

# The City Record

Official Publication of the Council of the City of Cleveland



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December the Twenty-Ninth, Two Thousand and Ten

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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

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

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

### MAYOR – Frank G. Jackson

Ken Silliman, Secretary to the Mayor, Chief of Staff  
Darnell Brown, Executive Assistant to the Mayor, Chief Operating Officer  
Valerie 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  
Andrew Watterson, Executive Assistant to the Mayor, Chief of Sustainability  
Natoya J. Walker Minor, Chief of Public Affairs – Director 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  
Pam Benjamin, 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, 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 – \_\_\_\_\_, 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 – Randall T. Scott, Commissioner, Room 25  
Traffic Engineering – Robert Mavec, Commissioner, 4150 East 49th Street, Building #1  
Waste Collection and Disposal – Ron Owens, Commissioner, 5600 Carnegie Avenue

DEPT. OF PUBLIC HEALTH – 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 – Nycole D. West, Interim 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 – John D. Mahone, Interim Director

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, 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, Jan Huber, Secretary.

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

BOARD OF REVISION OF ASSESSMENTS – 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; Council Member Eugene R. Miller.

BOARD OF REVIEW – (Municipal Income Tax) – Law Director Robert J. Triozzi; 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 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 12B  
Judge Emanuella Groves 13A  
Judge Michelle D. Earley 12A  
Judge Kathleen Ann Keough 14B  
Judge Anita Laster Mays 14C  
Judge Lauren C. Moore 14A  
Judge Charles L. Patton, Jr. 13D  
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



71 OFFICIAL PUBLICATION OF THE COUNCIL OF THE CITY OF CLEVELAND

Vol. 97

WEDNESDAY, DECEMBER 29, 2010

No. 5064

## CITY COUNCIL

MONDAY, DECEMBER 27, 2010

The City Record  
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Address all communications to  
**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, 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:** 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 22, 2010

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, December 22, 2010, at 10:52 a.m. with Director Triozzi presiding.

Present: Directors Triozzi, Withers, Smith, Wasik, Flask, Cox, Rush, Marion, Nichols, Acting Director Odom, Interim Director Mahoney and Director Rybka.

Absent: Mayor Jackson, Directors Dumas and Carroll.

Others: James Hardy, Commissioner, Purchases and Supplies.

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

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

#### Resolution No. 546-10.

By Director Withers.

Be it resolved by the Board of Control of the City of Cleveland that, under the authority of Charter Section 112 and Section 523.21 of the Codified Ordinances of Cleveland, Ohio, 1976 ("C.O."), Resolution No. 140-95, adopted February 27, 1995, as amended by Resolution No. 152-95, adopted March 1, 1995, Resolution No. 79-00, adopted February 16, 2000, Resolution No. 669-05, adopted November 30, 2005, and Resolution No. 308-08, adopted July 2, 2008, fix-

ing rates, rules, and regulations relating to the operation of the Division of Cleveland Public Power ("Division"), Department of Public Utilities, for electric service, is amended by deleting that portion identified as "Energy Adjustment Charge," and substituting a new section entitled "Energy Adjustment Charge" which fixes certain rates, rules, and regulations relating to electric service, subject to the approval of the Council of the City of Cleveland, as follows:

#### "Energy Adjustment Charge"

(a) An additional incremental charge for excess fuel and power production and purchase power costs may be applied to the rates prescribed in Sections 523.02 to 523.065 C.O. and any other rate schedule as may be adopted by the City.

(b) The incremental charge shall be based on the fuel and purchase power cost per kilowatt hour delivered calculated under divisions (c)(1) and (2) of this section.

(c)(1) The fuel and purchase power cost per kilowatt hour sold to residential ratepayers shall be determined by dividing the sum of the cost of the kilowatt hours purchased from the Power Authority of the State of New York and the average cost of kilowatt hours purchased from other sources needed to supply the residential customers by the total kilowatt hours distributed to residential customers. For the period ending December 31, 2011, the incremental charge calculated herein shall be adjusted by subtracting 15 mills per kilowatt hour for residential customers who provide the Division of Cleveland Public Power with a certificate of reduction of taxes obtained under the Homestead Exemption provisions of Sections 323.151 through 323.157 of the Revised Code, and 9.75 mills per kilowatt hour for all other residential customers. Beginning on January 1, 2012, the incremental charge for all residential customers shall be adjusted by subtracting 15 mills per kilowatt hour.

(2) Except as provided in Section 523.048 C.O., the fuel and purchase power cost per kilowatt hour sold to all ratepayers, other than residential ratepayers, during the twelve months of the year, shall be determined by dividing the sum of the total cost of coal, oil, gas and purchase power by the total kilowatt hours distributed, except that the computation shall exclude the cost of PASNY power and the amount of PASNY power allocable to kilowatt hours distributed, and shall exclude the costs of all purchase power and kilowatt hours from a specific source or sources purchased by the Division for distribution to ratepayers under Sections 523.048 and

523.049 C.O. For the period ending December 31, 2011, the incremental charge calculated herein shall be adjusted by subtracting 3.0 mils per kilowatt hour. Beginning on January 1, 2012, such incremental charge shall be adjusted by subtracting 15 mils per kilowatt hour.

(d) At the end of each month, the Division of Cleveland Public Power shall determine the excess fuel and power charge during such month as herein provided.

Be it further resolved that all other provisions of Resolution No. 140-95, adopted February 27, 1995, as amended by Resolution No. 152-95, adopted March 1, 1995, Resolution No. 79-00, adopted February 16, 2000, Resolution No. 669-05, adopted November 30, 2005, and Resolution No. 308-08, adopted July 2, 2008 not expressly amended by this resolution shall remain unchanged and in full force and effect.

Yeas: Directors Triozzi, Withers, Smith, Wasik, Flask, Cox, Rush, Marion, Nichols, Acting Director Odom, Interim Director Mahoney and Director Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Dumas and Carroll.

**Resolution No. 547-10.**

By Director Smith.

Be it resolved by the Board of Control of the City of Cleveland that, under the authority of Ordinance No. 1404-07, passed by the Council of the City of Cleveland on November 12, 2007, Society for Human Resource Management ("Consultant"), is selected upon the nomination of the Director of Port Control from a list of qualified persons or firms determined after a full and complete canvass by the Director of Port Control as the firm of consultants available to be employed by contract to supplement the regularly employed staff of the several departments of the City to provide professional services necessary to provide resource materials and instructor-led and on-line human resources management training courses and certifications for the Department of Port Control, for a period of two years, with two one-year options to renew.

Be it further resolved that the Director of Port Control is authorized to enter into a written contract with Society for Human Resource Management for the above-mentioned services, based upon its proposal dated July 9, 2010, which contract shall be prepared by the Director of Law, shall provide that the compensation to Society for Human Resource Management for the services authorized shall not exceed \$25,500.00 and shall contain such other provisions as the Director of Law deems necessary to protect and benefit the public interest.

Yeas: Directors Triozzi, Withers, Smith, Wasik, Flask, Cox, Rush, Marion, Nichols, Acting Director Odom, Interim Director Mahoney and Director Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Dumas and Carroll.

**Resolution No. 548-10.**

By Director Smith.

Be it resolved by the Board of Control of the City of Cleveland that, under the authority of Ordinance No. 1404-07, passed by the Council of the City of Cleveland on November 12, 2007, Oshkosh Corporation ("Consultant"), is selected

upon the nomination of the Director of Port Control from a list of qualified persons or firms determined after a full and complete canvass by the Director of Port Control as the firm of consultants available to be employed by contract to supplement the regularly employed staff of the several departments of the City to provide professional services necessary to provide on-call H-Series operator and maintenance training in engine, transmission and transfer case mechanics, electrical, air, hydraulic system, axles and wheel end diagnostics and repair, troubleshooting and schematic reading for the Department of Port Control, for a period of two years, with two one-year options to renew.

Be it further resolved that the Director of Port Control is authorized to enter into a written contract with Oshkosh Corporation for the above-mentioned services, based upon its proposal dated January 18, 2010, which contract shall be prepared by the Director of Law, shall provide that the compensation to Oshkosh Corporation for the services authorized shall not exceed \$33,252.00 and shall contain such other provisions as the Director of Law deems necessary to protect and benefit the public interest.

Yeas: Directors Triozzi, Withers, Smith, Wasik, Flask, Cox, Rush, Marion, Nichols, Acting Director Odom, Interim Director Mahoney and Director Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Dumas and Carroll.

**Resolution No. 549-10.**

By Director Smith.

Be it resolved by the Board of Control of the City of Cleveland that, under the authority of Ordinance No. 1404-07, passed by the Council of the City of Cleveland on November 12, 2007, Evaluation Personnel Selection International, Inc. ("Consultant"), is selected upon the nomination of the Director of Port Control from a list of qualified persons or firms determined after a full and complete canvass by the Director of Port Control as the firm of consultants available to be employed by contract to supplement the regularly employed staff of the several departments of the City to provide professional services necessary to provide custom and off the shelf workforce and leadership skills assessments and services for the Department of Port Control, for a period of two years, with two one-year options to renew.

Be it further resolved that the Director of Port Control is authorized to enter into a written contract with Evaluation Personnel Selection International, Inc. for the above-mentioned services, based upon its proposal dated January 22, 2010, which contract shall be prepared by the Director of Law, shall provide that the compensation to Evaluation Personnel Selection International, Inc. for the services authorized shall not exceed \$15,000.00 and shall contain such other provisions as the Director of Law deems necessary to protect and benefit the public interest.

Yeas: Directors Triozzi, Withers, Smith, Wasik, Flask, Cox, Rush, Marion, Nichols, Acting Director Odom, Interim Director Mahoney and Director Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Dumas and Carroll.

**Resolution No. 550-10.**

By Director Smith.

Be it resolved by the Board of Control of the City of Cleveland that, under the authority of Ordinance No. 1404-07, passed by the Council of the City of Cleveland on November 12, 2007, PureWorks, Inc. ("Consultant"), is selected upon the nomination of the Director of Port Control from a list of qualified persons or firms determined after a full and complete canvass by the Director of Port Control as the firm of consultants available to be employed by contract to supplement the regularly employed staff of the several departments of the City to provide professional services necessary to provide thirty web-based safety courses for up to two hundred fifty users a year for the Department of Port Control, for a period of two years, with two one-year options to renew.

Be it further resolved that the Director of Port Control is authorized to enter into a written contract with PureWorks, Inc. for the above-mentioned services, based upon its proposal dated September 14, 2010, which contract shall be prepared by the Director of Law, shall provide that the compensation to PureWorks, Inc. for the services authorized shall not exceed \$49,000.00 and shall contain such other provisions as the Director of Law deems necessary to protect and benefit the public interest.

Yeas: Directors Triozzi, Withers, Smith, Wasik, Flask, Cox, Rush, Marion, Nichols, Acting Director Odom, Interim Director Mahoney and Director Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Dumas and Carroll.

**Resolution No. 551-10.**

By Director Smith.

Be it resolved by the Board of Control of the City of Cleveland that, under the authority of Ordinance No. 1404-07, passed by the Council of the City of Cleveland on November 12, 2007, The Institute for Organizational Excellence, Inc. ("Consultant"), is selected upon the nomination of the Director of Port Control from a list of qualified persons or firms determined after a full and complete canvass by the Director of Port Control as the firm of consultants available to be employed by contract to supplement the regularly employed staff of the several departments of the City to provide professional services necessary to provide on-call blended instructor-led and on-line training and certification in Lean Office, 5-S, Workplace Design, OSHA, EPA, RCRA and business enhancement and process improvement for the Department of Port Control, for a period of two years, with two one-year options to renew.

Be it further resolved that the Director of Port Control is authorized to enter into a written contract with The Institute for Organizational Excellence, Inc. for the above-mentioned services, based upon its proposal dated June 30, 2010, which contract shall be prepared by the Director of Law, shall provide that the compensation to The Institute for Organizational Excellence, Inc. for the services authorized shall not exceed \$35,770.00 and shall contain such other provisions as the Director of Law deems necessary to protect and benefit the public interest.

Yeas: Directors Triozzi, Withers, Smith, Wasik, Flask, Cox, Rush, Marion, Nichols, Acting Director Odom, Interim Director Mahoney and Director Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Dumas and Carroll.

**Resolution No. 552-10.**

By Director Smith.

Be it resolved by the Board of Control of the City of Cleveland that, under the authority of Ordinance No. 1404-07, passed by the Council of the City of Cleveland on November 12, 2007, The Center for Families and Children ("Consultant"), is selected upon the nomination of the Director of Port Control from a list of qualified persons or firms determined after a full and complete canvass by the Director of Port Control as the firm of consultants available to be employed by contract to supplement the regularly employed staff of the several departments of the City to provide professional services necessary to provide on-call workplace, work/life balance, general skills training, leadership development services and a supplemental wellness program for the Department of Port Control, for a period of two years, with two one-year options to renew.

Be it further resolved that the Director of Port Control is authorized to enter into a written contract with The Center for Families and Children for the above-mentioned services, based upon its proposal dated December 18, 2009, which contract shall be prepared by the Director of Law, shall provide that the compensation to The Center for Families and Children for the services authorized shall not exceed \$45,000.00 and shall contain such other provisions as the Director of Law deems necessary to protect and benefit the public interest.

Be it further resolved by the Board of Control that the employment of the following subconsultants by The Center for Families and Children is approved:

<u>Subconsultant</u>	<u>Percentage</u>	<u>Amount</u>
O.E. Strategies, Inc.	10.0% CSB/FBE	\$4,500.00
Polaris Career Center	41.3% Non CSB/MBE/FBE	\$18,600.00
Vedas Fitness	32.2% Non CSB/MBE/FBE	\$14,500.00
Pinnacle Leadership Solutions, LLC	4.4% Non CSB/MBE/FBE	\$2,000.00
Sondra McCurry & Associates, Inc.	4.4% Non CSB/MBE/FBE	\$2,000.00
Center for Inner Quality	3.7% Non CSB/MBE/FBE	\$1,700.00
LifeBalance Enterprises, Inc.	3.7% Non CSB/MBE/FBE	\$1,700.00

Yeas: Directors Triozzi, Withers, Smith, Wasik, Flask, Cox, Rush, Marion, Nichols, Acting Director Odom, Interim Director Mahoney and Director Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Dumas and Carroll.

**Resolution No. 553-10.**

By Director Cox.

Be it resolved by the Board of Control of the City of Cleveland that under authority of Ordinance No. 1035-10, passed by the Council of the City of Cleveland October 4, 2010, Westlake Reed Leskosky, Ltd. is selected from a list of qualified consultants available for employment after a canvass by the Director of Parks, Recreation & Properties as the firm to be employed by contract to supplement the regularly employed staff of several departments of the City to provide the professional services necessary to perform initial Development Representation Services and Architectural and Engineering Services for the renovation of Cleveland Public Auditorium for the Division of Research, Planning & Development, Department of Parks, Recreation & Properties.

Be it further resolved that the Director of Parks, Recreation & Properties ("Director") is authorized to enter into a contract with Westlake Reed Leskosky, Ltd. based upon its technical and fee proposals dated November 24, 2010 for blended hourly rates, which contract shall be prepared by the Director of Law, shall provide for the furnishing of such portion of the Development Representation and Architectural and Engineering Services as can be performed for not more than \$350,000, shall provide the Director the option to obtain additional Architectural and Engineering Services upon the certification of the necessary funds by the Director of Finance, and shall contain such other terms and conditions as the Director of Law deems necessary to protect and benefit the public interest.

Be it further resolved that the employment of the following subconsultants by Westlake Reed Leskosky, Ltd. is approved:

Sub-consultants

- Ziska Architecture
- Polytech, Inc
- PCS
- Knight & Stolar
- Cini-Little
- Resource International
- Lerch Bates
- Regency Construction

Yeas: Directors Triozzi, Withers, Smith, Wasik, Flask, Cox, Rush, Marion, Nichols, Acting Director Odom, Interim Director Mahoney and Director Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Dumas and Carroll.

**Resolution No. 554-10.**

By Director Rush.

Whereas, Resolution No. 190-10, adopted by this Board on May 10, 2010, pursuant to the authority of Ordinance No. 531-08, passed by the Council of the City of Cleveland April 23, 2007, and amended by Ordinance No 1946-07, passed November 26, 2007, and Ordinance No. 869-08, passed July 2, 2008, authorized the Director of Community Development to enter into an agreement with R.W. Clark Company, Inc., for the North Point Inn elevator modernization; and

Whereas, said Resolution No. 190-10 added a subcontractor in error; now, therefore

Be it resolved by the Board of Control of the City of Cleveland,

that Board of Control Resolution No. 190-10, adopted May 12, 2010, is hereby amended by removing the entire line for "C & K Services" in the Eighth Paragraph, Line 3.

Be it further resolved, that all other provisions of said Resolution No. 190-10 not expressly amended hereby shall remain unchanged and in full force and effect.

Yeas: Directors Triozzi, Withers, Smith, Wasik, Flask, Cox, Rush, Marion, Nichols, Acting Director Odom, Interim Director Mahoney and Director Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Dumas and Carroll.

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, JANUARY 10, 2011**

**9:30 A.M.**

**Calendar No. 10-221:** 2021 Cornell Road (Ward 9)

University Circle East LLC and Snavely Building Company appeal to construct an 8-story hotel on four(4) consolidated parcels in a K5 General Retail Business District; subject to Section 349.07(a) required off-street parking spaces equal one (1) for each dwelling unit, one (1) for each four (4) guest rooms and one (1) for each three(3) employees; contrary to Section 357.07(a) no front yard setback is provided where 5 feet is required according to the Building Zone Map; and pursuant to Section 357.08(b)(2), a rear yard of approximately 50 feet or one-half the main building height is

required; and Section 357.09(b)(2)C requires a side yard of 25 feet or one fourth the main building height in accordance with the Cleveland Codified Ordinances.

**Calendar No. 10-225:** 11340 Mayfield Road (Ward 9)

University Circle East LLC appeals to reduce the parking area for an existing retail/residential use below the required zoning code requirements for construction of a new hotel in a General Business District; contrary to Section 349.02, where existing parking facilities, in all use districts, shall not voluntarily be reduced below the requirements in Chapter 349 of the Cleveland Zoning Code; and 88 current parking spaces are reduced to 49 accessory off-street parking spaces.

**Calendar No. 10-228:** 4395 Rocky River Drive (Ward 19)

The Diocese of Cleveland and Blessed Trinity Parish in care of Father Doug Koesel, appeal to change use of an existing two-story community center to a retail "thrift" store, located on a 110' x 374' irregular shaped parcel in an A1 One-Family District; contrary to Section 337.02, the establishment of a retail "thrift" store is not permitted as either a primary or as an accessory use in a single family district.

**Calendar No. 10-259:** 4300 Bradley Road (Ward 12)

W.B. and M. Bauman and Bradley Road, Incorporated appeal under Sections 329.01(e) and 329.02(d) of the Cleveland Codified Ordinances from the decision of the Zoning Administrator dated June 18, 2010 to deny the application for grading, filling and excavation, including mining, removal, transfer and sale of soils and minerals on acreage located in a General Industry District and consisting of parcel numbers 009-34-011, 009-36-002, 009-36,005, 009-36-006, 009-36-007, 009-34-002 and 009-34-004; that as determined by the Zoning Administrator of the Cleveland Building and Housing Department, the proposed grading/excavation use of the property is not a use permitted as of right under Section 345.04(a)(2) of the Cleveland Codified ordinances.

**Calendar No. 10-260:** 4300 Bradley Road (Ward 12)

W.B. and M.E. Bauman and Bradley Road, Incorporated appeal under Sections 329.03 and 329.04 for a use variance to allow grading, filling and excavation, including mining, removal, transfer and sale of

soils and minerals on acreage located in a General Industry District and consisting of parcel numbers 009-36-001, 009-36-002, 009-36-005, 009-36-006, 009-36-007, 009-34-002, and 009-34-004, contrary to the regulations in Sections 345.04(a) and (b) of the Cleveland Codified Ordinances.

**POSTPONED FROM  
DECEMBER 20, 2010  
9:30**

**Calendar No. 10-194:** 4300 Bradley Road (Ward 12)

W.B. and M.E. Bauman and Bradley Road, Incorporated appeal for grading, filling and excavation, including mining, removal, transfer and sale of soils and minerals on acreage located in a General Industry District and consisting of parcel numbers 009-36-001, 009-36-002, 009-36-005, 009-36-006, 009-36-007, 009-34-002, and 009-34-004; where the proposed use is subject to the limitations in Section 345.04(b)(21) and shall not have the effect or impact of being more injurious, hazardous, noxious or offensive than the enterprises listed in division (b) of Section 345.04(b), including: asphalt or tar manufacturing or refining; blast furnaces, ore smelting or reduction, refining or smelting; carbon, coke or lampblack manufacture; coal gas manufacture; cremation; creosote manufacture or treatment; dextrine, glucose or starch manufacture; disinfectant or insecticide manufacture which emits offensive odors; dye stuffs manufacture; manufacture of steel by the Bessemer process; match manufacture; oil cloth or linoleum manufacture; paper and pulp manufacturing; reduction or refining of petroleum or other flammable liquids; rock crushing; rubber manufacture by reclaiming processes; stock feed manufacture from refuse; tanning, curing or storing of rawhides or skins; wool pulling or scouring; and hair processing. Pursuant to Sections 352.08-12, a 10 foot wide landscaped strip providing at least 75 percent year-round opacity is required where the General Industry zoned parcels abut residentially zoned districts on the northerly and easterly proposed parcel project lines; and vehicle maneuvering areas shall be surfaced with concrete, asphaltic concrete, asphalt or other paving material that is approved by the Chief Building Official for the City of Cleveland in accordance with Codified Ordinance Section 349.07. (Filed 10-6-10; testimony taken.)

Second postponement granted for time to prepare information for the additional appeals filed by the appellants.

Secretary

**REPORT OF THE BOARD  
OF ZONING APPEALS**

**MONDAY, DECEMBER 27, 2010**

NO MEETING

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

NO MEETING

**PUBLIC NOTICE**

NONE

**NOTICE OF PUBLIC HEARING**

NONE

**CITY OF CLEVELAND BIDS**

NO BIDS

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