

# The City Record

Official Publication of the Council of the City of Cleveland



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January the Third, Two Thousand and Seven

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**Frank G. Jackson**  
Mayor

**Martin J. Sweeney**  
President of Council

**Emily Lipovan**  
City Clerk, Clerk of Council

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

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# DIRECTORY OF CITY OFFICIALS

## CITY COUNCIL – LEGISLATIVE

President of Council – Martin J. Sweeney

Ward	Name	Residence	
1	Nina Turner.....	16204 Sunny Glen Avenue	44128
2	Robert J. White .....	9703 Cardwell Avenue	44105
3	Zachary Reed .....	3734 East 149th Street	44120
4	Kenneth L. Johnson.....	2948 Hampton Road	44120
5	Phyllis E. Cleveland.....	2369 East 36th Street	44105
6	Patricia J. Britt.....	12402 Britton Drive	44120
7	Fannie M. Lewis.....	7416 Star Avenue	44103
8	Sabra Pierce Scott.....	1136 East 98th Street	44108
9	Kevin Conwell.....	10647 Ashbury Avenue	44106
10	Roosevelt Coats.....	1775 Cliffview Road	44112
11	Michael D. Polensek.....	17855 Brian Avenue	44119
12	Anthony Brancatelli.....	6924 Ottawa Road	44105
13	Joe Cimperman.....	3053 West 12th Street	44113
14	Joseph Santiago.....	3169 West 14th Street	44109
15	Brian J. Cummins.....	3104 Mapledale Avenue	44109
16	Kevin J. Kelley.....	6608 Woodhaven Avenue	44144
17	Matthew Zone.....	1228 West 69th Street	44102
18	Jay Westbrook.....	1278 West 103rd Street	44102
19	Dona Brady.....	1272 West Boulevard	44102
20	Martin J. Sweeney.....	3632 West 133rd Street	44111
21	Michael A. Dolan.....	16519 West Park Road	44111

City Clerk, Clerk of Council – Emily Lipovan, 216 City Hall, 664–2840  
First Assistant Clerk – Sandra Franklin

**MAYOR – Frank G. Jackson**  
Ken Silliman, Secretary to the Mayor, Chief of Staff  
Darnell Brown, Executive Assistant to the Mayor, Chief Operating Officer  
Valarie J. McCall, Executive Assistant to the Mayor, Chief of Government Affairs  
Tracy Y. Martin, Executive Assistant to the Mayor, Chief of Education  
Maureen Harper, Executive Assistant to the Mayor, Chief of Communications  
\_\_\_\_\_, Executive Assistant to the Mayor, Press Secretary  
Debra Linn Talley, Director, Office of Equal Opportunity

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

**DEPT. OF FINANCE – Sharon Dumas, Director, Room 104;**  
Frank Badalamenti, Manager, Internal Audit  
DIVISIONS: Accounts – Richard W. Sensenbrenner, Commissioner, Room 19  
Assessments and Licenses – Dedrick Stephens, Commissioner, Room 122  
City Treasury – Algeron Walker, Treasurer, Room 115  
Financial Reporting and Control – James Gentile, Controller, Room 18  
Information Technology and Services – Douglas Divish, Commissioner, 205 W. St. Clair Avenue  
Purchases and Supplies – James E. Hardy, Commissioner, Room 128  
Printing and Reproduction – Michael Hewitt, Commissioner, 1735 Lakeside Avenue  
Taxation – Nassim Lynch, Tax Administrator, 205 W. St. Clair Avenue

**DEPT. OF PUBLIC UTILITIES – Julius Ciaccia, Director, 1201 Lakeside Avenue**  
DIVISIONS – 1201 Lakeside Avenue  
Cleveland Public Power – Ivan Henderson, Commissioner  
Street Lighting Bureau – \_\_\_\_\_, Acting Chief  
Utilities Fiscal Control – Dennis Nichols, Commissioner  
Water – John Christopher Nielson, Commissioner  
Water Pollution Control – Ollie Shaw, Commissioner

**DEPT. OF PORT CONTROL – Ricky D. Smith, Director**  
Cleveland Hopkins International Airport, 5300 Riverside Drive  
Burke Lakefront Airport – Khalid 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 – Randall E. DeVaul, 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, 1925 St. Clair Ave.**  
DIVISIONS: Air Quality – Richard L. Nemeth, Commissioner  
Correction – Robert Tasky, Commissioner, Cleveland House of Corrections, 4041 Northfield Rd.  
Environment – Willie Bess, Commissioner, Mural Building, 1925 St. Clair Ave.  
Health – Anjou Parekh, Commissioner, Mural Building, 1925 St. Clair Ave.

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

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

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

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

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

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

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

**DEPT. OF CONSUMER AFFAIRS – Angel Guzman, Director**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Earle B. Turner – Clerk of Courts, Michael E. Flanagan – Court Administrator, Paul J. Mizerak – Bailiff; Regina Daniel – Chief Probation Officer, Gregory F. Clifford – Chief Magistrate

# The City Record



OFFICIAL PUBLICATION OF THE COUNCIL OF THE CITY OF CLEVELAND

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WEDNESDAY, JANUARY 3, 2007

No. 4856

## CITY COUNCIL

MONDAY, JANUARY 1, 2007

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**EMILY LIPOVAN**  
City Clerk, Clerk of Council  
216 City Hall

### PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 2006-2009

#### MONDAY—Alternating

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

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

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

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

#### MONDAY

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

#### TUESDAY

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

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

#### WEDNESDAY—Alternating

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

10:00 A.M. — **Public Safety Committee:** Conwell, Chair; Brady, Vice Chair; Britt, Coats, Cummins, Kelley, Polensek, Santiago, Turner.

#### WEDNESDAY—Alternating

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

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

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

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

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

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

### OFFICIAL PROCEEDINGS CITY COUNCIL

NO MEETING

### THE CALENDAR

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

NONE

### BOARD OF CONTROL

December 27, 2006

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, December 27, 2006, at 10:30 a.m. with Director Triozzi presiding.

Present: Directors Triozzi, Dumas, Ciaccia, Smith, Acting Directors Scott, Bialostosky, Director Flask, Acting Directors Thompson, Wilbur, Directors Hutchinson, Reilly, Fumich and Rybka.

Absent: Mayor Jackson and Director Guzman.

Others: Jim Hardy, Commissioner, Purchases and Supplies.

Debra Linn Talley, Director, Office of Equal Opportunity.

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

#### Resolution No. 580-06.

By Director Dumas.

Resolved by the Board of Control of the City of Cleveland, that under Section 101 of the Charter, Section 181.19 of the Codified Ordinances of Cleveland, Ohio, 1976, and Resolution No. 921-52, adopted by the Board of Control on November 26, 1952, the report of the Commissioner of Purchases and Supplies for the sale of scrap, personal property, and by-products during the month of November, 2006 in the amount of \$62,402.98, attached and made a part of this resolution, is received, approved and ordered filed.

Yeas: Directors Triozzi, Dumas, Ciaccia, Smith, Acting Directors Scott, Bialostosky, Director Flask, Acting Directors Thompson, Wilbur, Directors Hutchinson, Reilly, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson and Director Guzman.

#### Resolution No. 581-06.

By Director Ciaccia.

Be it resolved by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 68-98, passed by the Council of the City of Cleveland on October 19, 1998 as amended by Ordinance No. 94-99, passed on March 1, 1999, Environmental Engineering & Technology, Inc. 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 Engineering Services for the Morgan Pretreatment and Residuals Scope Clarification Supplement Project, for the Division of Water, Department of Public Utilities.

Be it further resolved that the Director of Public Utilities is authorized to enter into a contract with Environmental Engineering & Technology, Inc. based upon its proposal dated August 29, 2006, which contract shall be prepared by the Director of Law, shall provide for furnishing of professional services described in the proposal, for an aggregate fee not exceeding \$379,181.00, and shall contain such additional provisions as the Director of Law deems necessary to protect and benefit the public interest.

Be it further resolved that the employment of the following subcontractors by Environmental Engineering & Technology, Inc. for the above-mentioned professional services is approved:

<u>SUBCONTRACTOR</u>	<u>WORK PERCENTAGE</u>
DLZ Ohio, Inc. (MBE)	\$57,079.00 15.05%
Water Resources & Coastal Engineering, Inc. (FBE)	\$19,032.00 5.02%

Yeas: Directors Triozzi, Dumas, Ciaccia, Smith, Acting Directors Scott, Bialostosky, Director Flask, Acting Directors Thompson, Wilbur, Directors Hutchinson, Reilly, Fumich and Rybka.

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

**Resolution No. 582-06.**

By Director Ciaccia.

Be it resolved by the Board of Control of the City of Cleveland that the bid of O.E. Meyer Co. for an estimated quantity of labor and materials to provide off-road fossil fuel and supporting services (Option 2, Items 3A-3C) for the various divisions of the Department of Public Utilities, for a period of two (2) years, received on October 6, 2006 under the authority of Ordinance No. 296-06, passed April 3, 2006, which on the basis of the estimated quantity would amount to \$30,700.00 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 labor and materials, which shall provide for the immediate purchase as the initial amount of the contract of the following:

Requisition No. 176782 which shall be certified against the contract in the sum of \$15,350.00.

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

Yeas: Directors Triozzi, Dumas, Ciaccia, Smith, Acting Directors Scott, Bialostosky, Director Flask, Acting Directors Thompson, Wilbur, Directors Hutchinson, Reilly, Fumich and Rybka.

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

**Resolution No. 583-06.**

By Director Ciaccia.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Universal Oil, Inc. for an estimated quantity of labor and materials to provide off-road fossil fuel and supporting services (Option 2, Items 1A-1C, 2A-2C, 6A-6C, 6D1-6D10, and 6F1-6F4) for the various divisions of the Department of Public Utilities, for a period of two (2) years, received on October 6, 2006 under the authority of Ordinance No. 296-06, passed April 2006, which on the basis of the estimated quantity would amount to \$2,344,043.23 (Net 30 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 labor and materials, which shall provide for the immediate purchase as the initial amount of the contract of the following:

Requisition Nos. 176781 and 168062 which shall be certified against the contract in the amounts of \$75,000.00 and \$45,000.00.

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

Yeas: Directors Triozzi, Dumas, Ciaccia, Smith, Acting Directors Scott, Bialostosky, Director Flask, Acting Directors Thompson, Wilbur, Directors Hutchinson, Reilly, Fumich and Rybka.

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

**Resolution No. 584-06.**

By Director Ciaccia.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Warner Diesel Filtration, LLC for an estimated quantity of labor and materials to provide off-road fossil fuel and supporting services (Option 2, Item 4) for the various divisions of the Department of Public Utilities, for a period of two (2) years, received on October 6, 2006 under the authority of Ordinance No. 296-06, passed April 3, 2006, which on the basis of the estimated quantity would amount to \$72,000.00 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 labor and materials, which shall provide for the immediate purchase as the initial amount of the contract of the following:

Requisition No. 176783 which shall be certified against the contract in the sum of \$15,000.00.

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

Yeas: Directors Triozzi, Dumas, Ciaccia, Smith, Acting Directors Scott, Bialostosky, Director Flask, Acting Directors Thompson, Wilbur, Directors Hutchinson, Reilly, Fumich and Rybka.

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

**Resolution No. 585-06.**

By Director Ciaccia.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of Perk Co., Inc. for the public improvement of construction and installation of replacement sewers and repair and rehabilitation of existing sewers at various locations, base bid items including 10% contingency allowance, for the Division of Water Pollution Control, Depart-

ment of Public Utilities, received on October 20, 2006, under the authority of Section 129.292 of Codified Ordinances of Cleveland, Ohio, 1976, upon a unit basis for the improvement to be performed as ordered during the period of one (1) year beginning with the date of execution of a contract, at the unit prices set forth in the bid, which on the basis of the estimated work to be done would amount to \$565,070.00, is affirmed and approved as the lowest responsible bid; and the Director of Public Utilities is requested to enter into a requirement, contract for the improvement, which contract shall provide for the initial performance of the following work:

Requisition No. 170459 which shall be certified against the contract in the sum of \$500,000.00.

The requirement contract shall further provide that the contractor will perform so much of the balance of the work as may be ordered under subsequent requisitions separately certified against the requirement contract, whether the same shall be less than the total estimate of work to be performed under the contract or shall exceed the same by not more than ten percent.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors to Perk Co., Inc. for the above-mentioned public improvement by requirement is approved:

<u>SUBCONTRACTOR</u>	<u>WORK</u>
<u>MBE</u>	
McTech Corp.	
MBE	\$85,960.00 (15.21%)
Cuyahoga Supply	
FBE	\$ 5,790.60 (1.02%)
Dot Sawing & Drilling	
	\$ 8,900.00 (1.57%)

Yeas: Directors Triozzi, Dumas, Ciaccia, Smith, Acting Directors Scott, Bialostosky, Director Flask, Acting Directors Thompson, Wilbur, Directors Hutchinson, Reilly, Fumich and Rybka.

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

**Resolution No. 586-06.**

By Director Ciaccia.

Be it resolved by the Board of Control of the City of Cleveland that the bid of DLT Solutions, Inc. for an estimated quantity AutoCAD Upgrade, all items, for the Division of Cleveland Public Power, Department of Public Utilities, for a period of one year beginning with the date of execution of a contract, received on November 22, 2006, under the authority of Ordinance No. 191-06, passed April 3, 2006, which on the basis of the estimated quantity would amount to \$35,166.84 (Net, 30 Days), is approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into a requirement contract for the goods and/or services, which shall provide

for the immediate purchase as the initial amount of the contract of the following:

Requisition No. 168064 which shall be certified against the contract in the sum of \$35,166.84.

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

Yeas: Directors Triozzi, Dumas, Ciaccia, Smith, Acting Directors Scott, Bialostosky, Director Flask, Acting Directors Thompson, Wilbur, Directors Hutchinson, Reilly, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson and Director Guzman.

**Resolution No. 587-06.**

By Director Smith.

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Article 8 of the Agreement and Lease between the City of Cleveland and the Original Scheduled Airlines and the Additional Scheduled Airlines, the 2007 Annual Budget and calculation of the Rentals and Landing Fee Rates shall be adopted and effective as of January 1, 2007.

Yeas: Directors Triozzi, Dumas, Ciaccia, Smith, Acting Directors Scott, Bialostosky, Director Flask, Acting Directors Thompson, Wilbur, Directors Hutchinson, Reilly, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson and Director Guzman.

**Resolution No. 588-06.**

By Director Smith.

Be it resolved by the Board of Control of the City of Cleveland, that under Ordinance No. 8-05 passed by Cleveland City Council on January 31, 2005, the firm of Doner Advertising, Inc. is selected upon the nomination of the Director of Port Control, as the firm to be employed for the purpose of providing professional advertising services various divisions of the Department of Port Control.

Be it further resolved that the Director of Port Control is authorized to enter into contract with Doner Advertising, Inc. based on its proposal dated November 15, 2005, which contract shall be prepared by the Director of Law, shall provide for the furnishing of professional services as described in the proposal for a fee of \$76,390.95 plus reimburseables, and shall contain such additional provisions as the Director of Law deems necessary to protect and benefit the public interest.

Yeas: Directors Triozzi, Dumas, Ciaccia, Smith, Acting Directors Scott, Bialostosky, Director Flask, Acting Directors Thompson, Wilbur, Directors Hutchinson, Reilly, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson and Director Guzman.

**Resolution No. 589-06.**

By Director Wasik.

Be it resolved by the Board of Control of the City of Cleveland that the bid of R.W. Clark Co., Inc., base bid and Alternate #1, for the public improvement of removing and replacing Refrigerated Coolers for the West & East Side Markets 2006 Rebid, for the Department of Public Service, received on December 6, 2006, under the authority of Ordinance No. 940-06, passed June 12, 2006, for a gross price for the improvement in the aggregate amount of \$4,527,442.00 is affirmed and approved as the lowest responsible bid, and the Director of Public Service is authorized to enter into contract for the improvement with the bidder.

Be it further resolved that the employment of the following sub-contractors by R.W. Clark Co., Inc., for the above-mentioned public improvement is approved:

Gateway Electric  
MBE, 1.0%, \$45,400

LDH Painting  
MBE, 0.4%, \$1,950

M. Rivera Construction  
MBE, 1.36%, \$61,670

Able Contracting Group  
FBE, 0.22%, \$10,161

Hill Phoenix Corp.  
\$2,360,000

T.H. Martin Co.  
\$770,000

Yeas: Directors Triozzi, Dumas, Ciaccia, Smith, Acting Directors Scott, Bialostosky, Director Flask, Acting Directors Thompson, Wilbur, Directors Hutchinson, Reilly, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson and Director Guzman.

**Resolution No. 590-06.**

By Director Cox.

Whereas, under the authority of Ordinance No. 966-05, passed on June 6, 2005 by the Council of the City of Cleveland, the City, through its Directors of Parks, Recreation and Properties and Port Control, entered into a lease with the Cleveland-Cuyahoga County Port Authority (Lessee) for one year with 5 options to renew for successive one-year terms upon agreement of the parties, subject to approval of the Board of Control, for approximately 57,600 square feet of property located on the East 9th Street Pier and 213,100 square feet of property located on Dock 32 for parking area, and approximately 10,000 square feet of property located in the Dock 32 warehouse for the storage of Lessee's maintenance equipment and housing of Lessee's security and maintenance personnel, City Contract No. 64994; and

Whereas, the City and Lessee mutually desire to exercise their option to renew the Lease for the one-year term starting November 10, 2006; now, therefore,

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

this Board approves the exercise of the option to renew the Lease between the City and the Cleveland-Cuyahoga County Port Authority, City Contract No. 64994, for the premises described above and in Section 1.1 of the Lease, for the one-year period starting November 10, 2006.

Be it further resolved that the Directors of Parks, Recreation and Properties and Port Control are authorized to execute all documents and do all things necessary to effect the exercise of the option to renew Contract No. 64994, as approved above.

Yeas: Directors Triozzi, Dumas, Ciaccia, Smith, Acting Directors Scott, Bialostosky, Director Flask, Acting Directors Thompson, Wilbur, Directors Hutchinson, Reilly, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson and Director Guzman.

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**

**TUESDAY, JANUARY 16, 2007**

**9:30 A.M.**

**Calendar No. 06-251:** 2161 Murray Hill Road (Ward 6)

Diana and Leo Lenzo, owners, appeal to change to a restaurant/tavern the use of an existing two-story

store building, situated on a 33' x 100' parcel located in a Multi-Family District on the east side of Murray Hill Road at 2161 Murray Hill Road; contrary to Section 349.04, there is no parking provided where the proposed restaurant/tavern with 40 seats and 3 staff persons requires 13 parking spaces; and the substitution of a nonconforming use requires that the Board of Zoning Appeals issue a special permit, provided that after a public hearing it finds that such substitution is no more harmful or objectionable than the previous nonconforming use in floor or other space occupied, in volume of trade or production, in kind of goods sold or produced, in daily hours or other period of use, in the type or number of persons to occupy or to be attracted to the premises or in any other characteristic of the new use as compared with the previous use, as stated in Section 359.01 of the Codified Ordinances.

**Calendar No. 06-256:** 16606-16702 S. Waterloo Road (Ward 11)

Joseph Mobily, owner, and Jim Duppee, tenant, appeal change use from a factory and warehouse to a use for truck sales and salvage that is proposed to be on consolidated acreage parcels, where 125' of the frontage is located in a Semi-Industry District and the remainder of the land is in a General Industry District on the south side of South Waterloo Road at 16606-16702 South Waterloo Road; and the operation of wrecking or dismantling of motor vehicles, or the storage of motor vehicles pending wrecking or dismantling (salvage) is contrary to Section 345.03 and first permitted in a General Industry District; and 7 parking spaces are provided where 19 parking spaces are required, according to Section 349.04(j) of the Codified Ordinances.

**Calendar No. 06-257:** 6020 Wakefield Avenue (Ward 17)

Luis Martinez and Leonel Pena, owners, appeal to erect a 13'-6" x 19' one-story, frame carport on the northeast portion of a 41' x 80' parcel, situated on the north side of Wakefield Avenue at 6020 Wakefield Avenue; contrary to Section 337.23 (a) the carport is proposed to be at 38' and accessory uses shall be located on the rear half of the lot or at 40' and no parking space shall be located within 10' of any wall or building which contains ground floor openings designed to provide light and ventilation; and the plot plan submitted provides a lot size of 41' x 65' contrary to the lot size of 41' x 80' required by the Division of Engineering and Construction for a plot plan drawn according to scale, according to Section 327.02 of the Codified Ordinances.

**Calendar No. 06-263:** 1325 Mayview Avenue (Ward 15)

John Cruz, owner, appeals to erect a 36' x 24' one-story frame, reverse gable garage on a 40' x 117.05' parcel, situated in an A1 One-Family District on the south side of

Mayview Avenue where it intersects with Redding Road at 1325 Mayview Avenue; the proposed garage being 864 square feet, where the floor area of a private garage erected as an accessory building in residential district shall not exceed 650 square feet, as stated in Section 337.23(a)7A of the Codified Ordinances.

Secretary

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### REPORT OF THE BOARD OF ZONING APPEALS

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**TUESDAY, JANUARY 2, 2007**

At the meeting of the Board of Zoning Appeals on Tuesday, January 2, 2007, the following appeals were heard by the Board.

The following appeals were **Approved:**

**Calendar No. 06-250:** 10809 Amor Avenue

Lynnhaven Development Group appealed to erect a frame accessory garage in a B1 Two-Family District; subject to condition.

**Calendar No. 06-254:** 4110 Lee Road

AJA Restaurant Group appealed to demolish an existing restaurant and construct a new one in a General Retail Business District; subject to conditions.

The following appeals were **Denied:**

None.

The following appeal was **Withdrawn:**

**Calendar No. 06-246:** 3469 East 152nd Street

Jeffery Mazo, owner, and New Life Community, prospective lessee, appealed to change the use of a first floor in a two family dwelling to a use for employee offices in a B1 Two-Family District.

The following appeals were **Dismissed:**

None.

The following appeals were **Postponed:**

**Calendar No. 06-210:** 1440 East 41st Street postponed to February 5, 2007

**Calendar No. 06-253:** 2808 Van Aken Boulevard postponed to February 12, 2007.

In Executive Session on January 2, 2007, the following appeal heard by the Board on November 13, 2006 was ratified by the Board.

The following appeal was **Approved:**

**Calendar No. 06-213:** 3136-40 West 63rd Street

Richard R. Kassouf appealed to establish use as a used car sales lot

in an A3 Unrestricted Industry District; subject to conditions.

In Executive Session on January 2, 2007, the following appeal heard by the Board on December 4, 2006 was ratified by the Board.

The following appeal was **Approved:**

**Calendar No. 06-165:** 6104 Carnegie Avenue

3320 Woodland Avenue Ltd. appealed to erect one 50' high billboard with two sign faces in the Midtown Mixed Use District -3; subject to conditions.

Secretary

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

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NO MEETING

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### PUBLIC NOTICE

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NONE

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### NOTICE OF PUBLIC HEARING

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

**Mercedes Cotner  
Committee Room 217  
City Hall, Cleveland, Ohio  
On Wednesday, January 10, 2007  
1:30 p.m.**

Notice is hereby given to all interested property owners that the Council Committee on City Planning will hold a public hearing in the Mercedes Cotner Committee Room 217, City Hall, Cleveland, Ohio, on Wednesday, January 10, 2007, at 1:30 p.m., to consider the following ordinance now pending in the Council:

#### **Ord. No. 1974-06**

By Council Member Pierce Scott. An ordinance to change the Use, Area and Height Districts of property bounded by East 105th Street, East Boulevard, and Wade Park to a General Retail Business Use District, a 'D' Area District and a '3' Height District (Map Change No. 2203, Page 8).

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

December 27, 2006 and January 3, 2007

**CITY OF CLEVELAND BIDS**

**For All Departments**

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

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

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

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

**WEDNESDAY, JANUARY 24, 2007**

**Towel and Linen Services**, for the Division of Purchases & Sup-

plies, Department of Finance, as authorized by Ordinance No. 1623-06, passed by the Council of the City of Cleveland, October 23, 2006.

**THERE WILL BE A NON-MANDATORY PRE-BID MEETING**, TUESDAY, JANUARY 16, 2007 AT 10:30 A.M., CITY HALL, DIVISION OF PURCHASES & SUPPLIES, ROOM 128, 601 LAKE-SIDE AVENUE, CLEVELAND, OHIO 44114.

**Residential Sound Insulation Program Phase II Continuation Contract A-06 (Re-Bid)**, for the Division of Cleveland Hopkins International Airport, Department of Port Control, as authorized by Ordinance No. 930-95, passed by the Council of the City of Cleveland, June 19, 1995, as authorized by Ordinance No. 469-98, passed by the Council of the City of Cleveland, May 13, 1998, as authorized by Ordinance No. 327-2000, passed by the Council of the City of Cleveland, June 12, 2000, respectively.

**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 PAYABLE TO THE CITY OF CLEVELAND.

**THERE WILL BE A NON-MANDATORY PRE-BID MEETING**, WEDNESDAY, JANUARY 10, 2007 AT 10:00 A.M., OFFICES OF C & S ENGINEERS, INC., ONE INTERNATIONAL PLACE, 20445 EMERALD PARKWAY, SUITE #100, CLEVELAND, OHIO 44135.

**Labor and Materials Necessary to Repair and Maintain Pump Stations**, for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Ordinance No. 1107-06, passed by the Council of the City of Cleveland, October 2, 2006.

**THERE WILL BE A NON-MANDATORY PRE-BID MEETING**, FRIDAY, JANUARY 19, 2007 AT 10:00 A.M., DIVISION OF WATER POLLUTION CONTROL (RED CONFERENCE ROOM), 12302 KIRBY AVENUE, CLEVELAND, OHIO 44108.

January 3, 2007 and January 10, 2007

**FRIDAY, MARCH 2, 2007**

**Purchase of Labor and Materials to Refurbish the SCADA (Supervisory Control and Data Acquisition) System and the PCCS (Plant Computer Control Systems)**, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 2234-05, passed by the Council of the City of Cleveland, January 23, 2006 and as authorized by Ordinance No. 1717-06, passed by the Council of the City of Cleveland, November 20, 2006, respectively.

**THERE WILL BE A NON-MANDATORY PRE-BID MEETING**, FRIDAY, JANUARY 12, 2007 AT 2:30 P.M., CARL B. STOKES PUBLIC UTILITIES BUILDING, MAIN AUDITORIUM, 1201 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

January 3, 2007 and January 10, 2007

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NONE

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