

The City Record

Official Publication of the Council of the City of Cleveland



February the Twenty-Second, Two Thousand and Twelve

Frank G. Jackson
Mayor

Martin J. Sweeney
President of Council

Patricia J. Britt
City Clerk, Clerk of Council

Ward Name

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

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

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DIRECTORY OF CITY OFFICIALS

CITY COUNCIL – LEGISLATIVE

President of Council – Martin J. Sweeney

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

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

MAYOR – Frank G. Jackson

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

OFFICE OF CAPITAL PROJECTS – Jonmarie Wasik, Director

DIVISIONS:

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

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

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

Frank Badalamenti, Manager, Internal Audit

DIVISIONS:

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

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

DIVISIONS:

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

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

DIVISIONS:

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

DEPT. OF PUBLIC WORKS – Michael Cox, Director

OFFICES:

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

DIVISIONS:

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

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

Erieview Plaza

DIVISIONS:

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

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

DIVISIONS:

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

DEPT. OF COMMUNITY DEVELOPMENT – Daryl Rush, Director

DIVISIONS:

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

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

DIVISIONS:

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

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

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

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

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

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

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

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

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

BOARD OF ZONING APPEALS – Room 516, Carol A. Johnson, Chairman; Members: Mary Haas McGraw, Ozell Dobbins, Joan Shaver Washington, Tim Donovan, Jan Huber, Secretary.

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

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

BOARD OF SIDEWALK APPEALS – Service Director Jonmarie Wasik, Interim Law Director Barbara A. Langhenry; Council Member Eugene R. Miller.

BOARD OF REVIEW – (Municipal Income Tax) – Interim Law Director Barbara A. Langhenry; Utilities Director Barry A. Withers; Council President Martin J. Sweeney.

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

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

HOUSING ADVISORY BOARD – Room 310 – Keith Brown, Terri Hamilton Brown, Vickie Eaton-Johnson, Mike Foley, Eric Hodderson, Janet Loehr, Mark McDermott, Marcia Nolan, David Perkowski, Joan Shaver Washington, Keith Sutton.

CLEVELAND BOXING AND WRESTLING COMMISSION – Robert Jones, Chairman; Clint Martin, Mark Rivera.

MORAL CLAIMS COMMISSION – Interim Law Director Barbara A. Langhenry; Chairman; Finance Director Sharon Dumas; Council President Martin J. Sweeney; Councilman Kevin Kelley.

POLICE REVIEW BOARD – Thomas Jones, Board Chair Person; Vernon Collier, Vermel Whalen, Nancy Cronin, Elvin Vauss.

CLEVELAND LANDMARKS COMMISSION – Room 519 – Jennifer Coleman, Chair; Laura M. Bala, Council Member Anthony Brancatelli, Robert N. Brown, Thomas Coffey, Allan Dreyer, William Mason, Michael Rastatter, Jr., John Torres, N. Kurt Wiebusch, Robert Keiser, Secretary.

AUDIT COMMITTEE – Yvette M. Itu, Chairman; Debra Janik, Bracy Lewis, Diane Downing, Donna Sciarappa, Council President Martin J. Sweeney; Interim Law Director Barbara A. Langhenry.

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

Judge Courtroom

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

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

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Vol. 99

WEDNESDAY, FEBRUARY 22, 2012

No. 5124

CITY COUNCIL

MONDAY, FEBRUARY 20, 2012

The City Record
Published weekly by the City Clerk,
Clerk of Council under authority
of the Charter of the
City of Cleveland
The City Record is available
online at
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 2010-2013

MONDAY — Alternating

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

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

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

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

MONDAY

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

TUESDAY

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

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

WEDNESDAY — Alternating

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

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

WEDNESDAY — Alternating

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

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

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

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

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

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

OFFICIAL PROCEEDINGS CITY COUNCIL

NO MEETING

THE CALENDAR

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

NONE

BOARD OF CONTROL

February 15, 2012

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, February 15, 2012 at 10:40 a.m. with Interim Director Langhenry presiding.

Present: Interim Director Langhenry, Directors Dumas, Withers, Acting Director Dangerfield, Directors Cox, Butler, Flask, Rush, Southerington, Nichols, Fumich and Rybka.

Absent: Mayor Jackson.
Others: JoMarie Wasik, Director, Mayor's Office of Capital Projects.
Diana Anthony, Office of Equal Opportunity.

Jim Hardy, Commissioner, Division of Purchases & Supplies.

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

Resolution No. 63-12.

By Director Smith.

Resolved by the Board of Control of the City of Cleveland that all bids received for the upper level roadway expansion joints rehabilitation, all items, for the Department of Port Control received on December 9, 2011, under the authority of Ordinance No. 274-05 passed May 2, 2005 be and the same are rejected.

Yeas: Interim Director Langhenry, Directors Dumas, Withers, Acting Director Dangerfield, Directors Cox, Butler, Flask, Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 64-12.

By Director Cox.

Be it resolved by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 453-11, passed by the Cleveland City Council on May 16, 2011, Richard L. Bowen & Associates, Inc. is selected from a list of qualified engineers available for employment after a canvass by the Director of Public Works as the firm to be employed by contract to supplement the regularly employed staff of several departments of the City to perform various professional consulting services for the design and construction of a new Fire Station No. 36 for the Division of Architecture and Site Development and the Department of Public Works.

Be it further resolved that the Director of Public Works is authorized to enter into a contract with Richard L. Bowen & Associates, Inc. based upon its proposal dated December 1, 2011, as clarified by its January 23, 2012 letter, in an amount not to exceed \$280,000.00, which contract shall be prepared by the Director of Law, shall provide for furnishing of professional services as stated in the proposal 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 sub-consultants by Richard L. Bowen & Associates, Inc. is approved:

SUB-CONSULTANTS	AMOUNT PERCENTAGE
Professional Service Industries, Inc. (other)	\$20,000.00 7.143%
Pardo Consultants, Inc. (CSB/MBE)	\$16,000.00 5.714%

Coleman Systems (CSB/MBE)	\$12,000.00 4.286%
Somat Engineering of Ohio, Inc. (CSB/MBE)	\$10,523.00 3.758%
EdArch Associates, Inc. (CSB/MBE)	\$ 5,600.00 2.000%
L. V. Surveying (CSB/FBE)	\$ 3,950.00 1.411%

Yeas: Interim Director Langhenry, Directors Dumas, Withers, Acting Director Dangerfield, Directors Cox, Butler, Flask, Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 65-12.

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 139-07-009 located at 3865 East 144th Street in Ward 2; and

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

Whereas, Brenda Abercrombie has proposed to the City to purchase and develop the parcel for Yard Expansion; and

Whereas, the following conditions exist:

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

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested to execute an Official Deed for and on behalf of the City of Cleveland, with Brenda Abercrombie for the sale and development of Permanent Parcel No. 139-07-009 located at 3865 East 144th Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Interim Director Langhenry, Directors Dumas, Withers, Acting Director Dangerfield, Directors Cox, Butler, Flask, Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 66-12.

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 136-17-003 located at 10612 Harvard Avenue in Ward 2; and

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

Whereas, Life Change Institute has proposed to the City to purchase and develop the parcel for Yard Expansion; and

Whereas, the following conditions exist:

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

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested to execute an Official Deed for and on behalf of the City of Cleveland, with Life Change Institute for the sale and development of Permanent Parcel No. 136-17-003 located at 10612 Harvard Avenue, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

Be it further resolved that the consideration for said parcel shall be \$470.00 which amount is determined to be not less than the Fair Market value of said parcel for uses according to the Program.

Yeas: Interim Director Langhenry, Directors Dumas, Withers, Acting Director Dangerfield, Directors Cox, Butler, Flask, Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 67-12.

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 136-19-023 located at 4154 East 116th Street in Ward 2; and

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

Whereas, Ulysses and Qubie D. Rowe have proposed to the City to

purchase and develop the parcel for Yard Expansion; and

Whereas, the following conditions exist:

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

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested to execute an Official Deed for and on behalf of the City of Cleveland, with Ulysses and Qubie D. Rowe for the sale and development of Permanent Parcel No. 136-19-023 located at 4154 East 116th Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

Be it further resolved that the consideration for said parcel shall be \$460.00 which amount is determined to be not less than the Fair Market value of said parcel for uses according to the Program.

Yeas: Interim Director Langhenry, Directors Dumas, Withers, Acting Director Dangerfield, Directors Cox, Butler, Flask, Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 68-12.

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 109-21-033 located at 11103 Primrose Avenue in Ward 9; and

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

Whereas, Northeastern Neighborhood Home Limited Partnership I has proposed to the City to purchase and develop the parcel for Yard Expansion; and

Whereas, the following conditions exist:

1. The member of Council from Ward 9 has consented to the proposed sale;

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested to execute an Official Deed for and on behalf of the City to

Cleveland, with Northeastern Neighborhood Home Limited Partnership I for the sale and development of Permanent Parcel No. 109-21-033 located at 11103 Primrose Avenue, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Interim Director Langhenry, Directors Dumas, Withers, Acting Director Dangerfield, Directors Cox, Butler, Flask, Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 69-12.

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 108-29-035 located at East 109th Street in Ward 9; and

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

Whereas, Phyllis E. Middlebrook, abutting/adjacent landowner, has proposed to the City to purchase and develop the parcel for yard expansion; and

Whereas, the following conditions exist:

1. The member of Council from Ward 9 has consented to the proposed sale;

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

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested to execute an Official Deed for and on behalf of the City of Cleveland, with Phyllis E. Middlebrook for the sale and development of Permanent Parcel No. 108-29-035 located at East 109th Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Interim Director Langhenry, Directors Dumas, Withers, Acting Director Dangerfield, Directors Cox,

Butler, Flask, Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 70-12.

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 128-21-062 located at Hilgert Drive in Ward 4; and

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

Whereas, Carolyn D. Fenderson & Donovan Fenderson, abutting/adjacent landowners, have proposed to the City to purchase and develop the parcel for yard expansion; and

Whereas, the following conditions exist:

1. The member of Council from Ward 4 has consented to the proposed sale;

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

3. The proposed purchasers of the parcel are neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested to execute an Official Deed for and on behalf of the City of Cleveland, with Carolyn D. Fenderson & Donovan Fenderson for the sale and development of Permanent Parcel No. 128-21-062 located at Hilgert Drive, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Interim Director Langhenry, Directors Dumas, Withers, Acting Director Dangerfield, Directors Cox, Butler, Flask, Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 71-12.

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 121-16-036 located at 2238 East 100th Street in Ward 6; and

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

Whereas, Robert L. Render III has proposed to the City to purchase and develop the parcel for Yard Expansion; and

Whereas, the following conditions exist:

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

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested to execute an Official Deed for and on behalf of the City of Cleveland, with Robert L. Render III for the sale and development of Permanent Parcel No. 121-16-036 located at 2238 East 100th Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Interim Director Langhenry, Director Withers, Acting Director Dangerfield, Directors Cox, Butler, Flask, Rush, Southerington, Nichols, Fumich and Rybka.

Nays: Dumas.

Absent: Mayor Jackson.

Resolution No. 72-12.

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 139-03-041 located at 3758 East 142nd Street in Ward 2; and

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

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

Whereas, the following conditions exist:

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

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

Be it resolved by the Board of

Control of the City of Cleveland that under Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested to execute an Official Deed for and on behalf of the City of Cleveland, with Andre Douglas for the sale and development of Permanent Parcel No. 139-03-041 located at 3758 East 142nd Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Interim Director Langhenry, Directors Dumas, Withers, Acting Director Dangerfield, Directors Cox, Butler, Flask, Rush, Southerington, Nichols, Fumich and 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.

ROBERT BENNETT,
President

SCHEDULE OF THE BOARD OF ZONING APPEALS

MONDAY, MARCH 5, 2012

9:30 A.M.

Calendar No. 12-23: 4415-17 Detroit Avenue (Ward)

Allyn W. Soper, owner, appeals to change the use of a building located in a Semi-Industry D2 District

from a store on the first floor and one dwelling unit on the second floor to a store on the first floor and two dwelling units on the second floor; contrary to the provisions of Zoning Code Section 357.09(b)(2)C, which requires a minimum interior side yard of 8 feet and only 4 feet is provided; and subject to Section 359.01 requiring Board of Zoning Appeals approval for expansion of a nonconforming use.

Calendar No. 12-24: 3662 East 65th Street (Ward 12)

Sarah Smith, owner, appeals to change the use of a building located on an 80' x 140' parcel in a Local Retail Business District from a bank to a restaurant; contrary to the regulations of Zoning Code Section 349.04(f), which requires one off-street space for each four seats and one space for each employee, equaling 35 off-street parking spaces, whereas 17 parking spaces are provided.

Calendar No. 12-25: 5011 Woodland Avenue (Ward 5)

FDBTS LLC, owner, through its representative, ADA Architects, Inc. (Tim Stasiak and April Skurka, architect) appeals to construct a 70' x 130' commercial building on a 160' x 275' parcel in a General Retail Business District; contrary to Zoning Code Section 343.18(c), which requires that a driveway be set back at least 15 feet from a property line, and two driveways are shown each with a setback of 6 feet or less; and contrary to Section 343.18(d), which limits driveway width to 30 feet, and a 35-foot width is shown; and contrary to Section 349.04(f), which requires one off-street parking space for each 150 square feet of gross floor area for a discount department store, equaling 61 off-street parking space, whereas 39 spaces are provided; and contrary to Sections 352.08-11, which requires a 6' wide landscaped "frontage strip" along a public street, whereas a 6' wide strip is shown but with no landscape plan.

Secretary

REPORT OF THE BOARD OF ZONING APPEALS

TUESDAY, FEBRUARY 21, 2012

At the meeting of the Board of Zoning Appeals on Tuesday, February 21, 2012, the following appeals were heard by the Board.

The following appeals were **APPROVED**:

Calendar No. 12-16: 19603 Nottingham Road

Angela Cavotta, owner, appeals to install 175 feet of 8-foot high chain link fencing in the rear portion of a property that is 75 feet wide and nearly 500 feet deep in a Semi-Industry District.

Calendar No. 12-18: 4512 Pearl Road

Louis and Nicole Simbeck, owners, appeal to change the use of a 3,100-sf commercial building on a 45' x ap-

proximately 192' irregularly shaped lot on the southwest corner of Pearl Road and Wichita Avenue in a Local Retail District to a retail clothing store.

Calendar No. 12-19: 2482 West 5th Street

James and Stacie Kavanagh, owners, appeal to change the recorded use of a property at 2482 West 5th Street in a Two-Family District from a single-family house to a two-family house.

Calendar No. 12-1: 13501 Terminal Avenue

The Cleveland Board of Education, owner, appeals for an addition to an existing public school building located on a 691.48' x 250' site between Terminal and Harold Avenues in an A1 One-Family District.

The following appeal was **DENIED**:

None.

The following appeal was **DISMISSED**:

Calendar No. 12-17: 3858 West 135th Street

Erasmio Moye, owner, appeals to erect a 16' x 24' two-story room addition to the rear of a house located on a 35' x 117' 4,200-sf lot in a One-Family A1 District at the southwest corner of West 135th Street and Southwood Avenue.

The following appeal was **WITHDRAWN**:

Calendar No. 12-2: 11801 Worthington Avenue

The Cleveland Board of Education, owner, appeals for an addition to an existing public school building located on an acreage parcel between Worthington and Brooklawn Avenues in an A1 One-Family District.

The following appeal was **POSTPONED**:

None.

The following appeals heard by the Board on February 13, 2012 were adopted and approved on February 21, 2012.

The following appeals were **APPROVED**:

Calendar No. 12-11: 19991 Villaview Road

Rick Case, owner and tenant, and Allied Lighting, contractor, appeal to replace an existing double-faced 40" - 3" x 5' - 7", 229-square foot illuminated LED sign panel with a 40" - 3" x 5' - 7" 229-square foot double-faced illuminated LED message center sign panel, supplementing two sign panels that will remain on a pole, located on the north side of I-90 in a Residence-Industry B1 District.

Calendar No. 12-14: 3147 West 84th Street

Luis Malave, tenant, and Richard Jessionowski, owner, appeal to install a 53" wheelchair lift on a 5' x

10' concrete pad in front of the porch of a single-family house on a 35' x 130' lot in a One-Family A1 District.

Calendar No. 11-189: 1032 Hartley Road

MCM / Superior-Glen, LLC, owner, and Ted Lichko appeal to establish an open used car sales lot on an irregular shaped corner lot in a B3 Local Retail Business District where the use is not permitted and under Section 343.11(b)(2)(I)(4), first allowed in a General Retail Business District, provided that all vehicles, advertising matter and structures, movable or fixed, are kept back of a structurally-sound barrier at least one and one-half feet high.

Secretary

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

Re: Report of the Meeting of
February 15, 2012

As required by the provisions of Section 3103.20(2) of the Codified Ordinances of the City of Cleveland, Ohio 1976, the following brief of action of the subject meeting is given for publication in the City Record:

* * *

Docket A-216-11.

RE: Appeal of Mitchell Realty Investment, LLC, Owner of the Two Dwelling Units Two-Family Residence Two & One-half Story Frame Property located on the premises known as 10614 Grandview Avenue from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE, dated May 26, 2011 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

Docket A-216-11 has been WITHDRAWN at the request of the Appellant.

* * *

Docket A-217-11.

RE: Appeal of William Cargil & Toni Cargil, Owners of the One Dwelling Unit Single-Family Residence Two Story Frame Property located on the premises known as 13810 Caine Avenue from a CONDEMNATION ORDER — MAIN STRUCTURE, dated June 7, 2011 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

Docket A-217-11 has been WITHDRAWN at the request of the Appellant.

* * *

Docket A-218-11.

RE: Appeal of Ryan Eugene Orasoske, Owner of the One Dwelling Unit Single-Family Residence Two

Story Frame Property located on the premises known as 2629 West 27th Street from a CONDEMNATION ORDER — MAIN STRUCTURE & SHED, dated March 18, 2011 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

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

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

* * *

Docket A-221-11.

RE: Appeal of Lloyd Brooks, Owner of the M Mercantile — Retail Shops, Carry-out Food Shops One Story Masonry Property, located on the premises known as 8105 Kinsman Road (aka 3021-89 East 81st Street) from a 30 DAY CONDEMNATION ORDER, dated June 21, 2007 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to DENY the Appellant's request for additional time and to REMAND the property at 8105 Kinsman Road (aka 3021-89 East 81st Street) to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Bradley.

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

* * *

Docket A-222-11.

RE: Appeal of Lloyd Brooks, Owner of the M Mercantile — Retail Shops, Carry-out Food Shops Two Story Masonry Property, located on the premises known as 8111 Kinsman Road from a 30 DAY CONDEMNATION ORDER, dated June 22, 2007 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to DENY the Appellant's request for additional time and to REMAND the property at 8111 Kinsman Road to the Department of Building and Housing for supervision and any required further action, noting that the property is owned and controlled by the City. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Maschke.

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

* * *

Docket A-223-11.

RE: Appeal of Alexandru & Ecaterina Badea, Owners of the One Dwelling Unit Single-Family Residence One & One-half Story Frame Property located on the premises known as 3712 East 59th Street from a NOTICE OF VIOLATION — NO PERMIT, dated June 28, 2011 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to find that the Notice of Violation—No Permit was properly issued and that a permit is required for the property. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Gallagher.

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

* * *

Docket A-224-11.

RE: Appeal of CB Florida RRE Holdings LLC, Owner of the Two Dwelling Units Two-Family Residence Two & One-half Story Frame Property located on the premises known as 719 East 160th Street (aka 719-21 East 160th Street) from a CONDEMNATION ORDER — MAIN STRUCTURE & GARAGE, dated May 18, 2011 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to find that the Condemnation Order was properly issued based upon photographic evidence and the absence of working utilities, the appeal is DENIED and the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action, noting that no work has been done on the property and the Appellant was not present for the hearing. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Bradley.

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

* * *

Docket A-225-11.

RE: Appeal of Linda F. Robinson, Owner of the One Dwelling Unit Single-Family Residence One Story Garage — Detached; Wood Frame Property located on the premises known as 16713 Priebe Avenue from a NOTICE OF VIOLATION — FIRE DAMAGE, dated June 7, 2011 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

Docket A-225-11 has been WITHDRAWN at the request of the Appellant.

Docket A-227-11.

RE: Appeal of Douglas Neal, Owner of the R-2 Residential — Non-transient; Apartments (Shared Egress) Two Story Frame Property located on the premises known as 1778 West 31st Place from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE, dated August 16, 2011 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant until July 1, 2012 in which to complete abatement of the violations, the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Gallagher.

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

* * *

Docket A-228-11.

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

Docket A-228-11 have been POSTPONED; to be rescheduled for February 29, 2012.

* * *

Docket A-229-11.

RE: Appeal of T.J. Innovative Solution, Owner of the Two Dwelling Units Two-Family Residence Two & One/half Story Frame Property located on the premises known as 3582 East 140th Street from a NOTICE OF VIOLATION — INTERIOR / EXTERIOR MAINTENANCE, dated April 14, 2011 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

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

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

* * *

Docket A-230-11.

RE: Appeal of Hector Lopez, Owner of the Two Dwelling Units Two-Family Residence One Story

Frame Property located on the premises known as 10301 Ignatius Avenue from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE, dated April 4, 2010 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant until June 1, 2012 in which to abate the violations; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Gallagher.

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

* * *

Docket A-245-11.

RE: Appeal of Michael McCarthy & Barbara Andersen, Owners of the One Dwelling Unit Single-Family Residence One & One/half Story Frame Property located on the premises known as 3802 Bosworth Road from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE, dated July 8, 2011, and from a NOTICE OF VIOLATION — HAZARDOUS CONDITIONS, dated January 12, 2012 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to DENY the appeal and to REMAND the property to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Maschke.

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

* * *

Docket A-315-11.

RE: Appeal of Yvette Attaway, Owner of the Two Dwelling Units Two-Family Residence Two & One/half Story Frame Property located on the premises known as 10610 Grandview Avenue from a NOTICE OF VIOLATION — INTERIOR/EXTERIOR MAINTENANCE, dated May 28, 2011 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

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

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

Docket A-336-11.

RE: Appeal of Macron Investment Co., Owner of the MXD Mixed Uses — Multiple Uses In One Building Four Story Masonry Walls/Wood Floors Property located on the premises known as 2121 Ontario Street from a CONDEMNATION ORDER — MAIN STRUCTURE, dated April 20, 2010 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, that having reviewed the testimony, visiting the site, reviewing photographs, noting that dangerous conditions do exist, and that no work has been done, the four (4) month extension of time is REVOKED; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Maschke.

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

* * *

Docket A-380-11.

RE: Appeal of Joseph K. Harouni D.B.A. Quality Touch Construction, Owner of the R-2 Residential — Non-transient; Apartments (Shared Egress) Three Story Masonry Walls/Wood Floors Property located on the premises known as 1365 East Boulevard from a NOTICE OF VIOLATION — POOR WORKMANSHIP, dated November 2, 2011 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant until March 1, 2012 in which to abate all violations on the property, the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Gallagher.

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

* * *

Docket A-1-12.

RE: Appeal of Joseph K. Harouni, Owner of the One Dwelling Single-Family Residence One & One/half Story Frame Property located on the premises known as 12017 Angelus Avenue from a CONDEMNATION ORDER — MAIN STRUCTURE, dated December 5, 2011 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant sixty (60) days in which to complete abatement of all exterior violations to make the property

presentable within the neighborhood and until January 1, 2013 in which to abate all violations on the property, noting that if the exterior is not presentable in sixty (60) days, the property is REMANDED immediately to the Building Department; and to require that permits be obtained within thirty (30) days; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Saab.

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

* * *

Docket A-11-12.

RE: Appeal of Rockwell Properties, LLC, Owner of the Property located on the premises known as 1403 East 6th Street from a NOTICE OF VIOLATION — FIRE CODE, dated December 22, 2011 of the Chief of the Division of Fire, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

Docket A-11-12 has been WITHDRAWN at the request of the Appellant.

* * *

Docket A-28-12.

RE: Appeal of Rock Ohio Caesars, Owner of the Property located on the premises known as 2151 Ontario Street from an ADJUDICATION ORDER, dated February 6, 2012 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the variance and approve the proposed construction of the sign as presented. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Bradley.

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

* * *

EXTENSION OF TIME:

Docket A-429-10 — Wael Salem — 3837 Ridge Road:

A motion is in order at this time to grant the Appellant ninety (90) days of operation, with a limit of one hundred (100) people, prior to installation of a sprinkler system which is required at the end of that time; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Maschke.

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

* * *

AMENDED RESOLUTION:

Docket A-208-11 — Blue Group Properties — 6716 Fleet Avenue:

FROM: ...to find that the Condemnation Order was properly issued, and that based on the evidence presented and lack of appearance of the Appellant at the hearing, the appeal is DENIED; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action....

TO: ...to find that the Condemnation Order was properly issued, and to grant the Appellant thirty (30) days in which to submit plans and to obtain permits from the Department of Building and Housing. The property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action....

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

* * *

APPROVAL OF RESOLUTIONS:

Separate motions were entered by Mr. Bradley and seconded by Mr. Maschke for Approval and Adoption of the Resolutions as presented by the Secretary for the following Dockets respectively, subject to the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC):

- A-368-10—Kappa House II.
- A-201-11—Sullea Martin.
- A-202-11 — Estate of Michael J. Pierce.
- A-204-11—Lochan Group, Inc.
- A-205-11—IBT Properties.
- A-206-11—Terrance H. Austin.
- A-207-11—Kevin Richardson.
- A-208-11—Blue Group Properties.
- A-209-11—Faron & Linda Mason.
- A-210-11—Hamza Abuhamdeh.
- A-212-11—Richard Smith.
- A-213-11—Marianne Sperk.
- A-214-11—Maurice McIntosh.
- A-248-11—Dennis Lee Marold II.
- A-310-11 — Federal National Mortgage Assoc.
- A-353-11—Midfirst Bank.
- A-4-12—Nancy Yuen.
- A-12-12—United West 25th LLC.

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

* * *

APPROVAL OF MINUTES:

Separate motions were entered by Mr. Gallagher and seconded by Mr. Bradley for Approval and Adoption of the Minutes as presented by the Secretary, subject to the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC):

February 1, 2012

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

* * *

JOSEPH F. DENK
Chairman

PUBLIC NOTICE

NONE

NOTICE OF PUBLIC HEARING

NONE

CITY OF CLEVELAND BIDS

For All Departments

Scaled bids will be received at the office of the Commissioner of Purchases and Supplies, Room 12S, City Hall, in accordance with the appended schedule, and will be opened and read in Room 12S, City Hall, immediately thereafter.

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

187.10 Negotiated contracts; Notice required in Advertisement for Bids.

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

WEDNESDAY, MARCH 14, 2012

File No. 14-12 — Purchase of LED Street Light Luminaires for a Pilot Project, Phase II, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 1215-11, passed by the Council of the City of Cleveland, October 10, 2011. THERE WILL BE A NON-MANDATORY PRE-BID MEETING WEDNESDAY, FEBRUARY 29, 2012 AT 11:00 A.M. THE TOM L. JOHNSON BUILDING, 1300 LAKE-SIDE AVENUE, CLEVELAND, OHIO 44114.

February 15, 2012 and February 22, 2012

WEDNESDAY, MARCH 14, 2012

File No. 22-12 — Carr Center HVAC and Facility Improvements (Re-Bid), for the Division of Architecture and Site Development, Department of Public Works, as authorized by Ordinance No. 1724-09, passed by the Council of the City of Cleveland, February 8, 2012.

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

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING FRIDAY, MARCH 2, 2012 AT 10:00 A.M. THE CARR CENTER SOUTH BUILDING, 5601 CARNEGIE AVENUE, CLEVELAND, OHIO 44103.**

BIDDERS ARE DIRECTED TO MEET AT THE MVM EMPLOYEE ENTRANCE OF THE FACILITY.

February 22, 2012 and February 29, 2012

THURSDAY, MARCH 15, 2012

File No. 18-12 — Purchase of Labor and Materials to Maintain and Repair Low-Pressure Steam Boiler Systems and Appurtenances, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 1216-11, passed by the Council of the City of Cleveland, October 10, 2011.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING THURSDAY, MARCH 1, 2012 AT 10:00 A.M. THE CARL B. STOKES PUBLIC UTILITIES BUILDING, ATRIUM CONFERENCE ROOM — 4TH FLOOR, 1201 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.**

February 22, 2012 and February 29, 2012

FRIDAY, MARCH 16, 2012

File No. 15-12 — Purchase of Various Mower and Cutting Equipment Parts and Labor, for the Division of Motor Vehicle Maintenance, Department of Public Works, as authorized by Section 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING WEDNESDAY, MARCH 7, 2012 AT 10:30 A.M. THE MOTOR VEHICLE MAINTENANCE, BUILDING #1, DOWNSTAIRS MEETING ROOM, 4150 EAST 49TH STREET, CLEVELAND, OHIO 44105.**

File No. 16-12 — Cab & Chassis with Front Loading Refuse Body and Related Equipment, for the Division of Motor Vehicle Maintenance, Department of Public Works, as authorized by Ordinance No. 547-11, passed by the Council of the City of Cleveland, May 16, 2011.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING MONDAY, MARCH 5, 2012 AT**

10:30 A.M. THE MOTOR VEHICLE MAINTENANCE, 4150 EAST 49TH STREET, CLEVELAND, OHIO 44105.

File No. 17-12 — Cab & Chassis with Flat bed and Crane and Related Equipment, for the Division of Motor Vehicle Maintenance, Department of Public Works, as authorized by Ordinance No. 1602-10, passed by the Council of the City of Cleveland, December 10, 2010.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING MONDAY, MARCH 5, 2012 AT 10:30 A.M. THE MOTOR VEHICLE MAINTENANCE, 4150 EAST 49TH STREET, CLEVELAND, OHIO 44105.**

February 22, 2012 and February 29, 2012

WEDNESDAY, MARCH 21, 2012

File No. 20-12 — Labor and Materials to Clean Insulators, Bushings and Lighting Arrestors, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 627-11, passed by the Council of the City of Cleveland, June 6, 2011.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING FRIDAY, MARCH 2, 2012 AT 10:30 A.M. THE TOM L. JOHNSON BUILDING, 1300 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.**

File No. 21-12 — Labor and Materials to Provided Landscaping Services, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 1599-10, passed by the Council of the City of Cleveland, December 6, 2010.

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

February 22, 2012 and February 29, 2012

THURSDAY, MARCH 22, 2012

File No. 19-12 — 1825 Lakeside Avenue HVAC Improvements, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 1680-11, passed by the Council of the City of Cleveland. Pending.

THERE WILL BE A **NON-REFUNDABLE FEE FOR PLANS AND SPECIFICATIONS IN THE AMOUNT OF ONE HUNDRED DOLLARS (\$100.00) IN THE FORM OF A CASHIER'S CHECK OR A MONEY ORDER ONLY (NO COMPANY CHECKS, NO CASH AND NO CREDIT CARDS WILL BE ACCEPTED TO PURCHASE PLANS)**.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING THURSDAY, MARCH 1, 2012 AT 2:30 P.M. THE CARL B. STOKES PUBLIC UTILITIES BUILDING, MAIN AUDITORIUM, 1201 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.**

February 22, 2012 and February 29, 2012

ADOPTED RESOLUTIONS AND ORDINANCES**Res. No. 175-12.**

By Council Members Pruitt and Sweeney (by departmental request).

An emergency ordinance rejecting in its entirety the Fact-Finder's report, findings and recommendations in the matter of City of Cleveland and the Municipal Construction Equipment Operators' Labor Council.

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

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

Section 1. That, having duly considered the Fact-Finder's report, findings and recommendations in the matter of the City of Cleveland and Municipal Construction Equipment Operators' Labor Council (10-MED-1635), which was delivered to the City on February 8, 2012, via e-mail, a copy of which is contained in File No. 175-12-A, this Council rejects the Fact-Finder's report, findings and recommendations in their entirety.

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

Adopted February 13, 2012.

Effective February 13, 2012.

Res. No. 179-12.

By Mayor Jackson and Council Members Zone and Cimperman.

An emergency resolution supporting "Emerald Alliance VIII," the proposed permanent supportive housing project located in the Ohio City neighborhood at 3701 Lorain Avenue.

Whereas, the Cleveland Housing Network, Inc. (CHN) and the Emerald Development and Economic Network, Inc. (EDEN) are proposing a permanent supportive housing project in Ohio City called Emerald Alliance, VIII, which will provide 55 efficiency apartments for individuals who have experienced chronic, long-term homelessness; and

Whereas, permanent supportive housing is a national model that provides housing first, followed by on-site support services that give individuals the support needed to achieve greater self-sufficiency and to regain their places as productive citizens in our community; and

Whereas, the site on Lorain Avenue is a building that has been vacant since 2010, is close to community amenities and supportive services with excellent access to public transportation; and

Whereas, the economic contribution to the neighborhood is approximately \$9.1 million dollars and an estimated 13 permanent jobs; and

Whereas, this Council and Mayor Jackson understand the great benefits of this project and ardently support Emerald Alliance VIII; and

Whereas, this resolution constitutes an emergency measure for the immediate preservation of public peace, property, health, or safety, now, therefore,

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

Section 1. That the Mayor and this Council supports "Emerald Alliance VIII," the proposed permanent supportive housing project located in the Ohio City neighborhood at 3701 Lorain Avenue.

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

Adopted February 13, 2012.
Effective February 13, 2012.

Res. No. 180-12.

By Council Member Dow.

An emergency resolution withdrawing objection to the renewal of a C1 and C2 Liquor Permit at 1509 East 55th Street, 1st floor, and repealing Resolution No. 1136-11, objecting to said renewal.

Whereas, this Council objected to a C1 and C2 Liquor Permit to 1509 East 55th Street by Resolution No. 1136-11 adopted by the Council on August 17, 2011; and

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

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

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

Section 1. That objection to a C1 and C2 Liquor Permit to Ernest Thedford, DBA E & T Supermarket, 1509 East 55th Street, 1st floor, Cleveland, Ohio 44103, Permanent Number 88597840011 be and the same is hereby withdrawn and Resolution No. 1136-11, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

Adopted February 13, 2012.
Effective February 15, 2012.

Res. No. 181-12.

By Council Member Zone.

An emergency resolution withdrawing objection to the renewal of a C1

Liquor Permit at 5105 Franklin Avenue and repealing Resolution No. 995-11, objecting to said renewal.

Whereas, this Council objected to a C1 Liquor Permit to 5105 Franklin Avenue by Resolution No. 995-11 adopted by the Council on July 20, 2011; and

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

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

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

Section 1. That objection to a C1 Liquor Permit to 5105 Franklin Avenue, Cleveland, Ohio 44102, Permanent Number 2714703 be and the same is hereby withdrawn and Resolution No. 995-11, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

Adopted February 13, 2012.
Effective February 15, 2012.

Ord. No. 142-12.

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

An emergency ordinance authorizing the Director of Economic Development to enter into a forgivable loan contract with Midtown Cleveland, Inc., or its designee, to provide economic development assistance to finance predevelopment activities relating to the preparation of an architectural and engineering design for the redevelopment of the former Ward Bakery site located at 4501 Chester Avenue into the future Third District Police Station.

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

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

Section 1. That the Director of Economic Development is authorized to enter into a forgivable loan contract with Midtown Cleveland, Inc., or its designee, to provide economic development assistance to finance predevelopment activities relating to the preparation of an architectural and engineering design for the redevelopment of the former Ward Bakery site located at 4501 Chester Avenue into the future Third District Police Station.

Section 2. That the terms of the forgivable loan shall be according to the terms set forth in the Summary contained in File No. 142-12-A, made a part of this ordinance as if fully rewritten, as presented to the

Finance Committee of this Council at the public hearing on this legislation, and are approved in all respects and shall not be changed without additional legislative authority.

Section 3. That the costs of the forgivable loan contract shall not exceed Six Hundred Thousand Dollars (\$600,000), and shall be paid from Fund No. 17 SF 008, which funds are appropriated for this purpose, Request No. RQS 9501, RL 2012-5.

Section 4. That the Director of Economic Development is authorized to accept monies in repayment of the loan and to deposit the monies in Fund No. 17 SF 006.

Section 5. That the loan agreement and other appropriate documents needed to complete the transaction authorized by this legislation shall be prepared by the Director of Law.

Section 6. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed February 13, 2012.

Effective February 15, 2012.

Ord. No. 173-12.

By Council Members Conwell, Miller, Cleveland and Sweeney (by department request).

An emergency ordinance to amend the title and Section 1 of Ordinance No. 1387-11, passed December 5, 2011, relating to an encroachment permit with SDR University Circle Developer, LLC for installing, using, and maintaining a fixed canopy and an elevated outdoor seating area and decorative iron fencing on Cornell Road by correcting the permittee's name to SDC University Circle Developer, LLC.

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

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

Section 1. That the title and Section 1 of Ordinance No. 1387-11, passed December 5, 2011, are amended to read as follows:

Authorizing the Director of Capital Projects to issue a permit to SDC University Circle Developer, LLC to encroach into the public right-of-way of Cornell Road by installing, using, and maintaining a fixed canopy and an elevated outdoor seating area and decorative iron fencing.

Section 1. That the Director of Capital Projects is authorized to issue a permit, revocable at the will of Council, to SDC University Circle Developer, LLC, 7139 Pine Street #110, Cleveland, Ohio 44022 ("Permittee"), to encroach into the public right-of-way of Cornell Road by installing, using, and maintaining a fixed canopy and an elevated outdoor seating area and decorative

iron fencing at the following location:

423 SQUARE FOOT (0.0097 ACRE)
RIGHT-OF-WAY ENCROACHMENT

Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio and known as being a portion of land within the street right-of-way of Cornell Road, 60 feet wide, abutting Permanent Parcel Numbers 121-01-032, 033, and 037;

Commencing at a stone monument with double drill holes found, (southerly drill hole used), at the center line intersection of Cornell Road, 60 feet wide, and Euclid Avenue, 100 feet wide, of which said monument bears South 42° 52' 23" West, and passing over a drill hole in monument found, 0.07 feet (East), at the center line intersection of said Euclid Avenue and Mayfield Road, 84 feet wide and varies, a distance of 202.85 feet therefrom, a total distance of 324.08 feet to a one inch iron pin monument found at the center line intersection of Euclid Avenue, 100 feet wide, and Ford Drive, 55 feet wide; thence South 47° 03' 17" East along the center line of Cornell Road, a distance of 193.73 feet to a point therein; thence North 42° 56' 43" East, a distance of 25.60 feet to a point, and the TRUE POINT OF BEGINNING for the land hereinafter described, thence clockwise along the following four courses and distances:

1. Thence North 42° 56' 43" East, a distance of 4.40 feet to a point on the northerly line of Cornell Road, 60 feet wide, and the southwesterly corner of land now or formerly owned by University Circle East LLC, an Ohio limited liability company, Permanent Parcel Number 121-01-033, as recorded by AFN 200309181629 of Cuyahoga County Deed Records;

2. Thence South 47° 03' 17" East along said northerly line of Cornell Road, the southerly line of said Permanent Parcel Number 121-01-033 and its southeasterly prolongation, and the southerly line of land now or formerly owned by University Circle East LLC, an Ohio limited liability company, Permanent Parcel Number 121-01-032, as recorded by AFN 200309181629 of Cuyahoga County Deed Records, a total distance of 96.21 feet to the southeasterly corner of land now or formerly owned by University Hospitals of Cleveland, an Ohio corporation not-for-profit, Permanent Parcel Number 121-01-037, as recorded in Volume 577, Page 32 of Cuyahoga County Deed Records;

3. Thence South 42° 52' 23" West, a distance of 4.40 feet to an angle point;

4. Thence North 47° 03' 17" West, a distance of 96.22 feet to the True Point of Beginning, and containing 423 Square Feet (0.0097 acre) of land, more or less, and subject to all easements, restrictions, and covenants of record.

Basis of Bearing: State Plane Grid North NAD83 (CORS96), Ohio North Zone.

Legal Description approved by Greg Esber, Section Chief, Plats, Surveys and House Numbering Section.

Section 2. That the existing title and Section 1 of Ordinance No. 1387-11, passed December 5, 2011, are repealed.

Section 3. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed February 13, 2012.

Effective February 15, 2012.

Ord. No. 174-12.

By Council Members Conwell and Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the Ohio Office of Criminal Justice Services for the Project Safe Neighborhoods — V Grip Program.

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

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

Section 1. That the Director of Public Safety is authorized to apply for and accept a grant in the approximate amount of \$18,000, and any other funds that may become available during the grant term from the Ohio Office of Criminal Justice Services to conduct the Project Safe Neighborhoods — V Grip Program; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in the executive summary for the grant contained in the file described below.

Section 2. That the executive summary for the grant, File No. 174-12-A, made a part of this ordinance as if fully rewritten, as presented to the Finance Committee of this Council at the public hearing on this legislation, is approved in all respects and shall not be changed without additional legislative authority.

Section 3. That the Director of Public Safety shall have the authority to extend the term of the grant during the grant term.

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

Passed February 13, 2012.

Effective February 15, 2012.

Ord. No. 176-12.

By Council Member Sweeney.
An emergency ordinance authorizing the Clerk of Council to continue City Contract No. 60859 with ADT

Security Services, Inc. on a month-to-month basis for Cleveland City Council for a period of no more than 4 months.

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

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

Section 1. That the Clerk of Council is authorized to continue City Contract No. 60859 with ADT Security Services, Inc. to provide professional video and access equipment maintenance services for Cleveland City Council on a month-to-month basis for a period of no more than four (4) months.

Section 2. That the cost of said contract authorized in Section 1 above shall be paid from Fund No. 01 SF 001.

Section 3. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed February 13, 2012.

Effective February 15, 2012.

Ord. No. 177-12.

By Council Member Sweeney.

An emergency ordinance authorizing the Clerk of Council to enter into subscription, license and any other agreements necessary to obtain online access to computer assisted legal and other research data bases, materials and services required for the work of Cleveland City Council.

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

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

Section 1. That the Clerk of Council is authorized to enter into subscription, license and any other agreements necessary to obtain online access to computer assisted legal and other research databases, materials and services required for the work of Cleveland City Council.

Section 2. That the term of any such agreement shall not exceed four (4) years beginning in March, 2012, and shall be paid from fund numbers 632000-01-010100, and/or from the fund or funds which are appropriated for the payment of such agreements.

Section 3. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed February 13, 2012.

Effective February 15, 2012.

**Ord. No. 178-12.
By Council Member Zone.
An emergency ordinance designating Herman Avenue from West 73rd Street to West 76th Street with a secondary and honorary designation of "Kilbane Town".**

Whereas, Johnny Kilbane was one of the most prominent prize fighters of his time, winning the World Featherweight title in 1912 and holding that title through 1923, longer than any fighter in the history of boxing; and

Whereas, Johnny Kilbane lived at 7413 Herman Avenue during the time he won the World Featherweight title in 1912; and

Whereas, he was elected State Senator in 1941, followed by State Representative, and was elected Cleveland Municipal Clerk of Courts in 1951; and

Whereas, in the year 2012, both Cleveland and Achill, Ireland will be celebrating the 100th Anniversary of his achievement that is so

important to our rich community history, as well as the Irish and Boxing communities; and

Whereas, this ordinance constitutes an emergency measure for the immediate preservation of public peace, property, health or safety, now, therefore,

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

Section 1. That Herman Avenue from West 73rd Street to West 76th Street be designated with a secondary and honorary designation of "Kilbane Town".

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

Passed February 13, 2012.
Effective February 15, 2012.

COUNCIL COMMITTEE MEETINGS

**Tuesday, February 21, 2012
9:00 a.m.**

GENERAL FUND BUDGET HEARINGS — Finance Committee: Present: Sweeney, Chair; Kelley, Vice Chair; Brady, Brancatelli, Cleveland, Keane, Miller, Mitchell, Polensek, Pruitt, Westbrook.

**Wednesday, February 22, 2012
9:00 a.m.**

GENERAL FUND BUDGET HEARINGS — Finance Committee: Present: Sweeney, Chair; Kelley, Vice Chair; Brady, Brancatelli, Cleveland, Keane, Miller, Mitchell, Polensek, Pruitt, Westbrook.

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