

The City Record

Official Publication of the Council of the City of Cleveland



July the Twenty-Fifth, Two Thousand and Seven

Frank G. Jackson
Mayor

Martin J. Sweeney
President of Council

Emily Lipovan
City Clerk, Clerk of Council

Ward	Name
1	Nina Turner
2	Robert J. White
3	Zachary Reed
4	Kenneth L. Johnson
5	Phyllis E. Cleveland
6	Patricia J. Britt
7	Fannie M. Lewis
8	Sabra Pierce Scott
9	Kevin Conwell
10	Roosevelt Coats
11	Michael D. Polensek
12	Anthony Brancatelli
13	Joe Cimperman
14	Joseph Santiago
15	Brian J. Cummins
16	Kevin J. Kelley
17	Matthew Zone
18	Jay Westbrook
19	Dona Brady
20	Martin J. Sweeney
21	Martin J. Keane

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Containing	PAGE
City Council	3
The Calendar	3
Board of Control	6
Civil Service	8
Board of Zoning Appeals	8
Board of Building Standards and Building Appeals	9
Public Notice	9
Public Hearings	9
City of Cleveland Bids	9
Adopted Resolutions and Ordinances	11
Committee Meetings	11
Index	11

DIRECTORY OF CITY OFFICIALS

CITY COUNCIL – LEGISLATIVE

President of Council – Martin J. Sweeney

Ward	Name	Residence	
1	Nina Turner.....	16204 Sunny Glen Avenue	44128
2	Robert J. White	9703 Cardwell Avenue	44105
3	Zachary Reed	3734 East 149th Street	44120
4	Kenneth L. Johnson.....	2948 Hampton Road	44120
5	Phyllis E. Cleveland.....	2369 East 36th Street	44105
6	Patricia J. Britt.....	12402 Britton Drive	44120
7	Fannie M. Lewis.....	7416 Star Avenue	44103
8	Sabra Pierce Scott.....	1136 East 98th Street	44108
9	Kevin Conwell.....	10647 Ashbury Avenue	44106
10	Roosevelt Coats.....	1775 Cliffview Road	44112
11	Michael D. Polensek.....	17855 Brian Avenue	44119
12	Anthony Brancatelli.....	6924 Ottawa Road	44105
13	Joe Cimperman.....	3053 West 12th Street	44113
14	Joseph Santiago.....	3169 West 14th Street	44109
15	Brian J. Cummins.....	3104 Mapledale Avenue	44109
16	Kevin J. Kelley.....	6608 Woodhaven Avenue	44144
17	Matthew Zone.....	1228 West 69th Street	44102
18	Jay Westbrook.....	1278 West 103rd Street	44102
19	Dona Brady.....	1272 West Boulevard	44102
20	Martin J. Sweeney.....	3632 West 133rd Street	44111
21	Martin J. Keane.....	15907 Colletta Lane	44111

City Clerk, Clerk of Council – Emily Lipovan, 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
 Tracy Y. Martin, 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
 Debra Linn Talley, Director, Office of Equal Opportunity

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

DEPT. OF FINANCE – Sharon Dumas, Director, Room 104;
 Frank Badalamenti, Manager, Internal Audit
 DIVISIONS: Accounts – Richard W. Sensenbrenner, Commissioner, Room 19
 Assessments and Licenses – Dedrick Stephens, Commissioner, Room 122
 City Treasury – Algeron Walker, 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 – Julius Ciaccia, Director, 1201 Lakeside Avenue
 DIVISIONS – 1201 Lakeside Avenue
 Cleveland Public Power – Ivan Henderson, Commissioner
 Street Lighting Bureau – _____, Acting Chief
 Utilities Fiscal Control – Dennis Nichols, Commissioner
 Water – John Christopher Nielson, Commissioner
 Water Pollution Control – Ollie Shaw, Commissioner

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

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

DEPT. OF PUBLIC HEALTH – Matt Carroll, Director, Mural Building, 1925 St. Clair Ave.
 DIVISIONS: Air Quality – Richard L. Nemeth, Commissioner
 Environment – Willie Bess, Commissioner, Mural Building, 1925 St. Clair Ave.
 Health – Anjou Parekh, Commissioner, Mural Building, 1925 St. Clair Ave.

DEPT. OF PUBLIC SAFETY – Martin Flask, Director, Room 230
 DIVISIONS: Dog Pound – John Baird, Chief Dog Warden, 2690 West 7th Street
 Correction – Robert Taskey, Commissioner, Cleveland House of Corrections, 4041 Northfield Rd.
 Emergency Medical Service – Edward Eckart, Commissioner, 1708 South Pointe Drive
 Fire – Paul A. Stubbs, Chief, 1645 Superior Avenue
 Police – Michael C. McGrath, Chief, Police Hdqtrs. Bldg., 1300 Ontario Street

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

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

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

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

DEPT. OF ECONOMIC DEVELOPMENT – Brian A. Reilly, Director, Room 210

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

DEPT. OF CONSUMER AFFAIRS – Angel Guzman, Director

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

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

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

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

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

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

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

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

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

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

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

FAIR HOUSING BOARD – Charles See, Chair; _____, Vice Chair; Daniel Conway, Doris Honsa, Lisa Camacho.

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

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

MORAL CLAIMS COMMISSION – Law Director Robert J. Triozzi; Chairman; Finance Director Sharon Dumas; Council President Martin J. Sweeney; Councilman Kevin Kelley; Councilman Nina Turner.

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

CLEVELAND LANDMARKS COMMISSION – Room 519 – Laura M. Bala, Chair; Jennifer Coleman, Vice Chair; Robert N. Brown, Council Member Joe Cimperman, Thomas Coffey, Robert Jackimowicz; Ari Maron, William Mason, Michael Rastatter, Jr., John Torres, N. Kurt Wiebusch, Robert Keiser, Secretary.

AUDIT COMMITTEE – Robert Rawson, Chairman; Yvette Ittu, Debra Janik, Bracy Lewis, Don Neebes, Council President Martin J. Sweeney; Law Director Robert J. Triozzi.

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

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

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

The City Record

71 OFFICIAL PUBLICATION OF THE COUNCIL OF THE CITY OF CLEVELAND

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WEDNESDAY, JULY 25, 2007

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CITY COUNCIL

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EMILY LIPOVAN

City Clerk, Clerk of Council
216 City Hall

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 2006-2009

MONDAY—Alternating

9:30 A.M. — **Public Parks, Property & Recreation Committee:** Johnson, Chair; White, Vice Chair; Brancatelli, Cummins, Kelley, Polensek, Turner.

9:30 A.M. — **Health & Human Services Committee:** Britt, Chair; Cleveland, Vice Chair; Conwell, Kelley, Reed, Santiago, Westbrook.

11:00 A.M. — **Public Service Committee:** Brady, Chair; Turner, Vice

Chair; Cleveland, Cummins, Johnson, Polensek, Reed, Santiago, White.

11:00 A.M. — **Legislation Committee:** Cleveland, Chair; Keane, Vice Chair; Cimperman, Lewis, Pierce Scott, Reed, White.

MONDAY

2:00 P.M. — **Finance Committee:** Sweeney, Chair; Cimperman, Vice Chair; Brady, Brancatelli, Britt, Coats, Conwell, Pierce Scott, Westbrook, White, Zone.

TUESDAY

9:30 A.M. — **Community and Economic Development Committee:** Pierce Scott, Chair; Brancatelli, Vice Chair; Brady, Cimperman, Cummins, Coats, Lewis, Westbrook, Zone.

1:30 P.M. — **Employment, Affirmative Action & Training Committee:** Lewis, Chair; Santiago, Vice Chair; Brancatelli, Coats, Conwell, Johnson, Turner.

WEDNESDAY—Alternating

10:00 A.M. — **Aviation & Transportation Committee:** Kelley, Chair; Westbrook, Vice Chair; Brancatelli, Britt, Cleveland, Keane, Turner.

10:00 A.M. — **Public Safety Com-**

mittee: Conwell, Chair; Brady, Vice Chair; Britt, Coats, Cummins, Kelley, Polensek, Santiago, Turner.

WEDNESDAY—Alternating

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

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

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

Rules Committee: Sweeney, Chair; Cleveland, Kelley, Pierce Scott, Polensek.

Personnel and Operations Committee: Sweeney, Chair; Britt, Kelley, Pierce Scott, Santiago, Westbrook, White.

Mayor's Appointment Committee: Coats, Chair; Pierce Scott, Kelley, Sweeney, Westbrook.

OFFICIAL PROCEEDINGS CITY COUNCIL

NO MEETING

THE CALENDAR

The following measure will be on its final passage at the next meeting:

ORDINANCE

Ord. No. 1117-06.

By Council Members Pierce Scott, Lewis, Cleveland and Sweeney (by departmental request).

An emergency ordinance to amend Sections 137.09 and 137.10 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 57-94, passed June 13, 1994, relating to the creation of the Division and Commissioner of Real Estate and the discontinuation of the Division and Commissioner of Neighborhood Development; and to amend Sections 37 and 40 of Ordinance No. 289-06, passed March 27, 2006, as amended by Ordinance No. 1647-06, passed October 2, 2006, relating to compensation for various classifications.

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 upon the concurrence of the Board of Control, as required by Sections 77 and 79 of the Charter of the City of Cleveland, the Division of Real Estate is established and the Division of Neighborhood Development is discontinued and for such purposes, Sections 137.09 and 137.10 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 57-94, passed June 13, 1994, are amended to read as follows:

Section 137.09 Division of Real Estate

There is established a Division of Real Estate in the Department of Community Development, which shall be administered by a Commissioner of Real Estate, subject to the provisions of the Charter and ordinances of the City, and to the direction of the Director of Community Development.

Section 137.10 Duties of the Commissioner of Real Estate

The Commissioner of Real Estate shall administer City programs intended to encourage the development or improvement of residential, commercial and City-owned property in Cleveland; shall manage public acquisition, maintenance and disposition of real estate to be used in furtherance of the City's neighborhood and industrial development objectives; shall manage the acquisition or lease of real estate for the general operations of the City; and shall perform other duties as may from time to time be required by ordinance or by the Director of Community Development.

Section 2. That upon the concurrence of the Board of Control, as required by Sections 77 and 79 of the Charter of the City of Cleveland, the Division of Real Estate is established and the Division of Neighborhood Development is discontinued and for such purposes, Sections 137.09 and 137.10 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 57-94, passed June 13, 1994, are repealed.

Section 3. That concurrence of the Board of Control shall be evidenced by a certified copy of the resolution of the Board of Control duly filed with the Clerk of Council by the Secretary of the Board of Control immediately on the adoption of the concurring resolution, which resolution shall be attached by the Clerk of Council to this ordinance.

Section 4. That any references contained in the Codified Ordinances of Cleveland, Ohio, 1976, and any authority granted by this Council to the "Division of Neighborhood Development" or the "Commissioner of Neighborhood Development", shall be amended to read "Division of Real Estate" and the "Commissioner of Real Estate" consistent with this ordinance.

Section 5. That the Clerk of Council is authorized and directed when publishing the Codified Ordinances of Cleveland, Ohio, 1976, and any amendment to the codified ordinances, to change all references to the "Division of Neighborhood Development" to the "Division of Real Estate", and to change all references to the "Commissioner of Neighborhood Development" to the "Commissioner of Real Estate" consistent with this ordinance.

Section 5a. That unless this Council authorizes the continuation of the Division of Real Estate before June 30th, 2008, through legislation, Sections 1, 2, 3, 4, and 5 of this ordinance are repealed, and the following new Sections 137.09 and 137.10 of the Codified Ordinances of Cleveland, Ohio, 1976, are enacted to read as follows:

Section 137.09 Division of Neighborhood Development

There is established a Division of Neighborhood Development in the Department of Community Development, which shall be administered by a Commissioner of Neighborhood Development, subject to the provisions of the Charter and ordinances of the City, and to the direction of the Director of Community Development.

Section 137.10 Duties of Commissioner of Neighborhood Development

The Commissioner of Neighborhood Development shall administer City programs intended to encourage the development or improvement of residential and commercial property in Cleveland's neighborhoods; shall manage public acquisition of real estate to be used in furtherance of the City's neighborhood development objectives; shall manage and propose allocation of the City's capital resources to provide incentives for private investment in residential and commercial development within the City; shall plan and implement City programs intended to foster the construction of safe, high-quality, and affordable housing for low income residents; and shall perform such other duties as may from time to time be required by ordinance or by the Director of Community Development.

Section 6. That Sections 37 and 40 of Ordinance No. 289-06, passed March 27, 2006, as amended by Ordinance No. 1647-06, passed October 2, 2006, are amended to read as follows:

Section 37. That the salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	Minimum	Maximum
1. Airport Maintenance Manager	\$26,273.96	\$ 83,395.52
2. Airport Operations Manager	\$26,273.96	\$ 83,395.52
3. Airport Safety Chief	\$26,273.96	\$ 83,395.52
4. Assistant Commissioner of Administrative Services	\$26,273.96	\$ 83,395.52
5. Assistant Commissioner of Cleveland Public Power	\$27,325.56	\$114,083.84
6. Assistant Commissioner of Code Enforcement.....	\$26,273.96	\$ 83,395.52
7. Assistant Commissioner of Construction Permitting.....	\$26,273.96	\$ 83,395.52
8. Assistant Commissioner of Information Technology and Services	\$23,647.11	\$ 80,188.16
9. Assistant Commissioner of Motor Vehicles Maintenance	\$26,273.96	\$ 83,395.52
10. Assistant Commissioner of Real Estate	\$26,273.96	\$ 83,395.52
11. Assistant Commissioner of Neighborhood Services	\$26,273.96	\$ 83,395.52
12. Assistant Commissioner of Streets.....	\$26,273.96	\$ 83,395.52

13.	Assistant Commissioner of Waste Collection and Disposal	\$26,273.96	\$ 83,395.52
14.	Assistant Commissioner of Water Pollution Control	\$26,273.96	\$ 83,395.52
15.	Assistant Director of Community Relations Board.....	\$26,273.96	\$ 83,395.52
16.	Assistant Income Tax Administrator.....	\$26,273.96	\$ 83,395.52
17.	Assistant Superintendent of Electric Transmission and Distribution.....	\$26,273.96	\$ 68,388.32
18.	Building and Housing Executive Assistant.....	\$26,273.96	\$ 83,395.52
19.	Chief of Air Pollution Enforcement.....	\$22,333.40	\$ 74,917.44
20.	Chief of Air Pollution Engineering	\$22,333.40	\$ 74,917.44
21.	Chief of Air Pollution Information Systems.....	\$22,333.40	\$ 74,917.44
22.	Chief of Air Pollution Monitoring	\$22,333.40	\$ 74,917.44
23.	Chief Civil Service Examiner	\$26,273.96	\$ 66,075.36
24.	Chief of Pharmacy Service	\$26,273.96	\$ 83,395.52
25.	Chief of Pumping	\$26,273.96	\$ 82,482.40
26.	Chief of Water Distribution	\$26,273.96	\$ 85,696.00
27.	Chief Training Officer.....	\$26,273.96	\$ 66,075.36
28.	City Hall Custodian.....	\$26,273.96	\$ 66,075.36
29.	Community Development Executive Assistant.....	\$26,273.96	\$ 83,395.52
30.	Contract Compliance Officer.....	\$26,273.96	\$ 66,075.36
31.	Deputy Commissioner of Accounts	\$26,273.96	\$ 82,482.40
32.	Deputy Commissioner of Air Pollution Control.....	\$26,273.96	\$ 76,980.80
33.	Deputy Commissioner of Airports.....	\$26,273.96	\$ 76,980.80
34.	Deputy Commissioner of Air Quality	\$26,273.96	\$ 76,980.80
35.	Deputy Commissioner of Convention Center and Stadium.....	\$26,273.96	\$ 76,980.80
36.	Deputy Commissioner of Convention Center.....	\$26,273.96	\$ 76,980.80
37.	Deputy Commissioner of Environment.....	\$26,273.96	\$ 76,980.80
38.	Deputy Commissioner of Health.....	\$26,273.96	\$ 76,980.80
39.	Deputy Commissioner of Information Technology and Systems Services	\$30,214.95	\$ 93,215.20
40.	Deputy Commissioner of Maintenance	\$26,273.96	\$ 76,980.80
41.	Deputy Commissioner of Park and Urban Forestry	\$26,273.96	\$ 76,980.80
42.	Deputy Commissioner of Parks and Urban Forestry/Golf Courses and Cemeteries.....	\$26,273.96	\$ 76,980.80
43.	Deputy Commissioner of Recreation.....	\$26,273.96	\$ 76,980.80
44.	Director of Public Health Nurses.....	\$26,273.96	\$ 76,980.80
45.	Fair Housing Administrator.....	\$31,500.00	\$ 82,182.88
46.	General Manager of Administrative Services.....	\$26,273.96	\$ 83,395.52
47.	Office of Professional Standards Administrator.....	\$26,273.96	\$ 66,075.36
48.	Manager of Human Resources Program Planning and Management.....	\$26,273.96	\$ 76,980.80
49.	Personnel Administrator	\$26,273.96	\$ 76,980.80
50.	Senior Budget and Management Analyst.....	\$26,273.96	\$ 73,035.04
51.	Superintendent of Industrial Claims	\$26,273.96	\$ 66,075.36
52.	Superintendent of Motorized Equipment	\$26,273.96	\$ 66,075.36
53.	Utilities Comptroller	\$26,273.96	\$ 83,395.52

Section 40. That the appointing authority shall fix the salaries in the following classifications in accordance with the schedule appearing after each classification:

	Minimum	Maximum
1. City Comptroller.....	\$42,758.15	\$128,648.00
2. City Treasurer.....	\$42,758.15	\$118,751.36
3. Chief Technology Officer.....	\$45,000.00	\$144,612.00
4. Commissioner of Accounts	\$40,314.82	\$123,235.84
5. Commissioner of Administrative Services - Community Development.....	\$40,314.82	\$123,235.84
6. Commissioner of Air Quality	\$42,758.15	\$128,648.00
7. Commissioner of Architecture.....	\$42,758.15	\$137,793.76
8. Commissioner of Assessments and Licenses.....	\$40,314.82	\$113,755.20
9. Commissioner of Burke Airport.....	\$40,314.92	\$113,755.20
10. Commissioner of Cleveland Hopkins International Airport.....	\$42,758.15	\$137,793.76

11.	Commissioner of Cleveland Public Power	\$45,201.46	\$160,680.00
12.	Commissioner of Code Enforcement.....	\$42,758.15	\$128,648.00
13.	Commissioner of Construction Permitting	\$42,758.15	\$128,648.00
14.	Commissioner of Convention Center.....	\$45,201.46	\$121,975.36
15.	Commissioner of Emergency Medical Services	\$42,758.15	\$128,648.00
16.	Commissioner of Engineering and Construction.....	\$45,201.46	\$136,764.16
17.	Commissioner of Environment.....	\$42,758.15	\$128,648.00
18.	Commissioner of Health.....	\$45,021.46	\$136,764.16
19.	Commissioner of House of Corrections.....	\$40,314.82	\$113,640.80
20.	Commissioner of Information Technology and Services.....	\$52,734.82	\$136,764.16
21.	Commissioner of Motor Vehicle Maintenance.....	\$40,314.82	\$123,235.84
22.	Commissioner of Real Estate	\$40,314.82	\$113,755.20
23.	Commissioner of Neighborhood Services	\$42,758.15	\$118,751.36
24.	Commissioner of Park Maintenance and Properties.....	\$42,758.15	\$137,793.76
25.	Commissioner of Parking Facilities.....	\$40,314.82	\$123,235.84
26.	Commissioner of Printing and Reproduction.....	\$40,314.82	\$123,235.84
27.	Commissioner of Property Management	\$45,201.46	\$136,764.16
28.	Commissioner of Purchases and Supplies.....	\$42,758.15	\$118,751.36
29.	Commissioner of Recreation.....	\$42,758.15	\$137,793.76
30.	Commissioner of Research/Planning and Development.....	\$40,314.82	\$123,235.84
31.	Commissioner of Streets.....	\$40,314.82	\$123,235.84
32.	Commissioner of Traffic Engineering.....	\$42,758.15	\$118,751.36
33.	Commissioner of Utilities Engineering	\$42,758.15	\$113,755.20
34.	Commissioner of Utilities Fiscal Control.....	\$40,314.82	\$113,755.20
35.	Commissioner of Waste Collection and Disposal.....	\$40,314.82	\$123,235.84
36.	Commissioner of Water.....	\$45,201.46	\$160,680.00
37.	Commissioner of Water Pollution Control.....	\$40,314.82	\$123,235.84
38.	Deputy Director Department of Building and Housing.....	\$36,590.39	\$128,648.00
39.	Income Tax Administrator.....	\$42,758.15	\$128,648.00
40.	Manager of Internal Audit	\$40,314.82	\$113,755.20

Section 7. That existing Sections 37 and 40 of Ordinance No. 289-06, passed March 27, 2006, as amended by Ordinance No. 1647-06, passed October 2, 2006, are repealed.

Section 8. 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.

BOARD OF CONTROL

July 18, 2007

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, July 18, 2007, at 10:30 a.m. with Mayor Jackson presiding.

Present: Mayor Jackson, Directors Triozzi, Dumas, Ciaccia, Smith, Wasik, Carroll, Acting Director Smith, Directors Cox, Rush, Hutchinson, Reilly, Fumich, Guzman and Rybka.

Absent: None.

Others: Jim Hardy, Commissioner, Purchases and Supplies.
Carol Whitaker, Acting Director, Office of Equal Opportunity.

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

Resolution No. 399-07.

By Director Ciaccia.

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

the bid of Cascade Lighting for an estimated quantity of Post Light Material, item numbers 3 and 4B, for the Division of Cleveland Public Power, Department of Public Utilities, for a period of one year beginning with the date of execution on a contract, received on April 18, 2007, under the authority of Ordinance No. 564-06, passed October 16, 2006, which on the basis of the estimated quantity would amount to \$10,005.00 (Net 30 Days), is approved as the lowest responsible bid, and the Director of Public Utilities is requested to enter into a requirement contract for the goods and/or services, which shall provide for the immediate purchase as the initial amount of the contract of the following:

Requisition No. 168773 which shall be certified against the contract in the sum of \$500.25.

The requirement contract shall further provide that the Contractor will furnish the remainder of the requirement for the commodities, whether more or less than the esti-

mated quantity, as may be ordered under subsequent requisitions separately certified against the contract.

Yeas: Mayor Jackson, Directors Triozzi, Dumas, Ciaccia, Smith, Wasik, Carroll, Acting Director Smith, Directors Cox, Rush, Hutchinson, Reilly, Fumich, Guzman and Rybka.

Nays: None.

Absent: None.

Resolution No. 400-07.

By Director Ciaccia.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Mars Electric Co. for an estimated quantity of Post Light Material, item numbers 1, D1 through D5, 2, 4, 4A, 5, 6, 7, D12 through D15, and 8 through 21, for the Division of Cleveland Public Power, Department of Public Utilities, for a period of one year beginning with the date of execution on a contract, received on April 18, 2007, under the authority of Ordinance No. 564-06, passed October 16, 2006, which on the basis of the estimated quantity would amount to

\$27,671.14 (Net 30 Days), is approved as the lowest responsible bid, and the Director of Public Utilities is requested to enter into a requirement contract for the goods and/or services, which shall provide for the immediate purchase as the initial amount of the contract of the following:

Requisition No. 168774

which shall be certified against the contract in the sum of \$1,383.56.

The requirement contract shall further provide that the Contractor will furnish the remainder of the requirement for the commodities, whether more or less than the estimated quantity, as may be ordered under subsequent requisitions separately certified against the contract.

Yeas: Mayor Jackson, Directors Triozzi, Dumas, Ciaccia, Smith, Wasik, Carroll, Acting Director Smith, Directors Cox, Rush, Hutchinson, Reilly, Fumich, Guzman and Rybka.

Nays: None.

Absent: None.

Resolution No. 401-07.

By Director Ciaccia.

Be it resolved by the Board of Control of the City of Cleveland that the bid of West Side Lighting, Inc. for an estimated quantity of Post Light Installation, item numbers 1 through 9, for the Division of Cleveland Public Power, Department of Public Utilities, for a period of one year beginning with the date of execution on a contract, received on April 18, 2007, under the authority of Ordinance No. 564-06, passed October 16, 2006, which on the basis of the estimated quantity would amount to \$21,905.00 (Net 30 Days), is approved as the lowest responsible bid, and the Director of Public Utilities is requested to enter into a requirement contract for the goods and/or services, which shall provide for the immediate purchase as the initial amount of the contract of the following:

Requisition No. 168775

which shall be certified against the contract in the sum of \$1,095.25.

The requirement contract shall further provide that the Contractor will furnish the remainder of the requirements for the commodities, whether more or less than the estimated quantity, as may be ordered under subsequent requisitions separately certified against the contract.

Yeas: Mayor Jackson, Directors Triozzi, Dumas, Ciaccia, Smith, Wasik, Carroll, Acting Director Smith, Directors Cox, Rush, Hutchinson, Reilly, Fumich, Guzman and Rybka.

Nays: None.

Absent: None.

Resolution No. 402-07.

By Director Smith.

Whereas, Ordinances Nos. 930-05, 469-98 and 327-2000, passed by the Council of the City of Cleveland on June 19, 1995, May 18, 1998 and June 12, 2000, respectively, and Board of Control Resolutions Nos. 207-01, 486-05 and 279-07, respectively adopted

March 29, 2001, September 7, 2005 and June 6, 2007, authorized the City, through its Director of Port Control, to enter into Contract No. 58107 with C & S Engineers of Ohio, Inc., and first and second modifications thereto, to provide design and construction management necessary to complete Phase II of the Residential Sound Insulation Program for the Department of Port Control; and

Whereas, Resolution No. 279-07, adopted June 6, 2007, incorrectly stated the adoption date of Resolution No. 486-05 and the increased total amounts of compensation for services under City Contract No. 58107 as modified by the first and second modifications; now, therefore,

Be it resolved, by the Board of Control of the City of Cleveland that paragraph two of Resolution No. 279-07, adopted June 6, 2007, is amended by changing the adoption date of Resolution No. 486-05 to "September 7, 2005" and by changing the increased compensation amount statement to "from an amount not to exceed \$8,798,995.00 to an amount not to exceed \$12,228,552.00" and paragraph eight of the resolution is amended by changing the increased compensation amount statement to "from \$12,228,552.00 to a total amount not to exceed \$12,431,900.00."

Be it further resolved, that all other terms of Resolution No. 279-07 not expressly amended by this resolution shall remain unchanged and in full force and effect.

Yeas: Mayor Jackson, Directors Triozzi, Dumas, Ciaccia, Smith, Wasik, Carroll, Acting Director Smith, Directors Cox, Rush, Hutchinson, Reilly, Fumich, Guzman and Rybka.

Nays: None.

Absent: None.

Resolution No. 403-07.

By Director Smith.

Resolved, by the Board of Control of the City of Cleveland that the bid of Able Contracting Group, Inc. d/b/a Able Fence & Guard Rail, for necessary items of fencing and gates, including labor and materials for repair and installation, if necessary, all items, for the various divisions, Department of Port Control, for a period of two years with two one year options to renew beginning with the date of execution of a contract, received on June 15, 2007, under the authority of Ordinance No. 406-07, passed on April 23, 2007, which on the basis of the estimated quantity would amount to \$620,629.00, is affirmed and approved as the lowest and best bid, and the Director of Port Control is requested to enter into a requirement contract for the labor and materials necessary, which shall provide for the immediate purchase as the initial amount of the contract of the following:

Requisition No. 168474

which shall be certified against the contract in the sum of \$50,000.00.

The requirement contract shall further provide that the Contractor shall furnish the remainder of the

City's requirements for such labor and materials, whether more or less than the estimated quantity, as may be ordered under subsequent requisitions separately certified against the contract.

Be it further resolved by the Board of Control that the employment of the following subcontractor by Able Contracting Group, Inc. d/b/a Able Fence & Guard Rail, is approved:

<u>Subcontractor</u>	<u>MBE/FBE % Dollar Amount</u>
Superior Fencing	19.49% MBE \$121,000.00

Yeas: Mayor Jackson, Directors Triozzi, Dumas, Ciaccia, Smith, Wasik, Carroll, Acting Director Smith, Directors Cox, Rush, Hutchinson, Reilly, Fumich, Guzman and Rybka.

Nays: None.

Absent: None.

Resolution No. 404-07.

By Director Wasik.

Resolved, by the Board of Control of the City of Cleveland that the bid of American Highway Products Ltd., for an estimated quantity of various sizes of manhole risers, items 1 through 6, for the Division of Streets, Department of Public Service, for the period of 1 year beginning with the execution of this contract, received on May 9, 2007, under the authority of Ordinance No. 307-06, passed March 27, 2006, which on the basis of the estimated quantity would amount to \$30,550.00, is approved as the lowest and best bid, and the Director of Public Service is requested to enter into a requirement contract for the goods and/or services, which shall provide for the immediate purchase as the initial amount of the contract of the following:

Requisition No. 174635

which shall be certified against the contract in the sum of \$16,900.00.

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 subsequent requisitions separately certified against said contract.

Yeas: Mayor Jackson, Directors Triozzi, Dumas, Ciaccia, Smith, Wasik, Carroll, Acting Director Smith, Directors Cox, Rush, Hutchinson, Reilly, Fumich, Guzman and Rybka.

Nays: None.

Absent: None.

Resolution No. 405-07.

By Director Cox.

Be it resolved by the Board of Control of the City of Cleveland, that the bid of R. J. Platten Contracting Co. for the public improvement of Miles Heights Park Site Improvements, for Base Bid Items 1 - 32, 33 - 74, Alternate Item #A1 and Add Alternate Item #1AA including the 5% contingency for the Division of Research, Planning & Development, Department of Parks,

Recreation & Properties, received on June 14, 2007, under the authority of Ordinance No. 690-07, passed on June 11, 2007, upon a unit basis for the improvement in the aggregate amount of \$384,537.04, is affirmed and approved as the lowest responsible bid; and the Director of Department of Parks, Recreation & Properties is authorized to enter into contract for the improvement with the bidder.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by R. J. Platten Contracting Co. for the aforementioned public improvement is approved:

<u>SUBCONTRACTORS</u>	<u>AMOUNT</u> <u>PERCENTAGE</u>
Spectra Terra Soft	\$42,500.00 11.05%
D. Williams & Associates	\$32,300.00 8.40%
Ballast Fence	\$25,569.00 6.65%
Cook Paving (MBE)	\$24,479.00 6.37%
Granger Trucking (MBE)	\$24,150.00 6.28%
McTech (MBE)	\$21,250.00 5.53%
Carrick's Landscaping	\$17,867.00 4.65%
Service Supply	\$ 8,970.00 2.33%
K & L Sealers	\$ 6,985.00 1.82%
Playground World	\$ 5,900.00 1.53%
Krusoe Sign	\$ 5,125.00 1.33%
Pompili Precast	\$ 4,055.00 1.05%

Yeas: Mayor Jackson, Directors Triozzi, Dumas, Ciaccia, Smith, Wasik, Carroll, Acting Director Smith, Directors Cox, Rush, Hutchinson, Reilly, Fumich, Guzman and Rybka.

Nays: None.
Absent: None.

Resolution No. 406-07.

By Director Reilly.

Be it resolved by the Board of Control of the City of Cleveland that the employment of the following additional sub-contractor by Titan Wrecking & Environmental, LLC under City Contract No. 66966 for the public improvement of Demolition and Environmental Remediation of Midland Steel Property located at 10615 Madison Avenue for the Department of Economic Development, under the authority of Ordinance No. 1280-06, passed October 2, 2006 and Board of Control Resolution No. 292-07 adopted on June 6, 2007, is approved.

<u>Sub-contractor</u>	<u>Contract %</u> <u>Amount</u>
Environmental Management Specialists, Inc.	(NON) 51% \$2,000,000.00

Yeas: Mayor Jackson, Directors Triozzi, Dumas, Ciaccia, Smith, Wasik, Carroll, Acting Director Smith, Directors Cox, Rush, Hutchinson, Reilly, Fumich, Guzman and Rybka.

Nays: None.
Absent: None.

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.

REYNALDO GALINDO,
President

SCHEDULE OF THE BOARD OF ZONING APPEALS

MONDAY, AUGUST 6, 2007

9:30 A.M.

Calendar No. 07-97: 4502 Warner Road (Ward 12)

Demeter and Associates, owner, appeal to add and expand an existing gas service station, situated on a 47.93' x 184.45' corner parcel in a Local Retail Business District on the northwest corner of Warner Road and Vineyard Avenue at 4502 Warner Road; and no expansion of an existing nonconforming use shall be permitted except as a variance under the terms of Chapter 329, and no substitution or other change in such nonconforming use to other than a conforming use

shall be permitted except by special permit from the Board of Zoning Appeals. Such special permit may be issued only if the Board finds after public hearing that such change is no more harmful or objectionable than the previous nonconforming use in floor or other space occupied, in volume of trade or production, in kind of goods sold or produced, in daily hours or other period of use, in the type or number of persons to occupy or be attracted to the premises, or in any other characteristic of the new use as compared with the previous use, according to Section 359.01(a) of the Codified Ordinances.

Calendar No. 07-120: 2033-2107 Clover Avenue (Ward 14)

JOS Development Inc., owner, appeals to erect five new townhouses in two separate buildings of two and three units, proposed to be situated on two consolidated parcels on the northeast corner of Clover Avenue and West 19th Street at 2033-2107 Clover Avenue; subject to the limitations of Section 337.03(a) a multiple dwelling building of more than two units is not permitted; and contrary to Section 355.04, the proposed lot size of 7,926 square feet exceeds fifty percent of the lot size, or 5,183.5 square feet that is allowed; and a 10 foot distance is proposed between the main building and a rear building, where there may not be less than 40 feet as stated in Section 357.15(a) of the Codified Ordinances.

Calendar No. 07-123: 3247 West 56th Street (Ward 17)

Vitali Martiniouk and Svetlana Belaia, owners, appeal to enclose an existing 6' x 22' open front porch of a one family dwelling, situated on a 40' x 125' parcel in a Two-Family District on the east side of West 56th Street at 3247 West 56th Street; contrary to the requirements for Yards and Courts, the proposed enclosure projects 6 feet and may not project more than 4 feet; with a total aggregate of area of the facade equaling 38 square feet, where not more than twenty percent, or 33 square feet is required, according to the provisions of Section 357.13(b)(4) of the Codified Ordinances.

Calendar No. 07-124: 15316 Huntmere Avenue (Ward 11)

Raquel Wilbon, owner, appeals to establish use as a Type A day care in an existing one-family dwelling, situated on a 40' x 125' parcel in an A1 One-Family District on the south side of Huntmere Avenue at 15316 Huntmere Avenue; the proposed Type A day care and accessory uses are adjacent to and located within 30 feet a residential district, contrary to Section 337.03 and subject to the review and approval of the Board of Zoning Appeals.

Calendar No. 07-130: 3290 West 17th Street (Ward 14)

Mayann and Randolph Balog, owners, appeal to install approximately 80 linear feet of 5 foot high privacy fence in the actual front yard, 40 linear feet of 5 foot high and 70 linear feet of 6 foot high pri-

vacy fence in the actual side street yard, 124 linear feet of privacy fence in the actual interior side yard, and 22 linear feet of 6 foot high privacy fence in the actual rear yard of a 62.67' x 137.41' flag shaped corner parcel, located in a Two-Family District on the southwest corner of West 17 Street and Corning Avenue at 3290 West 17th Street; and in a residential district, only ornamental fence not more than 4 feet in height is permitted, and privacy fence material that is 5 feet and 6 feet high is proposed in the actual front and side street yards, contrary to Section 358.03 of the Codified Ordinances.

Calendar No. 07-134: 2472 West 7th Street (Ward 13)
Sara Osberger, owner, appeals to install approximately 35 linear feet of 6 foot high wooden fence in the actual rear yard and actual interior side yard of a 33' x 146' parcel located in a Two-Family District on the west side of West 7th Street at 2472 West 7th Street; subject to Section 358.04(a), a fence in the actual rear and interior side yards shall not exceed a 6 foot height nor be higher than its distance from a residence building on an adjoining lot, according to the Fence Regulations of the Codified Ordinances.

Calendar No. 07-135: Robert L. Burton Enterprise, d.b.a. J & B Club, 7019 Superior Avenue (Ward 7)
Robert L. Burton Enterprise, d.b.a. J & B Club, appeals under the authority of Section 76.6 of the Cleveland City Charter and Section 329.02(d) of the Codified Ordinances from a denied Dance Hall License by the Commissioner of Assessments and Licenses for the property at 7019 Superior Avenue, upon the disapproved license application by the Cleveland Department of Building and Housing.

Secretary

REPORT OF THE BOARD OF ZONING APPEALS

MONDAY, JULY 23, 2007

At the meeting of the Board of Zoning Appeals on Monday, July 23, 2007, the following appeals were heard by the Board.

The following appeals were **Approved:**

Calendar No. 07-112: 722-730 Starkweather Avenue
Valleyview Tremont, Inc. appealed to erect 7 buildings with 14 units of single family attached townhouses on a consolidated parcel in split zoning between Local Retail Business and Two-Family Districts.

Calendar No. 07-113: 736-754 Starkweather Avenue
Valleyview Tremont, Inc. appealed to erect 7 buildings with 14 units of single family attached townhouses on a consolidated parcel in split zoning between Local Retail Business and Two-Family District.

Calendar No. 07-114: 16800 Waterloo Road
Musmor Properties LLC and Commercial Alloys appealed for an expansion of use at an existing metals recycling center in slit zoning between Semi-Industry and General Industry Districts; subject to condition.

Calendar No. 07-86: 12106-12112 Mayfield Road
Flynn Properties LLC, owner, and Terry Tarantino, tenant, appealed to renovate an existing restaurant and add 80 outdoor patio seats and 34 indoor dining seats in a General Retail Business District; subject to condition.

The following appeal was **Withdrawn:**
None.

The following appeal was **Dismissed:**
None.

The following appeals were **Postponed:**

Calendar No. 07-109: 7405 Herman Avenue postponed to August 6, 2007.

Calendar No. 07-110: 7814 Cedar Avenue postponed to August 27, 2007.

Calendar No. 07-115: 19142 Davinwood Drive postponed to August 20, 2007.

Calendar No. 07-76: 4700 East 47th Street postponed to August 27, 2007.

In Executive Session on July 23, 2007, the following appeals heard by the Board on July 16, 2007 were ratified.

The following appeals were **Approved:**

Calendar No. 07-101: 4961 Old Grayton Road
Jonathan Ullrich appealed to construct a storage building expansion in an A1 Semi-Industry District.

Calendar No. 07-104: 3130 Sackett Avenue
Cleveland Housing Network appealed to erect a second floor room addition to a single family dwelling in a General Retail Business District.

Calendar No. 07-108: 3004 Vega Avenue
Nelson Cintron, Jr. appealed to erect a 20' x 16' double-decker rear porch on a two family dwelling in a Two-Family District.

Calendar No. 07-122: 10090 Chester Avenue
The Cleveland Clinic Foundation, owner, and Rite Aid, lessee, appealed to construct a one-story retail store in a General Retail Business District.

Secretary

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

NO MEETING

PUBLIC NOTICE

NONE

NOTICE OF PUBLIC HEARING

Notice of Public Hearing By the Council Committee On City Planning

**Mercedes Cotner
Committee Room 217
City Hall, Cleveland, Ohio
On Wednesday, August 8, 2007
9:00 a.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 Wednesday, August 8, 2007, at 9:00 a.m., to consider the following ordinance now pending in the Council:

Ord. No. 1068-07.

By Council Member Cimperman. An ordinance establishing an Entertainment Overlay District on property bounded by Merwin Street, Center Street, Fall Street and Simms Street (Map Change Number 2234, Sheet Number 1).

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

Joseph C. Cimperman
Chairman
Committee on City Planning

July 25, 2007 and August 1, 2007

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."

WEDNESDAY, AUGUST 1, 2007

File No. 207-07 — Purchase of Auto and Truck Glass Repair and Replacement, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 501-06, passed by the Council of the City of Cleveland, May 1, 2006.
THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** MONDAY, JULY 23, 2007 AT 10:00 A.M., DIVISION OF MOTOR VEHICLE MAINTENANCE, BUILDING #1, 4150 EAST 49TH STREET, CLEVELAND, OHIO 44105.

July 18, 2007 and July 25, 2007

FRIDAY, AUGUST 3, 2007

File No. 205-07 — Water Pollution Control Building Phase III — Interior Office Addition, for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Ordinance No. 597-03, passed by the Council of the City of Cleveland, July 16, 2003.

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

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** FRIDAY, JULY 27, 2007 AT 10:00 A.M., DIVISION OF WATER POLLUTION CONTROL, 12302 KIRBY AVENUE, CLEVELAND, OHIO 44108.

File No. 206-07 — Repairing and Maintaining Runways, Taxiways, Ramps, Roads and Other Concrete Surfaces, for the Various Divisions of Port Control, Department of Port Control, as authorized by Ordinance No. 408-07, passed by the Council of the City of Cleveland, June 4, 2007.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** FRIDAY, JULY 27, 2007 AT 10:00 A.M., CLEVELAND HOPKINS IN-

TERNATIONAL AIRPORT'S CENTRAL RECEIVING BUILDING, 19451 FIVE POINTS ROAD, CLEVELAND, OHIO 44135-3193.

File No. 211-07 — FDA and NIOSH Approved Healthcare N95 Particulate Respirator and Surgical Mask, Earloop Surgical Masks and Fit Testing Kits, for the Division of Health, Department of Public Health, as authorized by Ordinance No. 611-06, passed by the Council of the City of Cleveland, April 19, 2006.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** FRIDAY, JULY 27, 2007 AT 11:00 A.M., PUBLIC HEALTH, ENVIRONMENT CONFERENCE ROOM, 1925 ST. CLAIR AVENUE, CLEVELAND, OHIO 44114.

July 18, 2007 and July 25, 2007

WEDNESDAY, AUGUST 8, 2007

File No. 208-07 — Hydraulic Pumps, Motor and Valve Repair, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 686-07, passed by the Council of the City of Cleveland, June 11, 2007.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** TUESDAY, JULY 31, 2007 AT 10:30 A.M., DIVISION OF MOTOR VEHICLE MAINTENANCE, BUILDING #1, 4150 EAST 49TH STREET, CLEVELAND, OHIO 44105.

File No. 209-07 — New Way Packer Body Parts and Labor, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 686-07, passed by the Council of the City of Cleveland, June 11, 2007.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** MONDAY, JULY 30, 2007 AT 10:30 A.M., DIVISION OF MOTOR VEHICLE MAINTENANCE, BUILDING #1, 4150 EAST 49TH STREET, CLEVELAND, OHIO 44105.

July 18, 2007 and July 25, 2007

THURSDAY, AUGUST 9, 2007

File No. 210-07 — Pro3 Cert Kits (Re-Bid), for the Division of Safety Administration, Department of Public Safety, as authorized by Ordinance No. 1272-06, passed by the Council of the City of Cleveland, September 27, 2006.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** MONDAY, JULY 30, 2007 AT 10:30 A.M., EMERGENCY OPERATIONS CENTER, CONFERENCE ROOM 306, 205 WEST ST. CLAIR AVENUE, CLEVELAND, OHIO 44113.

July 18, 2007 and July 25, 2007

FRIDAY, AUGUST 10, 2007

File No. 215-07 — Digital Cameras, Equipment, Supplies and Maintenance, for the Division of Police, Department of Public Safety, as

authorized by Ordinance No. 1809-06, passed by the Council of the City of Cleveland, March 12, 2007.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** FRIDAY, AUGUST 3, 2007 AT 10:00 A.M., THE JUSTICE CENTER BUILDING, PHOTO LAB, 7TH FLOOR, 1300 ONTARIO STREET, CLEVELAND, OHIO 44113.

July 25, 2007 and August 1, 2007

WEDNESDAY, AUGUST 15, 2007

File No. 213-07 — Purchase of Various Case and Gradall Construction Equipment Parts and Labor (Re-Bid), for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 501-06, passed by the Council of the City of Cleveland, May 1, 2006.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** TUESDAY, AUGUST 7, 2007 AT 10:00 A.M., DIVISION OF MOTOR VEHICLE MAINTENANCE, BUILDING #1, 4150 EAST 49TH STREET, CLEVELAND, OHIO 44105.

File No. 214-07 — Various Galion — Dresser, Komatsu and Blaw Knox Paver Parts and Labor (ReBid), for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 501-06, passed by the Council of the City of Cleveland, May 1, 2006.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** MONDAY, AUGUST 6, 2007 AT 10:00 A.M., DIVISION OF MOTOR VEHICLE MAINTENANCE, BUILDING #1, 4150 EAST 49TH STREET, CLEVELAND, OHIO 44105.

File No. 216-07 — Wood Poles and Crossarms, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Section 129.26 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** MONDAY, AUGUST 6, 2007 AT 10:00 A.M., CLEVELAND PUBLIC POWER, CONFERENCE ROOM B, 1300 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

July 25, 2007 and August 1, 2007

THURSDAY, AUGUST 16, 2007

File No. 217-07 — Rehabilitation of Cornell Road Bridge, for the Division of Engineering and Construction, Department of Public Service, as authorized by Ordinance No. 820-05, passed by the Council of the City of Cleveland, June 16, 2005.

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

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** FRIDAY, AUGUST 3, 2007 AT 9:00 A.M., CITY HALL, ROOM 518, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

July 25, 2007 and August 1, 2007

FRIDAY, AUGUST 17, 2007

File No. 212-07 — Maintain and Repair Elevators at Various City Health Centers, for the Division of Health, Department of Public Health, as authorized by Ordinance No. 2011-06, passed by the Council of the City of Cleveland, December 11, 2006.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** FRIDAY, AUGUST 3, 2007 AT 10:00 A.M., CITY OF CLEVELAND McCAFFERTY HEALTH CENTER, 4242 LORAIN AVENUE, CLEVELAND, OHIO 44113.

July 25, 2007 and August 1, 2007

ADOPTED RESOLUTIONS AND ORDINANCES

REPRINT

Ord. No. 906-07. By Council Members Keane, Brady, Cimperman and Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Public Service to enter into one or more contracts with Ralph Tyler Companies to modify engineering and right-of-way plans for the reconstruction of the Aetna Road Bridge No. 3001M, over the CSX Railroad and the Greater Cleveland Regional Transit Author-

ity; authorizing the Commissioner of Purchases and Supplies to acquire for right-of-way purposes such real property as is necessary to make the public improvement; and authorizing the director to enter into one or more contracts with the railroad company and/or the Greater Cleveland Regional Transit Authority to obtain services and enter into agreements.

Whereas, the railroad company and/or the Greater Cleveland Regional Transit Authority ("GCRTA") may require the City to provide and obtain their approval for certain plans, specifications, other documentation, and services from or through persons or firms designated by or acceptable to the railroad company and/or GCRTA; and

Whereas, to undertake and complete certain public improvement projects adjacent to or within railroad and/or GCRTA rights-of-way, the City may require rights-of-entry to or control of certain property adjacent to or within railroad and/or GCRTA rights-of-way; and

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 Service is authorized to enter into one or more contracts with the Ralph Tyler Companies for professional services necessary to modify engineering and right-of-way plans for the reconstruction of the Aetna Road Bridge No. 3:001M, over the CSX Railroad and the Greater Cleveland Regional Transit Authority, for the Department of Public Service.

Section 2. That, notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Commissioner of

Purchases and Supplies is authorized to acquire for right-of-way purposes such real property as is necessary to make the Improvement. The consideration to be paid for the property shall not exceed fair market value.

Section 3. That the Director of Public Service is authorized to execute on behalf of the City all documents necessary to acquire the property and to employ and pay all fees for title companies, surveys, escrows, appraisers, and all other costs necessary for the acquisition of the property.

Section 4. That the Director of Public Service is authorized to enter into one or more contracts with the railroads or the GCRTA to obtain services and acquire property rights such as easements and licenses, necessary for the Improvement.

Section 5. That the cost of the contract or contracts and property acquisition authorized shall be paid from Fund Nos. 20 SF 364, 20 SF 373, 20 SF 380, 20 SF 383, 20 SF 394, 20 SF 500, 20 SF 506, and 20 SF 510, Request No. 173266.

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 June 11, 2007.
Effective June 15, 2007.

COUNCIL COMMITTEE MEETINGS

NO MEETINGS

Index

O—Ordinance; R—Resolution; F—File
Bold figures—Final Publication; D—Defeated; R—Reprint; T—Tabled; V—Vetoed;
Bold type in sections indicates amendments

Adult Entertainment

Merwin St., Center St., Fall St. & Simms St. (property bounded by) —
Establish an Entertainment Overlay District (O 1068-07) 1381

Board of Control - Cleveland Hopkins International Airport Division

Residential Sound Insulation Program, Phase 2 Continuation —
amend BOC Res. 279-07 — Dept. of Port Control (BOC Res. 402-07)..... 1379

Board of Control — Cleveland Public Power Division

Post Light material — contract per Ord. 564-06 to Cascade Lighting —
Dept. of Public Utilities (BOC Res. 399-07) 1378
Post Light material — contract per Ord. 564-06 to Mars Electric Co. —
Dept. of Public Utilities (BOC Res. 400-07) 1378
Post Light material — contract per Ord. 564-06 to West Side Lighting, Inc. —
Dept. of Public Utilities (BOC Res. 401-07) 1379

Board of Control — Economic Development Department

Midland Steel property demolition and environmental remediation — approve subcontractors — Contract #66966 per BOC Res. 292-07 (BOC Res. 406-07)	1380
--	------

Board of Control — Parks, Recreation and Properties Department

Miles Heights Park site improvements — contract per Ord. 690-07 to R.J. Platten Contracting Co. — Division of Research, Planning and Development (BOC Res. 405-07)	1379
--	------

Board of Control — Port Control Department

Fencing and gates — contract per Ord. 406-07 to Able Contracting Group, Inc., d.b.a., Able Fence & Guard Rail (BOC Res. 403-07).....	1379
Residential Sound Insulation Program, Phase 2 Continuation — amend BOC Res. 279-07 — Division of Cleveland Hopkins International Airport (BOC Res. 402-07)	1379

Board of Control — Professional Service Contracts

Residential Sound Insulation Program, Phase 2 Continuation — amend BOC Res. 279-07 — Division of Cleveland Hopkins International Airport, Dept. of Port Control (BOC Res. 402-07).....	1379
--	------

Board of Control — Public Improvement Contracts

Midland Steel property demolition and environmental remediation — approve subcontractors — Contract #66966 per BOC Res. 292-07 — Dept. of Economic Development (BOC Res. 406-07).....	1380
Miles Heights Park site improvements — contract per Ord. 690-07 to R.J. Platten Contracting Co. — Division of Research, Planning and Development, Dept. of Parks, Recreation and Properties (BOC Res. 405-07)	1379

Board of Control — Public Service Department

Manhole risers — contract per Ord. 307-06 to American Highway Products, Ltd. — Division of Streets (BOC Res. 404-07)	1379
---	------

Board of Control — Public Utilities Department

Post Light material — contract per Ord. 564-06 to Cascade Lighting — Division of Cleveland Public Power (BOC Res. 399-07)	1378
Post Light material — contract per Ord. 564-06 to Mars Electric Co. — Division of Cleveland Public Power (BOC Res. 400-07)	1378
Post Light material — contract per Ord. 564-06 to West Side Lighting, Inc. — Division of Cleveland Public Power (BOC Res. 401-07)	1379

Board of Control — Requirement Contracts

Fencing and gates — contract per Ord. 406-07 to Able Contracting Group, Inc., d.b.a., Able Fence & Guard Rail — Dept. of Port Control (BOC Res. 403-07)	1379
Manhole risers — contract per Ord. 307-06 to American Highway Products, Ltd. — Division of Streets, Dept. of Public Service (BOC Res. 404-07)	1379
Post Light material — contract per Ord. 564-06 to Cascade Lighting — Division of Cleveland Public Power, Dept. of Public Utilities (BOC Res. 399-07)	1378
Post Light material — contract per Ord. 564-06 to Mars Electric Co. — Division of Cleveland Public Power, Dept. of Public Utilities (BOC Res. 400-07)	1378
Post Light material — contract per Ord. 564-06 to West Side Lighting, Inc. — Division of Cleveland Public Power, Dept. of Public Utilities (BOC Res. 401-07)	1379

Board of Control — Research, Planning and Development Division

Miles Heights Park site improvements — contract per Ord. 690-07 to R.J. Platten Contracting Co. — Dept. of Parks, Recreation and Properties (BOC Res. 405-07) 1379

Board of Control — Streets Division

Manhole risers — contract per Ord. 307-06 to American Highway Products, Ltd. — Dept. of Public Service (BOC Res. 404-07) 1379

Board of Zoning Appeals — Report

Cedar Avenue, 7814, (Ward 5) — Mahmoud Jaber, owner — appeal postponed to 8/27/07 on 7/23/07 (Cal. 07-110) 1381
 Chester Avenue, 10090, (Ward 6) — The Cleveland Clinic Foundation, owner, and Rite Aid, lessee, — appeal granted and adopted on 7/23/07 (Cal. 07-122)..... 1381
 Davinwood Drive, 19142, (Ward 21) — Rodica Cocan, owner — appeal postponed to 8/20/07 on 7/23/07 (Cal. 07-115)..... 1381
 East 47th Street, 2700, (Ward 5) — Willkoff & Sons, LLC, owners and Jim Willkoff, — appeal postponed to 8/27/07 on 7/23/07 (Cal. 07-76)..... 1381
 Herman Avenue, 7405, (Ward 17) — Detroit Shoreway Community Development Organization, owner and Jeff Marks, agent — appeal postponed to 8/6/07 on 7/23/07 (Cal. 07-109)..... 1381
 Mayfield Road, 12106-12112, (Ward 6) — Flynn Properties, LLC, owner and Terry Tarantino, tenant — appeal heard on 7/23/07 (Cal. 07-86) 1381
 Old Grayton Road, 4961, (Ward 20) — Jonathan Ullrich, owner — appeal granted and adopted on 7/23/07 (Cal. 07-101) 1381
 Sackett Avenue, 3130, (Ward 14) — Cleveland Housing Network, owner — appeal granted and adopted on 7/23/07 (Cal. 07-104) 1381
 Starkweather Avenue, 722-730, (Ward 13) — Valleyview Tremont, Inc., owner — appeal heard on 7/23/07 (Cal. 07-112) 1381
 Starkweather Avenue, 736-754, (Ward 13) — Valleyview Tremont, Inc., owner — appeal heard on 7/23/07 (Cal. 07-113) 1381
 Vega Avenue, 3004, (Ward 14) — Nelson Cintron, Jr., owner — appeal granted and adopted on 7/23/07 (Cal. 07-108) 1381
 Waterloo Road, 16800, (Ward 11) — Musmor Properties LLC and Commercial Alloys Inc., owner — appeal heard on 7/23/07 (Cal. 07-114) 1381

Board of Zoning Appeals — Schedule

Clover Avenue, 2033-2107, (Ward 14) — JOS Development, Inc., owner — appeal to be heard on 8/6/07 (Cal. 07-120) 1380
 Huntmere Avenue, 15316, (Ward 11) — Raquel Wilborn, owner — appeal to be heard on 8/6/07 (Cal. 07-124) 1380
 Superior Avenue, 7019, (Ward 7) — Robert L. Burton Enterprise, d.b.a., J & B Club — appeal to be heard on 8/6/07 (Cal. 07-135) 1381
 Warner Road, 4502, (Ward 12) — Demeter and Associates, owner — appeal to be heard on 8/6/07 (Cal. 07-97) 1380
 West 17th Street, 3290, (Ward 14) — Mayann and Randolph Balog, owners — appeal to be heard on 8/6/07 (Cal. 07-130) 1380
 West 56th Street, 3247, (Ward 17) — Vitali Martiniouk and Svetland Belaia, owners — appeal to be heard on 8/6/07 (Cal. 07-123) 1380
 West 7th Street, 2472, (Ward 13) — Sara Osberger, owner — appeal to be heard on 8/6/07 (Cal. 07-134) 1381

Bridges

Aetna Road Bridge No. 3:001M — reconstruction — Ralph Tyler Companies — modify engineering & right-of-way plans — contracts — railroad company and/or GCRTA (O 906-07) 1383

City of Cleveland Bids

Auto and truck glass repair — Department of Public Service — Division of Motor Vehicle Maintenance — per Ord. 501-06 — bid due August 1, 2007 (advertised 7/18/2007 and 7/25/2007)..... 1382
 Case and Gradall construction equipment parts and labor (re-bid) — Department of Public Service — Division of Motor Vehicle Maintenance — per Ord. 501-06 — bid due August 15, 2007 (advertised 7/25/2007 and 8/1/2007)..... 1382

Cornell Road Bridge rehabilitation — Department of Public Service —
 Division of Engineering and Construction — per Ord. 820-05 —
 bid due August 16, 2007 (advertised 7/25/2007 and 8/1/2007) 1382

Digital cameras, equipment, supplies and maintenance —
 Department of Public Safety — Division of Police —
 per Ord. 1809-06 — bid due August 10, 2007
 (advertised 7/25/2007 and 8/1/2007)..... 1382

Dresser, Komatsu and Blaw Knox Paver parts and labor (re-bid) —
 Department of Public Service — Division of Motor Vehicle
 Maintenance — per Ord. 501-06 — bid due August 15, 2007
 (advertised 7/25/2007 and 8/1/2007)..... 1382

Elevator maintenance at Health Centers — Department of Public Health —
 Division of Health — per Ord. 2011-06 — bid due August 17, 2007
 (advertised 7/25/2007 and 8/1/2007)..... 1382

Hydraulic pumps, motors and valve repair — Department of Public Service —
 Division of Motor Vehicle Maintenance — per Ord. 686-07 — bid due August 8, 2007
 (advertised 7/18/2007 and 7/25/2007)..... 1382

New Way Packer body parts and labor — Department of Public Service —
 Division of Motor Vehicle Maintenance — per Ord. 686-07 — bid due August 8, 2007
 (advertised 7/18/2007 and 7/25/2007)..... 1382

Pro3 Cert kits — Department of Public Safety — Division of Safety Administration —
 per Ord. 1272-06 — bid due August 9, 2007 (advertised 7/18/2007 and 7/25/2007) 1382

Respirator and surgical mask (FDA and NIOSH approved Healthcare N95 particulate)
 and earloop surgical masks and fit testing kits — Department of Public Health —
 Division of Health — per Ord. 611-06 — bid due August 3, 2007
 (advertised 7/18/2007 and 7/25/2007)..... 1382

Runway, taxiway, ramp, road and concrete surface repair and maintenance —
 Department of Port Control — per Ord. 408-07 — bid due August 3, 2007
 (advertised 7/18/2007 and 7/25/2007)..... 1382

Water Pollution Control Building, Phase III improvements — Interior Office Addition —
 Department of Public Utilities — Division of Water Pollution Control — per Ord.
 597-03 — bid due August 3, 2007 (advertised 7/18/2007 and 7/25/2007) 1382

Wood poles and crossarms — Department of Public Utilities —
 Division of Cleveland Public Power — per C.O. Sec. 129.26 —
 bid due August 15, 2007 (advertised 7/25/2007 and 8/1/2007) 1382

City Planning Commission

Merwin St., Center St., Fall St. & Simms St. (property bounded by) —
 Establish an Entertainment Overlay District (O 1068-07) 1381

Codified Ordinances

Real Estate Division and Commissioner — creation — amend Sects. 137.09 & 137.10 —
 Div. of Commissioner of Neighborhood Development discontinuation
 (O 1117-06) 1375

Community Development

Real Estate Division and Commissioner — creation — amend Sects. 137.09 & 137.10 —
 Div. of Commissioner of Neighborhood Development discontinuation
 (O 1117-06) 1375

Contracts

Aetna Road Bridge No. 3:001M — reconstruction — Ralph Tyler Companies — modify
 engineering & right-of-way plans — contracts — railroad company and/or GCRTA
 (O 906-07) 1383

Flats District

Merwin St., Center St., Fall St. & Simms St. (property bounded by) —
 Establish an Entertainment Overlay District (O 1068-07) 1381

Public Hearings (Notices)

Merwin St., Center St., Fall St. & Simms St. (property bounded by) —
 Establish an Entertainment Overlay District (O 1068-07) 1381

Railroads

Aetna Road Bridge No. 3:001M — reconstruction — Ralph Tyler Companies — modify engineering & right-of-way plans — contracts — railroad company and/or GCRTA (O 906-07) 1383

Real Estate Division

Creation — amend Sects. 137.09 & 137.10 — Div. of Commissioner of Neighborhood Development discontinuation (O 1117-06) 1375

Regional Transit Authority

Aetna Road Bridge No. 3:001M — reconstruction — Ralph Tyler Companies — modify engineering & right-of-way plans — contracts — railroad company and/or GCRTA (O 906-07) 1383

Reprints

Aetna Road Bridge No. 3:001M — reconstruction — Ralph Tyler Companies — modify engineering & right-of-way plans — contracts — railroad company and/or GCRTA (O 906-07) 1383

Service Department

Aetna Road Bridge No. 3:001M — reconstruction — Ralph Tyler Companies — modify engineering & right-of-way plans — contracts — railroad company and/or GCRTA (O 906-07) 1383

Ward 13

Merwin St., Center St., Fall St. & Simms St. (property bounded by) — Establish an Entertainment Overlay District (O 1068-07) 1381

Ward 21

Aetna Road Bridge No. 3:001M — reconstruction — Ralph Tyler Companies — modify engineering & right-of-way plans — contracts — railroad company and/or GCRTA (O 906-07) 1383

Zoning

Merwin St., Center St., Fall St. & Simms St. (property bounded by) — Establish an Entertainment Overlay District (O 1068-07) 1381