

The City Record

Official Publication of the Council of the City of Cleveland



July the Twenty-Ninth, Two Thousand and Nine

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	Nathaniel K. Wilkes
3	Zachary Reed
4	Kenneth L. Johnson
5	Phyllis E. Cleveland
6	Mamie J. Mitchell
7	TJ Dow
8	Shari L. Cloud
9	Kevin Conwell
10	Eugene R. Miller
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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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	Nathaniel K. Wilkes	8410 Vineyard 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	Mamie J. Mitchell	12701 Shaker Boulevard, #712	44120
7	TJ Dow	8323 Pulaski Avenue	44103
8	Shari L. Cloud	1152 East 98th Street	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	Joe Cimperman	P.O. Box 91688	44101
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 – Patricia J. Britt, 216 City Hall, 664-2840
First Assistant Clerk — Sandra Franklin

MAYOR – Frank G. Jackson

Ken Silliman, Secretary to the Mayor, Chief of Staff
Darnell Brown, Executive Assistant to the Mayor, Chief Operating Officer
Valerie J. McCall, Executive Assistant to the Mayor, Chief of Government Affairs
Chris Warren, Executive Assistant to the Mayor, Chief of Regional Development
Monyka S. Price, Executive Assistant to the Mayor, Chief of Education
Maureen Harper, Executive Assistant to the Mayor, Chief of Communications
Andrea V. Taylor, Executive Assistant to the Mayor, Press Secretary
Natoya J. Walker, Interim 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. Martinez, 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, Interim 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 Bahhur, Commissioner
Cleveland Hopkins International Airport – Fred Szabo, Commissioner

DEPT. OF PUBLIC SERVICE – Jomarie Wasik, Director, Room 113

DIVISIONS: Architecture – Kurt Wiebusch, Commissioner, Room 517
Engineering and Construction – _____, Commissioner, Room 518
Motor Vehicle Maintenance, Daniel A. Novak, Commissioner, Harvard Yards
Streets – Randall T. Scott, Commissioner, Room 25
Traffic Engineering – Robert Mavec, Commissioner, 4150 East 49th Street, Building #1
Waste Collection and Disposal – Ron Owens, Commissioner, 5600 Carnegie Avenue

DEPT. OF PUBLIC HEALTH – Matt Carroll, Director, Mural Building, 75 Erieview Plaza

DIVISIONS: Air Quality – Richard L. Nemeth, Commissioner
Environment – Willie Bess, Commissioner, Mural Building, 75 Erieview Plaza
Health – Karen K. Butler, Commissioner, Mural Building, 75 Erieview Plaza

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

DIVISIONS: Dog Pound – John Baird, Chief Dog Warden, 2690 West 7th Street
Corrections – 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 – Tracey A. Nichols, Director, Room 210

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

DEPT. OF CONSUMER AFFAIRS – Omayra G. Feliciano, Acting 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 H. Bowen, Lillian Kuri, Lawrence A. Lumpkin, Gloria Jean Pinkney, Norman Krumholz, 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; Lisa Camacho, Daniel Conway, Robert L. Render, Genesis O. Brown.

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

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

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

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

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

AUDIT COMMITTEE – Yvette M. Ittu, Chairman; Debra Janik, Bracy Lewis, Diane Downing, Donna Sciarappa, Council President Martin J. Sweeney; Law Director Robert J. Triozzi.

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

Judge	Courtroom
Presiding and Administrative Judge Ronald B. Adrine	15A
Judge Marilyn B. Cassidy	12A
Judge Emanuella Groves	13A
Judge Larry A. Jones	14B
Judge Kathleen Ann Keough	13D
Judge Anita Laster Mays	14C
Judge Lauren C. Moore	14A
Judge Charles L. Patton, Jr.	12B
Judge Raymond L. Pianka (Housing Court Judge)	12C
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



OFFICIAL PUBLICATION OF THE COUNCIL OF THE CITY OF CLEVELAND

Vol. 96

WEDNESDAY, JULY 29, 2009

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CITY COUNCIL

MONDAY, JULY 27, 2009

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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, Properties and Recreation Committee:** Johnson, Chair; Wilkes, Vice Chair; Brancatelli, Cummins, Kelley, Polensek, Pruitt.

9:30 A.M. — **Health and Human Services Committee:** Cleveland, Chair; Kelley, Vice Chair; Cimperman, Conwell, Mitchell, Reed, Santiago.

11:00 A.M. — **Public Service Committee:** Brady, Chair; Pruitt, Vice Chair; Cleveland, Cummins, Johnson, Polensek, Reed, Santiago, Wilkes.

11:00 A.M. — **Legislation Committee:** Dow, Chair; Keane, Vice Chair; Cleveland, Cloud, Johnson, Reed, Wilkes.

MONDAY

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

TUESDAY

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

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

WEDNESDAY — Alternating

10:00 A.M. — **Aviation and Transportation Committee:** Kelley, Chair; Keane, Vice Chair; Cleveland, Cloud, Dow, Mitchell, Westbrook.

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

WEDNESDAY — Alternating

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

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

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

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

Personnel and Operations Committee: Westbrook, Chair; Cloud, Kelley, Mitchell, Santiago, Sweeney, Wilkes.

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

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

July 22, 2009

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, July 22, 2009, at 10:30 a.m. with Director Triozzi presiding.

Present: Director Triozzi, Dumas, Acting Director Withers, Directors Wasik, Carroll, Flask, Cox, Rush, Hutchinson, Nichols, Fumich, Interim Director Feliciano and Director Rybka.

Absent: Mayor Jackson and Director Smith.

Others: Jim Hardy, Commissioner, Purchases and Supplies.

Natoya Walker, Acting Director, Office of Equal Opportunity.

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

Resolution No. 295-09.

By Director Dumas.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Independence Office & Business Supply Co., Inc. for an estimated quantity of labels and services, all items, for the Department of Finance, on behalf of the Cleveland Municipal Clerk of Courts, for the period of one year beginning with the date of execution of a contract, received on May 20, 2009 under the authority of Ordinance No. 1818-08, passed on December 8, 2008 which on the basis of the estimated quantity would amount to \$13,912.50, is affirmed as the lowest and best bid, and the Director of Finance 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. 198310 which shall be certified against such contract in the sum of \$13,912.50.

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

Yeas: Director Triozzi, Dumas, Acting Director Withers, Directors Wasik, Carroll, Flask, Cox, Rush, Hutchinson, Nichols, Fumich, Interim Director Feliciano and Director Rybka.

Nays: None.

Absent: Mayor Jackson and Director Smith.

Resolution No. 296-09.

By Interim Director Withers.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Huron Lime, Inc. for an estimated quantity of quicklime, 1A, for the Division of Water, Department of Public Utilities, for a period of two years starting upon the later of execution of the contract or the day following expiration of the currently effective contract for the goods or services, received on June 26, 2009 under the authority of Section 191.24 of the Codified Ordinances of Cleveland Ohio, 1976, which on the basis of the estimated quantity would amount to \$90,000.00 (0%, 0 days), is affirmed and approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into a requirement contract for the commodities, which shall provide for the immediate purchase as the initial amount of the contract of the following:

Requisition No. 198851 which shall be certified against the contract in the sum of \$25,000.00.

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

Yeas: Director Triozzi, Dumas, Acting Director Withers, Directors Wasik, Carroll, Flask, Cox, Rush, Hutchinson, Nichols, Fumich, Interim Director Feliciano and Director Rybka.

Nays: None.

Absent: Mayor Jackson and Director Smith.

JEFFREY B. MARKS,
Secretary

CIVIL SERVICE NOTICES

General Information

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

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

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

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

REYNALDO GALINDO,
President

SCHEDULE OF THE BOARD OF ZONING APPEALS

MONDAY, AUGUST 10, 2009

9:30 A.M.

Calendar No. 09-137: 3048 St. Clair Avenue (Ward 13)

Guo Zhang-Tang and Fang Liang, owners, appeal to expand the current use from a restaurant to a club with live entertainment and dancing in a one-story building on a 40' x 145' corner parcel in a Semi-Industry District; the proposed expansion of use being first permitted in a General Retail Business District and the provisions of Section 343.01 which provides that such use shall not be within 500 feet of a residential district, a day care center, kindergarten, elementary or secondary school, public library, church, playground, public or non-profit recreation or community center; and the requirement for an accessory off-street parking area that must be equal to three times the gross floor area or 21 parking spaces and no parking is provided,

contrary to Section 349.04(e) of the Cleveland Codified Ordinances.

Calendar No. 09-139: 4615 Brooklyn Avenue (Ward 16)

Tim McNamara, owner, appeals to install a 6 foot tall wood privacy fence along the interior side yard of a 40' x 138.79' parcel in a Two-Family District; and contrary to the Fence Regulations where no fence shall be higher than its distance from a residence building on an adjoining lot nor from the permitted placement of a future residence building on such lot, or if such fence will be generally parallel to and adjacent to the closet wall of the residence, as stated in Section 358.04(a) of the Cleveland Codified Ordinances.

Calendar No. 09-140: 12805 Shaker Boulevard (Ward 6)

Shaker House LLC and David Goodman, owners, appeal to install a generator for a wireless telecommunications site at the rear of an irregular shaped corner parcel occupied by two multiple dwelling buildings in a General Retail Business District; subject to the provisions in Sections 352.08 and 352.11, a 10 foot wide landscaping/transition strip with a 75 percent year-round opacity is required along the rear of the property between the General Retail Business and abutting Two-Family District; and a dumpster enclosure within the required 10 foot transition strip is not permitted in Sections 352.09 and 352.11 of the Cleveland Codified Ordinances.

Calendar No. 09-141: 5840 Memphis Avenue (Ward 15)

Taco Bell of America, owner, appeals to conduct retail sales after 11:00 P.M. from a drive through establishment that abuts a residential district, located on a corner parcel in a Local Retail Business District; where retail sales from the lanes of a drive through establishment are prohibited during the hours of 11:00 P.M. to 6:00 A.M. and contrary to Section 347.16(g)(6) of the Cleveland Codified Ordinances.

Calendar No. 09-142: 1378 West 114th Street (Ward 18)

Angela Gomez, owner, appeals from the limitations of Section 347.02(c)(1) to keep a pig on a 3,640 square foot lot in a Multi-Family residential district, where the required parcel of land for the proposed use may not be less than 24,000 square feet, as stated in the Cleveland Codified Ordinances.

Calendar No. 09-145: 5300 Lakeside Avenue (Ward 13)

Concord Commerce One LLC, owner, and Interstate McBee, lessee, appeal to expand a parking lot on an acreage corner parcel in a General Industry District; and according to Section 325.03 parking spaces shall equal 180 square feet and a 6 foot wide frontage landscaping strip is required along East 53rd Street in accordance with Section 352.10 of the Cleveland Codified Ordinances.

Secretary

REPORT OF THE BOARD OF ZONING APPEALS

MONDAY, JULY 27, 2009

At the meeting of the Board of Zoning Appeals on Monday, July 27,

2009, the following appeals were heard by the Board.

The following appeals were **Approved:**

Calendar No. 09-130: 7218 Carnegie Avenue

Marc Levin, owner, and Tom Li, tenant, appealed to establish use for outdoor display on a vacant parcel in a Midtown Mixed Use District 3; subject to conditions.

Calendar No. 09-132: 10301 Lake Avenue

Lake Edge Condominiums Associations appealed to erect a double faced identification sign in a Multi-Family District.

Calendar No. 09-107: 10617 Prince Avenue

William Congress appealed to install a 4 foot tall chain link fence in the actual front yard of a parcel in a Two-Family District; subject to condition.

Calendar No. 09-82: 18308 Ferncliff Avenue

The Islamic Mosque appealed to establish a day care in an existing building in a One-Family District; subject to lot consolidation and conditions.

The following appeals were **Denied:**

None

The following appeal was **Withdrawn:**

Calendar No. 09-87: 2331 East 55th Street

James Majors appealed to establish use as trucking terminals and indoor storage in a General Retail area of a vacant lot in split zoning between General Retail Business and Multi-Family Districts and also to establish a flea market use in both zoning districts.

The following appeals were **Dismissed:**

None

The following appeals were **Postponed:**

Calendar No. 09-117: 3314 Broadview Road postponed to September 28, 2009.

Calendar No. 09-118: 3710 Fulton Road postponed to September 14, 2009.

Calendar No. 09-131: 3731 East 71st Street postponed to September 14, 2009.

Calendar No. 09-92: 3286 West 25th Street postponed to September 21, 2009.

The following appeals heard by the Board on July 20, 2009 were adopted and approved on July 27, 2009.

The following appeals were **Approved:**

Calendar No. 09-127: 7630 Lorain Avenue

Ripcho Studios appealed to expand a parking lot on a parcel in a Local Retail Business District.

Calendar No. 09-93: 7646 Lorain Avenue

Irene Fanara appealed to change use of a two-story building from a store and one dwelling unit to a restaurant in a General Retail Business District; subject to conditions.

The following appeals were **Denied:**

Calendar No. 09-128: 4820 Stickney Avenue

Dawn Judson appealed to change use of a two family dwelling with a third unit in the basement in a Two-Family District.

Calendar No. 09-129: 826 East 150th Street

Lakisha Adams appealed to change use of a two dwelling unit residence to a day care in a Two-Family District.

Calendar No. 09-40: 4201 West 130th Street

Jimmy Christian dba AAA Auto Doctor, Inc., tenant, and Gary And Mary Weinbroer, owners, appealed from a denied Motor Vehicle Repair Garage License by the Commissioner of Assessments and Licenses.

The following appeal heard by the Board on June 29, 2009 was adopted and approved on July 27, 2009.

The following appeal was **Approved:**

Calendar No. 09-103: 13000 Lorain Avenue

130th Lorain Ltd. appealed to expand a restaurant in a General Retail Business District; subject to condition.

Secretary

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

Re: Report of the Meeting of July 22, 2009

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-112-09.

RE: Appeal of Dorothy L. Painter, Owner of the S-2 Storage - Low Hazard (Non-combustibles) One Story Frame Property located on the premises known as 2832 East 122nd Street from a 30 DAY CONDEMNATION ORDER—GARAGE, dated February 24, 2009 of the Director of the Department of Building and Housing, requiring compliance with the Codified

Docket A-112-09 has been WITHDRAWN at the request of the Appellant.

* * *

Docket A-126-09.

RE: Appeal of Anthony Giblock, Owner of the R-2 Residential—Non-transient; Apartments (Shared Egress) Two & One/half Story Frame Property located on the premises known as 1910 East 120th

Street from a NOTICE OF VIOLATION—EXTERIOR MAINTENANCE, dated February 19, 2009 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 abate the exterior violations and twelve (12) months in which to complete abatement of the interior violations, subject to review by the inspector; 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. Saunders.

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

* * *

Docket A-141-09.

RE: Appeal of Embassy Realty Investments, Inc., Owner of the Commercial One Story Brick Property located on the premises known as 3902 Lee Road from a COMMERCIAL CONDEMNATION ORDER—MS, dated July 12, 1998 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-141-09 has been POSTPONED; to be rescheduled for August 05, 2009.

* * *

Docket A-153-09.

RE: Appeal of Carol Y. Joiner, Owner of the Two Dwelling Units Two-Family Residence Two & One/half Story Frame Property located on the premises known as 2781 East 122nd Street from a NOTICE OF VIOLATION—INTERIOR/ EXTERIOR MAINTENANCE, dated April 08, 2009 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 REMAND the property at 2781 East 122nd Street to the Department of Building and Housing for supervision and any required further action, noting that the Appellant has stated that the violations will be abated by July 30th, and that current photographs show that the violations have not been completely abated. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Gallagher.

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

* * *

Docket A-162-09.

RE: Appeal of Eirini Ntiniakou, Owner of the Residential Property located on the premises known as 2046 West 103rd Street from a LIMITATION ON THE PERMITS, dated February 24, 2009 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 completely abate all violations of the property, suitable for a Certificate Of Occupancy; 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. Saunders.

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

* * *

Docket A-195-09.

RE: Appeal of Kelvin A. Mathis, Owner of the One Dwelling Unit Single Family Residence Two & One/half Story Frame Property located on the premises known as 3394 East 102nd Street from a CONDEMNATION ORDER—MS & GARAGE, dated April 23, 2009 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 require the Appellant to obtain all permits, including plumbing, electrical, and mechanical within fourteen (14) days, and to grant the Appellant thirty (30) days in which to abate the exterior violations and ninety (90) days in which to complete abatement of all violations on the property; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Bradley.

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

* * *

AMENDED RESOLUTION:

FROM: **Docket A-129-09**

Michael J. McIntyre
1280 West 104th Street:

A motion is in order at this time to grant the Appellant fourteen (14) days in which to obtain all required permits and thirty (30) days in which to complete abatement of all violations; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Saab.

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

TO: **Docket A-129-09**

Michael J. McIntyre
1280 West 104th Street:

A motion is in order at this time to grant the Appellant fourteen (14) days in which to obtain all permits and forty-five (45) days in which to abate all exterior violations, and one hundred-twenty (120) days in which to abate the interior violations, subject to review by the inspector; 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. Saunders and seconded by Mr. Gallagher.

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

APPROVAL OF RESOLUTIONS

Separate motions were entered by Mr. Bradley and seconded by Mr. Saunders 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-88-09—William Hardy.
- A-118-09—Jesse Adkins.
- A-120-09—Mead Mac Co. LLC.
- A-121-09—Mead Mac Co. LLC.
- A-122-09—Mead Mac Co. LLC.
- A-132-09—Maryann Mave.
- A-134-09—Kathleen & Colin Park.
- A-135-09—Johndrell Elliott.
- A-137-09—M & N Properties.
- A-140-09—Glenn M. Cunningham.
- A-144-09—Carole Johnson.
- A-146-09—Takeicha Perry.
- A-147-09—Arthur S & Bonnie C. Grodek.
- A-152-09—Jose Massola.
- A-157-09—Philbert Paul Jones, Sr.
- A-206-09—CWRU.
- A-209-09—Mikhail Skachko.

Yeas: Messrs. Denk, Saunders, Bradley. Nays: None. Not Voting: Mr. Gallagher. Absent: Mr. Saab.

* * *

APPROVAL OF MINUTES

Separate motions were entered by Mr. Bradley and seconded by Mr. Saunders 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 22, 2009

Yeas: Messrs. Denk, Saunders, Bradley. Nays: None. Not Voting: Mr. Gallagher. Absent: Mr. Saab.

* * *

Secretary

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 5, 2009
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 5, 2009 at 9:00 a.m., to consider the following ordinances now pending in the Council:

Ord. No. 667-09.

By Council Member Pruitt.
An ordinance to change the zoning of lands on the north side of

Miles Avenue at Judson Drive and E. 146th Street from GR to LR (Map Change No. 2277, Sheet 10).

Ord. No. 668-09.

By Council Member Pruitt.
An ordinance to change the zoning of lands on the east side of Lee Road south of Kollin Avenue from 1F-A1 to LR-C1 (Map Change No. 2278, Sheet 10).

Ord. No. 972-09.

By Council Member Cimperman.
An ordinance changing the Use District of lands on the south side of Clark Avenue between the intersections of W. 13th Street and an Unnamed Alley to a Local Retail Business District and a Two Family Residential District and a 'B' Area District as indicated on the map (Map Change No. 2283, Sheet No. 5).

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 22, 2009 and July 29, 2009

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 can-

cellation of the contract or other civil or criminal penalties."

WEDNESDAY, AUGUST 19, 2009

File No. 135-09 — Uniform Clothing, for the Division of Fire, Department of Public Safety, as authorized by Section No. 135.06 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING, MONDAY, AUGUST 3, 2009 AT 11:00 A.M., THE BASEMENT CONFERENCE ROOM, 1645 SUPERIOR AVENUE, CLEVELAND, OHIO 44113.

July 22, 2009 and July 29, 2009

FRIDAY, AUGUST 21, 2009

File No. 142-09 — Various Towing Services, 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, AUGUST 4, 2009 AT 10:00 A.M., THE DIVISION OF MOTOR VEHICLE MAINTENANCE, 4150 EAST 49TH STREET, CLEVELAND, OHIO 44105.

File No. 143-09 — Front Loading Packer Truck, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 1849-08, passed by the Council of the City of Cleveland, January 26, 2009.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING TUESDAY, AUGUST 4, 2009 AT 10:30 A.M., THE DIVISION OF MOTOR VEHICLE MAINTENANCE, 4150 EAST 49TH STREET, CLEVELAND, OHIO 44105.

File No. 144-09 — Cab and Chassis with Sewer Cleaner Body, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance Nos. 887-06 and 902-07, passed by the Council of the City of Cleveland, August 9, 2006 and July 11, 2007, respectively.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING TUESDAY, AUGUST 4, 2009 AT 11:00 A.M., THE DIVISION OF MOTOR VEHICLE MAINTENANCE, 4150 EAST 49TH STREET, CLEVELAND, OHIO 44105.

File No. 145-09 — Animal Transport Conversions, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance Nos. 902-07 and 1849-08, passed by the Council of the City of Cleveland, July 11, 2007 and January 26, 2009, respectively.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING TUESDAY, AUGUST 4, 2009 AT 11:30 A.M., THE DIVISION OF MOTOR VEHICLE MAINTENANCE, 4150 EAST 49TH STREET, CLEVELAND, OHIO 44105.

July 22, 2009 and July 29, 2009

WEDNESDAY, AUGUST 26, 2009

File No. 136-09 — Urban Forest Property Maintenance Service, for the Division of Park Maintenance and Properties, Department of Parks, Recreation and Properties, as authorized by Section No. 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **MANDATORY PRE-BID MEETING**, TUESDAY, AUGUST 4, 2009 AT 10:00 A.M., THE BUILDING #6 CONFERENCE ROOM, 4150 EAST 49TH STREET, CLEVELAND, OHIO 44105.

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

File No. 137-09 — Citywide Tree Planting Initiative — Tree Planting, for the Division of Park Maintenance and Properties, Department of Parks, Recreation and Properties, as authorized by Section No. 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **MANDATORY PRE-BID MEETING**, FRIDAY, JULY 31, 2009 AT 10:00 A.M., THE GREENHOUSE ATRIUM, 750 EAST 88TH STREET, CLEVELAND, OHIO 44108.

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

File No. 138-09 — Citywide Tree Removal, for the Division of Park Maintenance and Properties, Department of Parks, Recreation and Properties, as authorized by Section No. 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **MANDATORY PRE-BID MEETING**, FRIDAY, JULY 31, 2009 AT 10:00 A.M., THE GREENHOUSE ATRIUM, 750 EAST 88TH STREET, CLEVELAND, OHIO 44108.

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

File No. 139-09 — Ash Borer Phase III Tree Removal, for the Division of Park Maintenance and Properties, Department of Parks, Recreation and Properties, as authorized by Section No. 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **MANDATORY PRE-BID MEETING**, FRIDAY, JULY 31, 2009 AT 10:00 A.M., THE GREENHOUSE ATRIUM, 750 EAST 88TH STREET, CLEVELAND, OHIO 44108.

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

File No. 140-09 — Ash Borer Phase III Tree Planting, for the Division of Park Maintenance and Properties, Department of Parks, Recreation and Properties, as authorized by Section No. 181.101 of the Codified

Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **MANDATORY PRE-BID MEETING**, FRIDAY, JULY 31, 2009 AT 10:00 A.M., THE GREENHOUSE ATRIUM, 750 EAST 88TH STREET, CLEVELAND, OHIO 44108.

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

File No. 146-09 — Miscellaneous Sized Steel, for the Various Divisions of City Government, Department of Finance, as authorized by Section No. 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING**, WEDNESDAY, AUGUST 5, 2009 AT 10:00 A.M., THE DIVISION OF PURCHASES AND SUPPLIES, ROOM 128, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

July 22, 2009 and July 29, 2009

FRIDAY, AUGUST 28, 2009

File No. 141-09 — Water Main Replacements on Drakefeld, Briardale, Nicholas and Brush Avenues in the City of Euclid, Ohio, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 158-09, passed by the Council of the City of Cleveland, June 8, 2009.

THERE WILL BE A **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. (NO COMPANY CHECKS, NO CASH AND NO CREDIT CARDS WILL BE ACCEPTED).**

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING**, FRIDAY, AUGUST 7, 2009 AT 10:00 A.M., THE PUBLIC UTILITIES AUDITORIUM, 1201 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

July 22, 2009 and July 29, 2009

WEDNESDAY, AUGUST 19, 2009

File No. 147-09 — Improvements to Harvard Yard Service for the Division of Motor Vehicles Maintenance Re-Bid for the Division of Architecture, Department of Public Service as authorized by Ordinance No. 692-06, passed by the Council of the City of Cleveland, June 12, 2006.

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

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** TUESDAY, AUGUST 11, 2009 AT 10:00 A.M., HARVARD YARDS SERVICE FACILITY, THE DIVI-

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THURSDAY, AUGUST 20, 2009

File No. 148-09 — Criminal and Civil Filing System, for the Division of Cleveland Municipal Court, Department of Finance, as authorized by Ordinance No. 392-09, passed by the Council of the City of Cleveland, April 13, 2009.

THERE WILL BE A **MANDATORY PRE-BID MEETING** FRIDAY, AUGUST 7, 2009 AT 11:00 A.M., THE CLEVELAND MUNICIPAL CLERK OF COURTS, JUSTICE CENTER, 1200 ONTARIO STREET, LEVEL 2, CLEVELAND, OHIO 44114.

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

THURSDAY, AUGUST 27, 2009

File No. 149-09 — Labor and Materials necessary to maintain and Repair Elevators, for the Division of Health, Department of Public Health, as authorized by Section No. 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING**, WEDNESDAY, AUGUST 12, 2009 AT 10:00 A.M., THE CITY OF CLEVELAND J. GLEN SMITH HEALTH CENTER, 11100 ST. CLAIR AVENUE, CLEVELAND, OHIO 44108.

File No. 150-09 — Sale of Waste Items, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Section No. 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** TUESDAY, AUGUST 11, 2009 AT 10:00 A.M., MOTOR VEHICLE MAINTENANCE, 4150 EAST 49TH STREET, CLEVELAND, OHIO 44105.

July 29, 2009 and August 5, 2009

ADOPTED RESOLUTIONS AND ORDINANCES

NONE

COUNCIL COMMITTEE MEETINGS

**Thursday, July 23, 2009
1:00 p.m.**

Public Utilities Committee: Present: Zone, Chair; Reed, Vice Chair; Cummins, Keane, Polensek, Westbrook. **Authorized Absence:** Kelley, Santiago, Wilkes.

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O—Ordinance; R—Resolution; F—File
 Bold figures—Final Publication; D—Defeated; R—Reprint; T—Tabled; V—Vetoed;
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Board of Control - Finance Department

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