

The City Record

Official Publication of the Council of the City of Cleveland



August the Eleventh, Two Thousand and Four

Jane L. Campbell
Mayor

Frank G. Jackson
President of Council

Valarie J. McCall
City Clerk, Clerk of Council

Ward	Name
1	Joseph T. Jones
2	Robert J. White
3	Zachary Reed
4	Kenneth L. Johnson
5	Frank G. Jackson
6	Patricia J. Britt
7	Fannie M. Lewis
8	Sabra Pierce Scott
9	Kevin Conwell
10	Roosevelt Coats
11	Michael D. Polensek
12	Edward W. Rybka
13	Joe Cimperman
14	Nelson Cintron, Jr.
15	Merle R. Gordon
16	Michael C. O'Malley
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 – Frank G. Jackson

Ward	Name	Residence	
1	Joseph T. Jones	4691 East 177th Street	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	Frank G. Jackson	2327 East 38th Street	44115
6	Patricia J. Britt	12402 Britton Drive	44120
7	Fannie M. Lewis	7416 Star Avenue	44103
8	Sabra Pierce Scott	9212 Kempton Avenue	44108
9	Kevin Conwell	10647 Ashbury Avenue	44106
10	Roosevelt Coats	1775 Cliffview Road	44112
11	Michael D. Polensek	17855 Brian Avenue	44119
12	Edward W. Rybka	6832 Indiana Avenue	44105
13	Joe Cimperman	3053 West 12th Street	44113
14	Nelson Cintron, Jr.	3004 Vega Avenue	44113
15	Merle R. Gordon	1700 Denison Avenue	44109
16	Michael C. O'Malley	6710 Brookside Drive	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 – Valarie J. McCall, 216 City Hall, 664-2840
First Assistant Clerk – Sandra Franklin

MAYOR – Jane L. Campbell

Debra M. Janik, Chief of Staff
Darnell Brown, Chief Operating Officer
Timothy Mueller, Executive Assistant
Craig Tame, Executive Assistant
Galen L. Schuerlein, Executive Assistant
_____, Director, Office of Equal Opportunity
Margreat A. Jackson, Legislative Affairs Liaison
Erik Janas, Inter-Governmental Affairs Officer
Lorna Wisham, Chief Public Affairs Officer

DEPT. OF LAW – Subodh Chandra, Director, Teresa Beasley, Chief Counsel, Rm. 106
Karen E. Martines, Law Librarian, Room 100

DEPT. OF FINANCE – Robert H. Baker, Director, Room 104;
Frank Badalamenti, Manager, Internal Audit

DIVISIONS: Accounts – Alan Schneider, 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 – James S. Higgins, Commissioner, 1404 East 9th Street
Purchases and Supplies – Myrna Branche, Commissioner, Room 128
Printing and Reproduction – Michael Hewitt, Commissioner, 1735 Lakeside Avenue
Taxation – Nassim Lynch, Tax Administrator, 1701 Lakeside Avenue

DEPT. OF PUBLIC UTILITIES – Michael G. Konicek, Director, 1201 Lakeside Avenue

DIVISIONS – 1201 Lakeside Avenue
Cleveland Public Power – James F. Majer, Commissioner
Street Lighting Bureau – _____, Acting Chief
Utilities Fiscal Control – Dennis Nichols, Commissioner
Water – Julius Ciaccia, Jr., Commissioner
Water Pollution Control – Ollie Shaw, Commissioner

DEPT. OF PORT CONTROL – John C. Mok, Director

Cleveland Hopkins International Airport, 5300 Riverside Drive
Burke Lakefront Airport – Khalid Bahur, Commissioner
Cleveland Hopkins International Airport – Fred Szabo, Commissioner

DEPT. OF PUBLIC SERVICE – Mark Ricchiuto, 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 – Matthew Carroll, Director, Mural Building, 1925 St. Clair Ave.

DIVISIONS: Air Quality – _____, Commissioner
Corrections – Robert Taskey, Commissioner, Cleveland House of Corrections, 4041 Northfield Rd.
Environment – Willie Bess, Acting Commissioner, Mural Building, 1925 St. Clair Ave.
Health – Dr. Wendy Johnson, Acting Commissioner, Mural Building, 1925 St. Clair Ave.

DEPT. OF PUBLIC SAFETY – Sanford E. Watson, 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 – Kevin G. Gerrity, Chief, 1645 Superior Avenue
Police – Edward F. Lohn, Chief, Police Hdqtrs. Bldg., 1300 Ontario Street

DEPT. OF PARKS, RECREATION & PROPERTIES – Natalie A. Ronayne, 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 – Dennis Donahue, 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 – Michael Cox, 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 – James G. Williams, Director, Room 500

DIVISIONS: Code Enforcement – Tyrone L. Johnson, Commissioner
Construction Permitting – Timothy R. Wolosz, Commissioner

DEPT. OF PERSONNEL AND HUMAN RESOURCES – Gina Routen, Director, Room 121

DEPT. OF ECONOMIC DEVELOPMENT – _____, Director, Room 210

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

DEPT. OF CONSUMER AFFAIRS – Kenya Taylor, Director

COMMUNITY RELATIONS BOARD – Room 111, Jeffrey D. Johnson, Director; Mayor Jane

L. Campbell, Chairman Ex-Officio; Rev. Charles Lucas, Jr., Vice-Chairman; Councilman Kevin Conwell, 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; Jonalyn M. Krupka, Secretary; Members: Diane M. Downing, William Morrison.

SINKING FUND COMMISSION – Jane L. Campbell, President; Council President Frank

G. Jackson; Betsy Hruby, Asst. Sec'y.; Robert H. Baker, Director.

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

Margaret Hopkins, Ozell Dobbins, Joan Shaver Washington, Christopher Carmody, _____, Secretary.

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

Chairman; James Williams, Arthur Saunders, Alternate Members – D. Cox, P. Frank, E. P. O'Brien, Richard Pace, J.S. Sullivan.

BOARD OF REVISION OF ASSESSMENTS – Law Director Subodh Chandra, President;

Finance Director Robert H. Baker, Secretary; Council President Frank G. Jackson.

BOARD OF SIDEWALK APPEALS – Service Director Mark Ricchiuto; Law Director

Subodh Chandra; Councilman Martin J. Sweeney.

BOARD OF REVIEW – (Municipal Income Tax) – Law Director Subodh Chandra; Utilities

Director Michael G. Konicek; Council President Frank G. Jackson.

CITY PLANNING COMMISSION – Room 501 – Christopher S. Ronayne, Director;

Anthony J. Coyne, Chairman; David Bowen, Lillian W. Burke, Lawrence A. Lumpkin, Gloria Jean Pinkney, Rev. Sam Edward Small, Councilman Joseph Cimperman.

FAIR EMPLOYMENT WAGE BOARD – Room 210 – Gerald Meyer, Chair; Angela Caldwell,

Vice Chair; Patrick Gallagher, Kathryn Jackson, Draydean McCaleb, Council Member Nelson Cintron, Ed Romero.

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

Eaton-Johnson, Mike Foley, Eric Hodderson, Janet Leohr, Mark McDermott, Marcia Nolan, David Perkowski, Joan Shaver Washington, Keith Sutton, Council Member Merle Gordon.

FAIR HOUSING BOARD – Charles See, Chair; Cindy Barber, Vice Chair; Michael Doud,

Doris Honsa, Richard Lenard.

CLEVELAND BOXING AND WRESTLING COMMISSION – Robert Jones, Chairman;

Clint Martin, Mark Rivera.

MORAL CLAIMS COMMISSION – Law Director Subodh Chandra; Chairman; Finance

Director Robert H. Baker; Council President Frank G. Jackson; Councilman Dona Brady; Councilman Martin J. Sweeney.

BOARD OF EXAMINERS OF ELECTRICIANS – Samuel Montfort, Chairman; Donald

Baulknight, Anton J. Eichmuller, J. Gilbert Steele, Raymond Ossovicki, Chief Electrical Inspector; Laszlo V. Kemes, Secretary to the Board.

BOARD OF EXAMINERS OF PLUMBERS – Joseph Gyorky, Chairman; Earl S. Bumgarner,

Alfred Fowler, Jozef Valencik, Lawrence Skule, Chief Plumbing Inspector; Laszlo V. Kemes, Secretary to the Board.

CLEVELAND LANDMARKS COMMISSION – Room 519 – Paul Volpe, Chair; Ted Sande,

Vice Chair; James Gibans, India Pierce Lee, Robert Madison, Randall B. Shorr, Chris Ronayne, N. Kurt Wiebusch, Council Member Joe Cimperman, Dwayne J. Simpson; Robert Keiser, Secretary.

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 Mabel M. Jasper	14D
Judge Kathleen Ann Keough	13D
Judge Mary Eileen Kilbane	14C
Judge Anita Laster Mays	12C
Judge Lauren C. Moore	12B
Judge Raymond L. Pianka (Housing Court Judge)	13B
Judge Angela R. Stokes	15C
Judge Pauline H. Tarver	12A
Judge Robert J. Triozzi	14A
Judge Joseph J. Zone	13C

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

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OFFICIAL PUBLICATION OF THE COUNCIL OF THE CITY OF CLEVELAND

Vol. 91

WEDNESDAY, AUGUST 11, 2004

No. 4731

CITY COUNCIL

MONDAY, AUGUST 9, 2004

The City Record

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Address all communications to

VALARIE J. McCALL

City Clerk, Clerk of Council
216 City Hall

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL

2002-2005

MONDAY

9:30 A.M. — **Public Parks, Property & Recreation Committee:** Johnson, Chairman; White, Vice Chairman; Cimperman, Dolan, Jones, Rybka, Sweeney.

MONDAY—Alternating

11:00 A.M. — **Public Service Committee:** Sweeney, Chairman; Jones, Vice Chairman; Brady, Cimperman, Johnson, O'Malley, Polensek, White, Zone.

11:00 A.M. — **Employment, Affirmative Action & Training Committee:** Lewis, Chairman; Conwell, Vice Chairman; Cintron, Coats, Johnson, Reed, Polensek.

MONDAY

2:00 P.M. — **Finance Committee:** Jackson, Chairman; Sweeney, Vice Chairman; Brady, Britt, Coats, Gordon, O'Malley, Reed, Scott, Westbrook, White.

TUESDAY

9:30 A.M. — **Community and Economic Development Committee:** Gordon, Chairman; Cimperman, Vice Chairman; Cintron, Coats, Jones, Lewis, Reed, Scott, Zone.

TUESDAY—Alternating

1:00 P.M. — **Health & Human Services Committee:** Britt, Chairman; Zone, Vice Chairman; Cintron, Conwell, Gordon, Scott, Polensek.

1:30 P.M. — **Legislation Committee:** White, Chairman; Scott, Vice Chairman; Dolan, Gordon, Johnson, Rybka, Westbrook.

WEDNESDAY—Alternating

10:00 A.M.—**Aviation & Transportation Committee:** Westbrook, Chairman; Sweeney, Vice Chairman; Britt, Dolan, Gordon, Reed, Rybka.

10:00 A.M. — **Public Safety Committee:** Reed, Chairman; Britt, Vice Chairman; Brady, Cimperman, Coats, Conwell, Jones, White, Zone.

WEDNESDAY—Alternating

1:30 P.M. — **Public Utilities Committee:** Coats, Chairman; O'Malley, Vice Chairman; Brady, Cintron, Jones, Polensek, Sweeney, Westbrook, Zone.

1:30 P.M.—**City Planning Committee:** Cimperman, Chairman, Rybka, Vice Chairman, Conwell, Lewis, O'Malley, Scott, Westbrook.

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

Rules Committee: Jackson, Chairman; O'Malley, Reed, Sweeney, Westbrook.

Personnel and Operations Committee: Gordon, Chairman; Britt, Cimperman, Coats, Scott.

Mayor's Appointment Committee: Coats, Chairman; Cintron, Reed, Pierce Scott, Westbrook.

OFFICIAL PROCEEDINGS CITY COUNCIL

NO MEETING

THE CALENDAR

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

ORDINANCE

Ord. No. 946-04.

By Council Members Cimperman and Jackson (by departmental request).

An emergency ordinance to amend Sections 9 and 10 of Ordinance No. 817-03, passed October 6, 2003, relating to the Director of the City Planning Commission entering into a Memorandum of Understanding with the Cleveland Cuyahoga County Port Authority and various leases, agreements, and amend-

ments necessary to effectuate the purpose of the Memorandum of Understanding.

BOARD OF CONTROL

July 28, 2004

The following resolution was omitted from the City Record dated August 4, 2004:

Resolution No. 451-04.

By Director Mok.

Resolved, by the Board of Control of the City of Cleveland that the bid of Aaron Landscaping, Inc. for labor and materials necessary to maintain and replace exterior site landscaping, for the various divisions of the Department of Port Control, for a period not to exceed one year beginning with the date of execution of a contract, received on the 22nd of April, 2004, under the authority of Ordinance No. 2327-03, passed on February 2, 2004, which on the basis of the estimated quantity would amount to One Hundred Thirty-Eight Thousand Two Hundred Eighty-Six and 00/100 Dollars (\$138,286.00), is affirmed and approved as the lowest and best bid, and the Director of Port Control is requested to enter into a requirement contract for such labor and materials necessary, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 146131 which shall be certified against such contract in the sum of One Hundred Thousand and 00/100 Dollars (\$100,000.00).

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

Be it further resolved that the employment of the following subcontractor by Aaron Landscaping, Inc., is approved:

Subcontractor	MBE/FBE% Dollar Amount
---------------	---------------------------

Wake Forest Landscaping	16.07% MBE \$22,218.00
-------------------------	---------------------------

Yeas: Acting Mayor and Director Chandra, Acting Directors Dumas, Ciaccia, McGraw, Directors Ricchiuto, Carroll, Watson, Ronayne, Rush, Routen, Acting Director Huth, Directors Fumich, Taylor and Williams.

Nays: None.
Absent: None.

BOARD OF CONTROL

August 4, 2004

The meeting of the Board of Control convened in the Mayor's office on Wednesday, August 4, 2004, at 10:30 a.m. with Mayor Campbell presiding.

Present: Mayor Campbell, Directors Chandra, Baker, Acting Director Ciaccia, Directors Mok, Ricchiuto, Carroll, Acting Director Pettus, Directors Ronayne, Rush, Routen, Acting Director Huth and Director Taylor.

Absent: Directors Fumich and Williams.

Others: Myrna Branche, Commissioner, Purchases and Supplies.

Collette Appolito, Director, Office of Equal Opportunity.

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

Resolution No. 452-04.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Triad Engineering & Contracting Co. for the public improvement of Water Main Repair Specials Bid Package No. 2 replacing or repairing of water mains (including a \$73,097.60 contingency allowance), (all items) for the Division of Water, Department of Public Utilities, beginning with the later of the date of execution of a contract or receipt of a notice to proceed, received on June 2, 2004, pursuant to the authority of Ordinance No. 1155-01, passed July 18, 2001, upon a unit basis for the improvement in the aggregate amount of Eight Hundred Four Thousand Seventy Three Dollars and 60 Cents (\$804,073.60) is hereby affirmed and approved as the lowest responsible bid; and the Director of Public Utilities is hereby authorized to enter into contract for said improvement with said bidder.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by Triad Engineering & Contracting Co. for the above-mentioned public improvement is hereby approved:

<u>Subcontractor</u>	<u>Percentage Work</u>
Julian Supply Co. (FBE)	2.11%—\$16,940.00
The Collinwood Shale Brick & Supply Company (FBE)	2.98%—\$24,000.00

Lott Construction Company
(MBE) 15.03%—\$120,885.00

Yeas: Mayor Campbell, Directors Chandra, Baker, Acting Director Ciaccia, Directors Mok, Ricchiuto, Carroll, Acting Director Pettus, Directors Ronayne, Rush, Routen, Acting Director Huth and Director Taylor.

Nays: None.
Absent: Directors Fumich and Williams.

Resolution No. 453-04.

By Director Ricchiuto.

Whereas, under authority of Ordinance No. 2242-03 passed by the Cleveland City Council on December 15, 2003, this Board of Control, by its Resolution No. 422-04 adopted July 13, 2004, approved Terrace Construction Company, Inc. as lowest responsible bidder for the public improvement of the rehabilitation of Canal Road from Columbus Road to Commercial Road for items 1, 2, 3, 5, 6, 7 and 11 through 54, for the Division of Engineering and Construction, Department of Public Service, in the aggregate amount of \$697,970.98; and

Whereas, the Terrace Construction Company, Inc. wishes to use the services of additional subcontractor; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that the employment of the following additional subcontractor by Terrace Construction Company, Inc. for the aforementioned public improvement contract is approved:

Angelo Benedetti, Inc.
94 First Avenue
Bedford, Ohio 44146
\$81,800.00 — (11.72%)

Yeas: Mayor Campbell, Directors Chandra, Baker, Acting Director Ciaccia, Directors Mok, Ricchiuto, Carroll, Acting Director Pettus, Directors Ronayne, Rush, Routen, Acting Director Huth and Director Taylor.

Nays: None.
Absent: Directors Fumich and Williams.

Resolution No. 454-04.

By Director Ricchiuto.

Be it resolved by the Board of Control of the City of Cleveland, that the bid of The Schloss Paving Company for the public improvement of the Superior Avenue Resurfacing between East 18th Street and East 30th Street, for the Division of Engineering and Construction, Department of Public Service, received on July 8, 2004, pursuant to the authority of Ordinance Nos. 867-2000, passed June 19, 2000, upon a unit basis for the improvement, in the aggregate amount of Five Hundred Sixteen Thousand, Nine Hundred Sixty Three Dollars and 33/100 Dollars (\$516,963.33), is affirmed and approved as the lowest responsible bid; and the Director of Public Service is authorized to enter into contract for said improvement with said bidder.

Be it further resolved, that the employment of the following subcontractors by The Schloss Paving Company for the above public improvement is approved:

McTech Corporation MBE	13.54%—\$70,000.00
Collinwood Shale Brick & Supply Co. (FBE)	13.54%—\$70,000.00
Traffictech, Inc.	14.08%—\$72,817.35

Yeas: Mayor Campbell, Directors Chandra, Baker, Acting Director Ciaccia, Directors Mok, Ricchiuto, Carroll, Acting Director Pettus, Directors Ronayne, Rush, Routen, Acting Director Huth and Director Taylor.

Nays: None.
Absent: Directors Fumich and Williams.

Resolution No. 455-04.

By Director Ronayne.

Resolved by the Board of Control of the City of Cleveland that the bid of Cleveland Hermetic and Supply, Inc. for the following: Swimming pool boiler, all items, for Thurgood Marshall Recreation Center for the Division of Property Management, Department of Parks, Recreation and Properties, received on the 4th day of June 2004, pursuant to the authority of Ordinance No. 163-04, passed February 2, 2004, which on the basis of the order quantity would amount to \$17,486.00 is hereby approved as the lowest and best bid, and the Director of Parks, Recreation and Properties is hereby requested to enter into contract for such items.

Yeas: Mayor Campbell, Directors Chandra, Baker, Acting Director Ciaccia, Directors Mok, Ricchiuto, Carroll, Acting Director Pettus, Directors Ronayne, Rush, Routen, Acting Director Huth and Director Taylor.

Nays: None.
Absent: Directors Fumich and Williams.

Resolution No. 456-04.

By Director Rush.

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

Whereas, under said Program, the City has acquired Permanent Parcel No. 136-13-113 located at East 94th Street in Ward 2; 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, Allen Chapel Missionary Baptist Church, abutting/adjacent landowner, has proposed to the City

to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 2 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 said 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 pursuant to 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 hereby requested to execute an Official Deed for and on behalf of the City of Cleveland, with Allen Chapel Missionary Baptist Church for the sale and development of Permanent Parcel No. 136-13-113 located at East 94th Street, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcel shall be \$100.00, which amount is hereby determined to be not less than the Fair Market value of said parcel for uses in accordance with said Program.

Yeas: Mayor Campbell, Directors Chandra, Baker, Acting Director Ciaccia, Directors Mok, Ricchiuto, Carroll, Acting Director Pettus, Directors Ronayne, Rush, Routen, Acting Director Huth and Director Taylor.

Nays: None.

Absent: Directors Fumich and Williams.

Resolution No. 457-04.

By Director Konicek.

Be it resolved, by the Board of Control of the City of Cleveland that all bids received on June 16, 2004 for the public improvement of Euclid Avenue water main replacement phase II and III for the Divisions of Water and Water Pollution Control, Department of Public Utilities, pursuant to the authority of Ordinance No. 2451-02 passed April 14, 2003 as amended by Ordinance No. 2307-03, passed November 24, 2003, are hereby rejected.

Yeas: Mayor Campbell, Directors Chandra, Baker, Acting Director Ciaccia, Directors Mok, Ricchiuto, Carroll, Acting Director Pettus, Directors Ronayne, Rush, Routen, Acting Director Huth and Director Taylor.

Nays: None.

Absent: Directors Fumich and Williams.

Resolution No. 458-04.

By Director Ricchiuto.

Be it resolved by the Board of Control of the City of Cleveland, that the bid of Vandra Brothers Construction, Inc. for the public improvement of rehabilitating and reconstructing Bennington Avenue between West 130th Street and the

easterly end, all items, for the Division of Engineering and Construction, Department of Public Service, received on May 13, 2004, under the authority of Ordinance No. 2227-03 passed February 9, 2004, upon a unit basis for the improvement, in the aggregate amount of Four Hundred Ninety-Eight Thousand, One Hundred-Eighty Dollars (\$498,180.00), 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 subcontractors by Vandra Brothers Construction, Inc. for the above-mentioned public improvement is approved:

McTech Corporation
3740 Euclid Avenue #200
Cleveland, OH 44115
(MBE)—\$74,000.00—(14.854%)

Cuyahoga Supply & Tool Inc.
5340 Perkins Road
Cleveland, OH 44146
(FBE)—\$5,000.00—(1.0%)

Yeas: Mayor Campbell, Directors Chandra, Baker, Acting Director Ciaccia, Directors Mok, Ricchiuto, Carroll, Acting Director Pettus, Directors Ronayne, Rush, Routen, Acting Director Huth and Director Taylor.

Nays: None.

Absent: Directors Fumich and Williams.

Resolution No. 459-04.

By Director Carroll.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Memorial Services Inc. D.B.A. F.J. Corrigan Funeral Services for an estimated quantity of Burials for the indigent dead (burial services, (items a-d; cremation services, items a-c only; and embalming services, item a)) for the Division of Health, Department of Public Health, for the period of one (1) year beginning with the date of execution of a contract, received on the 11th day of February, 2004, pursuant to the authority of Ordinance No. 680-02, passed May 13, 2002, as amended by Ordinance No. 1020-03 passed June 10, 2003, which on the basis of the estimated quantity would amount to Forty Nine Thousand One Hundred Eighty-Eight and 50/100 (\$49,188.50) Dollars, (5% 30 Days) is hereby affirmed and approved as the lowest and best bid, and the Director of Public Health is hereby requested to enter into requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 113177

Indigent Burials which shall be certified against such contract in the sum of Ten Thousand and 00/100 (\$10,000.00) Dollars.

Said requirement contract shall further provide that the Contractor

will furnish the remainder of the requirement for such commodities, whether more or less than said estimated quantity, as may be ordered under subsequent requisitions separately certified against said contract.

Yeas: Mayor Campbell, Directors Chandra, Baker, Acting Director Ciaccia, Directors Mok, Ricchiuto, Carroll, Acting Director Pettus, Directors Ronayne, Rush, Routen, Acting Director Huth and Director Taylor.

Nays: None.

Absent: Directors Fumich and Williams.

Resolution No. 460-04.

By Director Carroll.

Be it resolved by the Board of Control of the City of Cleveland, that all bids received on February 11, 2004 for Cremation Services, item d — Services for infants less than one (1) year of age, (stillborn included) for the Division of Health Department of Public Health, pursuant to the authority of Ordinance No. 680-02, passed May 13, 2002, as amended by Ordinance No. 1020-03 be and the same are hereby rejected.

Yeas: Mayor Campbell, Directors Chandra, Baker, Acting Director Ciaccia, Directors Mok, Ricchiuto, Carroll, Acting Director Pettus, Directors Ronayne, Rush, Routen, Acting Director Huth and Director Taylor.

Nays: None.

Absent: Directors Fumich and Williams.

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 23, 2004

9:30 A.M.

Calendar No. 04-180: 3881 West 134th Street (Ward 20)

Clyde Gazda, owner, appeals to erect a 12' x 17' two-story room addition at the rear of a two family, 2 1/2-story frame dwelling, situated on a 40' x 150' parcel in a Two-Family District on the east side of West 134th Street at 3881 West 134th Street; contrary to Yards and Courts Requirements, a 4' rear yard depth is provided where a 20' depth is required as stated in Section 357.08(b)(1) of the Codified Ordinances.

Calendar No. 04-181: 16402 Telfair Avenue (Ward 1)

Darrell and Bathsheba Thomas El-Bey, owners, appeal to erect a 10' x 12' one-story, frame room addition to the westerly side of the front of an existing one-story single family dwelling, situated on a 40' x 156' parcel in a One-Family District on the south side of Telfair Avenue at 16402 Telfair Avenue; contrary to the Yards and Courts Requirements, a 27' front yard line is provided, where the alignment to existing building lines requires a 45' front yard line, as stated in Section 357.06 of the Codified Ordinances.

Calendar No. 04-182: 3467 West 41st Street (Ward 14)

Neil P. Mohny, owner, appeals to change the use from a store and dwelling building to a single family dwelling, an existing 24' x 40' two-story brick building, situated on a 35' x 68' parcel in a Two-Family District on the east side of West 41st Street at 3467 West 41st Street; contrary to Section 355.05 of the Area Requirements, the maximum gross floor area proposed is 2,461 s/f and 2,408 s/f is allowed; and subject to the limitations of Section 357.08 of the Yards and Courts Requirements, a rear yard depth of 6" is provided where 20' is required and contrary to Sections 357.09(2)(a) and (b), there is a 2'-6" distance provided, where a 10' distance is required from a main building on an adjoining lot and a total side yard of 8" is provided, where an interior side yard shall not be less than 3' nor shall the total of side yard distance be less than 10' and subject to the provisions for Nonconforming Uses, the change or substitution of an existing nonconforming building requires the Board of Zoning Appeals approval as stated in Section 359.01 of the Codified Ordinances.

Calendar No. 04-183: 4532 West 148th Street (Ward 20)

Paul Clark, owner, appeals to erect a 20' x 10' frame front porch to a 1 1/2-story single family dwelling, situated on a 40' x 120' parcel in a One-Family District on

the west side of West 148th Street at 4532 West 148th Street; contrary to the Yards and Courts Requirements, the proposed porch projects 10' and it may not exceed a 6' projection in the setback or aggregate a vertical area in any story more than 25% of the area of the facade in that story as stated Section 357.13(b)(4) of the Codified Ordinances.

Calendar No. 04-184: 971 Nathaniel Road (Ward 11)

Cleveland Housing Network Limited Partnership XX, c/o Paul Glowacki, owner, appeals to erect a 24' x 36' two-story frame, one family dwelling on a 40' x 150' parcel in a Two-Family District on the north side of Nathaniel Road at 971 Nathaniel Road; subject to the limitations for Yards and Courts a 2.99' distance is provided where an open porch may not extend within 10' of the street line as stated in Section 357.13(b)(4) of the Codified Ordinances.

Calendar No. 04-112: 17600 Lakeshore Boulevard (Ward 11)

On June 21, 2004, Attila Gyorki was conditionally granted a variance to expand a legal, nonconforming auto repair business by adding a 38' x 56' one-story, three bay garage to an existing 38' x 44' one-story garage, situated on an irregular shaped acreage parcel in a General Retail Business District on the northeast corner of Lakeshore Boulevard and Marcella Road at 17600 Lakeshore Boulevard; subject to the provisions for Nonconforming Uses, the proposed expansion in a General Retail Business District for an existing, nonconforming auto repair, located within less than 100' of a Residence District requires the Board of Zoning Appeals approval, as stated in Section 359.01 of the Codified Ordinances. Upon a Motion to Modify the Resolution, Attila Gyorki, owner, requests that the Board of Zoning Appeals modify the prior conditions of the decision dated June 21, 2004, to allow hours of operation for the auto repair business to include the addition of Saturday hours from 8:00 AM to 5:00 PM.

Secretary

**REPORT OF THE BOARD
OF ZONING APPEALS**

MONDAY, AUGUST 9, 2004

At the meeting of the Board of Zoning Appeals on Monday, August 9, 2004, the following appeals were heard by the Board:

The following appeals were **Approved**:

Calendar No. 04-170: 17316 Dorchester Drive

Dan Sadowsky appealed to erect a 28' x 8' frame deck to the front of a one family dwelling on a 39' x 123' corner parcel in an A1 One-Family District.

Calendar No. 04-172: 10812-26 St. Clair Avenue

St. Aloysius Church appealed to construct an accessory off-street parking lot on a 111' x 89' corner lot in a Local Retail Business District.

Calendar No. 04-161: 15601 Chatfield Avenue

Dominion East Ohio appealed to erect a 140' tall telecommunication tower to replace an existing tower in a Residence Industry District; subject to revised plan.

The following appeal was **Denied**:

Calendar No. 04-134: 3584 East 116th Street

Aiat of Ohio LLC appealed to expand the use of a retail sales building by adding a gas station service to be erected on a corner parcel in a Local Retail Business District.

The following appeals were **Withdrawn**:

Calendar No. 04-169: 2118 Broadview Road

Hikmat Dakdouk appealed to use the setback for parking on a corner parcel with an existing retail sales store in a Local Retail Business District.

Calendar No. 04-173: 12617 Sprecher Avenue

James Sakaley appealed to erect a 30' x 50' one-story, frame accessory garage on a 40' x 175' parcel in an A1 One-Family District.

The following appeals were **Postponed**:

Calendar No. 04-160: Appeal of North Coast Payphones ClevePhones, Inc. postponed to August 23, 2004.

Calendar No. 04-171: 8211 Platt Avenue postponed to August 23, 2004.

In Executive Session on August 9, 2004, the following appeals heard by the Board on August 2, 2004 were adopted or approved.

The following appeals were **Approved**:

Calendar No. 04-165: 2055 Hamilton Avenue

The 2055 Hamilton LLC appealed to install an 8' tall chain link fence at the front of a 30' x 120' parcel in a Semi-Industry District; subject to conditions.

Calendar No. 04-166: 861 East 105th Street

Lee Memorial AME Church appealed to construct a 30 car parking lot accessory to an existing church in split zoning for Local Retail Business and Two-Family Districts; subject to modified plan.

Calendar No. 04-167: 2035 West 11th Street

Cleveland Housing Network appealed to erect a 24' x 44' two-story one-family dwelling on a 39' x 154' parcel in a Multi-Family District.

The following appeals were **Denied**:

Calendar No. 04-168: 3009 Library Avenue

Charles Detrow, Jr. appealed to erect a 30' x 40' one-story frame garage with a gable roof on a 40' x 140' parcel in a Two-Family District.

Calendar No. 04-137: 11113 Fidelity Avenue

Cheryl Lusardo appealed to erect a 23' x 23' wooden deck to the rear of a one family dwelling in a Two-Family District.

In Executive Session on August 9, 2004, the following appeal heard on May 24, 2004 was adopted and approved:

The following appeal was **Approved**:

Calendar No. 04-97: 3347 East 93rd Street

Mazhar Kahn appealed to erect a one-story retail stores building in a Local Retail Business District.

In Executive Session on August 9, 2004, the following appeal heard on July 26, 2004 was adopted and approved.

The following appeal was **Approved**:

Calendar No. 04-129: 10318 Lorain Avenue

Joseph Maalouf appealed to have a day care in the second floor of a two-story building in a General Retail Business District; subject to revised plan.

Secretary

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

NO MEETING

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 employment and, if applicable, joint venture status, are submitted to the Office of Equal Opportunity ("OEO") prior to the date of bid opening or submission of proposals or as specified by the Director. Failure to comply with the business enterprise code or with representations made on these forms may result in cancellation of the contract or other civil or criminal penalties."

THURSDAY, AUGUST 26, 2004

Miscellaneous Electric Test Equipment Training and Repair of Test Equipment, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 247-04, passed by the Council of the City of Cleveland, May 3, 2004.

THERE WILL BE A **MANDATORY PRE-BID MEETING FRIDAY, AUGUST 13, 2004 AT 11:00 A.M., CLEVELAND PUBLIC POWER, 1300 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.**

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

Computer Hardware, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 758-04, passed by the Council of the City of Cleveland, June 7, 2004.

THERE WILL BE A **MANDATORY PRE-BID MEETING THURSDAY, AUGUST 12, 2004 AT 11:00 A.M., CLEVELAND PUBLIC POWER, 1300 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.**

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

August 4, 2004 and August 11, 2004

THURSDAY, SEPTEMBER 9, 2004

Department of Finance Phase II City Office Relocations, for the Division of Architecture, Department of Public Service, as autho-

rized by Ordinance No. 2144-03, passed by the Council of the City of Cleveland, January 5, 2004.

THERE WILL BE A **REFUNDABLE FEE FOR PLANS/SPECIFICATIONS IN THE AMOUNT OF FIFTY DOLLARS (\$50.00) IN THE FORM OF A CASHIER'S CHECK AND/OR MONEY ORDER.**

THERE WILL BE A **MANDATORY PRE-BID MEETING THURSDAY, AUGUST 19, 2004 AT 10:00 A.M., 205 W. ST. CLAIR, CLEVELAND, OHIO 44113.**

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

August 4, 2004 and August 11, 2004

WEDNESDAY, AUGUST 25, 2004

Duggan Park and Lonnie Burten Park Site Improvements, for the Division of Research, Planning & Development, Department of Parks, Recreation and Properties, as authorized by Ordinance Nos. 1114-02 and 2151-03, passed by the Council of the City of Cleveland, July 17, 2002 and December 15, 2003, respectively.

THERE WILL BE A **REFUNDABLE FEE FOR PLANS/SPECIFICATIONS IN THE AMOUNT OF TWENTY-FIVE DOLLARS (\$25.00) IN THE FORM OF A CASHIER'S CHECK AND/OR MONEY ORDER.**

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING, THURSDAY, AUGUST 19, 2004 AT 10:00 A.M., BURKE LAKEFRONT AIRPORT, 1ST FLOOR CONFERENCE ROOM, 1501 NORTH MARGINAL ROAD, CLEVELAND, OHIO 44114.**

August 11, 2004 and August 18, 2004

THURSDAY, AUGUST 26, 2004

Various Size Front End Loaders and Roll Off Containers, for the Division of Waste Collection and Disposal, Department of Public Service, as authorized by Ordinance No. 1257-03, passed by the Council of the City of Cleveland, July 16, 2003.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING, THURSDAY, AUGUST 19, 2004 AT 10:00 A.M., DIVISION OF WASTE COLLECTION, CONFERENCE ROOM, 5600 CARNEGIE AVENUE, CLEVELAND, OHIO 44103.**

Nuisance Animal Trapping, for the Division of Environment, Department of Public Health, as authorized by Ordinance No. 937-04, passed by the Council of the City of Cleveland, June 7, 2004.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING, THURSDAY, AUGUST 19, 2004 AT 2:00 P.M., DEPARTMENT OF PUBLIC HEALTH, 2ND FLOOR CONFERENCE ROOM, 1925 ST. CLAIR AVENUE, CLEVELAND, OHIO 44114.**

August 11, 2004 and August 18, 2004

FRIDAY, AUGUST 27, 2004

Transfer and Disposal of Tires Contract "T", for the Division of Waste Collection and Disposal, Department of Public Service, as authorized by Ordinance No. 575-04, passed by the Council of the City of Cleveland, April 26, 2004. **THERE WILL BE A NON-MANDATORY PRE-BID MEETING, FRIDAY, AUGUST 20, 2004 AT 10:00 A.M., DIVISION OF WASTE COLLECTION, 5600 CARNEGIE AVENUE, CLEVELAND, OHIO 44103.**

August 11, 2004 and August 18, 2004

WEDNESDAY, SEPTEMBER 1, 2004

Off-Site Media Storage, for the Various Divisions of the Department of Finance, as authorized by Ordinance No. 1207-03, passed by the Council of the City of Cleveland, August 13, 2003. **THERE WILL BE A MANDATORY PRE-BID MEETING, MONDAY, AUGUST 23, 2004 AT 10:00 A.M., INFORMATION TECHNOLOGY & SERVICES, CONFERENCE ROOM, 205 ST. CLAIR AVENUE, 4TH FLOOR, CLEVELAND, OHIO 44113.** **THE CITY WILL NOT CONSIDER THE BID OF ANYONE WHO DOES NOT ATTEND A MANDATORY PRE-BID CONFERENCE.**

August 11, 2004 and August 18, 2004

THURSDAY, SEPTEMBER 2, 2004

Board Up — Group II Areas 1-3 and Areas 12, for the Department of Building & Housing, as authorized by Ordinance No. 703-04, passed by

the Council of the City of Cleveland, May 24, 2004. **THERE WILL BE A NON-MANDATORY PRE-BID MEETING, FRIDAY, AUGUST 20, 2004 AT 10:00 A.M., CITY HALL, CONFERENCE ROOM 509, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.**

Board Up — Group III Areas 8-11, for the Department of Building & Housing, as authorized by Ordinance No. 703-04, passed by the Council of the City of Cleveland, May 24, 2004. **THERE WILL BE A NON-MANDATORY PRE-BID MEETING, FRIDAY, AUGUST 20, 2004 AT 10:00 A.M., CITY HALL, CONFERENCE ROOM 509, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.**

Board Up — Group IV Areas 13-21, for the Department of Building & Housing, as authorized by Ordinance No. 703-04, passed by the Council of the City of Cleveland, May 24, 2004. **THERE WILL BE A NON-MANDATORY PRE-BID MEETING, FRIDAY, AUGUST 20, 2004 AT 10:00 A.M., CITY HALL, CONFERENCE ROOM 509, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.**

Stationary Generator Repair, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 1972-03, passed by the Council of the City of Cleveland, October 27, 2003.

Stationary Generator Repair, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 1972-03, passed by the Council of the City of Cleveland, October 27, 2003.

August 11, 2004 and August 18, 2004

FRIDAY, SEPTEMBER 3, 2004

Stationary Generator Repair, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 1972-03, passed by the Council of the City of Cleveland, October 27, 2003.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING, TUESDAY, AUGUST 24, 2004 AT 3:00 P.M., DIVISION OF MOTOR VEHICLE MAINTENANCE, 4150 EAST 49th STREET, BUILDING #1, CLEVELAND, OHIO 44105.

August 11, 2004 and August 18, 2004

THURSDAY, OCTOBER 7, 2004

Backup Power Project, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 691-04, passed by the Council of the City of Cleveland, July 14, 2004. **THERE WILL BE A REFUNDABLE FEE FOR PLANS/SPECIFICATIONS IN THE AMOUNT OF TWO HUNDRED FIFTY DOLLARS (\$250.00) IN THE FORM OF A CASHIER'S CHECK AND/OR MONEY ORDER.**

THERE WILL BE A NON-MANDATORY PRE-BID MEETING, MONDAY, AUGUST 23, 2004 AT 10:00 A.M., CARL B. STOKES PUBLIC UTILITIES BUILDING, AUDITORIUM — 1ST FLOOR, 1201 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

August 11, 2004 and August 18, 2004

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Memorandum of Understanding — City Planning Commission — amend Ord. 817-03
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Memorandum of Understanding

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