

# The City Record

Official Publication of the Council of the City of Cleveland



January the Fourth, 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](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

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

Andrew Watterson, Executive Assistant to the Mayor, Chief of Sustainability

Natoya J. Walker Minor, Chief of Public Affairs – Interim Director of Equal Opportunity.

**OFFICE OF CAPITAL PROJECTS** – Jomarie Wasik, Director

**DIVISIONS:**

Architecture and Site Development – Robert 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 – Bernardo Garcia, 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

Erievue Plaza

**DIVISIONS:**

Air Quality – George Baker, Commissioner

Environment – Pamela Cross, Commissioner, Mural Building, 75 Erievue Plaza

Health – Karen K. Butler, Commissioner, Mural Building, 75 Erievue 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 – Tyrone L. Johnson, 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 Jomarie 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 Marilyn B. Cassidy – Courtroom 12B

Judge Michelle Denise Earley – Courtroom 12C

Judge Emanuella Groves – Courtroom 14B

Judge Anita Laster Mays – Courtroom 14C

Judge Lynn McLaughlin-Murray – Courtroom 12A

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

# The City Record

71 OFFICIAL PUBLICATION OF THE COUNCIL OF THE CITY OF CLEVELAND

Vol. 99

WEDNESDAY, JANUARY 4, 2012

No. 5117

## CITY COUNCIL

MONDAY, JANUARY 2, 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](http://www.clevelandcitycouncil.org)  
Address all communications to  
**PATRICIA J. BRITT**  
City Clerk, Clerk of Council  
216 City Hall

### PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 2010-2013

#### MONDAY — Alternating

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

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

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

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

#### MONDAY

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

#### TUESDAY

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

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

#### WEDNESDAY — Alternating

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

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

#### WEDNESDAY — Alternating

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

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

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

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

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

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

### OFFICIAL PROCEEDINGS CITY COUNCIL

NO MEETING

### THE CALENDAR

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

NONE

### BOARD OF CONTROL

December 28, 2011

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, December 28, 2011 at 10:40 a.m. with Interim Director Langhenry presiding.

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

Absent: Mayor Jackson and Director Nichols.

Others: Natoya Walker-Minor, Interim Director, Office of Equal Opportunity.

Jim Hardy, Commissioner, Division of Purchases & Supplies.

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

#### Resolution No. 615-11.

By Director Withers.  
Whereas, under Ordinance No. 540-09, passed by the Cleveland City Council on June 1, 2009, and Board of Control Resolution No. 147-10, adopted April 21, 2010, the City, through the Director of Public Utilities, entered into Contract No. 1505\*RC2010\*58 with Cook Paving &

Construction Co. Inc. for an estimated quantity of labor and materials necessary to install, repair, replace or maintain the duct line, street lighting bases and pull boxes, and other related incidentals, all items, and approved various sub-contractors, for the Division of Cleveland Public Power, Department of Public Utilities; and

Whereas, Cook Paving & Construction Co Inc. has proposed by its November 4, 2011 memo, to employ additional sub-contractors under Contract No. 1505\*RC2010\*58 to assist in completion of the remaining services under the contract; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that the employment of the following additional sub-contractors by Cook Paving & Construction Co Inc. under City Contract No. 1505\*RC2010\*58 for labor and materials necessary to install, repair, replace or maintain the duct line, street lighting bases and pull boxes, and other related incidentals, is approved:

<u>Sub-contractors</u>	<u>Percentage Amount</u>
Kokosing Construction Co.	4.00% \$150,000.00
North Coast Concrete, Inc.	4.00% \$150,000.00

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

Nays: None.

Absent: Mayor Jackson and Director Nichols.

#### Resolution No. 616-11.

By Director Cox.  
Be it resolved, by the Board of Control of the City of Cleveland that the bid of R & R Truck Sales, Inc., for an estimated quantity of one cab & chassis with flat bed and crane, and related equipment, all items, for the Division of Motor Vehicle Maintenance, Department of Public Works, for the period of one year beginning with the date of execution of a contract, received on October 19, 2011, under the authority of Ordinance No. 591-08, passed by Cleveland City Council on July 2, 2008, as amended by Ordinance No. 1849-08, passed by Cleveland City Council on January 26, 2009, which on the basis of the estimated quantity would amount to \$222,915.00 (Net), is affirmed and approved as the lowest and best bid, and the Director of Public Works is requested to enter into a requirement con-

tract for the goods and/or services, which contract shall provide for an initial order, the cost of which shall be certified to the contract in the amount not less than \$222,915.00.

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

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

Nays: None.

Absent: Mayor Jackson and Director Nichols.

**Resolution No. 617-11.**

By Director Cox.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of Hans' Truck and Trailer Repair, Inc. dba Hans' Freightliner of Cleveland, for an estimated quantity of six cab & chassis with large USV bodies, and related equipment, all items, for the Division of Motor Vehicle Maintenance, Department of Public Works, for the period of one year beginning with the date of execution of a contract, received on October 19, 2011, under the authority of Ordinance No. 1620-10, passed by Cleveland City Council on December 6, 2010, which on the basis of the estimated quantity would amount to \$1,004,262.00 (Net), is affirmed and approved as the lowest and best bid, and the Director of Public Works is requested to enter into a requirement contract for the goods and/or services, which contract shall provide for an initial order, the cost of which shall be certified to the contract in an amount not less than \$167,377.00.

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

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

Nays: None.

Absent: Mayor Jackson and Director Nichols.

**Resolution No. 618-11.**

By Director Butler.

Resolved by the Board of Control of the City of Cleveland that the bid of Robins Nest Property Management Landscape Services Company for snow and ice removal at the various Health Centers, all items, for the Division of Health, Department of Public Health, for a period of two years beginning on execution of a contract with an option to renew for one additional year, received on December 21, 2011, under the authority of Section 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to \$40,000.00, (3%, 30 days) is affirmed and

approved as the lowest and best bid, and the Director of Public Health is requested to enter into a requirement contract for the services, which contract shall provide for an initial order, the cost of which shall be certified to the contract in an amount not less than \$10,000.00.

The requirement contract shall further provide that the Contractor shall furnish the City's requirements for Snow and Ice Removal at the various Health Centers, whether more or less than the estimated quantity, as may be ordered under delivery orders separately certified to the contract.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractor by Robin's Nest Property Management Landscape Services Company for the above-mentioned service is approved:

Subcontractor	Percent Work
Robinson & Son Landscaping (CSB) 20%	\$8,000.00

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

Nays: None.

Absent: Mayor Jackson and Director Nichols.

**Resolution No. 619-11.**

By Director Rush.

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

Whereas, City has acquired Permanent Parcel No. 115-24-058, located at 807 East 156th Street under the Land Reutilization Program; and

Whereas, Ordinance No. 1125-11 passed October 17, 2011, authorized the sale of the parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Mathew Adkins and Tenesha Thomas have proposed to the City to purchase and develop the parcel for yard expansion; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 1125-11 passed October 17, 2011, by the Cleveland City Council, the Mayor is authorized to execute an official deed for and on behalf of the City of Cleveland with Mathew Adkins and Tenesha Thomas for the sale and development of Permanent Parcel No. 115-24-058, as described in the Ordinance 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 the parcel shall be \$400.00, which amount is determined to be not less than the fair market value of the parcel for uses according to the Land Reutilization Program.

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

Rodriguez, Directors Southerington, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson and Director Nichols.

**Resolution No. 620-11.**

By Director Rush.

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

Whereas, City has acquired Permanent Parcel No. 133-09-040, located at Marble Ave., between East 77th Street and East 78th Street under the Land Reutilization Program; and

Whereas, Ordinance No. 1599-11 passed November 28, 2011, authorized the sale of the parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, D&B Realty Holdings Co., Ltd. or designee have proposed to the City to purchase and consolidate the parcel with existing land for future development; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 1599-11 passed November 28, 2011, by the Cleveland City Council, the Mayor is authorized to execute an official deed for and on behalf of the City of Cleveland with D&B Realty Holdings Co., Ltd. or designee for the sale and development of Permanent Parcel No. 133-09-040, as described in the Ordinance 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 the parcel shall be \$1,200.00, which amount is determined to be not less than the fair market value of the parcel for uses according to the Land Reutilization Program.

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

Nays: None.

Absent: Mayor Jackson and Director Nichols.

**Resolution No. 621-11.**

By Director Rush.

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

Whereas, City has acquired Permanent Parcel No. 012-07-008, located at 3915 Woburn Ave. under the Land Reutilization Program; and

Whereas, Ordinance No. 1105-11 passed October 3, 2011, authorized the sale of the parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Michael H. O'Neil has proposed to the City to purchase and develop the parcel for yard expansion; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 1105-11 passed October 3, 2011, by the Cleveland City Council, the Mayor is

authorized to execute an official deed for and on behalf of the City of Cleveland with Michael H. O'Neil for the sale and development of Permanent Parcel No. 012-07-008, as described in the Ordinance 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 the parcel shall be \$400.00, which amount is determined to be not less than the fair market value of the parcel for uses according to the Land Reutilization Program.

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

Nays: None.  
Absent: Mayor Jackson and Director Nichols.

**Resolution No. 622-11.**

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 007-16-013 located at 2588 West 41st Street in Ward 15; and

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

Whereas, James T. Tackett, 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 15 has consented to the proposed sale;

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

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested to execute an Official Deed for and on behalf of the City of Cleveland, with James T. Tackett for the sale and development of Permanent Parcel No. 007-16-013 located at 2588 West 41st 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, Acting Director Rodriguez, Directors Southerington, Fumich and Rybka.

Nays: None.  
Absent: Mayor Jackson and Director Nichols.

**Resolution No. 623-11.**

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 020-12-108 located at 12812 Kirton Ave. in Ward 18; 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, Linda A. Sosenko, 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 18 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 Linda A. Sosenko for the sale and development of Permanent Parcel No. 020-12-108 located at 12812 Kirton Ave., 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, Acting Director Rodriguez, Directors Southerington, Fumich and Rybka.

Nays: None.  
Absent: Mayor Jackson and Director Nichols.

**Resolution No. 624-11.**

By Director Smith.

Whereas, under the authority of Ordinance Nos. 2380-02, 468-04, 1853-06 and 1329-08, passed by the Council of the City of Cleveland on December 16, 2002, April 26, 2004, December 11, 2006 and October 20, 2008, respectively, and Board of Control Resolution No. 325-10, adopted

August 4, 2010, the City through its Director of Port Control, entered into Contract No. PS2010\*251 with Ehrenkrantz Eckstut & Kuhn Architects, P.C. ("Consultant"), to provide professional services necessary to prepare planning studies, for a period of two years, with two options to renew for additional two-year periods, for the various divisions of the Department of Port Control; and

Whereas, under the Board of Control Resolution No. 453-11, adopted September 14, 2011, the City, through its Director of Port Control, entered into a First Modification to City Contract No. PS2010\*251, revising the scope of work and increasing the compensation from an amount not to exceed \$700,000.00 to an amount not to exceed \$746,000.00; and

Whereas, under Board of Control Resolution No. 482-11, adopted October 12, 2011, the City, through its Director of Port Control, entered into a Second Modification to City Contract No. PS2010\*251, revising the scope of work and increasing the compensation from an amount not to exceed \$746,000.00 to an amount not to exceed \$837,435.00; and

Whereas, the City has determined it necessary to further revise the scope of work to advance the implementation to the lakefront area proposed for redevelopment from Dock 28-32 through Burke Lakefront Airport ("BKL"); and

Whereas, the Consultant has proposed by its letter dated December 19, 2011 to perform the additional work necessary for an amount of \$73,000; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that the Director of Port Control is authorized to enter into a Third Modification to City Contract No. PS2010\*251 between the City of Cleveland and Ehrenkrantz Eckstut & Kuhn Architects, P.C. for additional professional services necessary to advance the implementation process for improvement to the lakefront area proposed for redevelopment from Dock 28-32 through Burke Lakefront Airport ("BKL"). The amount to be paid for all services shall be increased by \$73,000.00 from \$837,435.00 to a total amount not to exceed \$910,435.00.

Be it further resolved that the amounts attributed to the following subconsultants approved in Board of Control Resolution No. 325-10, adopted August 4, 2010, are amended as follows:

<u>Subcontractor</u>	<u>CSB/MBE/FBE %</u>	<u>Amount</u>
Van Auken Architects, LLC	30.4% CSB/FBE/LPE	\$276,658.00
Ralph C. Tyler, P.E., P.S., Inc.	1.1% CSB/MBE	\$10,095.00
JWT & A., LLC	2.7% CSB/MBE	\$25,000.00
McKnight Associates, Ltd.	5.8% Non-Certified	\$53,000.00
R.W. Armstrong & Associates, Inc.	4.4% Non-Certified	\$40,000.00

Be it further resolved that the following additional consultant to EE&K under Contract No. PS2010\*251 is approved:

Project and Construction  
Services, Inc. .9% Non \$8,500.00

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

Nays: None.

Absent: Mayor Jackson and Director Nichols.

JEFFREY B. MARKS,  
Secretary

## CIVIL SERVICE NOTICES

### General Information

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

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

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

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

ROBERT BENNETT,  
President

## SCHEDULE OF THE BOARD OF ZONING APPEALS

TUESDAY, JANUARY 17, 2012

9:30 A.M.

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

W.B. and M. E. 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 009-36-001, 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. (Filed 12-8-10; Testimony Taken 4-18-10; Motion for Rehearing Granted 5-16-10)

**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. (Filed 12-8-10; Testimony Taken 4-18-10; Motion for Rehearing Granted 5-16-10)

**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 4-18-10; Motion for Rehearing Granted 5-16-10)

Secretary

## REPORT OF THE BOARD OF ZONING APPEALS

TUESDAY, JANUARY 3, 2012

At the meeting of the Board of Zoning Appeals on Tuesday, January 3, 2012, the following appeals were heard by the Board.

The following appeal was **APPROVED:**

**Calendar No. 11-230:** 1867-73 West 25th Street

P&M Ohio City, LLC appealed to change use from a nonconforming night club to an ice cream production facility with a dining area in a C4 Local Retail Business District.

The following appeal was **DENIED:**

### Tow Truck Driver's License

**Calendar No. 11-231:** Appeal of Carlan V. Frazier

Carlan V. Frazier appealed from the decision of the Commissioner of Assessments and Licenses to not issue a Tow Truck Driver's License.

The following appeal was **DISMISSED:**

**Calendar No. 11-195:** 12801 St. Clair Avenue

Alonso Pagan, Jr. appealed to construct a major auto repair shop for installation of security systems alarms, speakers and air ride technology in automobiles and sales of various related products in a C2 Local Retail business District.

The following appeals were **WITHDRAWN:**

None.

The following appeals were **POSTPONED:**

**Calendar No. 11-189:** 1015 Hartley Road postponed to February 13, 2012.

**Calendar No. 11-229:** 2639 East 87th Street postponed to January 23, 2012.

**Calendar No. 11-233:** 3342 East 119th Street postponed to February 27, 2012.

**Calendar No. 11-225:** 2200 West 28th Street postponed from February 6 to January 17, 2012.

The following appeals heard by the Board on December 19, 2011 were adopted and approved on January 3, 2012.

The following appeals were **APPROVED:**

**Calendar No. 11-226:** 4200 Bailey Avenue

Cleveland Metropolitan School District appealed to construct a three-

story PK-8 elementary school on acreage in a B1 Two-Family District.

**Calendar No. 11-232:** 11009 Ashbury Avenue

House of God Church appealed to install 39 lineal feet of 6 foot high ornamental aluminum fence at the front of a lot in a C1 Local Retail Business District.

**Calendar No. 11-203:** 4422 West 143rd Street

Donovan Francis appealed to use the first floor and basement as a Type A day care in a single family dwelling on a 100' x 204' lot in an A1 One-Family District.

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

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NO MEETING

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**PUBLIC NOTICE**

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NONE

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**NOTICE OF PUBLIC HEARING**

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**Notice of Public Hearing  
By the Council Committee  
On City Planning**

**Mercedes Cotner  
Committee Room 217  
City Hall, Cleveland, Ohio  
On Wednesday, January 18, 2012  
1:00 p.m.**

Notice is hereby given to all interested property owners that the Council Committee on City Planning will hold a public hearing in the Mercedes Cotner Committee Room 217, City Hall, Cleveland, Ohio, on January 18, 2012, at 1:00 p.m., to consider the following ordinance now pending in the Council:

**Ordinance No. 1602-11**

By Council Member Cimperman.

An ordinance to change the Use and Area Districts of lands located on the south side of Hancock Avenue east of West 28th Street to Semi-Industry Use District and a 'C' Area District from Two Family Residential and a 'B' Area District (Map Change No. 2382, Sheet Number 1).

All interested persons are urged to be present or to be represented at the above time and place.

Phyllis E. Cleveland  
Chair  
Committee on City Planning

January 4, 2012 and January 11, 2012

**CITY OF CLEVELAND BIDS**

**For All Departments**

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

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

**187.10 Negotiated contracts; Notice required in Advertisement for Bids.**

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

**THURSDAY, JANUARY 19, 2012**

**File No. 1-12 — Bessemer Avenue Extension, Phase IIB East 88th/Crane/East 91st Reconstruction,** for the Division of Engineering and Construction, Mayor's Office of Capital Projects, as authorized by Ordinance No. 721-10, passed by the Council of the City of Cleveland, June 7, 2010.

**THERE WILL BE A NON-REFUNDABLE FEE FOR THESE PLANS AND SPECIFICATIONS IN THE AMOUNT OF SEVENTY-FIVE DOLLARS (\$75.00) THE ONLY FORM OF PAYMENTS ACCEPTED ARE CASHIER CHECKS AND OR MONEY ORDERS MADE OUT TO THE CITY OF CLEVELAND (NO COMPANY CHECKS, NO CASH AND NO CREDIT CARDS WILL BE ACCEPTED TO PURCHASE THE PLANS AND SPECIFICATIONS).**

**THERE WILL BE A NON-MANDATORY PRE-BID MEETING THURSDAY, JANUARY 12, 2012 AT 1:30 P.M. THE CLEVELAND CITY HALL, ROOM 518, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.**

**File No. 3-12 — City of Cleveland Construction Contract for the City Wards for Year 2012 Concrete Requirements Contract,** for the Division of Engineering and Construction, Mayor's Office of Capital Projects, as authorized by Ordinance No. 1603-11, passed by the Council of the City of Cleveland, December 5, 2011.

**THERE WILL BE A NON-REFUNDABLE FEE FOR THESE PLANS AND SPECIFICATIONS IN THE AMOUNT OF SEVENTY-FIVE DOLLARS (\$75.00) THE ONLY FORM OF PAYMENTS ACCEPTED ARE CASHIER CHECKS AND OR MONEY ORDERS MADE OUT TO THE CITY OF CLEVELAND (NO COMPANY CHECKS, NO CASH AND NO CREDIT CARDS WILL BE ACCEPTED TO PURCHASE THE PLANS AND SPECIFICATIONS).**

**THERE WILL BE A NON-MANDATORY PRE-BID MEETING THURSDAY, JANUARY 12, 2012 AT 9:30 A.M. THE CLEVELAND CITY HALL, ROOM 518, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.**

January 4, 2012 and January 11, 2012

**FRIDAY, JANUARY 27, 2012**

**File No. 2-12 — Processing of Recyclable Materials,** for the Division of Waste Collection and Disposal, Department of Public Works, as authorized by Section 181.18 of the Codified Ordinances of Cleveland, Ohio, 1976.

**THERE WILL BE A NON-MANDATORY PRE-BID MEETING TUESDAY, JANUARY 17, 2012 AT 11:30 A.M. CLEVELAND CITY HALL, DIVISION OF PURCHASES AND SUPPLIES, ROOM 128, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.**

January 4, 2012 and January 11, 2012

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**ADOPTED RESOLUTIONS  
AND ORDINANCES**

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NONE

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**COUNCIL COMMITTEE  
MEETINGS**

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NO MEETINGS

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O—Ordinance; R—Resolution; F—File  
Bold figures—Final Publication; D—Defeated; R—Reprint; T—Tabled; V—Vetoed;  
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