1) year term, received on the May 22, 2013, under the authority of Section 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the order quantity would amount to \$99,100.00 per year for a period of two years, is affirmed and approved as the lowest and best bid, and the Director of Public Works is requested to enter into a standard purchase contract for the items.

Be it further resolved by the Board of Control of the City of Cleveland, that the employment of the following subcontractor by the Hylant Group, Inc. for the above-mentioned standard purchase is approved:

SUBCONTRACTOR PERCENTAGE
AMOUNT

Pinckney-Perry Insurance Agency (CSB)	3.000%
	\$2,973.00

Yeas: Director Langhenry, Acting Director Hardy, Directors Bender, Smith, Flask, Rush, Southerington, Fumich and Rybka.

Nays: None.
Absent: Mayor Jackson, Directors Cox, Butler and Nichols.

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, JUNE 17, 2013

9:30 A.M.

Calendar No. 13-89: 2254 West 11th Street (Ward 3)

Bernard Baruschke, owner, and Stacie and James Kavanagh, prospective purchasers, appeal to erect a 26' x 44' two-story single family residence with a 21' x 22' attached garage on a 36' x 228.42' parcel in a B1 Multi-Family District; contrary to Section 355.04(b) proposing a lot width of 36 feet and not 40 feet that is the required minimum; and proposing 8.3 feet where no less than 10 feet is required from a main building on an adjoining lot, pursuant to Section 357.09(a)(A) in the Cleveland Codified Ordinances.

Violation Notice

Calendar No. 13-92: 4703 West 125th Street (Ward 18)

Joe Sun Yee appeals under the authority of Section 76-6 of the Charter of the City of Cleveland and Section 329.02(d) of the Cleveland Codified Ordinances and disputes the decision rendered by the City of Cleveland Parking Violations Bureau Waste Collection and Photo Safety Division on May 2, 2013 and the violation information described on Civil Infraction Ticket Number WC00142554, issued March 28, 2013 for the property located at 4703 West 125th Street and failure to comply with Section 551.111(B) in the Cleveland Codified Ordinances.

Calendar No. 13-95: 4423 Detroit Avenue (Ward 3)

aka 1407 West 45th Street
NC & H, Inc., owner, and Henen Noshy appeal to accommodate two (2) U Haul rental vehicles and expand the use of an existing grocery store, located on a 50' x 60' corner parcel in a D2 Local Retail Business District; subject to the limitations under Section 343.01 the use for vehicle rental is not permitted and first permitted in a General Retail Business District.

Calendar No. 13-96: 4492 State Road (Ward 13)

Evelyn E. Kinsey, Inc., owner, and DeVonte Lang, prospective tenant, appeal to establish use as a learning center in a single story building located on an 83.6' x 120.86' corner parcel in a C1 Local Retail Business District; and in accordance with the provisions under Section 359.01(a) existing nonconforming buildings and uses for which a permit has been lawfully issued may be continued if it does not conform to the Zoning Code for the use district but no enlargement or expansion may be permitted except as a variance under terms in Chapter 329 and no substitution or other change to other than a conforming use shall be permitted except by a special permit from the Board of Zoning Appeals, issued only if the Board finds after public hearing that such substitution or change is not more harmful or objectionable than the previous nonconforming 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 the type or number of persons to occupy or be attracted to the premises or in any other characteristic of the new use as compared with the previous use; and a A minimum 6 feet width of landscaping providing 50% year-round opacity is require along the street frontages in the provisions under Section 352.08 through 352.11 in the Cleveland Codified Ordinances.

Calendar No. 13-97: 5216 Bridge Avenue (Ward 15)

Ronald Williams, owner, appeals to erect a 24' x 25' one-story, frame bedroom and garage addition to an existing single family dwelling, located on a 44' x 120' parcel in a B1 Two-Family District; contrary to Section 355.04(b) proposing 2,900 square feet and 2,640 is the maximum gross floor area allowed; with a rear yard of 19 feet contrary to 20; and proposing 4 feet where 10 feet from a main building on an adjoining lot is required; with an interior side yard space of 1 foot contrary to a minimum of 3 feet as required in accordance with Sections 357.08(b)(1), 357.09(2)(A) and (B); and requires the Board of Zoning Appeals approval in accordance with the provisions under Section 359.01(a) in the Cleveland Codified Ordinances.

Calendar No. 13-102: 15904 Alden Avenue (Ward 19)

Maria Wingert, owner, appeals to erect a 14' x 30' in ground swimming pool to an existing single family dwelling located on an irregular shaped corner parcel in an A1 One-Family District; contrary to Section 337.23(a) proposing 820 square feet and 650 is the maximum square footage allowed for accessory uses; and in the provisions under Section 357.13 a swimming pool is not a permitted encroachment and not permitted in the required 15 foot side street setback according to Section 357.05(b)(1) in the Cleveland Codified Ordinances; and pursuant to Section 358.04(d), fences shall be provided around swimming pools that are accessory to a residence in accordance with the regulations of Section 3117.03(g) of the Building Code and no fence is provided.

Secretary

REPORT OF THE BOARD OF ZONING APPEALS

MONDAY, JUNE 3, 2013

At the meeting of the Board of Zoning Appeals on Monday, June 3, 2013, the following appeals were scheduled for hearing before the Board.

The following appeals were **APPROVED:**

Violation Notice

Calendar No. 13-76: 3193 West 32nd Street

Marcelo Galarza, owner, and Beth Trembly, tenant, appealed from a decision of the Hearing Officer designee for the City of Cleveland Director of Public Works and the

penalty assessed for Civil Infraction Ticket Number WC00115303.

Calendar No. 13-79: 1200 West 76th Street

The Grand C Corporation appealed to change use to apartment units an existing structure in a B3 Local Retail Business District.

Calendar No. 13-61: 1662 Crawford Road

City of Cleveland, owner, and Jamel Rahkeera, prospective tenant, appealed to erect a farm stand and hoop house on an irregular shaped parcel in a D2 Multi-Family District.

The following appeal was **DISMISSED:**

Calendar No. 13-53: 16003 Saranac Road

Joan Anger appealed from a denied application for a Motor Vehicle Repair Garage License by the Commissioner of Assessments and Licenses.

The following appeals were **POSTPONED:**

Calendar No. 13-64: 3025 West 25th Street postponed to June 24, 2013.

Calendar No. 13-77: 838 Eddy Road postponed to July 22, 2013.

Calendar No. 13-43: 838 Eddy Road -License Application scheduled for June 10, 2013 postponed to July 22, 2013.

The following appeals heard by the Board on May 28, 2013 were adopted and approved on June 3, 2013.

The following appeals were **APPROVED:**

Calendar No. 13-65: 6702 Detroit Avenue

Gordon Square Arts District, LLC, owner, and Near West Theater appealed to erect a performing arts theater on consolidated parcels in a C2 Local Retail Business District.

Calendar No. 13-68: 2064 Stearns Road

The Cleveland Metropolitan School District appealed for an addition to an existing school on acreage located in an E3 Multi-Family District.

Calendar No. 13-70: 1828 West 38th Street

Jim Curley appealed to erect an addition to the rear of a dwelling in a B1 Two-Family District.

Calendar No. 12-220: 1170 Ivanhoe Road

1170 Ivanhoe Road LLC, owner, and JJAK Mulch Services, LLC, appealed to establish a wood and leaf recycling/processing site on acreage in a B3 Semi-Industry District.

The following appeals heard by the Board on May 20, 2013 were adopted and approved on June 3, 2013.

The following appeals were **APPROVED:**

Calendar No. 13-73: 11607 Euclid Avenue

Maximum Independence Living appealed to renovate an apartment building and change first floor

office space to retail use subject to lot split and consolidation of parcels in a C2 General Retail Business District.

The following appeal heard on May 6, 2013 was adopted and approved on June 3, 2013.

The following appeal was **APPROVED:**

Calendar No. 13-58: 8902 Detroit Avenue aka 1381 West 91st Street

Algart Realty Company appealed to install 84 linear feet of 8-foot high chain link fence in the actual front and rear yards of property in a B1 Two-Family District; subject to conditions.

The following appeal heard on March 18, 2013 was adopted and approved on June 3, 2013.

The following appeal was **APPROVED:**

Calendar No. 13-26: 3148 West 14th Street

Sandy Banks LLC appealed to establish use as a veterinary practice / animal clinic in storefront space located in a D2 Local Retail Business District; subject to amended plan.

Secretary

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

NO MEETING

PUBLIC NOTICE

NONE

NOTICE OF PUBLIC HEARING

NONE

CITY OF CLEVELAND BIDS

For All Departments

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

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

187.10 Negotiated contracts; Notice required in Advertisement for Bids.

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

FRIDAY, JUNE 21, 2013

File No. 93-13 — Turnout Clothing, for the Division of Fire, Department of Public Safety, as authorized by Ordinance No. 1255-12, passed by the Council of the City of Cleveland, September 24, 2012. THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** TUESDAY, JUNE 11, 2013 AT 11:00 A.M. CLEVELAND FIRE HEADQUARTERS, CONFERENCE ROOM BASEMENT, 1645 SUPERIOR AVENUE, CLEVELAND, OHIO 44114.

May 29, 2013 and June 5, 2013

FRIDAY, JULY 12, 2013

File No. 92-13 — Third District Police Station, for the Division of Architecture and Site Development, Department of Public Works, as authorized by Ordinance No. 1241-12, passed by the Council of the City of Cleveland, September 17, 2012.

*THERE WILL BE A **NON-REFUNDABLE FEE** FOR PLANS AND SPECIFICATIONS IN THE AMOUNT OF TWO HUNDRED DOLLARS (\$200.00) 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 **MANDATORY PRE-BID MEETING** THURSDAY, JUNE 6, 2013 AT 10:00 A.M. CLEVELAND PUBLIC AUDITORIUM, ROOM LL10A VC, 500 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

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

*Bidders must purchase plans and specifications directly from the Office of the Commissioner of Purchases and Supplies. Only registered Plan Holders will receive Addenda. Bids cannot be accepted from Bidders who only purchase plans from other entities such as Plan Rooms and/or who fail to register to be on the City of Cleveland Plan Holders List.

May 29, 2013 and June 5, 2013

WEDNESDAY, JUNE 26, 2013

File No. 94-13 — Labor and Materials to Repair and Maintain Pump Stations, for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Section 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **MANDATORY PRE-BID MEETING** FRIDAY, JUNE 14, 2013 AT 11:00 A.M. DIVISION OF WATER POLLUTION CONTROL, 12302 KIRBY AVENUE, RED CONFERENCE ROOM, CLEVELAND, OHIO 44108.

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

June 5, 2013 and June 12, 2013

FRIDAY, JUNE 28, 2013

File No. 95-13 — Various Sewer Maintenance Appurtenance Slabs, for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Section 129.27 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **MANDATORY PRE-BID MEETING** FRIDAY, JUNE 14, 2013 AT 11:30 A.M. DIVISION OF WATER POLLUTION CONTROL, 12302 KIRBY AVENUE, RED CONFERENCE ROOM, CLEVELAND, OHIO 44108.

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

File No. 96-13 — Neutralization Chemicals, for the Division of Water, Department of Public Utilities, as authorized by Section 129.24 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** THURSDAY, JUNE 13, 2013 AT

3:00 P.M. THE CARL B. STOKES PUBLIC UTILITIES BUILDING, 2ND FLOOR ATRIUM CONFERENCE ROOM, 1201 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

File No. 97-13 — Water Meter Parts, 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, JUNE 13, 2013 AT 10:30 A.M. THE DIVISION OF WATER, DISTRIBUTION AND MAINTENANCE, PIPE REPAIR CONFERENCE ROOM, 4600 HARVARD AVENUE, CLEVELAND, OHIO 44105.

File No. 98-13 — Purchase of PVC and 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, JUNE 13, 2013 AT 2:30 P.M. TOM L. JOHNSON BUILDING, CLEVELAND PUBLIC POWER, 1300 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

File No. 99-13 — Splice Kits and Accessories for Wire and Cable, 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** THURSDAY, JUNE 13, 2013 AT 10:30 A.M. TOM L. JOHNSON BUILDING, CLEVELAND PUBLIC POWER, 1300 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

June 5, 2013 and June 12, 2013

**ADOPTED RESOLUTIONS
AND ORDINANCES**

NONE

**COUNCIL COMMITTEE
MEETINGS**

NO MEETINGS

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O—Ordinance; R—Resolution; F—File
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