

The City Record

Official Publication of the Council of the City of Cleveland



August the Tenth, Two Thousand and Eleven

Frank G. Jackson
Mayor

Martin J. Sweeney
President of Council

Patricia J. Britt
City Clerk, Clerk of Council

Ward Name

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

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

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DIRECTORY OF CITY OFFICIALS

CITY COUNCIL – LEGISLATIVE

President of Council – Martin J. Sweeney

Ward Name Residence

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

City Clerk, Clerk of Council – Patricia J. Britt, 216 City Hall, 664–2840

First Assistant Clerk – Sandra Franklin

MAYOR – Frank G. Jackson

Ken Silliman, Secretary to the Mayor, Chief of Staff

Darnell Brown, Executive Assistant to the Mayor, Chief Operating Officer

Valarie J. McCall, Executive Assistant to the Mayor, Chief of Government Affairs

Chris Warren, Executive Assistant to the Mayor, Chief of Regional Development

Monyka S. Price, Executive Assistant to the Mayor, Chief of Education

Maureen Harper, Executive Assistant to the Mayor, Chief of Communications

Andrea V. Taylor, Executive Assistant to the Mayor, Press Secretary

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 – Jonmarie Wasik, Director

DIVISIONS:

Architecture and Site Development – Robert Vilkas, Chief Architect, Manager

Engineering and Construction – _____, Manager

Real Estate – _____, Commissioner

DEPT. OF LAW – Robert J. Triozzi, Director, Barbara A. Langhenry, 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 – Richard W. Sensenbrenner, Commissioner, Room 19

Assessments and Licenses – Dedrick Stephens, Commissioner, Room 122

City Treasury – _____, Treasurer, Room 115

Financial Reporting and Control – James Gentile, Controller, Room 18

Information Technology and Services – Douglas Divish, Commissioner, 205 W. St. Clair

Avenue

Purchases and Supplies – James E. Hardy, Commissioner, Room 128

Printing and Reproduction – Michael Hewitt, Commissioner, 1735 Lakeside Avenue

Taxation – Nassim Lynch, Tax Administrator, 205 W. St. Clair Avenue

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

DIVISIONS:

Cleveland Public Power – Ivan Henderson, Commissioner

Street Lighting Bureau – _____, Acting Chief

Utilities Fiscal Control – Dennis Nichols, Commissioner

Water – _____, Commissioner

Water Pollution Control – Ollie Shaw, Commissioner

DEPT. OF PORT CONTROL – Ricky D. Smith, Director, Cleveland Hopkins

International Airport, 5300 Riverside Drive

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 – Richard L. Nemeth, Commissioner

Environment – Willie Bess, 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 – Terrence Ross, Commissioner

Fair Housing and Consumer Affairs Office – _____, Manager

Neighborhood Development – _____, 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 Fluckinger.

SINKING FUND COMMISSION – Frank G. Jackson, President; Council President Martin

J. Sweeney; Betsy Hruby, Asst. Sec’y.; Sharon Dumas, Director.

BOARD OF ZONING APPEALS – Room 516, Carol A. Johnson, Chairman; Members: John

Myers, Ozell Dobbins, Joan Shaver Washington, Tim Donovan, Jan Huber, Secretary.

BOARD OF BUILDING STANDARDS AND BUILDING APPEALS – Room 516, J.F.

Denk, Chairman; _____, Arthur Saunders, Alternate Members – D. Cox, P.

Frank, E. P. O’Brien, Richard Pace, J.S. Sullivan.

BOARD OF REVISION OF ASSESSMENTS – Law Director Robert J. Triozzi, President;

Finance Director Sharon Dumas, Secretary; Council President Martin J. Sweeney.

BOARD OF SIDEWALK APPEALS – Service Director Jonmarie Wasik, Law Director

Robert J. Triozzi; Council Member Eugene R. Miller.

BOARD OF REVIEW – (Municipal Income Tax) – Law Director Robert J. Triozzi; Utilities

Director Barry A. Withers; Council President Martin J. Sweeney.

CITY PLANNING COMMISSION – Room 501 – Robert N. Brown, Director; Anthony J.

Coyne, Chairman; David H. Bowen, Lillian Kuri, Lawrence A. Lumpkin, Gloria Jean

Pinkney, Norman Krumholz, Council Member Phyllis E. Cleveland.

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

Render, Genesis O. Brown.

HOUSING ADVISORY BOARD – Room 310 – Keith Brown, Terri Hamilton Brown, Vickie

Eaton-Johnson, Mike Foley, Eric Hodderson, Janet Loehr, Mark McDermott, Marcia Nolan,

David Perkowski, Joan Shaver Washington, Keith Sutton.

CLEVELAND BOXING AND WRESTLING COMMISSION – Robert Jones, Chairman;

Clint Martin, Mark Rivera.

MORAL CLAIMS COMMISSION – Law Director Robert J. Triozzi; Chairman; Finance

Director Sharon Dumas; Council President Martin J. Sweeney; Councilman Kevin

Kelley.

POLICE REVIEW BOARD – Thomas Jones, Board Chair Person; Vernon Collier, Vermel

Whalen, Nancy Cronin, Elvin Vauss.

CLEVELAND LANDMARKS COMMISSION – Room 519 – Jennifer Coleman, Chair;

Laura M. Bala, Council Member Anthony Brancatelli, Robert N. Brown, Thomas Coffey,

Allan Dreyer, William Mason, Michael Rastatter, Jr., John Torres, N. Kurt Wiebusch, Robert

Keiser, Secretary.

AUDIT COMMITTEE – Yvette M. Iutu, Chairman; Debra Janik, Bracy Lewis, Diane

Downing, Donna Sciarappa, Council President Martin J. Sweeney; Law Director Robert

J. Triozzi.

CLEVELAND MUNICIPAL COURT

JUSTICE CENTER – 1200 ONTARIO STREET

JUDGE COURTROOM ASSIGNMENTS

Judge Courtroom

Presiding and Administrative Judge Ronald B. Adrine – 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. 98

WEDNESDAY, AUGUST 10, 2011

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CITY COUNCIL

MONDAY, AUGUST 8, 2011

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City Clerk, Clerk of Council
216 City Hall

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 2010-2013

MONDAY — Alternating

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

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

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

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

MONDAY

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

TUESDAY

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

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

WEDNESDAY — Alternating

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

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

WEDNESDAY — Alternating

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

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

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

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

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

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

OFFICIAL PROCEEDINGS

CITY COUNCIL

NO MEETING

THE CALENDAR

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

NONE

BOARD OF CONTROL

August 3, 2011

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, August 3, 2011, at 10:31 a.m. with Director Triozzi presiding.

Present: Directors Triozzi, Dumas, Withers, R. Smith, Cox, Butler, Flask, Rush, Southerington, Nichols, Fumich and Rybka.

Absent: Mayor Jackson.
Others: C. Whitaker, Acting Director, Office of Equal Opportunity.

James Hardy, Commissioner, Purchases & Supplies.

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

Resolution No. 360-11.

By Director Withers.
Be it resolved by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 1026-10, passed by the Council of the City of Cleveland on October 18, 2010, Hardy Designs is selected from a list of firms determined after a full and complete canvass by the Director of Public Utilities as the firm to be employed by contract to provide professional services necessary to perform research, writing,

creative design, photography, artwork, layout, preparation of camera ready artwork, offset lithographic reproduction and distribute the 2010 and 2011 Annual Reports for the Division of Water Pollution Control, Department of Public Utilities.

Be it further resolved that the Director of Public Utilities is authorized to enter into a contract with Hardy Designs based upon its proposal dated June 17, 2011, which contract shall be prepared by the Director of Law, shall provide for furnishing of professional services as described in the proposal, for an aggregate fee not in excess of \$48,500.00, and shall contain such additional provisions as the Director of Law deems necessary to protect and benefit the public interest.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following sub-consultants by Hardy Designs for the above-mentioned professional service is approved:

SUBCONSULTANT CSB/MBE/FBE WORK

Visibility Marketing, Inc.
CSB/MBE/FBE
\$ 6,000.00 (12.371%)

Hatha Communications
CSB/FBE
\$ 3,000.00 (6.186%)

Albrecht Design, LLC
CSB/FBE/LPE
\$ 4,500.00 (9.278%)

The Couple Creative Imagery
CSB/MBE
\$10,700.00 (22.062%)

Yeas: Directors Triozzi, Dumas, Withers, R. Smith, Cox, Butler, Flask, Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.
Absent: Mayor Jackson.

Resolution No. 361-11.

By Director Smith.
Whereas, under the authority of Section 183.04 of the Codified Ordinances of Cleveland, Ohio 1976 and Board of Control Resolution No. 196-11, as amended by Resolution No. 264-11, adopted May 4, 2011 and June 15, 2011, respectively, the City authorized the Director of the Department of Port Control to enter into agreements granting named concessionaires the privilege, permit and license to utilize the East 9th Street Pier for a farmers' market between June 2, 2011 and September 8, 2011; and

Whereas, Zydeco Mobile Bistro, Matt Fuchs, Fired-Up Catering, Gray House Pies, NSPF, Carhop's Burger Sauce, Kings of Fun, Knife Sharpening by Garth and Petits Gateaux (collectively, "Concessionaires") desire to participate in the farmers' market; and

Whereas, the City is willing to grant Concessionaires the privilege, permit and license to participate in the farmers' market; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that Resolution No. 196-11, as amended by Resolution No. 264-11, adopted May 4, 2011 and June 15, 2011, respectively, is amended by adding Zydeco Mobile Bistro, Matt Fuchs, Fired-Up Catering, Gray House Pies, NSPF, Carhop's Burger Sauce, Kings of Fun, Knife Sharpening by Garth and Petits Gateaux as Concessionaires in Resolution No. 196-11.

Be it further resolved that all other terms of Resolution No. 196-11 not expressly amended by this resolution shall remain unchanged and in full force and effect.

Yeas: Directors Triozzi, Dumas, Withers, R. Smith, Cox, Butler, Flask, Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 362-11.

By Director Flask.

Resolved by the Board of Control of the City of Cleveland that the bid of Fire Force Inc., for an estimated quantity of MSA Self Contained Breathing Apparatus, item 1 and item 2, for the Division of Fire, Department of Public Safety, for the period of one (1) year beginning with the date of execution of a contract, received on May 12, 2011, under the authority of Ordinance No. 15-11, passed by Cleveland City Council on January 31, 2011, which on the basis of the estimated quantity would amount to \$688,900.00, is hereby affirmed and approved as the lowest and best bid, and the Director of Public Safety is hereby 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 \$688,900.00.

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 delivery orders separately certified to the contract.

Yeas: Directors Triozzi, Dumas, Withers, R. Smith, Cox, Butler, Flask, Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 363-11.

By Director Cox.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of Cleveland Peterbilt, LLC., for an estimated quantity of one cab and chassis with wrecker body, 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 con-

tract, received on May 5, 2011, under the authority of Ordinance No. 1620-09, passed by Cleveland City Council on November 23, 2009, which on the basis of the estimated quantity would amount to \$352,000.00 (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 the amount not less than \$352,000.00.

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: Directors Triozzi, Dumas, Withers, R. Smith, Cox, Butler, Flask, Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 364-11.

By Director Cox.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of Fire Safety Services, Inc., for an estimated quantity of various fire apparatus equipment, parts & labor, all items, for the Division of Motor Vehicle Maintenance, Department of Public Works, for a period of three years beginning with the date of execution of a contract, received on May 19, 2011, under the authority of Section 131.64 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to \$200,000.00 (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 the amount not less than \$10,000.00.

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: Directors Triozzi, Dumas, Withers, R. Smith, Cox, Butler, Flask, Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 365-11.

By Director Cox.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of Granger Trucking Inc., for the estimated quantity of the rental of large capacity trucks with operators, Item #2, for the Division of Streets, Department of Public Works, for a period of 2 years beginning with the date of execution of a contract, received on April 14, 2011, under the authority of Ordinance No. 1504-11, passed December 6, 2010, which on the basis of the estimated quantity would amount to \$1,782,000.00, is 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 \$89,100.00.

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 against the contract.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractor by Granger Trucking Inc. is approved.

Jet Trucking Co.
CSB/MBE — \$89,100.00 — 5.00%

Booker & Sons Trucking
CSB/MBE — \$267,300.00 — 15.00%

Yeas: Directors Triozzi, Dumas, Withers, R. Smith, Cox, Butler, Flask, Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 366-11.

By Director Rush.

Whereas, under the authority of Ordinance No. 2076-76, passed by the Cleveland City Council 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, under the Land Reutilization Program, the City has acquired Permanent Parcel No. 143-05-013, located at 4345 Lee Road under the Land Reutilization Program; and

Whereas, Ordinance No. 270-10, passed March 8, 2010, authorized the sale of the parcel for a consideration established by the Board of Control at not less than the Fair Market Value to Union Miles Development Corporation or designee; and

Whereas, Euclid-Lee Senior Limited Partnership, designee of Union Miles Development Corporation, has proposed to the City to purchase and develop the parcel for construction of senior housing; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 270-10, passed by the Cleveland City Council March 8, 2010, the Mayor is authorized to execute an official deed for and on behalf of the City of Cleveland to Euclid-Lee Senior Limited Partnership, designee of Union Miles Development Corporation for the sale and development of Permanent Parcel No. 143-05-013, 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 \$100.00, 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: Directors Triozzi, Dumas, Withers, R. Smith, Cox, Butler, Flask, Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 367-11.

By Director Rush.

Whereas, under the authority of Ordinance No. 2076-76, passed by the Cleveland City Council 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, under the Land Reutilization Program, the City has acquired Permanent Parcel Nos. 138-13-008, 138-13-009, 138-13-010, 138-13-011, 138-13-013 and 138-13-080, located at the southwest corner of East 119th Street and Miles Avenue under the Land Reutilization Program; and

Whereas, Ordinance No. 819-11, passed June 6, 2011, authorized the sale of the parcels for a consideration established by the Board of Control at not less than the Fair Market Value to Union Miles Development Corporation or designee; and

Whereas, Miles Pointe Elderly Limited Partnership, designee of Union Miles Development Corporation has proposed to the City to purchase and develop the parcels for construction of senior housing; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 819-11, passed by the Cleveland City Council June 6, 2011, the Mayor is authorized to execute an official deed for and on behalf of the City of Cleveland to Miles Pointe Elderly Limited Partnership, designee of Union Miles Development Corporation for the sale and development of Permanent Parcel Nos. 138-13-008, 138-13-009, 138-13-010, 138-13-011, 138-13-013 and 138-13-080, 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 parcels shall be \$100.00 each, which amount is determined to be not less than the fair market value of the parcels for uses according to the Land Reutilization Program.

Yeas: Directors Triozzi, Dumas, Withers, R. Smith, Cox, Butler, Flask, Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 368-11.

By Director Rush.

Whereas, under the authority of Ordinance No. 2076-76, passed by the Cleveland City Council 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, under the Land Reutilization Program, the City has acquired Permanent Parcel No. 134-14-120, located at 4350 Warner Road under the Land Reutilization Program; and

Whereas, Ordinance No. 539-11, passed June 6, 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, Richard Bossone and Kathye Bossone 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. 539-11, passed by the Cleveland City Council June 6, 2011, the Mayor is authorized to execute an official deed for and on behalf of the City of Cleveland to Richard Bossone and Kathye Bossone for the sale and development of Permanent Parcel No. 134-14-120, 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 \$490.00, 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: Directors Triozzi, Dumas, Withers, R. Smith, Cox, Butler, Flask, Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 369-11.

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. 106-17-081 (Easterly half) located at 7605 Lexington Avenue in Ward 7; 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, Monica Brentson Hamilton, 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 7 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, to Monica Brentson Hamilton for the sale and development of Permanent Parcel No. 106-17-081 (Easterly half) located at 7605 Lexington Avenue, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Directors Triozzi, Dumas, Withers, R. Smith, Cox, Butler, Flask, Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 370-11.

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. 106-15-069 located at Quimby Avenue in Ward 7; 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, Anna Belle Watkins-Brown, 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 7 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 Anna Belle Watkins-Brown for the sale and development of Permanent Parcel No. 106-15-069 located at Quimby Avenue, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Directors Triozzi, Dumas, Withers, R. Smith, Cox, Butler, Flask, Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 371-11.

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. 106-23-082 located at East 85th Street in Ward 7; 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, Cleveland New Construction Limited Partnership III, 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 7 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 Cleveland New Construction Limited Partnership III, for the sale and development of Permanent Parcel No. 106-23-082 located at East 85th 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: Directors Triozzi, Dumas, Withers, R. Smith, Cox, Butler, Flask, Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 372-11.

By Director Southerington.

Be it resolved by the Board of Control of the City of Cleveland that under Ordinance No. 602-11, passed May 23, 2011 by the Council of the City of Cleveland, the firm of V & A Risk Services, LLC, is selected upon the nomination of the Director of Human Resources from a list of qualified firms available for such employment and consultant determined after a full and complete canvass by the Director of Human Resources as the firm to be employed by contract for the purpose of supplementing the regularly employed staff of several departments of the City of Cleveland to perform the professional services necessary to administer a comprehensive workers' compensation program, including but not limited to, actuarial and auditing services, disability and account management, preparing reports, scheduling and payment of medical exams, claims settlement analysis, handicap reimbursements from the OBWC, filing of claims and other duties for a one-year period with a one-year option to renew, exercisable by the Director of the Department of Human Resources.

Be it further resolved, that the Director of Human Resources is authorized to enter into a written

contract with V & A Risk Services, LLC, based upon its proposal dated July 14, 2011, which contract shall be prepared by the Director of Law and shall include such additional provisions as he deems necessary to benefit and protect the public interest. The total to be paid consultant for all services under the contract shall not exceed \$254,250.00.

Yeas: Directors Triozzi, Dumas, Withers, R. Smith, Cox, Butler, Flask, Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson.

JEFFREY B. MARKS,
Secretary

CIVIL SERVICE NOTICES

General Information

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

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

MONDAY, AUGUST 22, 2011

9:30 A.M.

Calendar No. 11-134: 16616 Stockbridge Avenue (Ward 1)

Becky Joyner, owner, appeals to install approximately 90 linear feet of 9' high privacy fence on a 45' x 144.15' lot in an A1 One-Family District contrary to Section 358.04(a) that limits fence height in the actual side yard in a residence district to 6 feet and specifies that a fence shall not be higher than its distance from a residence building on an adjacent property.

Calendar No. 11-135: 5800 Diamond Avenue (Ward 5)

Green City Growers Corporation, owner, appeals to erect a commercial hydroponic greenhouse for food production on 3.25 acres, including a

parking lot, offices, accessory uses and site work that includes three types of 8 foot high fence (decorative panel, decorative ornamental and black vinyl coated chain link) to surround the entire property that is located in Semi and General Industry Districts; contrary to Section 358.05(a)(1) fences in side street and front yards in a General Industry District shall not exceed a height of 6 feet; and contrary to Section 358.05(a)(2) fences in side street and front yards in a Semi-Industry District shall not exceed a height of 4 feet and no fence in a Semi-Industry District shall exceed a height of 6 feet; and subject to the provisions in Section 358.06(b), all fences shall be uniform in material and color, according to the Cleveland Codified Ordinances.

Calendar No. 11-138: 8332 Carnegie Avenue (Ward 6)

PNC Bank, owner, appeals to do interior and exterior alterations and establish assembly use for property located on a 155' x 99.75' lot located in General Retail and Semi-Industry Districts; proposing 20 parking spaces contrary to Section 349.04(e) that requires one space for 150 square feet of gross floor area that equals 29 spaces, plus one for each of two employees and a total requirement of 31 off-street parking spaces.

Calendar No. 11-139: 14610 Puritas Avenue (Ward 18)

Hawks Landing, LLC, appeals to construct a leasing office on acreage located in a Multi-Family District; contrary to Section 357.06(a) a setback of 19.8 feet is proposed and the required setback, location of the required front yard line, along Puritas Avenue is 25 feet, determined according to the average of the setbacks of existing buildings within 100 feet on both sides of the site, and no interior side yard in connection with multiple dwelling units shall be less than one-fourth the height of the main building on the premises or less than 8 feet, in accordance with Section 357.09(b)(2)C of the Cleveland Codified Ordinances.

Calendar No. 11-140: 3402 East 125th Street (Ward 4)

Laniece Davis, owner, appeals to establish an adult day care use in an existing two-story dwelling located on a 40' x 148' lot in a B1 Two-Family District; subject to the limitations of Section 337.03 and by reference to Section 337.02(f)(3)(C), the proposed adult day care is located less than a distance of 30 feet from a residence district and requires the review and approval from the Board of Zoning Appeals.

Secretary

REPORT OF THE BOARD OF ZONING APPEALS

MONDAY, AUGUST 8, 2011

At the meeting of the Board of Zoning Appeals on Monday, August 8, 2011, the following appeals were heard by the Board.

The following appeals were **Approved**:

Calendar No. 11-120: 695 East 185th Street

Cynthia Gallucci aka Broadwood Company, owner, and Jonathon Hayden, prospective tenant, appealed to establish use for piercing and tattooing in a Local Retail Business District.

Calendar No. 11-126: 3020 West 104th Street

The Lutheran Metropolitan Ministry appealed to install 6 foot high wooden fence and chain link fence in a Local Retail Business District.

Calendar No. 11-127: 13730 Bennington Avenue

Dianne Boomer appealed to erect a pre-manufactured wheelchair ramp in the front yard area of a lot in an A1 One-Family District.

Calendar No. 11-131: 18505 Ponciana Avenue

Denise Mirza appealed to install a wheelchair lift with a landing in the front yard setback of a lot in an A1 One-Family District.

Calendar No. 11-67: 1261 West 76th Street

Gillespie Brothers Ltd. appealed for use and a Certificate of Occupancy as a bar and outdoor patio in a Planned Unit Development District within a G3 Multi-Family District; subject to conditions.

The following appeal was **Denied**:

Calendar No. 11-122: Notice of Violation - 2121 Ontario Street
Clear Channel Outdoor, Inc. appealed from a Notice of Violation issued by the Cleveland Department of Building and Housing.

The following appeal was **Withdrawn**:

Calendar No. 11-70: 4106 Pearl Road
Mathile Saad appealed to establish a motor vehicle garage pursuant to Section 325.487 in a Local Retail Business District.

The following appeals were **Dismissed**:

None.

The following appeal was **Postponed**:

Calendar No. 11-123: 9025 Lorain Avenue postponed to 9-6-11.

The following appeals heard by the Board on August 1, 2011 were adopted and approved on August 8, 2011.

The following appeals were **Approved**:

Calendar No. 11-106: 1971 Carter Road

Carter Peninsula, Inc., owner, and Independence Excavating Inc., lessee, appealed for a temporary storage use until December 2013 of construction material and waste concrete and for crushing of concrete in a General Industry District; subject to conditions.

Calendar No. 11-118: 11101 Magnolia Drive

The Magnolia Club House appealed to replace a parking surface to the rear of an irregular shaped parcel in an AA1 Limited One-Family District.

The following appeals were **Denied**:

Calendar No. 11-113: 833 Superior Avenue

Orange Barrel Media appealed from a decision of the Cleveland Building and Housing Department to return their application and filing fee for installation of two (2) wall murals.

Calendar No. 11-114: 1350 West Third Street

Stark 1350 appealed from a decision of the Cleveland Building and Housing Department to return their application and filing fee for installation of two (2) wall murals.

Calendar No. 11-115: 1422 Euclid Avenue

Orange Barrel Media appealed from a decision of the Cleveland Building and Housing Department to return their application and filing fee for installation of two (2) wall murals.

Calendar No. 11-116: 662 Euclid Avenue

Orange Barrel Media appealed from a decision of the Cleveland Building and Housing Department to return their application and filing fee for installation of two (2) wall murals.

Calendar No. 11-117: 1133 West 9th Street

Orange Barrel Media appealed from a decision of the Cleveland Building and Housing Department to return their application and filing fee for installation of two (2) wall murals.

The following appeal heard by the Board on July 25, 2011 was adopted and approved on August 8, 2011.

The following appeal was **Approved**:

Calendar No. 11-121: 1609 Hazel Drive
Cleveland Institute of Music appealed to expand a parking lot on consolidated parcels in a D5 Multi-Family District; subject to condition.

Secretary

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

Re: Report of the Meeting of
August 3, 2011

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

* * *

Docket A-2-11.

RE: Appeal of Daren Pride, Owner of the MXD Mixed Uses — Multiple Uses In One Building Two Story

Masonry Property located on the premises known as 3629 East 144th Street from a CONDEMNATION ORDER, dated December 22, 2010 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

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

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

* * *

Docket A-6-11.

RE: Appeal of Caroline Haynes, Owner of the Two Dwelling Units Two-Family Residence Two Story Frame Property located on the premises known as 3541 East 144th Street from a CONDEMNATION ORDER — MAIN STRUCTURE, dated November 15, 2010 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to find that the Condemnation Order was properly issued and to REMAND the property at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Maschke.

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

* * *

Docket A-7-11.

RE: Appeal of Elizabeth McCoy, Owner of the Two Dwelling Units Two-Family Residence Two & One-half Story Frame Property located on the premises known as 8725 Nevada Avenue from a CONDEMNATION ORDER — MAIN STRUCTURE, dated November 16, 2010 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to find that the Condemnation Order was properly issued and to grant the Appellant thirty (30) days in which to obtain all required permits and three (3) months in which to abate all exterior violations, for a total of six (6) months in which to complete abatement of all violations on the property, noting that failure to meet any of the deadlines, the property will be REMANDED immediately. The property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Maschke.

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

* * *

Docket A-8-11.

RE: Appeal of Hansford Reed, Owner of the One Dwelling Unit Single-Family Residence Two Story Frame Property located on the premises known as 3272 West 52nd Street from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE, dated November 29, 2010 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

Docket A-8-11 has been POSTPONED; to be rescheduled for August 17, 2011.

* * *

Docket A-9-11.

RE: Appeal of Neff Lake Apts., LLC, Owner of the R-2 Residential — Non-transient; Apartments (Shared Egress) Two Story Masonry Property located on the premises known as 17805 Lakeshore Boulevard from a NOTICE OF VIOLATION — INTERIOR/ EXTERIOR MAINTENANCE, dated November 30, 2010 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

Docket A-9-11 has been POSTPONED; to be rescheduled for August 31, 2011.

* * *

Docket A-10-11.

RE: Appeal of Kaycee Mitchell, Owner of the One Dwelling Unit Single-Family Residence Two & One-half Story Frame Property located on the premises known as 1223 East 87th Street from a CONDEMNATION ORDER — MAIN STRUCTURE, dated July 1, 2010 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to find that the Condemnation Order was properly issued, and to grant the Appellant six (6) months in which to abate the violations; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action, and that any extensions of time for rehabilitation are at the discretion of the City. Motion so in order. Motioned by Mr. Maschke and seconded by Mr. Bradley.

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

* * *

Docket A-11-11.

RE: Appeal of David J. Fox, Owner of the One Dwelling Unit Single Family Residence Two Story Masonry Property located on the premises known as 4011 Franklin Avenue from a CONDEMNATION ORDER — MAIN STRUCTURE, dated December 8, 2010 of the Direc-

tor of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to find that the Condemnation Order was not issued properly, the order is voided. The Appellant is granted one (1) year in which to abate the violations. The property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Maschke.

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

* * *

Docket A-12-11.

RE: Appeal of Eric M. Evans, Owner of the Three Dwelling Units Three-Family Residence Two & One-half Story Frame Property located on the premises known as 6305 Lawn Avenue from a CONDEMNATION ORDER — MAIN STRUCTURE, dated December 2, 2010 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to find that the Condemnation Order was properly issued and to grant the Appellant thirty (30) days in which to obtain all required permits and require that all exterior violations be abated within three (3) months and to grant the Appellant a total of six (6) months in which to complete abatement of all violations and to work with the City if more time is needed. The property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Maschke.

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

* * *

Docket A-14-11.

RE: Appeal of Anthony Drury, Owner of the One Dwelling Unit Single-Family Residence Three Frame/siding/Masonry Veneer Property located on the premises known as 3459 West 52nd Street from a CONDEMNATION ORDER — MAIN STRUCTURE, dated November 4, 2010 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to find that the Condemnation Order was properly issued and to grant the Appellant six (6) months in which to abate the violations.

The property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Maschke.

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

* * *

Docket A-16-11.

RE: Appeal of CPP Riverstone LLC, Owner of the B Business — Offices, Laboratories, Adult School Two Story Masonry Property located on the premises known as 2618 N. Moreland Road from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE, dated August 24, 2010 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

Docket A-16-11 has been POSTPONED; to be rescheduled for August 17, 2011.

* * *

Docket A-17-11.

RE: Appeal of J Red Properties, LLC, Owner of the One Dwelling Unit Single-Family Residence One Story Garage — Detached; Masonry Property located on the premises known as 706 East 160th Street from a CONDEMNATION ORDER — GARAGE, dated December 3, 2010 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant thirty (30) days in which to obtain all required permits and sixty (60) days in which to demolish the garage. The property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Maschke.

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

* * *

Docket A-18-11.

RE: Appeal of Alfred Mance, Owner of the Two Dwelling Units Two-Family Residence Two & One-half Story Frame Property located on the premises known as 4326 Warner Road from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE, dated August 18, 2010 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to find that the Violation Notice was properly issued based on evidence presented, and to grant the Appellant three (3) months in which to abate the violations. The property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Maschke.

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

Docket A-19-11.

RE: Appeal of Eric A. Gonczy, Owner of the One Dwelling Unit Single-Family Residence Three Story Wood Frame/Siding/Masonry Veneer Property located on the premises known as 1455 West 75th Street from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE, dated January 5, 2011 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant three (3) months in which to complete abatement of the violations. The property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Maschke and seconded by Mr. Bradley.

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

* * *

Docket A-21-11.

RE: Appeal of George A. Berry Jr., Owner of the Two Dwelling Units Two-Family Residence Two & One/half Story Frame Property located on the premises known as 875 Paxton Road (aka 875-877 Paxton Road) from a NOTICE OF VIOLATION — INTERIOR/EXTERIOR MAINTENANCE, dated January 7, 2011 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

No action this date, the docket will be rescheduled for August 17, 2011.

* * *

Docket A-22-11.

RE: Appeal of Kamp, LLC, Owner of the R-2 Residential — Non-transient; Apartments (Shared Egress) Three Story Masonry Walls/Wood Floors Property located on the premises known as 17800 Euclid Avenue from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE, dated November 30, 2010 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant four (4) months in which to abate the violations. The property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Maschke and seconded by Mr. Bradley.

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

* * *

EXTENSION OF TIME:

Docket A-440-10.
6816 Superior Avenue

Michael Nelson — the Board originally heard this case January 19,

2011. The Board granted the Appellant six (6) months in which to install a sprinkler system, the occupancy of the area behind the fire-wall, the south area of the building, the dining area of the building, and that the occupancy of that is to be limited to less than one hundred (100) people, and to require that a Fire Watch be maintained in that area during hours of occupancy. The second floor is to remain unoccupied.

Appellant is requesting a six (6) month extension of time because of the amount of time his paper work has taken to make its way to the different city departments to obtain needed permits.

No action this date, the docket is rescheduled for August 17, 2011.

* * *

AMENDED RESOLUTIONS:

Docket A-487-10.

Ronald W. Johnson — 3296 East 116th Street:

FROM: ..to find that the Violation Notice was properly issued based on evidence presented, the request for additional time is DENIED, noting that nothing has been done, the inspector has not been contacted and the Appellant did not appear for the hearing, the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Maschke...

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

TO: ..to find that the Violation Notice was properly issued based on evidence presented and to grant the Appellant thirty (30) days in which to obtain all required permits and six (6) months in which to abate all violations; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Maschke...

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

* * *

APPROVAL OF RESOLUTIONS:

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

- A-473-10 — Abdul Hakiym Ismail
- A-475-10 — Crystal Dean
- A-476-10 — Nicole Jones
- A-477-10 — Monte E. Thomas
- A-480-10 — Mary Dorsey
- A-481-10 — Elizabeth R. Hicks
- A-484-10 — Ronald D. Gardner (Not Adopted)
- A-485-10 — Ronald D. Gardner (Not Adopted)
- A-486-10 — James E. Fitzgibbons
- A-487-10 — Ronald W. Johnson (Amended)
- A-488-10 — MM & M Properties LLC

- A-489-10 — Willie Franklin
- A-490-10 — Crystal Coast Consulting Inc.
- A-186-11 — Jurek Properties
- A-220-11 — Adam Waldbaum
- A-226-11 — Osteria D. Valerio

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

* * *

APPROVAL OF MINUTES:

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

July 20, 2011

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

* * *

JOSEPH F. DENK
Chairman

PUBLIC NOTICE

NONE

NOTICE OF PUBLIC HEARING

NONE

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 employ-

ment 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."

FRIDAY, AUGUST 26, 2011

File No. 134-11 — Reconstruction of East 42nd Street (From Harvard Avenue to 967 Feet South), for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 1542-09, passed by the Council of the City of Cleveland, December 7, 2009.

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

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** FRIDAY, AUGUST 12, 2011 AT 2:00 P.M. THE PUBLIC UTILITIES AUDITORIUM, 1201 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

File No. 135-11 — 1000 Gallon Attack Foam Trailer, for the Division of Fire, Department of Public Safety, as authorized by Ordinance No. 813-10, passed by the Council of the City of Cleveland, September 27, 2010.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** THURSDAY, AUGUST 11, 2011 AT 11:00 A.M. THE CLEVELAND FIRE DEPARTMENT, BASEMENT CONFERENCE, 1645 SUPERIOR AVENUE, CLEVELAND, OHIO 44114.

August 3, 2011 and August 10, 2011

WEDNESDAY, AUGUST 31, 2011

File No. 130-11 — 2012-13 Contractual Repair of Water Mains, Fire Hydrants, Valves, Service Connections and Appurtenances (Area A), for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 361-11, passed by the Council of the City of Cleveland, May 9, 2011.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** FRIDAY, AUGUST 12, 2011 AT 3:00 P.M. THE CARL B. STOKES PUBLIC UTILITIES BUILDING, 1201 LAKESIDE AVENUE, 4TH FLOOR ATRIUM CONFERENCE ROOM, CLEVELAND, OHIO 44114.

File No. 131-11 — 2012-13 Contractual Repair of Water Mains, Fire Hydrants, Valves, Service Connections and Appurtenances (Area B), for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 361-11,

passed by the Council of the City of Cleveland, May 9, 2011.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** FRIDAY, AUGUST 12, 2011 AT 3:00 P.M. THE CARL B. STOKES PUBLIC UTILITIES BUILDING, 1201 LAKESIDE AVENUE, 4TH FLOOR ATRIUM CONFERENCE ROOM, CLEVELAND, OHIO 44114.

August 3, 2011 and August 10, 2011

THURSDAY, SEPTEMBER 1, 2011

File No. 132-11 — 2012-13 Contractual Repair of Water Mains, Fire Hydrants, Valves, Service Connections and Appurtenances (Area C), for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 361-11, passed by the Council of the City of Cleveland, May 9, 2011.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** FRIDAY, AUGUST 12, 2011 AT 3:00 P.M. THE CARL B. STOKES PUBLIC UTILITIES BUILDING, 1201 LAKESIDE AVENUE, 4TH FLOOR ATRIUM CONFERENCE ROOM, CLEVELAND, OHIO 44114.

File No. 133-11 — 2012-13 Contractual Repair of Water Mains, Fire Hydrants, Valves, Service Connections and Appurtenances (Area D), for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 361-11, passed by the Council of the City of Cleveland, May 9, 2011.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** FRIDAY, AUGUST 12, 2011 AT 3:00 P.M. THE CARL B. STOKES PUBLIC UTILITIES BUILDING, 1201 LAKESIDE AVENUE, 4TH FLOOR ATRIUM CONFERENCE ROOM, CLEVELAND, OHIO 44114.

August 3, 2011 and August 10, 2011

THURSDAY, SEPTEMBER 8, 2011

File No. 137-11 — Orthophosphoric Acid, for the Division of Water, Department of Public Utilities, as authorized by Section 129.24 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** THURSDAY, AUGUST 18, 2011 AT 11:00 A.M. THE CARL B. STOKES PUBLIC UTILITIES BUILDING, 1201 LAKESIDE AVENUE, 4TH FLOOR ATRIUM CONFERENCE ROOM, CLEVELAND, OHIO 44114.

File No. 138-11 — Diving and Underwater Inspection Services, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 359-11, passed by the Council of the City of Cleveland, May 9, 2011.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** THURSDAY, AUGUST 18, 2011 AT 10:00 A.M. THE CARL B. STOKES PUBLIC UTILITIES BUILDING, 1201 LAKESIDE AVENUE, 4TH FLOOR ATRIUM

CONFERENCE ROOM, CLEVELAND, OHIO 44114.

File No. 139-11 — Purchase of Various Types of Safety Equipment Required for OSHA/PERRP Compliance (Re-Bid), for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 870-10, passed by the Council of the City of Cleveland, August 18, 2010.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** FRIDAY, AUGUST 19, 2011 AT 10:00 A.M. THE CARL B. STOKES PUBLIC UTILITIES BUILDING, 1201 LAKESIDE AVENUE, 4TH FLOOR ATRIUM CONFERENCE ROOM, CLEVELAND, OHIO 44114.

File No. 141-11 — Pap and HPV Testing Services Contract, for the Division of Health Administration, Department of Public Health, as authorized by Section 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** WEDNESDAY, AUGUST 24, 2011 AT 10:00 A.M. THE MCAFFERTY HEALTH CENTER, 4242 LORAIN AVENUE, CLEVELAND, OHIO 44113.

August 10, 2011 and August 17, 2011

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File No. 140-11 — Vitrified Clay and PVC Pipe, for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Section 129.27 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** FRIDAY, AUGUST 26, 2011 AT 11:00 A.M. THE DIVISION OF WATER POLLUTION CONTROL, 12302 KIRBY AVENUE, RED CONFERENCE ROOM, CLEVELAND, OHIO 44108.

File No. 142-11 — Purchase of Street Light Monitoring System, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 544-10, passed by the Council of the City of Cleveland, July 14, 2010.

THERE WILL BE A **MANDATORY PRE-BID MEETING** MONDAY, AUGUST 22, 2011 AT 10:30 A.M. THE TOM L. BUILDING, 1300 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

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

August 10, 2011 and August 17, 2011

WEDNESDAY, SEPTEMBER 14, 2011

File No. 136-11 — City Public Safety Buildings Concrete Apron & Platform Replacement MEP Improvements Package General Trades Package, for the Division of Architecture and Site Development, Department of Public Works, as authorized by Ordinance Nos.

888-06 and 781-09, passed by the Council of the City of Cleveland, August 9, 2006 and June 5, 2009, respectively.
THERE WILL BE A NON-REFUNDABLE FEE FOR PLANS AND SPECIFICATIONS IN THE AMOUNT OF FIFTY DOLLARS (\$50.00) IN THE FORM OF A CASHIER'S CHECK AND OR MONEY ORDER ONLY (NO COMPANY CHECKS, NO CASH AND NO CREDIT CARDS WILL BE ACCEPTED).

THERE WILL BE A NON-MANDATORY PRE-BID MEETING FRIDAY, AUGUST 12, 2011 AT 2:00 P.M. CLEVELAND CITY HALL, DIVISION OF ARCHITECTURE AND SITE DEVELOPMENT, 5TH FLOOR ROOM 517A, CONFERENCE ROOM, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

August 10, 2011 and August 17, 2011

ADOPTED RESOLUTIONS AND ORDINANCES

NONE

COUNCIL COMMITTEE MEETINGS

NO MEETINGS

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O—Ordinance; R—Resolution; F—File
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