

# The City Record

Official Publication of the Council of the City of Cleveland



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July the Thirtieth, Two Thousand and Eight

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**Frank G. Jackson**  
Mayor

**Martin J. Sweeney**  
President of Council

**Patricia J. Britt**  
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	Mamie J. Mitchell
7	Fannie M. Lewis
8	Sabra Pierce Scott
9	Kevin Conwell
10	Roosevelt Coats
11	Michael D. Polensek
12	Anthony Brancatelli
13	Joe Cimperman
14	Joseph Santiago
15	Brian J. Cummins
16	Kevin J. Kelley
17	Matthew Zone
18	Jay Westbrook
19	Dona Brady
20	Martin J. Sweeney
21	Martin J. Keane

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[www.clevelandcitycouncil.org](http://www.clevelandcitycouncil.org)

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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	Mamie J. Mitchell.....	12701 Shaker Boulevard, #712	44120
7	Fannie M. Lewis.....	7416 Star Avenue	44103
8	Sabra Pierce Scott.....	1136 East 98th Street	44108
9	Kevin Conwell.....	10647 Ashbury Avenue	44106
10	Roosevelt Coats.....	1775 Cliffview Road	44112
11	Michael D. Polensek.....	17855 Brian Avenue	44119
12	Anthony Brancatelli.....	6924 Ottawa Road	44105
13	Joe Cimperman.....	3053 West 12th Street	44113
14	Joseph Santiago.....	3169 West 14th Street	44109
15	Brian J. Cummins.....	3104 Mapledale Avenue	44109
16	Kevin J. Kelley.....	6608 Woodhaven Avenue	44144
17	Matthew Zone.....	1228 West 69th Street	44102
18	Jay Westbrook.....	1278 West 103rd Street	44102
19	Dona Brady.....	1272 West Boulevard	44102
20	Martin J. Sweeney.....	3632 West 133rd Street	44111
21	Martin J. Keane.....	15907 Colletta Lane	44111

City Clerk, Clerk of Council – Patricia J. Britt, 216 City Hall, 664–2840  
First Assistant Clerk — Sandra Franklin

### MAYOR – Frank G. Jackson

Ken Silliman, Secretary to the Mayor, Chief of Staff  
Darnell Brown, Executive Assistant to the Mayor, Chief Operating Officer  
Valarie J. McCall, Executive Assistant to the Mayor, Chief of Government Affairs  
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  
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** – 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 Bahur, Commissioner  
Cleveland Hopkins International Airport – Fred Szabo, Commissioner

**DEPT. OF PUBLIC SERVICE** – Jomarjie Wasik, Director, Room 113

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

**DEPT. OF PUBLIC HEALTH** – Matt Carroll, Director, Mural Building, 1925 St. Clair Ave.

DIVISIONS: Air Quality – Richard L. Nemeth, Commissioner  
Environment – Willie Bess, Commissioner, Mural Building, 1925 St. Clair Ave.  
Health – Anjou Parekh, Commissioner, Mural Building, 1925 St. Clair Ave.

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

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

**DEPT. OF PARKS, RECREATION & PROPERTIES** – Michael Cox, Director

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

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

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

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

**DEPT. OF ECONOMIC DEVELOPMENT** – Tracey A. Nichols, 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 Jomarjie 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 Connally, 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 – Laura M. Bala, Chair; Jennifer Coleman, Vice Chair; Robert N. Brown, Council Member Joe Cimperman, Thomas Coffey, Robert Jackimowicz; Ari Maron, William Mason, Michael Rastatter, Jr., John Torres, N. Kurt Wiebusch, Robert Keiser, Secretary.

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

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

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

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

# The City Record

71 OFFICIAL PUBLICATION OF THE COUNCIL OF THE CITY OF CLEVELAND

Vol. 95

WEDNESDAY, JULY 30, 2008

No. 4938

## CITY COUNCIL

MONDAY, JULY 28, 2008

### The City Record

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Address all communications to

**PATRICIA J. BRITT**

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:** Brancatelli, Chair; Cleveland, Vice Chair; Conwell, Kelley, Mitchell, Reed, Santiago.

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

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

#### MONDAY

2:00 P.M. — **Finance Committee:** Sweeney, Chair; Cimperman, Vice Chair; Brady, Brancatelli, Coats, Conwell, Pierce Scott, Turner, 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; Coats, Conwell, Cummins, Johnson, Mitchell.

#### WEDNESDAY—Alternating

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

Cleveland, Mitchell, Turner, Westbrook.

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

#### WEDNESDAY—Alternating

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

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

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

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

**Personnel and Operations Committee:** Westbrook, Chair; Kelley, Mitchell, Pierce Scott, Santiago, Sweeney, 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

July 23, 2008

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, July 23, 2008, at 10:30 a.m. with Acting Director Langhenry presiding.

Present: Acting Directors Langhenry, Withers, Directors Smith, Wasik, Acting Director Butler, Directors Flask, Cox, Acting Director Resseger, Directors Hutchinson, Nichols, Fumich, Guzman and Rybka.

Absent: Mayor Jackson and Director Dumas.

Others: James 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. 355-08.

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 June, 2008 in the amount of \$85.08, attached and made a part of this resolution, is received, approved and ordered filed.

Yeas: Acting Directors Langhenry, Withers, Directors Smith, Wasik, Acting Director Butler, Directors Flask, Cox, Acting Director Resseger, Directors Hutchinson, Nichols, Fumich, Guzman and Rybka.

Nays: None.

Absent: Mayor Jackson and Director Dumas.

#### Resolution No. 356-08.

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 July, 2008 in the amount of \$24,028.41, attached and made a part of this resolution, is received, approved and ordered filed.

Yeas: Acting Directors Langhenry, Withers, Directors Smith, Wasik, Acting Director Butler, Directors Flask, Cox, Acting Director Resseger, Directors Hutchinson, Nichols, Fumich, Guzman and Rybka.

Nays: None.

Absent: Mayor Jackson and Director Dumas.

#### Resolution No. 357-08.

By Director Dumas.

Resolved, by the Board of Control of the City of Cleveland that the bid of Bosworth Industrial Supply, for an estimated quantity of hand held and hand held power tools, for item nos. 2a, 2b, 2c, 3a, 3b, 3c, 3e, 5b, 6b, 8a, 8b, 9a, 9b, 9f, 9g, and 9k, for the various divisions of City government, for the period of two years beginning with the date of execution of a contract, received on May 14, 2008, under the authority of Section

181.101 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to \$108,100.03, is affirmed and approved 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. 182220**

which shall be certified against the contract in the sum of \$10,000.00.

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

Yeas: Acting Directors Langhenry, Withers, Directors Smith, Wasik, Acting Director Butler, Directors Flask, Cox, Acting Director Resseger, Directors Hutchinson, Nichols, Fumich, Guzman and Rybka.

Nays: None.

Absent: Mayor Jackson and Director Dumas.

**Resolution No. 358-08.**

By Director Dumas.

Resolved, by the Board of Control of the City of Cleveland that the bid of Phillips Contractors Supply, LLC, for an estimated quantity of hand held and hand held power tools, for Item Nos. 1A, 1B, 1C, 3D, 4A (a-d), 4B, 5A, 5C, 6A, 7A, 7B, 8C, and 9E & 9M, for the various divisions of City government, for the period of two years beginning with the date of execution of a contract, received on May 14, 2008, under the authority of Section 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to \$97,900.02, is affirmed and approved 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. 182221**

which shall be certified against the contract in the sum of \$10,000.00.

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

Yeas: Acting Directors Langhenry, Withers, Directors Smith, Wasik, Acting Director Butler, Directors Flask, Cox, Acting Director Resseger, Directors Hutchinson, Nichols, Fumich, Guzman and Rybka.

Nays: None.

Absent: Mayor Jackson and Director Dumas.

**Resolution No. 359-08.**

By Interim Director Withers.

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

the bid of Varian, Inc. for the purchase of laboratory equipment, testing and analytical services: gas chromatograph and appurtenances, all items, for the Division of Water, Department of Public Utilities, received on May 16, 2008, under the authority of Section 129.28 of the Codified Ordinances of Cleveland Ohio, 1976, which on the basis of the order quantities would amount to \$62,011.00 (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 contract for the items.

Yeas: Acting Directors Langhenry, Withers, Directors Smith, Wasik, Acting Director Butler, Directors Flask, Cox, Acting Director Resseger, Directors Hutchinson, Nichols, Fumich, Guzman and Rybka.

Nays: None.

Absent: Mayor Jackson and Director Dumas.

**Resolution No. 360-08.**

By Director Smith.

Whereas, under the authority of Ordinance No. 186-07, passed by the Council of the City of Cleveland on March 12, 2007, and Board of Control Resolution No. 673-07, adopted December 19, 2007, the City, through its Director of Port Control, entered into City Contract No. 67714 with Michael Baker Jr., Inc. ("Consultant"), to provide, professional services necessary to provide general engineering and architectural services for the various divisions of the Department of Port Control; and

Whereas, the City has determined it requires additional general engineering services; and

Whereas, the Consultant has proposed by its letter dated July 2, 2008 to provide the necessary engineering services for an amount of \$2,367,900.00; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that the Director of Port Control is authorized to enter into a first modification to City Contract No. 67714 between the City of Cleveland and Michael Baker Jr., Inc. for additional general engineering services as set forth in Consultant's letter dated July 2, 2008. The amount to be paid for all services shall be increased by \$2,367,900.00 from \$1,000,000.00 to a total amount not to exceed \$3,367,900.00.

Be it further resolved that the employment of the following sub-consultants for the services to be performed by Michael Baker Jr., Inc. under the first modification authorized above is approved.

<u>Subconsultant</u>	<u>Percentage</u>	<u>Amount</u>
Airport Design Consultants, Inc.	4.5% -DBE	\$107,300.00
G & T Associates, Inc.	8.0% -DBE/MBE	\$189,935.00
CAD Concepts, Inc.	3.5% -DBE/FBE	\$ 82,875.00
Tucker, Young, Jackson, Tull, Inc.	3.2% -MBE	\$ 74,632.00

KS Associates, Inc. 4.2% -FBE  
\$ 99,450.00

Robert and Company 4.9% -Non-DBE  
\$116,025.00

Solar Testing Laboratories, Inc. 9.6% -Non-DBE  
\$228,120.00

Yeas: Acting Directors Langhenry, Withers, Directors Smith, Wasik, Acting Director Butler, Directors Flask, Cox, Acting Director Resseger, Directors Hutchinson, Nichols, Fumich, Guzman and Rybka.

Nays: None.

Absent: Mayor Jackson and Director Dumas.

**Resolution No. 361-08.**

By Director Wasik.

Whereas, under the authority of Ordinance No. 1070-07, passed February 25, 2008, this Board of Control adopted Resolution No. 256-08 on May 28, 2008, approving Perk Company as lowest responsible bidder for a public improvement by requirement contract for repairing and constructing sidewalks, curbs, curb ramps, driveways, aprons, on streets authorized for 2008 Concrete Requirements Contract, for the Division of Engineering and Construction, Department of Public Service; and

Whereas, Resolution No. 300-08, adopted on June 25, 2008, amended the initial Requisition Number from 142-08 to 175582; and

Whereas, in Resolution No. 256-08, the initial requisition amount was incorrectly stated; now therefore,

Be it resolved by the Board of Control of the City of Cleveland that Resolution Number 256-08 adopted May 28, 2008, affirming and approving Perk Company as the lowest responsible bid for the 2008 Concrete Requirements Contract is amended by changing the initial requisition amount from \$2,613,107 to \$1,500,000.

Be it further resolved by the Board of Control that all other provisions of Resolution No. 256-08, amended by Resolution No. 300-08, not expressly amended above shall remain in full force and effect.

Yeas: Acting Directors Langhenry, Withers, Directors Smith, Wasik, Flask, Cox, Acting Director Resseger, Directors Hutchinson, Nichols, Fumich, Guzman and Rybka.

Nays: None.

Absent: Mayor Jackson, Director Dumas and Acting Director Butler.

**Resolution No. 362-08.**

By Director Flask.

Resolved by the Board of Control of the City of Cleveland that the bid of Kiesler Police Supply, Inc., for an estimated amount of Ammunition, item number 1 thru 3, item number 5 thru 7 and item number 10 thru 12, for the Division of Police, Department of Public Safety, for the period of one year beginning with the date of execution of a contract, received on May 29, 2008, under the authority of Section No. 135.065 of the Codified Ordinances of Cleveland, Ohio 1976, which on the basis of the estimated quantity would amount \$320,000.00, is affirmed and approved as the lowest and best bid, and the Director of Public Safety is request-

ed 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. 174817**

as specified, which shall be certified against such contract in the sum of \$170,600.00.

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

Yeas: Acting Directors Langhenry, Withers, Directors Smith, Wasik, Flask, Cox, Acting Director Resseger, Directors Hutchinson, Nichols, Fumich, Guzman and Rybka.

Nays: None.

Absent: Mayor Jackson, Director Dumas and Acting Director Butler.

**Resolution No. 363-08.**

By Director Flask.

Resolved by the Board of Control of the City of Cleveland that the bid of Vance's Outdoors, for an estimated amount of Ammunition, item number 4, item number 8 and item number 9, for the Division of Police, Department of Public Safety, for the period of one year beginning with the date of execution of a contract, received on May 29, 2008, under the authority of Section No. 135.065 of the Codified Ordinances of Cleveland, Ohio 1976, which on the basis of the estimated quantity would amount \$41,360.00, is affirmed and approved as the lowest and best bid, and the Director of Public Safety 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. 174812**

as specified, which shall be certified against such contract in the sum of \$41,360.00.

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

Yeas: Acting Directors Langhenry, Withers, Directors Smith, Wasik, Flask, Cox, Acting Director Resseger, Directors Hutchinson, Nichols, Fumich, Guzman and Rybka.

Nays: None.

Absent: Mayor Jackson, Director Dumas and Acting Director Butler.

**Resolution No. 364-08.**

By Director Flask.

Resolved by the Board of Control of the City of Cleveland that the bid of Atwell's Police and Fire Equipment, for an estimated amount of 9mm Pistols, item number 1, and item number 2, for the Division of Police, Department of Public Safety, for the period of one year beginning with the date of execution of a contract, received on May 29, 2008,

under the authority of Section No. 135.065 of the Codified Ordinances of Cleveland, Ohio 1976, which on the basis of the estimated quantity would amount \$124,500.00, is affirmed and approved as the lowest and best bid, and the Director of Public Safety 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. 174811**

as specified, which shall be certified against such contract in the sum of \$83,000.00.

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

Yeas: Acting Directors Langhenry, Withers, Directors Smith, Wasik, Flask, Cox, Acting Director Resseger, Directors Hutchinson, Nichols, Fumich, Guzman and Rybka.

Nays: None.

Absent: Mayor Jackson, Director Dumas and Acting Director Butler.

**Resolution No. 365-08.**

By Director Cox.

Resolved by the Board of Control of the City of Cleveland that all bids received on June 17, 2008 for the insurance on the Browns Stadium for the Division of Convention Center and Stadium, Department of Parks, Recreation and Properties, under the authority of Section 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976, are rejected.

Yeas: Acting Directors Langhenry, Withers, Directors Smith, Wasik, Flask, Cox, Acting Director Resseger, Directors Hutchinson, Nichols, Fumich, Guzman and Rybka.

Nays: None.

Absent: Mayor Jackson, Director Dumas and Acting Director Butler.

**Resolution No. 366-08.**

By Director Cox.

Whereas, under the authority of Ordinance No. 1257-07, passed December 10, 2007, by the Council of the City of Cleveland, the Commissioner of Purchases and Supplies is authorized, by and at the direction of the Board of Control, to convey a non-exclusive, permanent easement interest in the Forest Hills Parkway area, no longer needed for public use, to the Northeast Ohio Regional Sewer District for the purpose of the construction and maintenance of the Dugway East Interceptor Relief Sewer Project; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 1257-07, passed December 10, 2007, by the Council of the City of Cleveland, the Commissioner of Purchases and Supplies is directed to convey a non-exclusive, permanent easement in the Forest Hills Parkway area, as more particularly described in the ordinance, no longer needed for public use, to the Northeast Ohio Regional Sewer District for a price of \$425,000.00 and other valuable con-

siderations in the amount of \$27,000.00.

Yeas: Acting Directors Langhenry, Withers, Directors Smith, Wasik, Flask, Cox, Acting Director Resseger, Directors Hutchinson, Nichols, Fumich, Guzman and Rybka.

Nays: None.

Absent: Mayor Jackson, Director Dumas and Acting Director Butler.

**Resolution No. 367-08.**

By Director Cox.

Be it resolved by the Board of Control of the City of Cleveland, that the bid of RMH Concrete & Foundations, Inc. for the public improvement of Gordon Park Site Improvements, for Base Bid Items 1 - 41, 46 - 61, Alternate Items A5 - A8 and Add Alternate Items 1AA - 6AA including the 5% contingency for the Division of Research, Planning & Development, Department of Parks, Recreation & Properties, received on June 11, 2008, under the authority of Ordinance No. 690-07, passed on June 11, 2007, upon a unit basis for the improvement in the aggregate amount of \$260,495.85, is affirmed and approved as the lowest responsible bid; and the Director of Department of Parks, Recreation & Properties is authorized to enter into contract for the improvement with the bidder.

Yeas: Acting Directors Langhenry, Withers, Directors Smith, Wasik, Flask, Cox, Acting Director Resseger, Directors Hutchinson, Nichols, Fumich, Guzman and Rybka.

Nays: None.

Absent: Mayor Jackson, Director Dumas and Acting Director Butler.

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 11, 2008**

**9:30 A.M.**

**Calendar No. 08-141:** 3400 St. Clair Avenue (Ward 13)

Sin Mun Chan, owner, appeals to change the hours of operation of a nightclub located in a General Industry District at 3400 St. Clair Avenue to be simultaneous to the hours of a restaurant operated in the same building; contrary to the conditions of a zoning variance granted by the Board of Zoning Appeals in Resolution No. 05-77, regarding a failure to meet the parking requirements of Section 349.04(e) of the Zoning Code for simultaneous operation of a nightclub and restaurant. The applicant has identified an additional 34 parking spaces available to the business through a lease with a neighboring property owner.

**Calendar No. 08-143:** 10404 Clifton Boulevard (Ward 18)

Smythe Ford Real Estate, owner, c/o Josh Cohen, and Christina Anderson, tenant, appeal to establish a fitness studio in a commercial building on the northwest corner of Clifton Boulevard and West 104th Street in a One-Family District; whereas the proposed use is not permitted in a One-Family District and is first permitted in a Retail Business District, and whereas no substitution or other change in a non-conforming use other than to a conforming use shall be permitted except by Special Permit from the Board of Zoning Appeals; and whereas 6 additional off-street parking spaces are required and none are provided.

**Calendar No. 08-144:** 3809 Buechner Avenue (Ward 16)

Radu Lupu, owner, appeals to erect a 2-bedroom, 1-bath addition, measuring 24' x 29', replacing a front porch on a house in a mid-block location on the south side of Buechner Avenue, between West 41st Street and State Road in a One-Family District; contrary to the regulations of Section 357.04(a) of the Zoning Code which requires a front yard setback of 28 3/4' in line with existing buildings, and a setback of 17 1/2' is proposed.

**Calendar No. 08-145:** 12833 Lorain Avenue (Ward 19)

The Ohio Conference Association of Seventh Day Adventist, owner, c/o Lisa Falkenstein, and Bryan Black, architect, appeal to change the occupancy from day care to a place of worship of a building on the south side of Lorain Avenue, one parcel east of West 129th Street, in a General Retail Business District and One-Family District; contrary to Section 352.09 of the Zoning Code, which requires an 8'-wide landscaped transition strip at the rear of the parcel abutting a One-Family District, and contrary to Section 337.02(e)(1), which requires a place of worship to be located at least 15'

from any adjoining premises in a Residence District not used for a similar purpose, and the proposed church abuts a One-Family District at the rear.

**Calendar No. 08-147:** 6020 Fir Avenue (Ward 17)

John Farrier, owner, appeals to replace and extend the front porch of a house on the north side of Fir Avenue, just east of West 61st Street in a Two-Family District; contrary to Section 357.13(b)(4), which does not permit open front porches to project more than 6 feet into a required front yard, whereas a 12-foot projection is proposed, and does not permit a front porch that aggregates a vertical area in any story more than twenty percent of the area of the facade in that story.

Secretary

**REPORT OF THE BOARD  
OF ZONING APPEALS**

**MONDAY, JULY 28, 2008**

At the meeting of the Board of Zoning Appeals on Monday, July 28, 2008, the following appeals were heard by the Board.

The following appeals were **Approved:**

**Calendar No. 08-133:** 12800 Larchmere Boulevard

Sam Gantous, owner, appealed to install and establish a new outdoor dining service area with 10 tables on a 50.49' x 159.07' corner parcel located in a Local Retail Business District on the southeast corner of Larchmere Boulevard (Woodland Avenue) and Kendall Road at 12800 Larchmere Boulevard.

**Calendar No. 08-134:** 5806 Franklin Boulevard

Bradford Watson, owner, appealed to erect a 20' x 32' one-story, frame attached garage to an existing dwelling house located on a 38' x 100' parcel in a Two Family District on the north side of Franklin Boulevard at 5806 Franklin Boulevard.

**Calendar No. 08-135:** 2527 West 25th Street

Klein-Barabas, Ltd, LLC, owner, and Mario Nemr, tenant, appealed to establish use as a nightclub/tavern with entertainment in an existing two-story building and consolidated parcels, located in split zoning between Semi-Industry and Two-Family Districts on the northeast corner of West 25th Street and Potter Court at 2527 West 25th Street; subject to conditions.

**Calendar No. 08-140:** 4005 West 143rd Street

Carole Godenswager, owner, appealed to erect a frame handicap wheel chair ramp 3 feet wide and 39 feet long at the front of a one-story single family dwelling on a 40' x 125.80' parcel, located in an A1 One-Family District on the east side of

West 143rd Street at 4005 West 143rd Street.

**Calendar No. 08-76:** 13528-30 Miles Avenue

Marvin Butler, owner, appealed to change from a poultry house to auto repair, towing and wrecking and parts, the use of an existing 48' x 76' one-story, brick building, located on an irregular shaped acreage parcel in a Semi-Industry District on the south side of Miles Avenue at 13528-30 Miles Avenue.

**Calendar No. 08-114** 2906 Natchez Avenue

Thomas Tindira, owner, appealed to erect a 10' x 16' one-story, frame garage on a 35' x 77.76' parcel located in a B1 Two-Family District on the north side of Natchez Avenue at 2960 Natchez Avenue.

The following appeals were **Withdrawn:**

None.

The following appeal was **Dismissed:**

None.

The following appeals were **Postponed:**

**Calendar No. 08-131:** 4060 East 116th Street postponed to August 25, 2008.

**Calendar No. 08-132:** 4524 Broadview Road postponed to August 25, 2008.

The following appeals heard by the Board on July 21, 2008 were adopted and approved on July 28, 2008.

The following appeals were **Approved:**

**Calendar No. 08-128:** 11010-22 Superior Avenue

Maheer Suleiman, owner, appealed to construct a parking lot on a 124' x 104.52' parcel located in a Multi-Family District on the south side of Superior Avenue at 11010-22 Superior Avenue; subject to conditions.

**Calendar No. 08-129:** 684 East 152nd Street

Brett Greer, owner, appealed to install approximately 200 lineal feet of 5 foot 10 inch high ornamental metal and 7 foot high masonry pier fence, proposed to be on consolidated parcels located in a General Retail Business District on the northwest corner of East 152nd Street and Cardinal Avenue at 684 East 152nd Street; subject to conditions.

**Calendar No. 08-116:** 2011 West 20th Street

Elizabeth Ilg, owner, appeals to erect an 8' x 21.6' two-story, frame, single family second floor addition to an 1 1/2-story frame dwelling on a 30.24' x 54.75' parcel located in a B1 Two-Family District on the east side of West 20th Street at 2011 West 20th Street.

The following appeals were **Denied**:

**Calendar No. 08-105:** 2704 Clark Avenue

Gerald Zahler, owner, and Crucita Santini Ortiz, on behalf of La Copa Sports Bar, tenant, appeal under the authority of Section 76-6 of the Cleveland City Charter and Section 329.02(d) of the Codified Ordinances from the revocation of a Coin Operated Pool Table License, No. 100, and a Music Permit, No. 203.

**Calendar No. 08-68:** 3232 Lakeside Avenue

Flextron LLC, owner, and Theodore Talliere, agent, appealed to change use from a bar/restaurant to adult cabaret an existing two-story building on a 130.66' x 117.25' corner parcel in a General Industry District on the southwest corner of Lakeside Avenue at East 33rd Street at 3232 Lakeside Avenue.

The following appeal adopted and approved by the Board on February 6, 2008:

The following appeal was **Affirmed**:

**Calendar No. 07-189:** 4081 Rocky River Drive

Applicant requested a one year extension on the variance adopted and approved by the Board on February 6, 2008 which required applicant to improve property per agreed upon site plan.

Secretary

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

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Re: Report of the Meeting of  
July 23, 2008

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-74-08.**

RE: Appeal of K. Cohen & B. Rosenberg, Owners of the F-2 Factory — Low Hazard (Non-Combustibles) Two Story Frame Property located on the premises known as 3500 West 140th Street from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE of the Director of the Department of Building and Housing, dated April 14, 2008, 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 a sixty (60) day "Extension of Time" in which to perform all the necessary work required for the fencing, 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. Sullivan and seconded by Mr. Bradley.

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

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**Docket A-75-08.**

RE: Appeal of D L K Inv. Corp., Owner of the F-2 Factory — Low Hazard (Non-Combustibles) Two Story Masonry Property located on the premises known as 3550 West 140th Street from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE of the Director of the Department of Building and Housing, dated April 14, 2008, 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 a sixty (60) day "Extension of Time" in which to perform all the necessary work required for the fence installation; 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. Saunders, Saab, Bradley, Sullivan. Nays: None. Absent: Messrs. Denk, Gallagher.

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**Docket A-78-08.**

RE: Appeal of Mark Mueller, Owner of the Two Family Residence Two and One/Half Story Frame Property located on the premises known as 7810 Wentworth Avenue from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE of the Director of the Department of Building and Housing, dated April 16, 2008, 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 sixty (60) days in which to abate the 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. Bradley and seconded by Mr. Saunders.

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

\* \* \*

**Docket A-79-08.**

RE: Appeal of Mark Mueller, Owner of the Two Family Residence Two and One/Half Story Frame Property located on the premises known as 7808 Wentworth Avenue from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE of the Director of the Department of Building and Housing, dated April 16, 2008, 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 sixty (60) days in which to abate the 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. Bradley and seconded by Mr. Saunders.

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

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**Docket A-80-08.**

RE: Appeal of Mark Mueller, Owner of the Three Dwelling Units Three-family Residence Two and One/half Story Frame Property located on the premises known as 7806 Wentworth Avenue from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE of the Director of the Department of Building and Housing, dated April 16, 2008, 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 sixty (60) days in which to abate the 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. Bradley and seconded by Mr. Saunders.

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

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**Docket A-86-08.**

RE: Appeal of Richard Clarke, Owner of the Two Dwelling Units Two-family Residence Two and One/half Story Frame Property located on the premises known as 10422 Elmerge Road from a 30 DAY CONDEMNATION ORDER, dated March 17, 2008 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

No action this date, the docket will be rescheduled in thirty (30) days, as long as the Appellant has a plan and the Appellant becomes the owner of record.

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**Docket A-87-08.**

RE: Appeal of Alexander and Kathryn Litvak, Owners of the Two Dwelling Units Two-family Residence Two and One/half Story Frame Property located on the premises known as 3227 West 121st Street from a NOTICE OF VIOLATION — INTERIOR/EXTERIOR of the Director of the Department of Building and Housing, dated August 1, 2007, 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 vari-

ance and permit the downspout to remain as it is currently constructed. Motion so in order. Motioned by Mr. Saab and seconded by Mr. Gallagher.

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

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**Docket A-92-08.**

RE: Appeal of Latrice Cornelius, Owner of the One Dwelling Unit Single Family Residence Two Story Frame Property located on the premises known as 14414 Aspinwall Avenue from a 30 DAY CONDEMNATION ORDER — MS of the Director of the Department of Building and Housing, dated May 16, 2008, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

Docket A-92-08 has been POSTPONED; to be rescheduled for August 6, 2008.

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**Docket A-95-08.**

RE: Appeal of Deutsche Bank National Trust, Mortgagee of the One Dwelling Unit Single Family Residence Two and One-half Story Frame Property located on the premises known as 974 East 130th Street from a 30 DAY CONDEMNATION ORDER — MS AND GARAGE, dated May 2, 2008 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 sixty (60) days in which to obtain the required permits and abate the violations; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Saunders.

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

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**Docket A-96-08.**

RE: Appeal of Ann M. Latessa, Owner of the Two Dwelling Units Two-Family Residence Two Story Frame Property located on the premises known as 2455 Castle Avenue from a CONDEMNATION ORDER, dated June 6, 2008, 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 perform all necessary painting on the outside of the property within sixty (60) days, and to grant the Appellant six (6) months 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.

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Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Sullivan.

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

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**Docket A-98-08.**

RE: Appeal of Diane A. Merriweather, Owner of the Two Dwelling Units Two-Family Residence Two and One-half Story Frame Property located on the premises known as 11408 Ablewhite Avenue from a 30 DAY CONDEMNATION ORDER — MS & GARAGE, of the Director of the Department of Building and Housing, dated March 19, 2008, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to find that the Violation Notice was issued properly and to require the Appellant to obtain permits within two (2) weeks and to complete abatement of all the violations on the property within ninety (90) days; 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. Saunders, Saab, Bradley, Sullivan. Nays: None. Absent: Messrs. Denk, Gallagher.

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**Docket A-99-08.**

RE: Appeal of Oscar J. Waters Jr., Owner of the One Dwelling Unit Two and One-half Story Frame Property located on the premises known as 840 East 129th Street from a 30 DAY CONDEMNATION ORDER, of the Director of the Department of Building and Housing, dated May 22, 2008, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

Docket A-99-08 has been POSTPONED; to be rescheduled for August 20, 2008.

\* \* \*

**Docket A-107-08.**

RE: Appeal of LNR Investments C/O Network Parking, Owner of the Property located on the premises known as 601 Huron Road from an ADJUDICATION ORDER of the Director of the Department of Building and Housing, dated June 12, 2008, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

No action this date, the docket is rescheduled for August 6, 2008.

\* \* \*

**Docket A-108-08.**

RE: Appeal of Ferchill Group, Owner of the Property located on the premises known as 1012 Prospect Avenue from an ADJUDICATION ORDER of the Director of the Department of Building and Housing, dated June 13, 2008, requiring

compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

No action this date, the docket is rescheduled for August 6, 2008.

\* \* \*

**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-71-08—Foundation for Inner-City Development.
- A-76-08—Home Servicing, LLC.
- A-84-08—Financial Freedom Senior Funding.
- A-85-08—Chandler V. Garnett.
- A-90-08—James E. Wright Jr.
- A-103-08—David Kahn.
- A-106-08—Concord Commerce One, LLC.

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

\* \* \*

**APPROVAL OF MINUTES**

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

July 9, 2008

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

\* \* \*

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 6, 2008  
10:00 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 6, 2008, at 10:00 a.m., to consider the following ordinance now pending in the Council:



**Ord. No. 875-08.**

By Council Member Zone.  
An ordinance changing the Use Districts of land located on the north side of Denison Avenue west of West 65th Street from Two Family to Semi-Industry (Map Change No. 2265; Sheet No. 2).

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 23, 2008 and July 30, 2008

**NOTICE OF PUBLIC HEARING**

**Notice of Public Hearing  
By the Cleveland City Council  
Committee of the Whole**

Mercedes Cotner  
Committee Room 217  
City Hall, Cleveland, Ohio  
On Wednesday, August 6, 2008  
9:30 a.m.

Notice is hereby given that the Cleveland City Council Committee of the Whole will hold a public hearing in the Mercedes Cotner Committee Room 217, City Hall, Cleveland, Ohio, on Wednesday, August 6, 2008, at 9:30 a.m., to consider the following ordinance now pending in the Council:

**Ord. No. 897-08.**

By Council Members Kelley, Cimperman, Cleveland and Sweeney (by departmental request).

An emergency ordinance to amend Section 699A.011 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 286-05, passed March 28, 2005, relating to defining Community Entertainment Districts.

REMARKS BY DIRECTOR OF PORT CONTROL: To amend Section 699A.011 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 286-05, passed March 28, 2005, relating to defining Community Entertainment Districts.

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

Martin J. Sweeney  
President  
Cleveland City Council

July 23, 2008 and July 30, 2008

**CITY OF CLEVELAND BIDS****For All Departments**

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

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

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

**WEDNESDAY, AUGUST 13, 2008**

**File No. 161-08 — Various Size Front End Loader Dumpster Containers,** for the Division of Waste Collection and Disposal, Department of Public Service, as authorized by Ordinance No. 497-08, passed by the Council of the City of Cleveland, June 2, 2008.  
THERE WILL BE A **NON-MANDATORY PRE-BID MEETING**, WEDNESDAY, AUGUST 6, 2008 AT 1:00 P.M., THE DIVISION OF WASTE COLLECTION, 5600 CARNEGIE AVENUE, CLEVELAND, OHIO 441103.

**File No. 168-08 — Welding Equipment Supplies and Materials,** for the Various Divisions of City Government, Department of Finance, as authorized by Ordinance Nos. 1033-07 and 497-08, passed by the Council of the City of Cleveland, November 26, 2007 and June 2, 2008, respectively.  
THERE WILL BE A **NON-MANDATORY PRE-BID MEETING**, THURSDAY, AUGUST 7, 2008 AT 3:00 P.M., CLEVELAND CITY HALL, DIVISION OF PURCHASES AND SUPPLIES, ROOM 128, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

July 23, 2008 and July 30, 2008

**THURSDAY, AUGUST 14, 2008**

**File No. 162-08 — Ice Melt with CMA (Calcium Magnesium Acetate)**, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 811-08, passed by the Council of the City of Cleveland, June 9, 2008.  
THERE WILL BE A **NON-MANDATORY PRE-BID MEETING**

THURSDAY, JULY 31, 2008 AT 2:30 P.M., THE DIVISION OF WATER, DISTRIBUTION AND MAINTENANCE, 4600 HARVARD AVENUE, CLEVELAND, OHIO 44105.

July 23, 2008 and July 30, 2008

**WEDNESDAY, AUGUST 20, 2008**

**File No. 164-08 — Office Renovations — Economic Development,** for the Division of Architecture, Department of Public Service, as authorized by Ordinance No. 485-07, passed by the Council of the City of Cleveland.

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

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** TUESDAY, AUGUST 12, 2008 AT 10:00 A.M., CLEVELAND CITY HALL, 5TH FLOOR, ROOM 517, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

**File No. 166-08 — Uniforms Clothing Supplies 2009,** for the Division of Police, Department of Public Safety, as authorized by Section 135.06 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **MANDATORY PRE-BID MEETING**, WEDNESDAY, JULY 31, 2008 AT 10:00 A.M., THE CLEVELAND POLICE HEADQUARTERS, CLEVELAND POLICE CITY HALL, 7TH FLOOR, ROOM 2, 1300 ONTARIO AVENUE, CLEVELAND, OHIO 44113.

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

July 23, 2008 and July 30, 2008

**WEDNESDAY, AUGUST 20, 2008**

**File No. 167-08 — Paint and Paint Supplies,** for the Various Divisions of City Government, Department of Finance, as authorized by Ordinance Nos. 1033-07 and 497-08, passed by the Council of the City of Cleveland, November 26, 2007 and June 2, 2008, respectively.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING**, FRIDAY, AUGUST 8, 2008 AT 10:00 A.M., CLEVELAND CITY HALL, DIVISION OF PURCHASES AND SUPPLIES, ROOM 128, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

July 23, 2008, July 30, 2008 and August 6, 2008

**FRIDAY, AUGUST 22, 2008**

**File No. 165-08 — Labor and Materials to Maintain/Repair Various Material Handling Equipment Including But Not Limited to Industrial Trucks, Sweepers and Scrubbers, Aerial Lifts, Tractors and Appurtenances (Re-Bid),** for the Division of Water, Department of

Public Utilities, as authorized by Ordinance No. 1690-07, passed by the Council of the City of Cleveland, November 12, 2007. THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** FRIDAY, AUGUST 1, 2008 AT 2:30 P.M., THE PUBLIC UTILITIES BUILDING, 1201 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

July 23, 2008 and July 30, 2008

**WEDNESDAY, AUGUST 13, 2008**

**File No. 169-08 — Gilmore Park Site Improvements**, for the Division of Research, Planning and Development, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 451-08, passed by the Council of the City of Cleveland, June 9, 2008.

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

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING**, THURSDAY, AUGUST 7, 2008 AT 10:00 A.M., THE BURKE LAKEFRONT AIRPORT, 1501 NORTH MARGINAL ROAD, CLEVELAND, OHIO 44114.

**File No. 170-08 — Labor and Materials Necessary to Service and Maintain Elevator (Re-Bid)**, for the Division of Safety Administration, Department of Public Safety, as authorized by Ordinance Nos. 497-08 and 1033-07, passed by the Council of the City of Cleveland, June 2, 2008 and November 26, 2007.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING**, THURSDAY, AUGUST 7, 2008 AT 10:30 A.M., PUBLIC SAFETY, CONFERENCE ROOM 230, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

**File No. 168-08 — Welding Equipment Supplies and Materials**, for the Various Divisions of City Government, Department of Finance, as authorized by Ordinance Nos. 1033-07 and 497-08, passed by the Council of the City of Cleveland, November 26, 2007 and June 2, 2008, respectively.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING**, THURSDAY, AUGUST 7, 2008 AT 3:00 P.M., CLEVELAND CITY HALL, DIVISION OF PURCHASES AND SUPPLIES, ROOM 128, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

July 30, 2008 and August 6, 2008

**THURSDAY, AUGUST 14, 2008**

**File No. 171-08 — Pap and HPV Testing Services**, for the Division of Health Administration, Department of Public Health, as authorized by Ordinance No. 751-08, passed by the Council of the City of Cleveland, May 19, 2008.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** THURSDAY, AUGUST 7, 2008 AT 10:00 A.M., THE McCAFFERTY HEALTH CENTER, 4242 LORAIN AVENUE, CLEVELAND, OHIO 44113.

July 30, 2008 and August 6, 2008

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NONE

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