

# The City Record

Official Publication of the Council of the City of Cleveland



September the Second, Two Thousand and Nine

**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	Nathaniel K. Wilkes
3	Zachary Reed
4	Kenneth L. Johnson
5	Phyllis E. Cleveland
6	Mamie J. Mitchell
7	TJ Dow
8	Shari L. Cloud
9	Kevin Conwell
10	Eugene R. Miller
11	Michael D. Polensek
12	Anthony Brancatelli
13	Joe Cimperman
14	Joseph Santiago
15	Brian J. Cummins
16	Kevin J. Kelley
17	Matthew Zone
18	Jay Westbrook
19	Dona Brady
20	Martin J. Sweeney
21	Martin J. Keane

The City Record is available online at  
[www.clevelandcitycouncil.org](http://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	Nathaniel K. Wilkes	8410 Vineyard Avenue	44105
3	Zachary Reed	3734 East 149th Street	44120
4	Kenneth L. Johnson	2948 Hampton Road	44120
5	Phyllis E. Cleveland	2369 East 36th Street	44105
6	Mamie J. Mitchell	12701 Shaker Boulevard, #712	44120
7	TJ Dow	8323 Pulaski Avenue	44103
8	Shari L. Cloud	1152 East 98th Street	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	Joe Cimperman	P.O. Box 91688	44101
14	Joseph Santiago	3169 West 14th Street	44109
15	Brian J. Cummins	3104 Mapledale Avenue	44109
16	Kevin J. Kelley	6608 Woodhaven Avenue	44144
17	Matthew Zone	1228 West 69th Street	44102
18	Jay Westbrook	1278 West 103rd Street	44102
19	Dona Brady	1272 West Boulevard	44102
20	Martin J. Sweeney	3632 West 133rd Street	44111
21	Martin J. Keane	15907 Colletta Lane	44111

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

### MAYOR – Frank G. Jackson

Ken Silliman, Secretary to the Mayor, Chief of Staff  
Darnell Brown, Executive Assistant to the Mayor, Chief Operating Officer  
Valarie J. McCall, Executive Assistant to the Mayor, Chief of Government Affairs  
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  
Natoya J. Walker, Interim Director, Office of Equal Opportunity

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

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

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

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

DIVISIONS – 1201 Lakeside Avenue  
Cleveland Public Power – Ivan Henderson, Commissioner  
Street Lighting Bureau – \_\_\_\_\_, Acting Chief  
Utilities Fiscal Control – Dennis Nichols, Commissioner  
Water – John Christopher Nielson, Commissioner  
Water Pollution Control – Ollie Shaw, Commissioner

DEPT. OF PORT CONTROL – Ricky D. Smith, Director  
Cleveland Hopkins International Airport, 5300 Riverside Drive  
Burke Lakefront Airport – Khalid Bahhur, Commissioner  
Cleveland Hopkins International Airport – Fred Szabo, Commissioner

DEPT. OF PUBLIC SERVICE – Jomarie Wasik, Director, Room 113  
DIVISIONS: Architecture – Kurt Wiebusch, Commissioner, Room 517  
Engineering and Construction – \_\_\_\_\_, Commissioner, Room 518  
Motor Vehicle Maintenance, Daniel A. Novak, Commissioner, Harvard Yards  
Streets – Randell T. Scott, Commissioner, Room 25  
Traffic Engineering – Robert Mavec, Commissioner, 4150 East 49th Street, Building #1  
Waste Collection and Disposal – Ron Owens, Commissioner, 5600 Carnegie Avenue

DEPT. OF PUBLIC HEALTH – Matt Carroll, Director, Mural Building, 75 Erieview Plaza  
DIVISIONS: Air Quality – Richard L. Nemeth, Commissioner  
Environment – Willie Bess, 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 PARKS, RECREATION & PROPERTIES – Michael Cox, Director  
Cleveland Convention Center, Clubroom A, 1220 East 6th Street  
DIVISIONS: Convention Center & Stadium – James Glending, Commissioner  
Public Auditorium, East 6th Street and Lakeside Avenue  
Parking Facilities – Leigh Stevens, Commissioner  
Public Auditorium, East 6th Street and Lakeside Avenue  
Park Maintenance and Properties – Richard L. Silva, Commissioner  
Public Auditorium – East 6th Street and Lakeside Avenue  
Property Management – Tom Nagle, Commissioner, East 49th Street & Harvard  
Recreation – Kim Johnson, Commissioner, Room 8  
Research, Planning & Development – Mark Fallon, Commissioner, 1501 N. Marginal Road  
Burke Lakefront Airport

DEPT. OF COMMUNITY DEVELOPMENT – Daryl Rush, Director, 3rd Floor, City Hall  
DIVISIONS: Administrative Services – Terrence Ross, Commissioner  
Neighborhood Services – Louise V. Jackson, Commissioner  
Neighborhood Development – Joseph A. Sidoti, Commissioner

DEPT. OF BUILDING AND HOUSING – Edward W. Rybka, Director, Room 500  
DIVISIONS: Code Enforcement – Tyrone L. Johnson, Commissioner  
Construction Permitting – Timothy R. Wolosz, Commissioner

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

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

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

DEPT. OF CONSUMER AFFAIRS – Omayra G. Feliciano, Acting Director

COMMUNITY RELATIONS BOARD – Room 11, Blaine Griffin, Director; Mayor Frank G. Jackson, Chairman Ex-Officio; Rev. Charles Lucas, Jr., Vice-Chairman; Councilman Kevin Conwell, Councilman Brian J. Cummins, Councilman Joe Santiago, Councilman Matthew Zone, City Council Representatives; Charles L. Patton, Jr., Paula Castleberry, Emmett Saunders, John Banno, Kathryn M. Hall, Evangeline Hardaway, Janet Jankura, Gia Hoa Ryan, Rev. Jesse Harris, Magda Gomez, Fred J. Livingstone, Margot James Copeland.

CIVIL SERVICE COMMISSION – Room 119, Reynaldo Galindo, President; Rev. Earl Preston, Vice President; Lucille Ambroz, Secretary; Members: Diane M. Downing, Michael L. Nelson.

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

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

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

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

BOARD OF SIDEWALK APPEALS – Service Director Jomarie Wasik, Law Director Robert J. Triozzi; Councilman \_\_\_\_\_.

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

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

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

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

FAIR HOUSING BOARD – Charles See, Chair; 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 Robert J. Triozzi; 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. Ittu, Chairman; Debra Janik, Bracy Lewis, Diane Downing, Donna Sciarappa, Council President Martin J. Sweeney; Law Director Robert J. Triozzi.

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

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

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

# The City Record



OFFICIAL PUBLICATION OF THE COUNCIL OF THE CITY OF CLEVELAND

Vol. 96

WEDNESDAY, SEPTEMBER 2, 2009

No. 4995

## CITY COUNCIL

MONDAY, AUGUST 31, 2009

### The City Record

Published weekly by the City Clerk,  
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The City Record is available  
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[www.clevelandcitycouncil.org](http://www.clevelandcitycouncil.org)

Address all communications to  
**PATRICIA J. BRITT**

City Clerk, Clerk of Council  
216 City Hall

### PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 2006-2009

#### MONDAY — Alternating

9:30 A.M. — **Public Parks, Properties and Recreation Committee:** Johnson, Chair; Wilkes, Vice Chair; Brancatelli, Cummins, Kelley, Polensek, Pruitt.

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

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

11:00 A.M. — **Legislation Committee:** Dow, Chair; Keane, Vice Chair; Cleveland, Cloud, Johnson, Reed, Wilkes.

#### MONDAY

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

#### TUESDAY

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

1:30 P.M. — **Employment, Affirmative Action and Training Committee:** Pruitt, Chair; Santiago, Vice Chair; Conwell, Cummins, Johnson, Miller, Mitchell.

#### WEDNESDAY — Alternating

10:00 A.M. — **Aviation and Transportation Committee:** Kelley, Chair; Keane, Vice Chair; Cleveland, Cloud, Dow, Mitchell, Westbrook.

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

#### WEDNESDAY — Alternating

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

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

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

**Rules Committee:** Sweeney, Chair; Cleveland, Kelley, Keane, Polensek.

**Personnel and Operations Committee:** Westbrook, Chair; Cloud, Kelley, Mitchell, Santiago, Sweeney, Wilkes.

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

### OFFICIAL PROCEEDINGS CITY COUNCIL

NO MEETING

### THE CALENDAR

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

NONE

### BOARD OF CONTROL

August 26, 2009

The regular meeting of the Board  
of Control convened in the Mayor's  
office on Wednesday, August 26,  
2009, at 10:40 a.m. with Director Tri-  
ozzi presiding.

Present: Directors Triozzi, Dumas,  
Acting Directors Withers, Dangerfield,  
Directors Wasik, Carroll, Flask, Cox,  
Rush, Hutchinson, Nichols, Fumich,  
Interim Director Feliciano and Direc-  
tor Rybka.

Absent: Mayor Jackson.

Others: Jim Hardy, Commissioner,  
Purchases and Supplies.

Natoya Walker, Acting Director,  
Office of Equal Opportunity.

On motions, the following resolu-  
tions were adopted, except as may  
be otherwise noted:

#### Resolution No. 334-09.

By Director Smith.

Be it resolved by the Board of  
Control of the City of Cleveland that  
the bid of Terrace Construction  
Company, Inc., for the public im-  
provement of constructing a cell  
phone parking lot at Cleveland Hop-  
kins International Airport, base bid,  
all items, including alternate bid no.  
1, plus 10% contingency, for the  
Department of Port Control, received  
on July 15, 2009 under the author-  
ity of Ordinance No. 274-09, passed  
May 4, 2009, for a gross price for  
the improvement, in the aggregate  
amount of \$270,805.73, is affirmed  
and approved as the lowest respon-  
sible bid; and the Director of Port  
Control 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 employment of the following  
subcontractors by Terrace Construc-  
tion Company, Inc., is approved:

<u>Subcontractor</u>	<u>CSB/MBE/FBE%</u>	<u>Amount</u>
Rockport Construction & Materials, Inc.	14.77% CSB/FBE	\$ 40,000.00
Cuyahoga Fence, LLC	7.38% CSB/FBE	\$ 20,000.00
The Vallejo Company	33.81% CSB/MBE	\$100,200.00

Yeas: Present: Directors Triozzi,  
Dumas, Acting Directors Withers,  
Dangerfield, Directors Wasik, Car-  
roll, Flask, Cox, Rush, Hutchinson,  
Nichols, Fumich, Interim Director Fel-  
iciano and Director Rybka.

Nays: None.

Absent: Mayor Jackson.

#### Resolution No. 335-09.

By Director Smith.

Be it resolved by the Board of  
Control of the City of Cleveland that  
the bid of Independence Excavating,  
Inc., for the public improvement of  
Taxiway Q and hold pad project at  
Cleveland Hopkins International  
Airport, base bid, all items plus 10%  
contingency, for the Department of  
Port Control, received on August 5,  
2009 under the authority of Ordi-  
nance No. 1771-08, as amended by  
Ordinance No. 479-09, passed by the  
Council of the City of Cleveland on

December 8, 2008 and May 4, 2009, respectively, for a gross price for the improvement, in the aggregate amount of \$15,755,340.41, is affirmed and approved as the lowest responsible bid; and the Director of Port Control 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 employment of the following subcontractors by Independence Excavating, Inc., is approved:

<u>Subcontractor</u>	<u>DBE%</u> <u>Amount</u>
Marissa Wilk & Associates, LLC	2.20% DBE \$346,000.00
North Electric, Inc.	3.36% DBE \$530,000.00
Simplified Alternatives, Inc.	0.69% DBE \$109,000.00
Royal Landscaping, Inc.	0.62% DBE \$ 98,000.00
Rockport Construction & Materials, Inc.	0.03% DBE \$ 5,000.00

Yeas: Present: Directors Triozzi, Dumas, Acting Directors Withers, Dangerfield, Directors Wasik, Carroll, Flask, Cox, Rush, Hutchinson, Nichols, Fumich, Interim Director Feliciano and Director Rybka.

Nays: None.  
Absent: Mayor Jackson.

**Resolution No. 336-09.**  
By Director Wasik.

Be it resolved by the Board of Control of the City of Cleveland, that under Ordinance No. 1175-08, passed September 29, 2008, by the Council of the City of Cleveland, the firm of R.E. Warner & Associates, Inc. ("Architect") is selected upon the nomination of the Director of Public Service from a list of qualified firms available for such employment and determined after a full and complete canvass by the Director of Public Service as the firm of architects to be employed by contract for the purpose of supplementing the regularly employed staff of the Division of Architecture in order to provide the professional services necessary for improvements to various City of Cleveland facilities.

Be it further resolved, that the Director of Public Service is authorized to enter into a written contract with R.E. Warner & Associates, Inc., based upon its proposal dated June 4, 2009, which contract shall be prepared by the Director and shall include such additional provisions as she deems necessary to benefit and protect the public interest. The total compensation to the Architect for all services under the contract authorized shall not exceed \$58,100.00.

Be it further resolved, that the employment of the following subconsultant by R.E. Warner & Associates, Inc. is approved:

Tucker, Young, Jackson, Tull, Inc. (MBE) — \$6,000.00 — (10.327%)

Yeas: Present: Directors Triozzi, Dumas, Acting Directors Withers, Dangerfield, Directors Wasik, Carroll, Flask, Cox, Rush, Hutchinson, Nichols, Fumich, Interim Director Feliciano and Director Rybka.

Nays: None.  
Absent: Mayor Jackson.

JEFFREY B. MARKS,  
Secretary

**CIVIL SERVICE NOTICES**

**General Information**

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

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

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

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

REYNALDO GALINDO,  
President

**SCHEDULE OF THE BOARD OF ZONING APPEALS**

**MONDAY, SEPTEMBER 14, 2009**

**9:30 A.M.**

**Calendar No. 09-146:** 4305-09 State Road (Ward 15)

John Zajac, owner, appeals to establish a parking lot as the principal use of a vacant 44' x 120' corner parcel in a General Retail Business District; subject to the provisions in Sections 352.08 through 352.12, a 10 foot landscaped transition strip providing 75 percent year-round opacity is required along the rear of the lot that abuts a residential district, and a 6 foot wide, landscaped frontage strip providing 50 percent year-round opacity is required where the lot abuts State Road and Searsdale Avenue, as stated in the Cleveland Codified Ordinances.

**Calendar No. 09-168:** 18122 St. Clair Avenue (Ward 11)

Oliver Klar and Alvin Hale, Jr. by and through their attorney, Patrick DiChiro appeal 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 from a Notice of Violation issued on July 7, 2009 by the Department of Building and Housing and the operation of an auto sales business in a Local Retail Business District.

**Calendar No. 09-169:** 2481 Professor Avenue (Ward 13)

SCS Group LLC and Cumhuri Sasmaz, owners, appeal to erect a 6' x 14' frame deck (patio) in the front yard of a one family dwelling on a 33' x 123' parcel in a Two-Family District; and the proposed deck (patio) projects 1 foot 3 inches from the front yard setback and is not a permitted yard encroachment in the provisions of Section 357.13 of the Cleveland Codified Ordinances.

**Calendar No. 09-170:** 3146 aka 3154 West 14th Street (Ward 13)

George Zaboura, owner, and Larry Douglas, tenant, appeal to change use from one dwelling unit and a store to a tavern with entertainment an existing one story building on a 87.33' x 127.18' parcel in a Local Retail Business District; subject to the limitations of Section 343.01 a tavern with entertainment is not permitted and first permitted in a General Retail Business District, provided it is not less than 500 feet from a residence district and it abuts a residential district; no striped parking spaces are proposed and a total of 28 parking spaces are required according to Section 349.04(c), configured by a parking area equal to three times the gross floor area and parking for two adjacent tenants.

Secretary

**REPORT OF THE BOARD OF ZONING APPEALS**

**MONDAY, AUGUST 31, 2009**

At the meeting of the Board of Zoning Appeals on Monday, August 31, 2009, the following appeals were heard by the Board.

The following appeals were **Approved:**

**Calendar No. 09-161:** 4716 West 158th Street

William Dallapiazza appealed to erect a 40' x 36' x 26' high accessory garage in a One-Family District; subject to conditions.

**Calendar No. 09-140:** 12805 Shaker Boulevard

Shaker House LLC and David Goodman, owners, appealed to install a generator for a wireless communications site at the rear of an irregular shaped parcel in a General Retail Business District.

The following appeals were **Denied**:

**Calendar No. 09-135:** 13835 Lorain Avenue  
J-SET Limited LLC, owner, and Jesse Adkins d.b.a. Fat Boys Sports Bar, Inc, tenant, appealed from a disapproved application for a Music License by the Cleveland Department of Public Safety.

**Calendar No. 09-142:** 1378 West 114th Street  
Angela Gomez appealed to keep a pig on a 3,640 square foot lot in a Multi-Family District.

The following appeal was **Withdrawn**:

**Calendar No. 09-159:** 16212 Invermere Avenue  
Amy Hurd appealed to establish a Type A day care in a single family dwelling located in an A1 One-Family District.

The following appeals were **Postponed**:

**Calendar No. 09-157:** 8322 Woodland Avenue postponed to October 26, 2009.

**Calendar No. 09-162:** 838 Eddy Road postponed to October 12, 2009.

**Calendar No. 09-163:** 17426-76 Harvard Avenue postponed to September 28, 2009.

**Calendar No. 09-63:** University Road & West 14th Street postponed to January 11, 2010.

The following appeals heard by the Board on August 24, 2009 were adopted and approved on August 31, 2009.

The following appeals were **Approved**:

**Calendar No. 09-154:** 11001 Union Avenue  
Richard C. Morvilius, Jr., d.b.a. Cleveland Plumbing and Supply appealed to install 96 linear feet of 10 foot tall steel panel fence in a Semi-Industry District; subject to condition.

**Calendar No. 09-156:** 5002 Fleet Avenue  
Al Zaleski appealed from a disapproved application for a Second Hand Dealers License by the City of Cleveland Department of Public Safety.

**Calendar No. 09-158:** 1821 West 48th Street  
Bernard Reyes appealed to install 50 linear feet of 6 foot tall fence in a Two-Family District.

The following appeal was **Denied**:

**Calendar No. 09-150:** 1808 West 57th Street  
James Littles appealed to use an existing garage on a parcel in a Two-Family District for parking and storage of automobiles.

The following appeal heard by the Board on July 6, 2009 was adopted and approved on August 31, 2009.

The following appeal was **Approved**:

**Calendar No. 09-110:** 11013 Nelson Avenue  
Luvenia Miller appealed to erect a 4' x 32' L-shaped wolmanized wooden wheelchair ramp at the front of a single family dwelling in a Two-Family District; subject to conditions.

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

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**CITY OF CLEVELAND BIDS**

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**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 speci-**

**fied 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."**

**THURSDAY, SEPTEMBER 17, 2009**

**File No. 165-09 — Health Facility Upgrades Bid Package A & B Emergency Generators and HVAC,** for the Division of Architecture, Department of Public Service, as authorized by Ordinance No. 487-07, passed by the Council of the City of Cleveland, June 4, 2007.

**THERE WILL BE A REFUNDABLE FEE FOR PLANS/SPECIFICATIONS IN THE AMOUNT OF FIFTY DOLLARS (\$50.00) IN THE FORM OF A CASHIER'S CHECK AND/OR MONEY ORDER. (NO COMPANY CHECKS, NO CASH AND NO CREDIT CARDS WILL BE ACCEPTED).**  
**THERE WILL BE A NON-MANDATORY PRE-BID MEETING WEDNESDAY, SEPTEMBER 9, 2009 AT 10:00 A.M., THE J. GLENN SMITH HEALTH CENTER, CLEVELAND, OHIO 44110.**

August 26, 2009 and September 2, 2009

**WEDNESDAY, SEPTEMBER 23, 2009**

**File No. 164-09 — Michael Zone Recreation Center Pool Liner, 6301 Lorain Avenue, Cleveland, Ohio 44102,** for the Division of Architecture, Department of Public Service, as authorized by Ordinance No. 922-07, passed by the Council of the City of Cleveland, July 11, 2007.

**THERE WILL BE A REFUNDABLE FEE FOR PLANS/SPECIFICATIONS IN THE AMOUNT OF FIFTY DOLLARS (\$50.00) IN THE FORM OF A CASHIER'S CHECK AND/OR MONEY ORDER. (NO COMPANY CHECKS, NO CASH AND NO CREDIT CARDS WILL BE ACCEPTED).**  
**THERE WILL BE A NON-MANDATORY PRE-BID MEETING WEDNESDAY, SEPTEMBER 9, 2009 AT 2:00 P.M., THE MICHAEL ZONE RECREATION CENTER, 6301 LORAIN AVENUE, CLEVELAND, OHIO 44102.**

**File No. 166-09 — Platt Avenue Sewer Replacement Project,** for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Ordinance No. 399-09, passed by the Council of the City of Cleveland, June 1, 2009.

**THERE WILL BE A REFUNDABLE FEE FOR PLANS/SPECIFICATIONS IN THE AMOUNT OF FIFTY DOLLARS (\$50.00) IN THE FORM OF A CASHIER'S CHECK AND/OR MONEY ORDER. (NO COMPANY CHECKS, NO CASH AND NO CREDIT CARDS WILL BE ACCEPTED).**  
**THERE WILL BE A NON-MANDATORY PRE-BID MEETING, WEDNESDAY, SEPTEMBER 9, 2009 AT 10:00 A.M., THE DIVISION OF WATER POLLUTION CONTROL, 12302 KIRBY AVENUE, CLEVELAND, OHIO 44108.**

**File No. 167-09 — Woburn Avenue Storm Sewer Detention Project**, for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Ordinance No. 400-09, passed by the Council of the City of Cleveland, June 1, 2009.

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

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING**, WEDNESDAY, SEPTEMBER 9, 2009 AT 10:30 A.M., THE DIVISION OF WATER POLLUTION CONTROL, 12302 KIRBY AVENUE, CLEVELAND, OHIO 44108.

August 26, 2009 and September 2, 2009

**THURSDAY, SEPTEMBER 24, 2009**

**File No. 156-09 — Purchase of New Way Packer Body Parts and Labor**, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 686-07, passed by the Council of the City of Cleveland, June 11, 2007.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** THURSDAY, SEPTEMBER 10, 2009 AT 9:00 A.M., THE DIVISION OF MOTOR VEHICLE MAINTENANCE, 4150 EAST 49TH STREET, CLEVELAND, OHIO 44105.

**File No. 157-09 — Various New Tires, Tubes, Service and Supplies**, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 686-07, passed by the Council of the City of Cleveland, June 11, 2007.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** THURSDAY, SEPTEMBER 10, 2009 AT 9:00 A.M., THE DIVISION OF MOTOR VEHICLE MAINTENANCE, 4150 EAST 49TH STREET, CLEVELAND, OHIO 44105.

**File No. 158-09 — Various Daimler Chrysler Parts and Labor**, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Section No. 131.17 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** THURSDAY, SEPTEMBER 10, 2009 AT 9:00 A.M., THE DIVISION OF MOTOR VEHICLE MAINTENANCE, 4150 EAST 49TH STREET, CLEVELAND, OHIO 44105.

**File No. 160-09 — Various Chevrolet Parts and Labor**, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 686-07, passed by the Council of the City of Cleveland, June 11, 2007.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING**

THURSDAY, SEPTEMBER 10, 2009 AT 9:00 A.M., THE DIVISION OF MOTOR VEHICLE MAINTENANCE, 4150 EAST 49TH STREET, CLEVELAND, OHIO 44105.

August 26, 2009 and September 2, 2009

**FRIDAY, SEPTEMBER 25, 2009**

**File No. 161-09 — Cab and Chassis with Large USV Body and Related Equipment**, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance Nos. 902-07 and 1849-08, passed by the Council of the City of Cleveland, July 11, 2007 and January 26, 2009, respectively.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** FRIDAY, SEPTEMBER 11, 2009 AT 10:00 A.M., THE DIVISION OF MOTOR VEHICLE MAINTENANCE, 4150 EAST 49TH STREET, CLEVELAND, OHIO 44105.

**File No. 162-09 — Various Fuel Dispensing System Maintenance and Repair**, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 686-07, passed by the Council of the City of Cleveland, June 11, 2007.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** FRIDAY, SEPTEMBER 11, 2009 AT 10:00 A.M., THE DIVISION OF MOTOR VEHICLE MAINTENANCE, 4150 EAST 49TH STREET, CLEVELAND, OHIO 44105.

**File No. 163-09 — Cab and Chassis with Medium USV Body**, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 902-07, passed by the Council of the City of Cleveland, July 11, 2007.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** FRIDAY, SEPTEMBER 11, 2009 AT 10:00 A.M., THE DIVISION OF MOTOR VEHICLE MAINTENANCE, 4150 EAST 49TH STREET, CLEVELAND, OHIO 44105.

August 26, 2009 and September 2, 2009

**THURSDAY, SEPTEMBER 17, 2009**

**File No. 172-09 — 2009 Department of Public Safety Homeland Security Fusion Center Carpeting**, for the Division of Architecture, Department of Public Service.

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

THERE WILL BE A **MANDATORY PRE-BID MEETING** THURSDAY, SEPTEMBER 10, 2009 AT 10:00 A.M., THE JUSTICE CENTER, CLEVELAND POLICE DIVISION, 1300 ONTARIO AVENUE, 9TH FLOOR, CLEVELAND, OHIO 44113.

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

September 2, 2009 and September 9, 2009

**THURSDAY, SEPTEMBER 24, 2009**

**File No. 159-09 — 2009 Sidewalk Assessment Program Contract Relaying and Repairing Sidewalks, Driveway Aprons and Curbs**, for the Division of Engineering and Construction, Department of Public Service, as authorized by Ordinance No. 313-09, passed by the Council of the City of Cleveland, June 8, 2009.

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

THERE WILL BE A **MANDATORY PRE-BID MEETING** THURSDAY, SEPTEMBER 10, 2009 AT 10:00 A.M., THE CLEVELAND CITY HALL, DIVISION OF ENGINEERING AND CONSTRUCTION, ROOM 518, 601 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.**

September 2, 2009 and September 9, 2009

**WEDNESDAY, SEPTEMBER 30, 2009**

**File No. 168-09 — Purchase of Radiator, Heater Core Air Charged Coolers and Tank Repair or Replace**, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 686-07, passed by the Council of the City of Cleveland, June 11, 2007.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** TUESDAY, SEPTEMBER 15, 2009 AT 10:00 A.M., THE DIVISION OF MOTOR VEHICLE MAINTENANCE, 4150 EAST 49TH STREET, CLEVELAND, OHIO 44105.

**File No. 169-09 — Purchase of Trailer Mounted Air Compressors**, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance Nos. 902-07 and 1849-08, passed by the Council of the City of Cleveland, July 11, 2007 and January 26, 2009, respectively.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** TUESDAY, SEPTEMBER 15, 2009 AT 10:30 A.M., THE DIVISION OF MOTOR VEHICLE MAINTENANCE, 4150 EAST 49TH STREET, CLEVELAND, OHIO 44105.

**File No. 170-09 — Purchase of Single Axle Cab and Chassis with Snowplow and Related Equipment**, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance

nance No. 1849-08, passed by the Council of the City of Cleveland, January 26, 2009.  
**THERE WILL BE A NON-MAN-DATORY PRE-BID MEETING TUESDAY, SEPTEMBER 15, 2009 AT 11:00 A.M., THE DIVISION OF MOTOR VEHICLE MAINTENANCE, 4150 EAST 49TH STREET, CLEVELAND, OHIO 44105.**

**File No. 171-09 — Purchase of Tandem Axle Cab and Chassis with Snowplow and Related Equipment, for the Divi-**

sion of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 1849-08, passed by the Council of the City of Cleveland, January 26, 2009.  
**THERE WILL BE A NON-MAN-DATORY PRE-BID MEETING TUESDAY, SEPTEMBER 15, 2009 AT 11:30 A.M., THE DIVISION OF MOTOR VEHICLE MAINTENANCE, 4150 EAST 49TH STREET, CLEVELAND, OHIO 44105.**

September 2, 2009 and September 9, 2009

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