

The City Record

Official Publication of the Council of the City of Cleveland



September the Tenth, Two Thousand and Three

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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PRESORTED STANDARD
U. S. POSTAGE PAID
CLEVELAND, OHIO
Permit No. 1372

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	3760 East 126th Street	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	774 East 131st Street	44108
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.	4326 Daisy Avenue	44109
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	3466 Bosworth Road	44111
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
David M. McGuirk, Executive Assistant
Timothy Mueller, Executive Assistant
Craig Tame, Executive Assistant
Henry Guzman, Director, Office of Equal Opportunity
Margreat A. Jackson, Legislative Affairs Liaison
Erik Janas, Inter-Governmental Affairs Officer
Loma Wisham, Chief Public Affairs Officer

DEPT. OF LAW – Subodh Chandra, Director, Galen L. Schuerlein, Acting 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 Ciacchia, Jr., Commissioner
Water Pollution Control – Darnell Brown, Commissioner

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

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

DEPT. OF PUBLIC SERVICE – Mark Ricchiuto, Director, Room 113

DIVISIONS: Architecture – Kurt Weibusch, 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, Acting Director, Mural Building, 1925 St. Clair Ave.

DIVISIONS: Air Quality – Commissioner
Correcion – Robert Taskay, 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 – James A. Draper, 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 – Linda M. Hudecek, Director, 3rd Floor, City Hall

DIVISIONS: Administrative Services – Terrence Ross, Commissioner
Neighborhood Services – Louise V. Jackson, Commissioner
Neighborhood Development – Sharon Dumas, 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 – Steven Sims, Director, Room 210

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

DEPT. OF CONSUMER AFFAIRS – Kenya Taylor, Director

COMMUNITY RELATIONS BOARD – Room 11, 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;

Margreat Hopkins, Ozell Dobbins, Joan Shaver Washington, Christopher Carmody, Eugene Cranford, Jr., 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 Loehr, 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 Weibusch, 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	13C
Judge Ronald B. Adrine	15A
Judge C. Ellen Connally	15C
Judge Sean C. Gallagher	12C
Judge Emanuella Groves	12B
Judge Mabel M. Jasper	14D
Judge Kathleen Ann Keough	13D
Judge Mary E. Kilbane	14C
Judge Ralph J. Perk, Jr.	14B
Judge Raymond L. Pianka (Housing Court Judge)	13B
Judge Angela R. Stokes	13A
Judge Robert J. Triozzi	14A
Judge Joseph J. Zone	12A

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

The City Record



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Vol. 90

WEDNESDAY, SEPTEMBER 10, 2003

No. 4683

CITY COUNCIL

MONDAY, SEPTEMBER 8, 2003

The City Record

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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

Cleveland, Ohio

Monday, September 8, 2003

The meeting of the Council was called to order, The President, Frank G. Jackson, in the Chair.

Council Members present: Brady, Britt, Cimperman, Cintron, Coats, Conwell, Dolan, Jackson, Johnson, Jones, Lewis, O'Malley, Polensek, Reed, Rybka, Scott, Sweeney, Westbrook, White, Zone.

Also present were Mayor Campbell, Chief of Staff Janik and Directors Chandra, Baker, Konicek, Mok, Ricchiuto, Draper, N. Ronayne, Hudecek, Williams, Routen, Fumich, Johnson, Taylor, C. Ronayne, Acting Director Carroll, Executive Assistants Tame, Mueller; Lorna Wisham, Chief Public Affairs Officer; Margaret Jackson, Legislative Affairs Liaison.

Pursuant to Ordinance No. 2926-76, prayer was offered by Rev. Paul Hobson Sadler, Sr., Pastor of Mt. Zion Congregational Church, UCC, located at 10723 Magnolia Drive, Cleveland, Ohio 44106 in Ward 8. Pledge of Allegiance.

On the motion of Council Member Cimperman, the reading of the minutes of the last meeting was dis-

pensated with and the journal approved. Seconded by Council Member Scott.

MAYOR'S APPOINTMENTS

File No. 1744-03.

September 5, 2003

The Honorable Frank Jackson
Council President
Cleveland City Council
601 Lakeside Avenue
Cleveland, Ohio 44114

Dear Council President Jackson:

This letter advises you and City, Council that I am submitting a name for appointment to the City of Cleveland's Community Relations Board.

I am pleased to recommend the following individual for appointment to the Community Relations Board.

1. Sonia Troche
New Appointment
Term expires on March 31, 2005

A resume is attached. Once a date is determined for the Mayoral Appointment Committee hearing, I ask that you please place the above stated appointment on the committee agenda. Thank you.

Sincerely,
Jane L. Campbell
Mayor

Received.

COMMUNICATIONS

File No. 2068-02-A.

From the Department of Law — copy of Lease for the Western Reserve Fire Museum of Cleveland, Inc. Received.

File No. 1745-03.

From the City of Strongsville — copy of Resolution No. 2003-159 — urging the Ohio Senate to reconsider HB 95. Received.

File No. 1746-03.

From the City of North Olmsted — copy of Resolution No. 2003-119 — urging Ohio Senate to reverse the provision of HB 95. Received.

File No. 1747-03.

From Living in Cleveland Center — 2002 Annual Report, Summer 2003. Received.

File No. 1748-03.

From Case Western Reserve University — Campus News, August 21, 2003. Received.

File No. 1749-03.
From Case Western Reserve University — CWRU Magazine, Summer 2003. Received.

**FROM DEPARTMENT OF
LIQUOR CONTROL**

File No. 1750-03.
Re: New Application — 5380045 — MKMC, LLC, d.b.a. Cleveland Bar & Grille, 1st, 2nd floors & patio, 834-36 Huron Road, S.E. (Ward 13). Received.

File No. 1751-03.
Re: New Application — 6549122 — 18121 Euclid, Inc., d.b.a. Convenient Food Mart, 18121 Euclid Avenue. (Ward 10). Received.

File No. 1752-03.
Re: New Application — 0000725 — A. & B. Randa, Inc., d.b.a. Family Discount, Inc., 1250 East 105th Street. (Ward 8). Received.

File No. 1753-03.
Re: Transfer of Ownership Application — 3479133 — Habibi, Inc., d.b.a. Frank's Marathon, 11609 Miles Avenue. (Ward 2). Received.

File No. 1754-03.
Re: Transfer of Ownership Application — 7783750 — Scene Restaurants, Inc., 500 St. Clair Avenue, W. (Ward 13). Received.

File No. 1755-03.
Re: Transfer of Ownership and Location Application — 6622617 — PTF Downtown, LLC, 724-28 Prospect Avenue. (Ward 13). Received.

File No. 1756-03.
Re: Transfer of Ownership Application — 6283750 — Nadia Oil, LLC, d.b.a. West 73rd Shell, 7310 Lorain Avenue. (Ward 17). Received.

File No. 1757-03.
Re: Transfer of Ownership Application — 0298866 — Iris Asia, d.b.a. Family Stop, 3800 Whitman Avenue. (Ward 13). Received.

File No. 1758-03.
Re: Transfer of Ownership Application — 4895627 — Krupa One, Inc., d.b.a. Tony's Market, 3114 Clark Avenue, rear building. (Ward 14). Received.

File No. 1759-03.
Re: Transfer of Ownership Application — 8869500 — 13939 Lorain, Inc., d.b.a. Marathon, 13939 Lorain Road. (Ward 20). Received.

File No. 1760-03.
Re: Transfer of Ownership and Location Application — 87992390010 — Taqueria Mexico Tacos, Inc., d.b.a. Mi Pueblo, 12207 Lorain Avenue. (Ward 19). Received.

File No. 1761-03.
Re: Transfer of Ownership and Location Application — 42486490005 — Jas 21, Corp., d.b.a. Hamilton's Martini Bar, 1501 Euclid Avenue, first floor and basement. (Ward 13). Received.

File No. 1762-03.
Re: New Application — 90366580005 — James Travis, d.b.a. Travis' Deli, 1407-11 East 105th Street. (Ward 9). Received.

File No. 1763-03.
Re: Transfer of Ownership Application — 3471700 — H. M. Goldi, Inc., d.b.a. Food Plus All, 18506 St. Clair Avenue. (Ward 11). Received.

**STATEMENT OF WORK
ACCEPTED**

File No. 1764-03.
From the Department of Public Utilities — Contract No. 58891, Kinsman Green 24" Water Supply Main, accepted November 15, 2002. Received.

File No. 1765-03.
From the Department of Public Utilities — Contract No. 59618, Innerbelt Bridges Water Main Re-insulation, accepted March 26, 2003. Received.

File No. 1766-03.
From the Department of Parks, Recreation and Properties — Contract No. 61050, R.G. Jones Ball Diamond Improvements, accepted August 4, 2003. Received.

OATH OF OFFICE

File No. 1767-03.
Joseph A. Sidoti — oath of office — Commissioner of Neighborhood Development. Received.

File No. 1768-03.
Antionette Thompson — oath of office — Secretary to the Director of Parks, Recreation and Properties. Received.

File No. 1769-03.
Natalie A. Ronayne — oath of office — Director of Parks, Recreation and Properties. Received.

CONDOLENCE RESOLUTIONS

The rules were suspended and the following Resolutions were adopted by a rising vote:

Res. No. 1770-03—Dorothy Mae Miller.

Res. No. 1771-03—Helen Summons.

Res. No. 1772-03—Russell R. Scott.

Res. No. 1773-03 — Juan Curtis Curry.

Res. No. 1774-03 — Sara Robinson Daniels.

Res. No. 1775-03—Eileen Jones.

Res. No. 1776-03—Cordell Edge.

Res. No. 1777-03 — Rev. Maurice Hockett, Sr.

Res. No. 1778-03 — Haywood Edward McDuffie, Sr.

Res. No. 1779-03 — Edmund M. Ciolek, Jr.

Res. No. 1780-03—Elizabeth Flory Kelly.

CONGRATULATION RESOLUTIONS

The rules were suspended and the following Resolutions were adopted without objection:

Res No. 1781-03 — Judge C. Ellen Connally.

Res No. 1782-03 — Eddie Rodick.

Res No. 1783-03—Gladys & Jimmie Kee.

Res No. 1784-03 — Geme & Callie Brewer.

Res No. 1785-03 — 100th Anniversary of Powered Flight.

Res No. 1786-03—Detective Sergio Andujar.

Res No. 1787-03 — Quizno's @ the Circle.

Res No. 1788-03—Rev. Dr. B. Alexander Moore.

Res No. 1789-03 — The Women's Auxiliary of the Hungarian Benevolent Social Union.

Res No. 1790-03 — Dave's Supermarket.

Res No. 1791-03—Joel Cole.

Res No. 1792-03—Pauline Mitchell Pope.

Res No. 1793-03—Sammy DeLeon's Orchestra.

Res No. 1794-03—West Park Dental Associates.

Res No. 1795-03—Zontaye Bledsoe.

Res No. 1796-03 — Jacquelyn Wilingham.

RECOGNITION RESOLUTIONS

The rules were suspended and the following Resolutions were adopted without objection:

Res No. 1797-03—Joan Yarano.

Res No. 1798-03 — Fairview Hospital.

Res No. 1799-03 — Lutheran Hospital.

Res No. 1800-03 — The Rollers Car Club.

**FIRST READING EMERGENCY
ORDINANCES REFERRED**

Ord. No. 1681-03.
By Council Member Jackson (by departmental request).

An emergency ordinance authorizing the purchase by one or more requirement contracts of long distance telephone service for all City voice and fax lines, for the Division of Information Technology and Services, Department of Finance.

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

Be it ordained by the Council of the City of Cleveland:

Section 1. That the Director of Finance is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two years of the necessary items of long distance telephone service for all City voice and fax lines, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Division of Information Technology and Services, Department of Finance. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than two years may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director of Finance. (RL 21543)

Section 3. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Referred to Directors of Finance, Law; Committee on Finance.

Ord. No. 1682-03.
By Council Member Jackson (by departmental request).

An emergency ordinance authorizing the purchase or lease with an option to purchase for a period of three, four, or five years, by one or more contracts for one Group VI high-speed, production printer/duplicator system, including maintenance, for the Division of Printing and Reproduction, Department of Finance.

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

Be it ordained by the Council of the City of Cleveland:

Section 1. That the Director of Finance is authorized to make one or more written contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the purchase or lease with an option to purchase, for a period of three, four, or five years, each or all of the following items: one Group VI high-speed, production printer/duplicator system, including maintenance to be purchased by the Commissioner of Purchases and Supplies on a unit basis, for the Division of Printing and Reproduction, Department of Finance.

Section 2. That the cost of the contract or contracts authorized shall be paid from Fund No. 70 SF 301, Request No. 145904.

Section 3. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Referred to Directors of Finance, Law; Committee on Finance.

Ord. No. 1683-03.
By Council Member Jackson (by departmental request).

An emergency ordinance authorizing the purchase, lease or lease to purchase by one or more requirement contracts of various types of heavy duty vehicles and apparatus for various divisions of the Departments of Public Service, Parks, Recreation and Properties, and Public Safety.

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

Be it ordained by the Council of the City of Cleveland:

Section 1. That the Director of Public Service is authorized to make one or more written requirement contracts under the Charter and the

Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of various types of heavy duty vehicles and apparatus set forth in File No. 1683-03-A in an estimated amount of \$6,603,000.00, to be purchased, leased or leased to purchase by the Commissioner of Purchases and Supplies on a unit basis for various divisions of the Departments of Public Service, Parks, Recreation and Properties, and Public Safety. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than a year may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. That the cost of the contract or contracts shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase or procurement, which purchase or procurement, together with all later purchases or procurements, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director of Finance.

Section 3. That the City may enter into a lease-purchase arrangement for the heavy duty vehicles and apparatus with a bank, leasing company or any other organization that is not the manufacturer or vendor of the vehicles or apparatus that submitted a bid for the sale, lease or lease to purchase described in Section 1 of this ordinance, provided that: (I) the Director of Finance determines that it is in the best interest of the City to enter into that lease-purchase arrangement, (II) the maximum term of any lease-purchase arrangement does not exceed ten (10) years, (III) the aggregate principal obligation of the City under the lease-purchase arrangement does not exceed \$7,000,000, (IV) if the lease-purchase arrangement provides that the lease payments are to have a principal component and an interest component, the maximum interest rate for the interest component does not exceed seven percent (7%) per annum, (V) the obligations of the City under that lease-purchase arrangement for fiscal years beginning after December 31, 2003 are subject to annual appropriations being made by the City sufficient to pay the lease payments and to meet the other obligations of the City under that lease-purchase arrangement in each of these fiscal years, and (VI) the obligations of the City thereunder for the current fiscal year do not exceed \$300,000, which amount is hereby appropriated for that purpose. The Director of Finance is authorized and directed to sign and deliver, for and on behalf of the City and in the Director's official capacity, such written agreements, certificates and instruments as may be necessary or appropriate in order to provide for that lease-purchase arrangement under the terms and conditions authorized herein and containing

such additional terms and conditions as are acceptable to the Director of Finance and the Director of Law. Those agreements may include a lease-purchase agreement, an escrow agreement for the deposit by the lessor of the purchase price of the vehicles and apparatus, acceptance certificates evidencing the City's acceptance of the vehicles from the vendors, and certificates as to insurance, tax compliance and related matters necessary to carry out the transaction. The lease-purchase arrangement may provide that the lease payments are to have a principal component and an interest component and that the interest component is to be excluded from gross income for federal income tax purposes. In that event, the Director of Finance and other City officials, as appropriate, are authorized to covenant on behalf of the City that (I) the City will use and will restrict the use of the vehicles and apparatus leased by the City under the lease-purchase agreement and will use, and will restrict the investment of, any proceeds of the lease-purchase agreement in such manner and to such extent as may be necessary so that the lease-purchase agreement will not constitute a private activity bond, an arbitrage bond or a hedge bond under the Internal Revenue Code of 1986, as amended (the "Code"), or be treated other than as an obligation to which Section 103(a) of the Code applies, and (II) the City will take or cause to be taken such actions that may be required of it for the interest component of the lease payments to be and to remain excluded from gross income for federal income tax purposes and the City will not take or authorize to be taken any actions that would adversely affect that exclusion. In the event that the City enters into such a lease-purchase arrangement, the Director of Public Service may assign to the lessor under the lease-purchase arrangement, or the lessor's designee, the rights of the City under the contracts for purchase of the vehicles and apparatus authorized in Section 1 of this ordinance. The Director of Law, Clerk of Council and other appropriate officials of the City are authorized to sign and deliver any documents, certificates and other instruments as the Director of Law determines are necessary and appropriate to carry out the transactions authorized by this ordinance.

Section 4. That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance where adopted in open meetings of this Council, and any of its committees that resulted in such formal action were in meetings open to the public in compliance with the law.

Section 5. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Referred to Directors of Finance, Law; Committee on Finance.

Ord. No. 1684-03.**By Council Members Coats and Jackson (by departmental request).****An emergency ordinance authorizing the Director of Public Utilities to make alterations and modifications in Contract No. 61081 for the E. 68th and E. 69th Street sewer replacement with Fabrizi Trucking & Paving Co., for the Department of Public Utilities.**

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

Be it ordained by the Council of the City of Cleveland:

Section 1. That the Director of Public Utilities is authorized to make the following alterations and modifications in Contract No. 61081 with Fabrizi Trucking & Paving Co., the E. 68th and E. 69th Street sewer replacement, for the Department of Public Utilities:

East 68th & 69th Street Sewer Project
City Contract No. 61081
Subsidiary Agreement - Schedule of Items

Balance in Contract	\$ 50,716.92
1. Mobilization	\$ 2,000.00
2. Pavement removal	30,600.00
3. Curb removal	6,900.00
4. Excavation	7,380.00
5. ODOT 304 aggregate base	16,800.00
6. Sub-grade compaction	2,550.00
7. 7" Plain concrete ODOT #425	117,300.00
8. Integral curb	11,500.00
9. 4" Drain tile	16,100.00
10. 4" Concrete Walks	36,000.00
11. Curb ramp layout and framing	2,200.00
12. Curb ramps	2,080.00
13. 6" Concrete aprons	40,950.00
14. Seeding & mulching	5,850.00
15. Casting adjust to grade	3,750.00
16. Monument assemblies/reset	700.00
17. Construction layout stakes	3,000.00
18. Tree removal	950.00
19. Concrete sealer	<u>10,200.00</u>
Total	\$316,810.00
Balance to be paid	\$367,526.92
Less Balance Remaining in Contract	<u>- 50,716.92</u>
TOTAL SUBSIDIARY ADDITIONS	\$316,810.00
Original Contract Amount	\$573,172.60
Total Subsidiary Additions	<u>+ 316,810.00</u>
REVISED CONTRACT AMOUNT	\$889,982.60

which alteration has been recommended in writing by the Director of Public Utilities, countersigned by the Mayor, and consented to by the surety on the contract, which price to be paid has been agreed on in writing and signed by the Director of Public Utilities and the contractor. This alteration will cause an increase in the amount of the original contract in the amount of \$316,810.00, to be paid from 13 SF 886.

Section 2. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Referred to Directors of Public Utilities, Finance, Law; Committees on Public Utilities, Finance.

Ord. No. 1685-03.**By Council Members Westbrook and Jackson (by departmental request).****An emergency ordinance authorizing the Director of Port Control to make alterations and modifications in Contract No. 57531 for the construction of Abrams Creek with Independence Excavating, Inc., for the Department of Port Control.**

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

Be it ordained by the Council of the City of Cleveland:

Section 1. That the Director of Port Control is authorized to make the following alterations and modifications in Contract No. 57531 with Independence Excavating, Inc., for the construction of Abrams Creek, for the Department of Port Control:

ABRAMS CREEK
INDEPENDENCE EXCAVATING, INC.
CONTRACT # 57531
SUBSIDIARY AGREEMENT — SCHEDULE OF ITEMS

1. Demolition of RETF	\$2,037,000.00
2. Environmental Contingency Related to Demolition (line purging, etc.)	\$ 700,000.00
3. Demolition Waste Disposal (4,000 cy @ \$60/cy)	\$ 240,000.00
4. Ohio EPA Required Landfill Capping	\$1,341,000.00
5. Earthwork and demolition contingency	<u>\$ 500,000.00</u>
Total Subsidiary Additions	\$4,818,000.00
Original Contract Amount:	\$49,293,266.98
Total Subsidiary Additions:	<u>+ 4,818,000.00</u>
REVISED CONTRACT AMOUNT:	\$54,111,266.98

which alteration has been recommended in writing by the Director of Port Control, countersigned by the Mayor, and consented to by the surety on the contract, which price to be paid has been agreed upon in writing and signed by the Director of Port Control and the contractor. This alteration will cause an increase in the amount of the original contract in the sum of \$4,818,000.00 to be paid from Fund Nos. 60 SF 001, 60 SF 104, 60 SF 105, 60 SF 106, and from any funds or subfunds to which are credited any federal grants or federal PFC authorization, for the above project and the proceeds from the sale of any airport revenue bonds issued for a purpose which includes the above project.

Section 2. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Referred to Directors of Port Control, Finance, Law; Committees on Aviation and Transportation, Finance.

Ord. No. 1686-03.
By Council Members Westbrook and Jackson (by departmental request).

An emergency ordinance authorizing the purchase by one or more requirement contracts of labor and materials necessary to replace the terminal flooring at Cleveland Hopkins International Airport, including Concourse A, B, and C, the ticketing level, the baggage claim and concourse connectors, for the Department of Port Control.

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

Be it ordained by the Council of the City of Cleveland:

Section 1. That the Director of Port Control is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year of the necessary items of labor and materials necessary to replace the terminal flooring at Cleveland Hopkins International Airport, including Concourse A, B, and C, the ticketing level, the baggage claim and concourse connectors, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Cleveland Hopkins International Airport, Department of Port Control. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than one year may be taken if desired by the Commissioner of Purchases and Supplies until provision

is made for the requirements for the entire term.

Section 2. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director of Finance. (RL 139903)

Section 3. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Referred to Directors of Port Control, Finance, Law; Committees on Aviation and Transportation, Finance.

Ord. No. 1687-03.
By Council Members Westbrook and Jackson (by departmental request).

An emergency ordinance authorizing the purchase by one or more requirement contracts of automotive parts, supplies and services necessary for the maintenance of airport vehicles and equipment, for the various divisions of the Department of Port Control, for a period not to exceed two years.

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

Be it ordained by the Council of the City of Cleveland:

Section 1. That the Director of Port Control is authorized to make one or

more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two years of the necessary items of automotive parts, supplies and services necessary for the maintenance of airport vehicles and equipment, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the various divisions of the Department of Port Control. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than two years may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director of Finance. (RL 139902)

Section 3. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Referred to Directors of Port Control, Finance, Law; Committees on Aviation and Transportation, Finance.

Ord. No. 1688-03.
By Council Members Westbrook and Jackson (by departmental request).

An emergency ordinance authorizing the purchase by one or more requirement contracts of work uniforms for the various divisions of the Department of Port Control, for a period not to exceed two years.

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

Be it ordained by the Council of the City of Cleveland:

Section 1. That the Director of Port Control is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two years of the necessary items of work uniforms, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the various divisions of the Department of Port Control. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than two years may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director of Finance. (RL 139901)

Section 3. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Referred to Directors of Port Control, Finance, Law; Committees on Aviation and Transportation, Finance.

Ord. No. 1689-03.
By Council Members Westbrook and Jackson (by departmental request).

An emergency ordinance authorizing the Director of Port Control to employ one or more professional consultants to provide lobbying services for Cleveland Hopkins International Airport issues.

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

Be it ordained by the Council of the City of Cleveland:

Section 1. That the Director of Port Control is authorized to employ by contract or contracts one or more consultants or one or more firms of

consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to provide lobbying services for Cleveland Hopkins International Airport issues.

The selection of the consultants for the services shall be made by the Board of Control on the nomination of the Director of Port Control from a list of qualified consultants available for employment as may be determined after a full and complete canvass by the Director of Port Control for the purpose of compiling a list. The compensation to be paid for the services shall be fixed by the Board of Control. The contract or contracts authorized shall be prepared by the Director of Law, approved by the Director of Port Control, and certified by the Director of Finance.

Section 2. That the cost of contract or contracts authorized shall be paid from Fund No. 60 SF 001, Request No. 133227.

Section 3. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Referred to Directors of Port Control, Finance, Law; Committees on Aviation and Transportation, Finance.

Ord. No. 1690-03.
By Council Members Westbrook and Jackson (by departmental request).

An emergency ordinance authorizing the Director of Port Control to enter into a Lease Agreement with AirSports Aviation, LTD for the lease of office space at Burke Lakefront Airport, for the Department of Port Control.

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

Be it ordained by the Council of the City of Cleveland:

Section 1. That the Director of Port Control is authorized to enter into a Lease Agreement ("Lease") with AirSports Aviation, LTD ("Lessee") for use and occupancy of approximately 1,887 square feet of office space located in Rooms 108, 127, and 149 and approximately 486 square feet of space located immediately outside of Room 149 of the terminal building at Burke Lakefront Airport ("Leased Premises"). The term of the Lease shall be for a two year period, commencing on the effective date of the Lease. For use of the Leased Premises, Lessee shall pay the City an annual rate of Twenty-Two Thousand Six Hundred Forty-Four Dollars (\$22,644.00) which is equal to \$12.00 per square foot.

Section 2. That the Lease authorized shall be prepared by the Director of Law and shall contain additional terms and conditions as the Director deems necessary to protect and benefit the public interest.

Section 3. That this ordinance is declared to be an emergency mea-

sure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Referred to Directors of Port Control, Finance, Law; Committees on Aviation and Transportation, Finance.

Ord. No. 1691-03.
By Council Members Westbrook and Jackson (by departmental request).

An emergency ordinance authorizing the Director of Port Control to enter into one or more contracts without competitive bidding with Medtronic Physio Control for the purchase of not to exceed twelve defibrillators including wall cabinets, for the various divisions of the Department of Port Control.

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

Be it ordained by the Council of the City of Cleveland:

Section 1. That this Council has determined that the within commodities are non-competitive and cannot be secured from any source other than Medtronic Physio Control. Therefore the Director of Port Control is authorized to make one or more written contracts with Medtronic Physio Control on the basis of its proposal dated February 13, 2003, for not to exceed twelve defibrillators including wall cabinets to be purchased by the Commissioner of Purchases and Supplies for a gross price, for the various divisions of the Department of Port Control.

Section 2. That the cost of the contract or contracts authorized shall be paid from Fund No. 60 SF 001, Request No. 133224.

Section 3. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Referred to Directors of Port Control, Finance, Law; Committees on Aviation and Transportation, Finance.

Ord. No. 1692-03.
By Council Members Westbrook and Jackson (by departmental request).

An emergency ordinance authorizing the Director of Port Control to enter into a Lease Agreement with Ciredian Knight Corp. dba TOP GUN for the lease of office space at Burke Lakefront Airport, for the Department of Port Control.

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

Be it ordained by the Council of the City of Cleveland:

Section 1. That the Director of Port Control is authorized to enter into a Lease Agreement ("Lease")

with Circadian Knight Corp. dba TOP GUN ("Lessee") for use and occupancy of approximately 205.34 square feet of office space located in Room 162 of the terminal building at Burke Lakefront Airport ("Leased Premises"). The term of the Lease shall be for a two year period, commencing on the effective date of the Lease. For use of the Leased Premises, Lessee shall pay the City an annual rate of Two Thousand Four Hundred Sixty-Four Dollars and Eight Cents (\$2,464.08) which is equal to \$12.00 per square foot.

Section 2. That the Lease authorized shall be prepared by the Director of Law and shall contain additional terms and conditions as the Director deems necessary to protect and benefit the public interest.

Section 3. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Referred to Directors of Port Control, Finance, Law; Committees on Aviation and Transportation, Finance.

Ord. No. 1693-03.
By Council Members Westbrook and Jackson (by departmental request).

An emergency ordinance authorizing the Director of Port Control to enter into a Lease Agreement with American Flyers, Inc. for the lease of office space at Burke Lakefront Airport, for the Department of Port Control.

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of

a municipal department; now, therefore,

Be it ordained by the Council of the City of Cleveland:

Section 1. That the Director of Port Control is authorized to enter into a Lease Agreement ("Lease") with American Flyers, Inc. ("Lessee") for use and occupancy of approximately 1,711.71 square feet of office space located in Rooms 179, 193, and 194 of the terminal building at Burke Lakefront Airport ("Leased Premises"). The term of the Lease shall be for a two year period, commencing on the effective date of the Lease. For use of the Leased Premises, Lessee shall pay the City an annual rate of Twenty Thousand Five Hundred Forty Dollars and Fifty-Two Cents (\$20,540.52) which is equal to \$12.00 per square foot.

Section 2. That the Lease authorized shall be prepared by the Director of Law and shall contain additional terms and conditions as the Director deems necessary to protect and benefit the public interest.

Section 3. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Referred to Directors of Port Control, Finance, Law; Committees on Aviation and Transportation, Finance.

Ord. No. 1694-03.
By Council Members Westbrook and Jackson (by departmental request).

An emergency ordinance authorizing the Director of Port Control to enter into a Lease Agreement with

T & G Flying Club, Inc. for the lease of office space at Burke Lakefront Airport, for the Department of Port Control.

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

Be it ordained by the Council of the City of Cleveland:

Section 1. That the Director of Port Control is authorized to enter into a Lease Agreement ("Lease") with T & G Flying Club, Inc. ("Lessee") for use and occupancy of approximately 486 square feet of office space located in Room 115 of the terminal building at Burke Lakefront Airport ("Leased Premises"). The term of the Lease shall be for a two year period, commencing on the effective date of the Lease. For use of the Leased Premises, Lessee shall pay the City an annual rate of Five Thousand Eight Hundred Thirty-Two Dollars (\$5,832.00) which is equal to \$12.00 per square foot.

Section 2. That the Lease authorized shall be prepared by the Director of Law and shall contain additional terms and conditions as the Director deems necessary to protect and benefit the public interest.

Section 3. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Referred to Directors of Port Control, Finance, Law; Committees on Aviation and Transportation, Finance.

Ord. No. 1695-03.

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

An emergency ordinance authorizing the Director of Port Control to make alterations and modifications in Contract No. 60287 to make terminal modifications at Concourse "A" at Cleveland Hopkins International Airport with Blaze Building Corp. for the Department of Port Control.

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

Be it ordained by the Council of the City of Cleveland:

Section 1. That the Director of Port Control is authorized to make the following alterations and modifications in Contract No. 60287 with Blaze Building Corp., to make terminal modifications at Concourse "A" at Cleveland Hopkins International Airport, for the Department of Port Control:

Terminal MODS, Concourse A Project
 City Contract No. 60287

1. Replace Missing Structural Fireproofing	\$ 49,611.00
2. Address Electrical Code Violations	\$220,389.00
3. Contingency	<u>30,000.00</u>
TOTAL SUBSIDIARY ADDITIONS	\$300,000.00

Original Contract Amount	\$2,348,000.00
Total Subsidiary Additions	<u>+ 300,000.00</u>
Revised Contract Amount	\$2,348,000.00

which alteration has been recommended in writing by the Director of Port Control, countersigned by the Mayor, and consented to by the surety on the contract, which price to be paid has been agreed upon in writing and signed by the Director of Port Control and the contractor. This alteration will cause an increase in the amount of the original contract in the sum of \$300,000.00 to be paid from Fund Nos. 60 SF 001, 60 SF 104, 60 SF 105, 60 SF 106, and from any funds or subfunds to which are credited any federal grants or federal PFC authorization, for the above project and the proceeds from the sale of any airport revenue bonds issued for a purpose which includes the above project.

Section 2. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Referred to Directors of Port Control, Finance, Law; Committees on Aviation and Transportation, Finance.

Ord. No. 1696-03.

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

An emergency ordinance authorizing the Director of Port Control to make alterations and modifications in Contract No. 58537 for renovation of the FAA tracon facility at Cleveland Hopkins International Airport with East West Construction Co., Inc. for the Department of Port Control.

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

Be it ordained by the Council of the City of Cleveland:

Section 1. That the Director of Port Control is authorized to make the following alterations and modifications in Contract No. 58537 with East West Construction Co., Inc., for renovation of the FAA tracon facility at Cleveland Hopkins International Airport, for the Department of Port Control:

SUBSIDIARY ADDITIONS

40	Three Stub Columns Due to Piping Obstructions	\$	951.13
44	Premium Charges for Overtime/Shift Work		12,727.32
52	Remove Mechanical Equipment at Old Tower		3,130.18
59	Temporary Wall at Stairwell "A" tickets 4257,4259,4263, 4281,4282,4293,4296,4299		16,405.35
64	Revised Framing East of Grid Ga between 11 and 12		1,779.60
65	Existing Structural Steel Conditions		2,219.07
66	Remove Splice Plates @ Column Grids B-10, B-11, C-10 & C-11		459.62
67	Re-fabricate 12B1 Beam		6,939.89
68	Demo Pipe and Wire on The 3rd Floor		391.36
69	Run Temporary Feeds		1,663.37
70	Hook Up Temporary Heaters on the Second Floor		790.35
72	Poke Through at Director's Office		1,025.78
75	Munters Moisture Control Invoices		12,943.50
76	Parapet wall Asbestos Removal		4,119.98
80	Down Time Claim due to furniture in the way		2,881.70
84	Remove existing pour stop & other extra works per five extra tickets from Comm Steel		10,108.82
87	Claim for Lost time due to scheduling changes		11,529.09
89	Generator rental for 3-4 weeks 10/27 to 11/14		3,465.22
90	To reinstall ductwork on fourth floor roof.		592.82
92	Proposal for Field Order # 14		2,778.70
94	Puchers Window Blinds on the 2nd Floor		319.87
95	Remove & replace carpet in Commissioner's Office		1,689.19
96	To change door 302 Type 1 to type 3 per Field Order # 019		785.09
97	To add one line of pipe to Handrail per RFI # 184		770.21
98	To remove ductwork on fourth floor roof.		415.43
99	Relocate 2" Hot Water Line		775.93
100	Balance Chilled Water System		3,867.06
102	Relocation of Screen Wall Structure		9,132.63
103	5th Floor Structural Steel Revisions		11,301.35
104	New Storm Piping on 4th Floor Revised Price		6,031.20
106	Reliable Construction Heaters		1,224.55
107	Reliable Construction Heaters		1,583.90
108	Fire Stopping on North and West walls of 3rd and 4th floors		6,242.92
109	Generator rental for 3-4 weeks 11/14 to 12/12		3,322.16
110	Extra work performed by Comm Steel		7,037.16
111	Installation of Electric Heating System		10,666.18

114	ThyssenKrupp Wage Increase	20,772.73
115	Sink Drinking Fountain	1,464.88
116	Extra Roofing Work @ Burger King Roof	4,264.18
117	1st Floor Storm Piping	6,138.78
118	1/2" Cold Water Line Extension FWO # 22	5,331.95
119	5th Floor Restroom Plumbing Work	8,381.88
120	Knee Wall in the North and West walls of the Arts Room FWO# 20ticket# 4315, 4316	4,902.78
121	Block Wall demolition Room 503	1,728.10
122	2X2 Lay-In Ceiling outside Commissioner Szabo's Office FWO# 18 Ticket # 4312	2,513.19
121	Misc. Electrical Work Fred Szabo's Office	1,991.59
122	Removal of AC unit & filling of opening FWO # 24	547.05
123	Extra Wood Blocking & Flashing To existing beam- Building Tech.	1,991.33
124	Extra for additional Insurance Charge-Arch. Products	6,580.53
126	Additional Insurance Charge	6,866.64
127	Additional Metal Deck, Concrete and Firestopping 5th floor South	4,302.98
128	Waterproofing Membrane Room No 503	206.00
129	Extra Masonry Work 4th & 5th Floors	1,258.88
130	Plastic Laminate Filler Pieces and Caulking	716.42
131	Remove Antenna and AC Unit	1,362.06
132	Additional Parapet Wall Removal on the Roof	2,154.02
133	Visqueen Removal in the ARTS Room Ticket # 4325, 4326	5,809.18
134	Misc. Carpentry Work, ticket Nos. 4322,4324, 4317, 4309, 4328	2,455.97
135	Additional Roofing work by Warren Roofing	6,311.59
136	Ceiling Grid in the ARTS room Ticket # 4276	1,477.47
137	Styrofoam Rigid Insulation Ticket # 4277, 2nd Floor Offices	1,535.84
138	Sanitary Vent Extension	618.00
139	Fin Tube Control Valves 2nd Floor FWO # 26	3,442.04
140	Misc. Carpentry Work, ticket Nos. 4070,4262, 4266, 4268, 4290	3,821.29
141	Hot Water Lines in the ARTS Room	1,127.96
142	Temporary Roof Over 5th Floor Ticket # 4260	8,327.63
143	Styrofoam Rigid Insulation ARTS Room ticket No. 4271, 4292	2,362.12
144	To remove ductwork on fourth floor roof.	416.58
145	Styrofoam Rigid Insulation 2nd floor Ticket No. 4270	1,721.24
146	Additional Work in Stairwell A Ticket No 4281	860.62
147	Extra Drywall & Painting in the Arts Room Ticket # 4274 and 4289	977.35
148	Install Visqueen Ticket # 4279	510.99
149	Temporary Walls 5th Floor Ticket # 4264, 4278, 4280	3,872.78
150	To reinstall ductwork on fourth floor roof.	535.60
151	Remove & Dispose of lead based paint 5th floor conference room	1,699.70
152	RFP Flash East Wall 2nd floor Detail 11/A4-09	1,520.96
153	Misc. Carpentry Work, ticket Nos. 4302,4303, 4306, 4318, 4320, 4513	4,458.74
154	Additional work in Director's Office knee wall and sills	5,113.36
155	Move 2 high hats and add egg crate diffusers	441.75
156	5th Floor Structural Steel demo & removal	1,297.93
157	Extra Electrical Work	5,732.98
158	Removal of ACM Tile 4th Floor Lobby	1,079.21
159	Make Door 201 Compatible for the Magnetic Lock	492.11
161	Make 2nd Elevator Operable	3,992.95
162	Extra Work performed by Comm Steel-2	7,453.39
163	Additional Roofing Work by Building Tech. on 5/8, 5/9 and 5/14	6,938.74
164	Additional Roofing Work by Building Tech. on 5/22 Subsidiary Additions	\$ 331,949.72

SUBSIDIARY NEW ITEMS

79	Badging & Escorting Claim Letter	
105	Additional Building Tarp Claim	
112	Claim for General Conditions	
125	Extra for additional equipment rental charge-Arch Products Subsidiary New Items	\$ 102,192.86

CREDITS

Roof Credit	\$ 30,909.00
Host Labor Credit	<u>23,284.80</u>
Total Subsidiary Credits	\$ 54,193.80
Subsidiary Additions	\$ 331,949.72
Subsidiary New Items	<u>+ 102,192.86</u>
Total Subsidiary Additions	\$ 434,142.58
Total Subsidiary Additions	\$ 434,142.58
Total Subsidiary Credits	<u>- 54,193.80</u>
Subsidiary Total	\$ 379,948.78
Original Contract Amount	\$ 3,791,815.00
Subsidiary Total	<u>+ 379,948.78</u>
REVISED CONTRACT AMOUNT	\$ 4,171,763.78

which alteration has been recommended in writing by the Director of Port Control, countersigned by the Mayor, and consented to by the surety on the contract, which price to be paid has been agreed upon in writing and signed by the Director of Port Control and the contractor. This alteration will cause an increase in the amount of the original contract in the sum of \$379,948.78 to be paid from Fund Nos. 60 SF 001, 60 SF 104, 60 SF 105, 60 SF 106, and from any funds or subfunds to which are credited any federal grants or federal PFC authorization, for the above project and the proceeds from the sale of any airport revenue bonds issued for a purpose which includes the above project.

Section 2. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Referred to Directors of Port Control, Finance, Law; Committees on Aviation and Transportation, Finance.

Ord. No. 1697-03.

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

An emergency ordinance authorizing the Director of Port Control to make alterations and modifications in Contract No. 56976 to make Phase IA improvements for the Centralized Deicing Facility at Cleveland Hopkins International Airport with North Bay Construction, Inc., for the Department of Port Control.

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

Be it ordained by the Council of the City of Cleveland:

Section 1. That the Director of Port Control is authorized to make the following alterations and modifications in Contract No. 56976 with North Bay Construction, Inc., to make Phase IA improvements for the Centralized Deicing Facility at Cleveland Hopkins International Airport, for the Department of Port Control:

NORTH BAY CONSTRUCTION
CONTRACT # 56976
SUBSIDIARY AGREEMENT—SCHEDULE OF ITEMS

1. Value Engineering Credit	\$ 56,729.00
2. Labor and material expenses associated with time extension	343,245.00
3. Material substitution due to change in DPC policy	33,000.00
4. Additional waterproofing due to design change	0.00
5. Quantity additions and deletions due to design changes	<u>97,000.00</u>
Total Subsidiary Additions	\$529,974.00
Original Contract Amount	\$5,307,200.00
Total Subsidiary Additions	<u>+ 529,974.00</u>
Revised Contract Amount	\$5,837,174.00

which alteration has been recommended in writing by the Director of Port Control, countersigned by the Mayor, and consented to by the surety on the contract, which price to be paid has been agreed upon in writing and signed by the Director of Port Control and the contractor. This alteration will cause an increase in the amount of the original contract in the sum of \$529,974.00 to be paid from Fund Nos. 60 SF 001, 60 SF 104, 60 SF 105, 60 SF 106, and from any funds or subfunds to which are credited any federal grants or federal PFC authorization, for the above project and the proceeds from the sale of any airport revenue bonds issued for a purpose which includes the above project.

Section 2. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Referred to Directors of Port Control, Finance, Law; Committees on Aviation and Transportation, Finance.

Ord. No. 1698-03.

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

An emergency ordinance authorizing the Director of Port Control to make alterations and modifications in Contract No. 59499 for the relocation of NASA SMIRF/Cell 7 Creek Road Complex with Independence Excavating, Inc., for the Department of Port Control.

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

Be it ordained by the Council of the City of Cleveland:

Section 1. That the Director of Port Control is authorized to make the following alterations and modifications in Contract No. 59499 with Independence Excavating, Inc., for the relocation of NASA SMIRF/Cell 7 Creek Road Complex, for the Department of Port Control:

NASA SMIRF
Subsidiary Agreement
Contract No. 59499

Additions

1.	Change Order #8. Global Settlement for NASA-SMIRF	\$1,800,000.00
2.	RSVAC. Additional testing required by NASA	70,000.00
3.	Bulletin 43. Balance of the 90% - 100% design review comments	275,000.00
4.	Factory Acceptance Testing. Required to assure system integrity	61,000.00
5.	Contingency. Required to fund future unforeseen conditions	<u>250,000.00</u>
	TOTAL SUBSIDIARY ADDITIONS	\$2,456,000.00

Original Contract Amount	\$18,410,188.80
Total Subsidiary Additions	<u>+ 2,456,000.00</u>
REVISED CONTRACT AMOUNT	\$20,866,188.80

which alteration has been recommended in writing by the Director of Port Control, countersigned by the Mayor, and consented to by the surety on the contract, which price to be paid has been agreed upon in writing and signed by the Director of Port Control and the contractor. This alteration will cause an increase in the amount of the original contract in the sum of \$2,456,000.00 to be paid from Fund Nos. 60 SF 001, 60 SF 104, 60 SF 105, 60 SF 106, and from any funds or subfunds to which are credited any federal grants or federal PFC authorization, for the above project and the proceeds from the sale of any airport revenue bonds issued for a purpose which includes the above project.

Section 2. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Referred to Directors of Port Control, Finance, Law; Committees on Aviation and Transportation, Finance.

Ord. No. 1699-03.

By Council Member Britt.

An emergency ordinance to amend the Title, and Sections 1 and 2 of Ordinance No. 2455-02, passed March 10, 2003, relating to an Encroachment Permit for an Underground Pedestrian Tunnel between Cleveland Clinic Foundation's Office Building/Parking Garage and the Heart Center Building, which will encroach into the right-of-way of Euclid Avenue.

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

Be it ordained by the Council of the City of Cleveland:

Section 1. That the Title, and Sections 1 and 2 of Ordinance No. 2455-02, passed March 10, 2003, are amended to read as follows:

An emergency ordinance authorizing the Director of Public Service to issue a permit to The Cleveland Clinic Foundation to encroach underground and across Euclid Avenue for the construction of a "revised" underground pedestrian tunnel realignment and utility chase to connect the office building/parking garage facilities and the Heart Center Building Entryway.

Section 1. That the Director of Public Service hereby is authorized to issue a permit, revocable at the will of the Council and assignable by the Permittee with the written consent of the Director of Public Service to The Cleveland Clinic Foundation, 9500 Euclid Avenue, Cleveland, Ohio 44195; for the construction, use and maintenance of a "revised" underground pedestrian tunnel realignment and utility chase to connect the office building/parking garage facilities and the Heart Center Building Entryway which will encroach across and underground into the public right-of-way of Euclid Avenue at the location described as follows:

ENCROACHMENT/CLEVELAND CLINIC/PEDESTRIAN TUNNEL/ EUCLID AVENUE

Situated in the State of Ohio, County of Cuyahoga, City of Cleveland, and being a 55.00 foot wide encroachment across the 80.00 foot right-of-way of Euclid Avenue, said encroachment being more particularly described as follows:

Commencing for reference at the nail found at the intersection of the centerline of East 93rd Street and centerline of said Euclid Avenue;

Thence along the centerline of said Euclid Avenue, South 88°-24'-06" West a distance of 69.97 feet to the True point of beginning of the encroachment herein described;

Thence along the East line of the proposed encroachment North 18°-28'-09" West a distance of 41.80 feet to a point on the northerly right-of-way line of said Euclid Avenue;

Thence along said right-of-way line and the North line of the proposed encroachment, South 88°-24'-06" West a distance of 57.47 feet to a point;

Thence along the west line of the proposed encroachment, South 18°-28'-09" East a distance of 83.60 feet to a point on the southerly right-of-way line of said Euclid Avenue;

Thence along said right-of-way line and the south line of the proposed encroachment line North 88°-24'-06" East a distance of 57.47 feet to a point;

Thence along the east line of the proposed encroachment line North 18°-28'-09" West a distance of 41.80 feet to the True point of beginning and containing 0.106 acres, more or less;

The elevation of pedestrian tunnel within above encroachment ranges from 672.0 feet to 655.4 feet based on Cleveland Regional Geodetic Survey

along entire length of said encroachment.

The above description was prepared under the direction of Michael D. Weeks, Professional Surveyor No. 7357.

The Basis of Bearing for this description is the Centerline of Euclid Avenue being South 88°-24'-06" West as shown in a survey made for the Cleveland Clinic Foundation by Christopher M. Soltes, Ohio Registered Surveyor No. 7441, dated March 2002.

Section 2. That said underground pedestrian tunnel will be placed within the public right-of-way as aforesaid in Section 1, and will be constructed in accordance with plans and specifications approved by the Commissioner of Engineering and Construction. That all other required permits, including a Building Permit, shall be obtained before said tunnel is constructed.

Section 3. That the existing Title, and Sections 1 and 2 of Ordinance No. 2455-02, passed March 10, 2003, are repealed.

Section 4. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Referred to Directors of Public Service, City Planning Commission, Finance, Law; Committees on Public Service, City Planning, Finance.

Ord. No. 1700-03.

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

An emergency ordinance authorizing the Director of Parks, Recreation and Property to enter into a two year agreement with Raycom National, Inc. owner of WOIO/WUAB to underwrite the City sponsored Independence Day celebration at North Coast Harbor by providing an all day entertainment program including fireworks.

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

Be it ordained by the Council of the City of Cleveland:

Section 1. That the Director of Parks, Recreation and Properties is authorized to enter into a two year agreement with Raycom National, Inc. owner of WOIO-WUAB to underwrite the City sponsored Independence Day celebration at North Coast Harbor by providing an all day entertainment program that promotes the City of Cleveland including a fireworks display.

Section 2. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Referred to Directors of Parks, Recreation and Properties, Finance, Law; Committees on Public Parks, Property and Recreation, Finance.

Ord. No. 1701-03.

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

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to purchase property for future redevelopment at 13906 Idarose Avenue for the Department of Community Development; and authorizing the Commissioner of Purchases and Supplies to convey the property to Euclid St. Clair Development Corporation, or its designee.

Whereas, the Director of Community Development has requested the purchase of property which is located at 13906 Idarose Avenue, for future redevelopment; and

Whereas, the Director of Community Development has requested the sale of the property to Euclid St. Clair Development Corporation, or its designee (the "Redeveloper") for the public purpose of future redevelopment of the property; and

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

Be it ordained by the Council of the City of Cleveland:

Section 1. That notwithstanding and as an exception to the provisions of Chapter 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized to purchase the following described property for future redevelopment:

P. P. No. 111-27-132

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Westerly 35 feet of Sublot No. 846 in Schatzinger's Consolidated Realty Company's Subdivision of part of Original One Hundred Acre Lot No. 359 as shown by the recorded plat in Volume 38 of Maps, Page 8 of Cuyahoga County Records, and being 35 feet front on the Southerly side of Idarose Avenue, N.E. and extending back between parallel lines 120 feet, as appears by said plat.

Section 2. That the Director of Community Development is authorized to execute on behalf of the City of Cleveland all necessary documents to acquire and to convey the property and to employ and pay all fees for title companies, surveys, escrows, appraisers, environmental audits, and all other costs necessary for the acquisition of the property.

Section 3. That the consideration to be paid for this property shall not exceed fair market value.

Section 4. That all costs of acquisition of land shall be paid from Fund No. 14 SF 028.

Section 5. That notwithstanding and as an exception to the provisions of Title V of the Community Development Code in the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Community Development may enter into and execute a project agreement for and on behalf of the City of Cleveland with the Redeveloper, for the acquisition, disposition and private redevelopment of the property described in this ordinance.

Section 6. That this Council finds that the conveyance to the Redeveloper constitutes a public use of the

property for the purposes of redevelopment.

Section 7. That by and at the direction of the Board of Control, the Commissioner of Purchases and Supplies is authorized to convey the property previously described in this ordinance to the Redeveloper, for not less than fair market value taking into account all restrictions, reversionary interests and similar encumbrances placed by the City of Cleveland in the deed of conveyance.

Section 8. That the conveyance shall be made by official deed to be prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain necessary provisions, including restrictive reversionary interests as may be specified by the Board of Control or Director of Law, which shall protect the parties as their respective interests require and shall specifically contain a provision against the erection of any advertising signs or billboards except permitted identification signs.

Section 9. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Referred to Directors of Community Development, City Planning Commission, Finance, Law; Committees on Community and Economic Development, City Planning, Finance.

Ord. No. 1702-03.

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

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to purchase property for future redevelopment at 1088 East 72nd Street for the Department of Community Development; and authorizing the Commissioner of Purchases and Supplies to convey the property to St. Clair-Superior Neighborhood Development Corporation, or its designee.

Whereas, the Director of Community Development has requested the purchase of property which is located at 1088 East 72nd Street, for future redevelopment; and

Whereas, the Director of Community Development has requested the sale of the property to St. Clair-Superior Neighborhood Development Corporation, or its designee (the "Redeveloper") for the public purpose of future redevelopment of the property; and

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

Be it ordained by the Council of the City of Cleveland:

Section 1. That notwithstanding and as an exception to the provisions of Chapter 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized to purchase the following described property for future redevelopment:

P. P. No. 105-28-128

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 86 in M. and M. Hall's Subdivision of part of Original One Hundred Acre Lot No. 348, as shown by the recorded plat in Volume 15 of Maps, Page 23 of Cuyahoga County Records, and being 30 feet front on the Westerly side of Nora Street, (now known as East 72nd Street) and extending back of equal width 90 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 2. That the Director of Community Development is authorized to execute on behalf of the City of Cleveland all necessary documents to acquire and to convey the property and to employ and pay all fees for title companies, surveys, escrows, appraisers, environmental audits, and all other costs necessary for the acquisition of the property.

Section 3. That the consideration to be paid for this property shall not exceed fair market value.

Section 4. That all costs of acquisition of land shall be paid from Fund No. 14 SF 028.

Section 5. That notwithstanding and as an exception to the provisions of Title V of the Community Development Code in the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Community Development may enter into and execute a project agreement for and on behalf of the City of Cleveland with the Redeveloper, for the acquisition, disposition and private redevelopment of the property described in this ordinance.

Section 6. That this Council finds that the conveyance to the Redeveloper constitutes a public use of the property for the purposes of redevelopment.

Section 7. That by and at the direction of the Board of Control, the Commissioner of Purchases and Supplies is authorized to convey the property previously described in this ordinance to the Redeveloper, for not less than fair market value taking into account all restrictions, reversionary interests and similar encumbrances placed by the City of Cleveland in the deed of conveyance.

Section 8. That the conveyance shall be made by official deed to be prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain necessary provisions, including restrictive reversionary interests as may be specified by the Board of Control or Director of Law, which shall protect the parties as their respective interests require and shall specifically contain a provision against the erection of any advertising signs or billboards except permitted identification signs.

Section 9. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Referred to Directors of Community Development, City Planning

Commission, Finance, Law; Committees on Community and Economic Development, City Planning, Finance.

Ord. No. 1703-03.

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

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to purchase property for future redevelopment at 3704 East 110th Street for the Department of Community Development; and authorizing the Commissioner of Purchases and Supplies to convey the property to Union Miles Development Corporation, or its designee.

Whereas, the Director of Community Development has requested the purchase of property which is located at 3704 East 110th Street, for future redevelopment; and

Whereas, the Director of Community Development has requested the sale of the property to Union Miles Development Corporation, or its designee (the "Redeveloper") for the public purpose of future redevelopment of the property; and

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

Be it ordained by the Council of the City of Cleveland:

Section 1. That notwithstanding and as an exception to the provisions of Chapter 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized to purchase the following described property for future redevelopment:

P. P. No. 135-14-057

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 528 in the City Allotment Company's East Boulevard Subdivision, of part of Original One Hundred Acre Lot No. 451, as shown by the recorded plat in Volume 68 of Maps, Page 8 of Cuyahoga County Records. Subject to all legal highways and also subject to the building restrictions and reservation as contained in the Deeds from the City of Cleveland to Joseph B. Welder and from the City Allotment Company to the Municipal Realty Company as recorded in Document No. 1098568 in Deed Volume 2290, Page 277 of Cuyahoga County Records and Land Title registration Document No. 12591, respectively.

Section 2. That the Director of Community Development is authorized to execute on behalf of the City of Cleveland all necessary documents to acquire and to convey the property and to employ and pay all fees for title companies, surveys, escrows, appraisers, environmental audits, and all other costs necessary for the acquisition of the property.

Section 3. That the consideration to be paid for this property shall not exceed fair market value.

Section 4. That all costs of acquisition of land shall be paid from Fund No. 14 SF 028.

Section 5. That notwithstanding and as an exception to the provisions of Title V of the Community Development Code in the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Community Development may enter into and execute a

project agreement for and on behalf of the City of Cleveland with the Redeveloper, for the acquisition, disposition and private redevelopment of the property described in this ordinance.

Section 6. That this Council finds that the conveyance to the Redeveloper constitutes a public use of the property for the purposes of redevelopment.

Section 7. That by and at the direction of the Board of Control, the Commissioner of Purchases and Supplies is authorized to convey the property previously described in this ordinance to the Redeveloper, for not less than fair market value taking into account all restrictions, reversionary interests and similar encumbrances placed by the City of Cleveland in the deed of conveyance.

Section 8. That the conveyance shall be made by official deed to be prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain necessary provisions, including restrictive reversionary interests as may be specified by the Board of Control or Director of Law, which shall protect the parties as their respective interests require and shall specifically contain a provision against the erection of any advertising signs or billboards except permitted identification signs.

Section 9. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Referred to Directors of Community Development, City Planning Commission, Finance, Law; Committees on Community and Economic Development, City Planning, Finance.

Ord. No. 1709-03.

By Council Member Conwell. An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on St. Clair Avenue to Clara Trotter and Manuel Trotter.

Whereas, the City of Cleveland has elected to adopt and implement the procedures under Chapter 5722 of the Ohio Revised Code to facilitate reutilization of nonproductive lands situated within the City of Cleveland; and

Whereas, real property acquired under the City's Land Reutilization Program is acquired, held, administered and disposed of by the City of Cleveland through its Department of Community Development under the terms of Chapter 5722 of the Ohio Revised Code and Section 183.021 of Codified Ordinances of the City of Cleveland, 1976; and

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

Be it ordained by the Council of the City of Cleveland:

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the

Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 111-01-009, as more fully described below, to Clara Trotter and Manuel Trotter.

Section 2. That the real property to be sold pursuant to this ordinance is more fully described as follows:

P. P. No. 111-01-009

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being Sublots Nos. 63 and 64 in L.M. Southern's Victoria Park Allotment of a part of Original One Hundred Acre Lot No. 363, as shown by the recorded plat of said Allotment in Volume 23 of Maps, Page 4 of the Cuyahoga County Records. Said Sublot No. 63 has a frontage of 51-05/100 feet on the Northerly side of St. Clair Avenue N.E., and extends back 134-59/100 feet on the Easterly line, 144-90/100 feet on the Westerly line, and has a rear line of 50 feet, as appears by said plat. Said Sublot No. 64 has a frontage of 51-05/100 feet on the Northerly side of St. Clair Avenue N.E., and extends back 124-90/100 feet on the Easterly line, 135-21/100 feet on the Westerly line, and has a rear line of 50 feet, as appears by said plat, and the same more or less, but subject to all legal highways.

Zoning Ordinances, if any.

Section 3. That all documents necessary to complete the conveyance authorized by this ordinance shall be executed within six (6) months of the effective date of this ordinance. If all of the documents are not executed within six (6) months of the effective date of this ordinance, or such additional time as may be granted by the Director of Community Development, this ordinance shall be repealed and shall be of no further force or effect.

Section 4. That the consideration for the subject parcel shall be established by the Board of Control and shall be not less than Fair Market Value taking into account such terms and conditions, restrictions and covenants as are deemed necessary or appropriate.

Section 5. That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest including such restrictive covenants and reversionary interests as may be specified by the Board of Control, the Director of Community Development or the Director of Law.

Section 6. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Referred to Directors of Community Development, City Planning Commission, Finance, Law; Committees on Community and Economic Development, Finance.

Ord. No. 1710-03.

By Council Member Gordon.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 3924 West 21st Street to Cleveland Housing Network, Inc.

Whereas, the City of Cleveland has elected to adopt and implement the procedures under Chapter 5722 of the Ohio Revised Code to facilitate reutilization of nonproductive lands situated within the City of Cleveland; and

Whereas, real property acquired under the City's Land Reutilization Program is acquired, held, administered and disposed of by the City of Cleveland through its Department of Community Development under the terms of Chapter 5722 of the Ohio Revised Code and Section 183.021 of Codified Ordinances of the City of Cleveland, 1976; and

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

Be it ordained by the Council of the City of Cleveland:

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 009-02-082, as more fully described below, to Cleveland Housing Network, Inc.

Section 2. That the real property to be sold pursuant to this ordinance is more fully described as follows:

P. P. No. 009-02-082

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 19 in Curtiss Ambler and Pixley's Subdivision of part of Original Brooklyn Township Lot No. 74 as shown by the recorded plat in Volume 21 of Maps, Page 12 of Cuyahoga County Records, and being 40 feet front on the Westerly side of West 21st Street and extending back 100 feet on the Southerly line which is also the Northerly line of Kenneth Avenue, S.W., 100 feet on the Northerly line and having a rear line of 40 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

Section 3. That all documents necessary to complete the conveyance authorized by this ordinance shall be executed within six (6) months of the effective date of this ordinance. If all of the documents are not executed within six (6) months of the effective date of this ordinance, or such additional time as may be granted by the Director of Community Development, this ordinance shall be repealed and shall be of no further force or effect.

Section 4. That the consideration for the subject parcel shall be established by the Board of Control and shall be not less than Fair Market Value taking into account such terms and conditions, restrictions and covenants as are deemed necessary or appropriate.

Section 5. That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of

Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest including such restrictive covenants and reversionary interests as may be specified by the Board of Control, the Director of Community Development or the Director of Law.

Section 6. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Referred to Directors of Community Development, City Planning Commission, Finance, Law; Committees on Community and Economic Development, Finance.

Ord. No. 1711-03.

By Council Member Lewis.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 6311 Hough Avenue to Crystal M. Jones.

Whereas, the City of Cleveland has elected to adopt and implement the procedures under Chapter 5722 of the Ohio Revised Code to facilitate reutilization of nonproductive lands situated within the City of Cleveland; and

Whereas, real property acquired under the City's Land Reutilization Program is acquired, held, administered and disposed of by the City of Cleveland through its Department of Community Development under the terms of Chapter 5722 of the Ohio Revised Code and Section 183.021 of Codified Ordinances of the City of Cleveland, 1976; and

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

Be it ordained by the Council of the City of Cleveland:

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 104-21-030, as more fully described below, to Crystal M. Jones.

Section 2. That the real property to be sold pursuant to this ordinance is more fully described as follows:

P. P. No. 104-21-030

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being all of Sublot Nos. 115 and 116 and the Westerly part of Sublot No. 117 in the Park Realty Company's Re-Subdivision of Sublot Nos. 16 to 35 and 50 to 65 inclusive and a part of Sublot Nos. 36 and 66 in Johnson, Bates and Stones Subdivision of part of Original One Hundred Acre Lot No. 340 as shown by the recorded plat of said Re-Subdivision in Volume 26 of Maps, Page 30 of Cuyahoga County Records, and bounded and described as follows:

Beginning at the Southwesterly corner of said Sublot No. 115 on the Northerly line of Hough Avenue N.E. (60 feet wide); thence Northerly,

along the Westerly line of Sublot No. 115, 109.92 feet to the Northwesterly corner thereof; thence Easterly, along the Northerly lines of Sublot Nos. 115, 116 and 117 about 94.57 feet to a point; thence Southerly, in a direct line 109.91 feet to a point in the Northerly line of said Hough Avenue, N.E. said point being Easterly, measured along said Northerly line of Hough Avenue, N.E. 94.97 feet from the place of beginning; thence Westerly, 94.97 feet to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 3. That all documents necessary to complete the conveyance authorized by this ordinance shall be executed within six (6) months of the effective date of this ordinance. If all of the documents are not executed within six (6) months of the effective date of this ordinance, or such additional time as may be granted by the Director of Community Development, this ordinance shall be repealed and shall be of no further force or effect.

Section 4. That the consideration for the subject parcel shall be established by the Board of Control and shall be not less than Fair Market Value taking into account such terms and conditions, restrictions and covenants as are deemed necessary or appropriate.

Section 5. That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest including such restrictive covenants and reversionary interests as may be specified by the Board of Control, the Director of Community Development or the Director of Law.

Section 6. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Referred to Directors of Community Development, City Planning Commission, Finance, Law; Committees on Community and Economic Development, Finance.

Ord. No. 1712-03.

By Council Member Lewis.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on Hecker Avenue to Billy Stuart.

Whereas, the City of Cleveland has elected to adopt and implement the procedures under Chapter 5722 of the Ohio Revised Code to facilitate reutilization of nonproductive lands situated within the City of Cleveland; and

Whereas, real property acquired under the City's Land Reutilization Program is acquired, held, administered and disposed of by the City of Cleveland through its Department of Community Development under the terms of Chapter 5722 of the Ohio Revised Code and Section 183.021 of

Codified Ordinances of the City of Cleveland, 1976; and

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

Be it ordained by the Council of the City of Cleveland:

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 105-23-044, as more fully described below, to Billy Stuart.

Section 2. That the real property to be sold pursuant to this ordinance is more fully described as follows:

P. P. No. 105-23-044

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 6 in W.H. and J.E. Hecker's Subdivision of part of Original One Hundred Acre Lot No. 344, as shown by the recorded plat in Volume 10 of Maps, Page 15 of Cuyahoga County Records, and being 40 feet front on the Southerly side of Hecker Avenue (formerly Fern Street), and extending back between parallel lines 146 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

Section 3. That all documents necessary to complete the conveyance authorized by this ordinance shall be executed within six (6) months of the effective date of this ordinance. If all of the documents are not executed within six (6) months of the effective date of this ordinance, or such additional time as may be granted by the Director of Community Development, this ordinance shall be repealed and shall be of no further force or effect.

Section 4. That the consideration for the subject parcel shall be established by the Board of Control and shall be not less than Fair Market Value taking into account such terms and conditions, restrictions and covenants as are deemed necessary or appropriate.

Section 5. That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest including such restrictive covenants and reversionary interests as may be specified by the Board of Control, the Director of Community Development or the Director of Law.

Section 6. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Referred to Directors of Community Development, City Planning Commission, Finance, Law; Committees on Community and Economic Development, Finance.

FIRST READING EMERGENCY RESOLUTIONS REFERRED

Res. No. 1705-03.

By Council Member Jackson (by departmental request).

An emergency resolution to adopt and declare a Tax Budget for the City of Cleveland for the year 2004 and submit it to the County Budget Commission as required by State Law, Chapter 5705 of the Revised Code.

Whereas, this resolution constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

Be it resolved by the Council of the City of Cleveland:

Section 1. That the Council, under the provisions of Chapter 5705 of the Revised Code, after public hearings as required by law, does adopt the statements of the year 2004 requirements for the several funds of the City of Cleveland as being the budget required by state law to be submitted to the County Budget Commission, which requirements are contained in File No. 1705-03-A.

Section 2. That the Clerk of Council is directed to certify a copy of the resolution to the County Auditor of Cuyahoga County.

Section 3. That this resolution is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its adoption and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Referred to Directors of Finance, Law; Committee on Finance.

Res. No. 1706-03.

By Council Member Westbrook (by request).

An emergency resolution declaring the intention to vacate a portion of West 101st Place.

Whereas, this Council; is satisfied that there is good cause to vacate a portion of West 101st Place., as hereinafter described; and

Whereas, this resolution constitutes an emergency measure in that the same provides for the usual daily operation of a municipal department; now, therefore,

Be it resolved by the Council of the City of Cleveland:

Section 1. That it hereby declares its intention to vacate a portion of the following described real property: Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and being known as all that portion of: WEST 101st PLACE (12.00 feet wide) extending from the Northerly line of Fidelity Avenue S.W. (60.00 feet wide) Northerly to the Southerly line of Almira Avenue S.W. (60.00 feet wide).

Section 2. That this resolution is hereby declared to be an emergency measure and provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its adoption and approval by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Referred to Directors of Public Service, City Planning Commission, Finance, Law; Committees on Public Service, City Planning, Finance.

**FIRST READING EMERGENCY
ORDINANCES READ IN FULL
AND PASSED**

Ord. No. 1704-03.

By Council Member Jackson (by departmental request).

An emergency ordinance to amend Section 1 of 1242-03, passed July 16, 2003 relating to a Clean Ohio Assessment Grant for a Phase II environmental assessment on property formerly known as the National Screw & Manufacturing Company located in the Quincy Business Park at East 75th Street and Quincy Avenue; and authorizing the director to enter into contracts with Fairfax Renaissance Development Corp. to implement the project.

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

Be it ordained by the Council of the City of Cleveland:

Section 1. That Section 1 of Ordinance No. 1242-03, passed July 16, 2003, is amended to read as follows:

Section 1. That the Director of Economic Development is authorized to apply for and accept a grant in the amount of **\$152,000** from the Clean Ohio Assistance Fund for a Clean Ohio Assessment Grant to conduct a Phase II environmental assessment on property formerly known as the National Screw & Manufacturing Company located in the Quincy Business Park at East 75th Street and Quincy Avenue.

Section 2. That existing Section 1 of Ordinance No. 1242-03, passed July 16, 2003, is repealed.

Section 3. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Motion to suspend rules. Charter and statutory provisions and place on final passage.

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 1707-03.

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

An emergency ordinance authorizing the City of Cleveland to participate in a multi-community application allowing the Northeast Ohio Regional Sewer District to apply for and accept state funding for various projects necessary to alleviate storm water flooding; authorizing the Director of Public Utilities to enter into one or more agreements with the NEORS and all participants of the application.

Whereas, the NEORS conducted a study several years ago and concluded that the storm water-flooding problem that starts in Parma and continues into Cleveland through the Chevy Branch of Big Creek is the worst storm water related flooding problem in Cleveland; and

Whereas, the study recommended a number of actions which could be made to alleviate the problem; and

Whereas, the City's participation in a multi-community application for

State Issue II funding is necessary in order to implement the recommended actions; and

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

Be it ordained by the Council of the City of Cleveland:

Section 1. That this Council declares that the City wishes to participate in a multi-community application with the Northeast Ohio Regional Sewer District ("NEORS"), Parma, ODOT and any other governmental entities necessary to acquire State Issue II funding for the following projects: stormwater reservoir in the City of Parma, stormwater reservoir near I-480, stormwater diversion pipe through the City of Brooklyn, repair culverts along Chevy Branch of Big Creek, and stream bank rehabilitation along Chevy Branch of Big Creek.

Section 2. That the City wishes to contribute the amount of Eight Hundred Thousand Dollars (\$800,000) to represent the City's portion of funding necessary for the NEORS to acquire State Issue II funding for the above mentioned projects, payable from the fund or funds which are credited funds authorized for this purpose, and subject to annual appropriations.

Section 3. That the Director of Public Utilities is authorized to enter into an agreement or agreements with the NEORS and all participants on the State Issue II multi-community application in order for NEORS to apply for and accept State Issue II funding for the above mentioned projects.

Section 4. That the Director of Law shall approve any agreements and the agreements shall contain terms and conditions as he deems necessary to protect the City's interest.

Section 5. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Motion to suspend rules. Charter and statutory provisions and place on final passage.

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 1708-03.

By Council Member Jackson (by departmental request).

An emergency ordinance to amend Sections 1 and 9 of Ordinance No. 1203-03, passed August 13, 2003, relating to bonds issued for the purpose of providing funds for improving buildings and structures housing and providing for the discharge of governmental functions and services otherwise benefiting the public safety, health and welfare.

Whereas, on August 13, 2003 this Council passed Ordinance No. 1203-03 which provided for the issuance of bonds of the City (the "Bonds") in the principal amount of \$17,050,000 for the purpose of providing funds for constructing, reconstructing, rehabilitating, installing, renovating, enlarging and otherwise improving

buildings and structures housing and providing for the discharge of governmental functions and services otherwise benefiting the public safety, health and welfare, including facilities in, of and for the City Hall, police stations, fire stations, service stations, centers and other public facilities, and the provision of necessary fixtures, furnishings, equipment, appurtenances, utilities, and site improvements for the purpose, and for the purpose of paying all expenses incurred in connection with the issuance of the Bonds, including any financing costs within the meaning of Revised Code Section 133.01(K), and such other costs of the foregoing permanent improvements that may be financed with the proceeds of securities as permitted by Revised Code Section 133.15(B) and as otherwise permitted by law; and

Whereas, this Council would like to amend Ordinance No. 1203-03 to allow for an aggregate principal amount of the Bonds of \$18,150,000; and

Whereas, Ordinance No. 1203-03 provided for the aggregate principal amount of \$17,050,000; and

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

Be it ordained by the Council of the City of Cleveland:

Section 1. That Sections 1 and 9 of Ordinance No. 1203-03, passed August 13, 2003, are amended to read as follows:

Section 1. Purpose. It is deemed necessary to issue the Bonds in an aggregate principal amount not to exceed **Eighteen Million One Hundred Fifty Thousand Dollars (\$18,150,000)** for the purpose of providing funds for constructing, reconstructing, rehabilitating, installing, renovating, enlarging and otherwise improving buildings and structures housing and providing for the discharge of governmental functions and services otherwise benefiting the public safety, health and welfare, including facilities in, of and for the City Hall, police stations, fire stations, service stations, centers and other public facilities, and the provision of necessary fixtures, furnishings, equipment, appurtenances, utilities, and site improvements for the purpose, and for the purpose of paying all expenses incurred in connection with the issuance of the Bonds, including any financing costs within the meaning of Revised Code Section 133.01(K), and such other costs of the foregoing permanent improvements that may be financed with the proceeds of securities as permitted by Revised Code Section 133.15(B) and as otherwise permitted by law; and to authorized the issuance of notes in anticipation of such Bonds.

Section 9. Bond Anticipation Notes. For the purpose of raising money in anticipation of the issuance of the Bonds for the purposes set forth in Section 1 hereof, notes of the City may be issued in an aggregate principal amount not to exceed **Eighteen Million One Hundred Fifty Thousand Dollars (\$18,150,000)** (the "Notes") upon the direction of the Director of Finance to be set forth in a certificate providing for the final terms of the Notes and the sale of the Notes and signed by the Director of Finance (the "Note Certificate of Award").

Section 2. That existing Sections 1 and 9 of Ordinance No. 1203-03, passed August 13, 2003, are repealed.

Section 3. The captions or headings in this Ordinance are for convenience only and in no way define, limit or describe the scope or intent of any provisions or sections of this Ordinance.

Section 4. It is found and determined that all formal actions of this Council and any of its committees concerning and relating to the passage of this Ordinance, were taken, and that all deliberations of this Council and of any of its committees that resulted in those formal actions were held, in meetings open to the public in compliance with all legal requirements, including, without limitation, Section 121.22 of the Revised Code.

Section 5. The Director of Finance is hereby authorized and directed to forward a certified copy of this Ordinance to the County Auditor of Cuyahoga County and to secure a receipt therefor.

Section 6. This ordinance is declared to be an emergency measure for the immediate preservation of the public peace, property, health and safety of the City by providing funds to pay the costs of certain permanent improvements which are urgently needed for the benefit of the City and for the usual daily operation of a municipal department, and, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest date allowed by law.

Motion to suspend rules. Charter and statutory provisions and place on final passage.

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 1713-03.

By Council Member Britt.

An emergency ordinance to amend Section 1 of Ordinance No. 185-03, passed February 10, 2003, as it pertains to the yard lamp safety program in order to carry out the public purpose of improvising safety through the use of Ward 6 Neighborhood Equity Funds.

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

Be it ordained by the Council of the City of Cleveland:

Section 1. That Section 1 of Ordinance No. 185-03, passed February 10, 2003 is hereby amended to read as follows:

Section 1. That the Director of Public Utilities is authorized to enter into a grant agreement **effective February 10, 2003 to June 30, 2004 with the Fairfax Renaissance Development Corporation** for providing a yard lamp safety program in order to carry out the public purpose of improvising safety through the use of Ward 6 Neighborhood Equity Funds.

Section 2. That Section 1 of Ordinance No. 185-03, passed February 10, 2003 is hereby repealed.

Section 3. That this ordinance is hereby declared to be an emergency

measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Motion to suspend rules. Charter and statutory provisions and place on final passage.

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 1714-03.

By Council Member Lewis.

An emergency ordinance to amend the Title and Section 1 of Ordinance No. 395-03, passed March 10, 2003, as amended by Ordinance No. 830-03, passed May 12, 2003, as amended by Ordinance No. 918-03, passed May 19, 2003, and as amended by Ordinance No. 1275-03, passed July 16, 2003 as it pertains to the Hough Service Provider Program through the Use of Ward 7 Neighborhood Equity Funds.

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

Be it ordained by the Council of the City of Cleveland:

Section 1. That the Title of Ordinance No. 395-03, passed March 10, 2003 as amended by Ordinance No. 830-03, passed May 12, 2003, as amended by Ordinance No. 918-03, passed May 19, 2003, and as amended by Ordinance No. 1275-03, passed July 16, 2003 are hereby amended to read as follows:

An emergency ordinance authorizing the Director of Community Development to enter into or amend contracts with a for-profit or non-profit organization serving as the fiscal agent for The Consortium for Economic Community Development for Hough/Ward 7 to provide the Hough Service Provider Program through the use of Ward 7 Neighborhood Equity Funds.

Section 2. That Section 1 of Ordinance No. 395-03, passed March 10, 2003 as amended by Ordinance No. 830-03, passed May 12, 2003, as amended by Ordinance No. 918-03, passed May 19, 2003, and as amended by Ordinance No. 1275-03, passed July 16, 2003 are hereby amended to read as follows:

Section 1. That the Director of Community Development is authorized to enter into or amend contracts with a for-profit or non-profit organization serving as the fiscal agent for **The Consortium for Economic Community Development for Hough/Ward 7** to provide the Hough Service Provider Program for the public purpose of providing neighborhood citizen services, safety education, crime prevention and social service agency referral programs to City of Cleveland residents through the use of Ward 7 Neighborhood Equity Funds.

Section 3. That the Title and Section 1 of Ordinance No. 395-03, passed March 10, 2003 as amended by Ordinance No. 830-03, passed May 12, 2003, as amended by Ordinance No. 918-03, passed May 19, 2003, and as amended by Ordinance No. 1275-03, passed July 16, 2003 is hereby are hereby repealed.

Section 4. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Motion to suspend rules. Charter and statutory provisions and place on final passage.

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 1715-03.

By Council Member Lewis.

An emergency ordinance to amend the Title and Section 1 of Ordinance No. 1119-03, passed June 10, 2003 as amended by Ordinance No. 1532-03, passed August 13, 2003, as it pertains to the Project Launch Program through the Use of Ward 7 Neighborhood Equity Funds.

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

Be it ordained by the Council of the City of Cleveland:

Section 1. That Title of Ordinance No. 1119-03, passed June 10, 2003 as amended by Ordinance No. 1532-03, passed August 13, 2003, are hereby amended to read as follows:

An emergency ordinance authorizing the Director of Community Development to enter into or amend contracts with a for-profit or non-profit organization serving as the fiscal agent for the CENTER FOR SELF-IMPROVEMENT to provide the Project Launch Program through the use of Ward 7 Neighborhood Equity Funds.

Section 2. That Section 1 of Ordinance No. 1119-03, passed June 10, 2003 as amended by Ordinance No. 1532-03, passed August 13, 2003, are hereby amended to read as follows:

Section 1. That the Director of Community Development is authorized to **enter into or amend contracts with a for-profit or non-profit organization serving as the fiscal agent for the CENTER FOR SELF-IMPROVEMENT to provide the Project Launch Program** for the public purpose of providing workforce training and supportive services referral for City of Cleveland residents through the use of Ward 7 Neighborhood Equity Funds.

Section 3. That the Title and hat Section 1 of Ordinance No. 1119-03, passed June 10, 2003 as amended by Ordinance No. 1532-03, passed August 13, 2003, are hereby repealed.

Section 4. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Motion to suspend rules. Charter and statutory provisions and place on final passage.

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 1716-03.**By Council Member Lewis.**

An emergency ordinance to amend the Title and Section 1 of Ordinance No. 1120-03, passed June 10, 2003 as amended by Ordinance No. 1533-03, passed August 13, 2003, as it pertains to the Women of Excellence Program through the Use of Ward 7 Neighborhood Equity Funds.

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

Be it ordained by the Council of the City of Cleveland:

Section 1. That Title of Ordinance No. 1120-03, passed June 10, 2003 as amended by Ordinance No. 1533-03, passed August 13, 2003, are hereby amended to read as follows:

An emergency ordinance authorizing the Director of Community Development to enter into or amend contracts with a for-profit or non-profit organization serving as the fiscal agent for the CENTER FOR SELF-IMPROVEMENT to provide the Women of Excellence Program through the use of Ward 7 Neighborhood Equity Funds.

Section 2. That Section 1 of Ordinance No. 1120-03, passed June 10, 2003 as amended by Ordinance No. 1533-03, passed August 13, 2003, are hereby amended to read as follows:

Section 1. That the Director of Community Development is authorized to enter into or amend contracts with a for-profit or non-profit organization serving as the fiscal agent for the CENTER FOR SELF-IMPROVEMENT to provide the Women of Excellence Program for the public purpose of providing assistance to young women residing in the City of Cleveland in the area of self improvement and developing basic life skills in order to lead productive through the use of Ward 7 Neighborhood Equity Funds.

Section 3. That the Title and hat Section 1 of Ordinance No. 1120-03, passed June 10, 2003 as amended by Ordinance No. 1533-03, passed August 13, 2003, are hereby repealed.

Section 4. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Motion to suspend rules. Charter and statutory provisions and place on final passage.

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 1717-03.**By Council Member White.**

An emergency ordinance authorizing the Director of Community Development to enter into a contract with N-JOY LIFE GROUP for a Youth 2 Youth Program through the use of Ward 2 Neighborhood Equity Funds.

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of

a municipal department; now, therefore,

Be it ordained by the Council of the City of Cleveland:

Section 1. That the Director of Community Development is authorized to enter into a contract, effective September 1, 2003 to May 31, 2004 with N-JOY LIFE GROUP providing a Youth 2 Youth Program for the public purpose of providing a youth education program for youth residing in the City of Cleveland through the use of Ward 2 Neighborhood Equity Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$13,000 and shall be paid from Fund No. 10 SF 166.

Section 3. That the Director of Law shall prepare and approve said contract and that the contract shall contain such terms and provisions as he deems necessary to protect the City's interest.

Section 4. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Motion to suspend rules. Charter and statutory provisions and place on final passage.

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 1718-03.**By Council Member Britt.**

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to Beech Brook to stretch banners on the north side of Buckeye Road, second pole east of East 118th Street and fifth pole East of 118th Street, for the period from September 9, 2003 to October 9, 2003, inclusive, publicizing the new community headquarters in the Weizer Building at 11801 Buckeye Road.

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

Be it ordained by the Council of the City of Cleveland:

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances, of Cleveland, Ohio, 1976, the Director of the Department of Public Service is hereby authorized and directed to issue a permit to Beech Brook to install, maintain and remove banners on the north side of Buckeye Road, second pole east of East 118th Street and fifth pole East of 118th Street for the period from September 9, 2003 to October 9, 2003, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner

will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

Section 2. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Motion to suspend rules. Charter and statutory provisions and place on final passage.

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 1719-03.**By Council Member Cimperman.**

An emergency ordinance consenting and approving the issuance of a permit for the Race for the Cure on October 11, 2003, sponsored by Hermes Sports & Events.

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

Be it ordained by the Council of the City of Cleveland:

Section 1. That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of the Race for the Cure sponsored by Hermes Sports & Events on October 11, 2003, the Race will begin at East 9th & Erieside, Erieside to West 3rd, West 3rd to St. Clair, St. Clair to West 9th, West 9th to West Huron, West Huron to East Huron, East Huron to Prospect, Prospect to Huron Road, Huron Road to East 13th, East 13th to Lakeside, Lakeside to East 9th, East 9th to finish, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

Section 2. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Motion to suspend rules. Charter and statutory provisions and place on final passage.

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 1720-03.
By Council Member Cimperman.
An emergency ordinance consenting and approving the issuance of a permit for the Fox Sports Net Turkey Trot Run & Walk on November 27, 2003, sponsored by Hermes Sports & Events.

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

Be it ordained by the Council of the City of Cleveland:

Section 1. That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of the Fox Sports Net Turkey Trot Run & Walk sponsored by Hermes Sports & Events on November 27, 2003, the Walk & Run will begin at the Cleveland Convention Center — East 6th and Lakeside, Lakeside to East 9th, East 9th to N. Marginal, N. Marginal to East 26th, East 26th to S. Marginal, S. Marginal to East 9th, East 9th to Erieside, Erieside to West 3rd, West 3rd to Lakeside, Lakeside to West 9th, West 9th to Front, Front to West 10th, West 10th to St. Clair, St. Clair to West 3rd, West 3rd to Lakeside, Lakeside to East 6th — Cleveland Convention Center, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

Section 2. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Motion to suspend rules. Charter and statutory provisions and place on final passage.

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 1721-03.
By Council Member Cimperman.
An emergency ordinance consenting and approving the issuance of a permit for the Cruise for Critters on September 28, 2003, sponsored by Hermes Sports & Events.

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

Be it ordained by the Council of the City of Cleveland:

Section 1. That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of the Cruise for Critters sponsored by Hermes Sports & Events on September 28, 2003, the Run will begin at the Gateway Animal Clinic—West 15th & Abbey,

Abbey to West 11th, West 11th to Starkweather, Starkweather to West 14th, West 14th to Kenilworth, Kenilworth to Scranton, Scranton to Train, turn around, Scranton to Kenilworth, Kenilworth to West 11th, West 11th to Abbey, Abbey to finish, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

Section 2. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Motion to suspend rules. Charter and statutory provisions and place on final passage.

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 1722-03.
By Council Member Cimperman.
An emergency ordinance consenting and approving the issuance of a permit for the Cats in the Flats 10K & 5K Run, 2-Mile Walk on September 21, 2003, sponsored by Hermes Sports & Events.

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

Be it ordained by the Council of the City of Cleveland:

Section 1. That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of the Cruise for Critters sponsored by Hermes Sports & Events on September 21, 2003, the Run/Walk will begin at St. Ignatius High School—West 30th & Lorain, Lorain to Gehring, Gehring to Abbey, Abbey to Columbus, Columbus to Carter, Carter to Scranton, Scranton to Train, Train to Wiley, Wiley to Scranton, Scranton to Starkweather, Starkweather to Jefferson, Jefferson to Professor, Professor to Literary, Literary to Kenilworth, Kenilworth to Scranton, Scranton to Carter, Carter to Columbus, Columbus to Abbey, Abbey to Gehring, Gehring to Lorain, Lorain to finish at West 30th, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

Section 2. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Motion to suspend rules. Charter and statutory provisions and place on final passage.

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 1723-03.
By Council Member Cimperman.
An emergency ordinance consenting and approving the issuance of a permit for the 26th Annual Walk-A-Thon on October 11, 2003, sponsored by the Catholic Charities Services Corp.

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

Be it ordained by the Council of the City of Cleveland:

Section 1. That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of the 26th Annual Walk-A-Thon sponsored by the Catholic Charities Services Corp. on October 11, 2003, with the route for the 5k & 10k Walk-A-Thon being as follows, leaving OLA/St. Joseph Center Parking lot on /Kenilworth, head (east) on Kenilworth to West 11th St., turn right circle Lincoln Park 2 times, returning to West 11th/Kenilworth intersection, turn left onto West 11th Avenue walk to University Rd., turn right onto University Rd. walk to West 10th St., turn right onto West 10th St. walk to stop sign, veer left onto Professor Avenue (stay on right side of street), walk to Jefferson, turn right onto Jefferson walk to Starkweather (cross West 14th St. to west side of West 14th St.), turn left on West 14th St. walk (south) to Clark Ave., turn right onto Clark Ave. & walk across bridge (over highway) to Scranton Rd., turn right onto Scranton Rd. walk to Kenilworth, turn right onto Kenilworth, return to OLA/St. Joseph Center (on your left on other side of highway overpass), 5K Walkers Stop Here, 10k walkers continue walking on Kenilworth to West 11th St., turn left onto West 11th St. walk to Abbey Rd., turn left onto Abby Ave. (cross street to north side of Abbey), cross Abbey Ave. Bridge to West 20th St., (enjoy the view of Downtown), cross street to south side of Abbey Ave., turn left and return across Abbey Ave. Bridge (enjoy the view of the industrial side of the Flats), walk to West 11th St., turn left to University Rd., turn right and walk on West 10th St., turn right onto Literary (stay on the right side of the sidewalk), walk to Kenilworth (veer left & cross street), turn right onto Kenilworth, return to OLA/St. Joseph Center (on your right hand side after you cross W. 14th Street) and finish, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976.

Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

Section 2. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Motion to suspend rules. Charter and statutory provisions and place on final passage.

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 1724-03.

By Council Member Cimperman.
An emergency ordinance consenting and approving the issuance of a permit for the Get Fit with the Firemen 5K Run & 1 Mile Walk on September 14, 2003, sponsored by Hermes Sports & Events.

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

Be it ordained by the Council of the City of Cleveland:

Section 1. That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of the Get Fit with the Firemen 5K Run & 1 Mile Walk sponsored by Hermes Sports & Events on September 14, 2003, the Run/Walk will begin at 3101 Lakeside Avenue, Lakeside to East 13th, East 13th to Hamilton, Hamilton to East 40th East 40th to King, King to East 33rd, East 33rd to Lakeside, Lakeside to finish in front of firehouse at 3101 Lakeside, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

Section 2. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Motion to suspend rules. Charter and statutory provisions and place on final passage.

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 1725-03.

By Council Members Conwell, Pierce Scott and Britt.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to University Circle Incorporated to stretch banners on Stokes Boulevard, Ford Drive (near Hessler Street) and Martin Luther King, Jr., Drive (near I-90), for the period from September 22, 2003 to October 17, 2003, inclusive, publicizing the Fall for the Circle event in University Circle.

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

Be it ordained by the Council of the City of Cleveland:

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances, of Cleveland, Ohio, 1976, the Director of the Department of Public Service is hereby authorized and directed to issue a permit to University Circle Incorporated to install, maintain and remove banners on Stokes Boulevard, Ford Drive (near Hessler Street) and Martin Luther King, Jr., Drive (near I-90), for the period from September 22, 2003 to October 17, 2003, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

Section 2. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Motion to suspend rules. Charter and statutory provisions and place on final passage.

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 1726-03.

By Council Members Conwell, Pierce Scott and Britt.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to University Circle Incorporated to stretch banners on Stokes Boulevard, Ford Drive (near Hessler Street) and Martin Luther King, Jr., Drive (near I-90), for the period from November 10, 2003 to December 12, 2003, inclusive, publicizing the Holiday CircleFest event in University Circle.

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

Be it ordained by the Council of the City of Cleveland:

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances, of Cleveland, Ohio, 1976, the Director of the Department of Public Service is hereby authorized and directed to issue a permit to University Circle Incorporated to install, maintain and remove banners on Stokes Boulevard, Ford Drive (near Hessler Street) and Martin Luther King, Jr., Drive (near I-90), for the period from November 10, 2003 to December 12, 2003, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

Section 2. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Motion to suspend rules. Charter and statutory provisions and place on final passage.

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 1727-03.

By Council Member Coats.
An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to Council Member Coats to stretch two (2) banners on St. Clair Ave. and E. 140th St. using Cleveland Public Power utility poles (by separate permission) for the period of August 22, 2003 to September 10, 2003, inclusive.

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

Be it ordained by the Council of the City of Cleveland:

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio 1976, the Director of Public Service is hereby authorized and directed to issue a permit to City Council Member Roosevelt Coats, 601 Lakeside Avenue, Cleveland, Ohio 44114, to install, maintain and remove two (2) banners to be stretched on Cleveland Public Power utility poles (by separate permission), for the period of August 22, 2003 to September 10, 2003, inclusive, publicizing the Collinwood Community Festival, and which banners are to be placed at the following pole locations and on the following pole numbers: St. Clair Avenue; pole number 996138, @ E. 140th St. (N); No Tag @ 15100 St. Clair (S); A1084 @ 15103 St. Clair (N); East 140th St.; DOM-1-58, @ Jenne Avenue (W); said pole and banner locations shall be approved by the Director of Public Service in consultation with the Director of

Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be placed must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banners, and said banners shall be removed promptly upon the expiration of said permit.

Section 2. That this ordinance is hereby declared to be an emergency measure and provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Motion to suspend rules. Charter and statutory provisions and place on final passage.

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 1728-03.

By Council Member Jackson.

An emergency ordinance authorizing certain persons to engage in peddling in Ward 5. (Toni Cummings).

Whereas, pursuant to Section 675.07 of the Codified Ordinances of Cleveland, Ohio, 1976, (the "Codified Ordinances") the consent of Council expressed by ordinance is a prerequisite to peddling upon public rights of way outside of the Central Business District; and

Whereas, this Council has considered the requests of certain persons to engage in peddling outside of the Central Business District, and has determined that it is in the public interest to allow each of said persons to peddle in Ward 5; and

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

Be it ordained by the Council of the City of Cleveland:

Section 1. That this Council consents, as required by, Section 675.07 of the Codified Ordinances to allow each persons named below to engage in peddling in the public rights of way of Ward 5: Toni Cummings on the corner of East 81st Street and Kinsman Road.

Section 2. That all of the requirements of Chapter 675 of the Codified Ordinances shall apply to the persons named in Section 1 of this ordinance.

Section 3. That the privilege granted may be revoked at any time by this Council.

Section 4. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Motion to suspend rules. Charter and statutory provisions and place on final passage.

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 1729-03.

By Council Member Jackson.

An emergency ordinance determining the bid of Legal News Publishing Co. for informational cards [Item #4, F], newsletters [Item #6, C, D, and E] and brochures [Item #7, H] the lowest and best bid and authorizing the Clerk of Council to enter into a written requirement contract with Legal News Publishing Co. for the necessary items of informational cards, newsletters, and brochures for a period of two (2) years with two one (1) year options to renew exercisable by the Clerk of Council.

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

Be it ordained by the Council of the City of Cleveland:

Section 1. That it is hereby determined that the bid of Legal News Publishing Co. for informational cards [Item #4, F], newsletters [Item #6, C, D, and E] and brochures [Item #7, H] received on August 13, 2003, in response to the invitation to bid for various paper products and mailing services for Cleveland City Council, is the lowest and best bid received after advertising in accordance with the Charter and Codified Ordinances of the City of Cleveland.

Section 2. That the Clerk of Council is hereby authorized to enter into a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, and in accordance with bid specifications, with Legal News Publishing Co. for the requirements for the period of two (2) years, with two one (1) year options to renew exercisable by the Clerk of Council, for the necessary items of informational cards [Item #4, F], newsletters [Item #6, C, D, and E] brochures [Item #7, H] to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for Cleveland City Council. The term of such written requirement contract shall begin on September 8, 2003.

Section 3. That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together will all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance.

Section 4. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Motion to suspend rules. Charter and statutory provisions and place on final passage.

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 1730-03.

By Council Member Jackson.

An emergency ordinance determining the bid of Brothers Printing Co., Inc. for letterhead, envelopes, business cards, informational cards [Item #4, C, D, E, G, H, I, and J], note pads, brochures [Item #7, C, D, E, F, G, I, J and K], and flyers the lowest and best bid and authorizing the Clerk of Council to enter into a written requirement contract with Brothers Printing Co., Inc. for the necessary items of letterhead, envelopes, business cards, informational cards, note pads, brochures, and flyers for a period of two (2) years with two one (1) year options to renew exercisable by the Clerk of Council.

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

Be it ordained by the Council of the City of Cleveland:

Section 1. That it is hereby determined that the bid of Brothers Printing Co., Inc., for letterhead [Item #1, B (a-d), C (a-d), D (a-d), E (a-d), and F (a-d)], envelopes [Item #2, B (a-d), C (a-d), and D (a-d)], business cards [Item #3, B and C], informational cards [Item #4, C, D, E, G, H, I and J], note pads [Item #5, B and C], brochures [Item #7, C, D, E, F, G, I, J, and K], and flyers [Item #8, C and D] received on August 13, 2003, in response to the invitation to bid for various paper products and mailing services for Cleveland City Council, is the lowest and best bid received after advertising in accordance with the Charter and Codified Ordinances of the City of Cleveland.

Section 2. That the Clerk of Council is hereby authorized to enter into a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, and in accordance with bid specifications, with Brother Printing Co., Inc. for the requirements for the period of two (2) years, with two one (1) year options to renew exercisable by the Clerk of Council, for the necessary items of letterhead, envelopes, business cards, informational cards [Item #4, C, D, E, G, H, I, and J], note pads, brochures [Item #7, C, D, E, F, G, I, J, and K], and flyers to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for Cleveland City Council. The term of such written requirement contract shall begin on September 8, 2003.

Section 3. That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together will all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance.

Section 4. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Motion to suspend rules. Charter and statutory provisions and place on final passage.

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 1731-03.

By Council Member Jackson.

An emergency ordinance rejecting all bids for Item #9, Address Services/Mailing Services, received on August 13, 2003, for various paper products and mailing services for Cleveland City Council.

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

Be it ordained by the Council of the City of Cleveland:

Section 1. That this Council hereby rejects all bids for Item #9, address services/ mailing services, received on August 13, 2003 for various paper products and mailing services for Cleveland City Council.

Section 2. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Motion to suspend rules. Charter and statutory provisions and place on final passage.

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 1732-03.

By Council Member Jackson.

An emergency ordinance authorizing the Clerk of Council to enter into an agreement with Community Quarterback Foundation to provide financial assistance for the "Jamin' for Education" event to be held prior to the P&G Ohio Classic.

Whereas, the Procter & Gamble Ohio Classic & Jamboree ("P&G Ohio Classic") will be held in downtown Cleveland the weekend of September 18 - September 21; and

Whereas, the P&G Ohio Classic is a four day celebration of educational, multicultural and entertainment activities that complement a historically black college football game; and

Whereas, this year, the game will be played on September 20th at Cleveland Browns Stadium and is between Hampton University and Tuskegee University; and

Whereas, the morning of September 20th, the P&G Ohio Classic will present a "Jamin' for Education" educational event; and

Whereas, this "Jamin' for Education" event will be attended by up to 750 youth who will hear celebrity speakers stress the importance of education and staying in school; and

Whereas, the organizers of the P&G Ohio Classic have asked the City of Cleveland to assist with the costs associated with "Jamin' for Education" event; and

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

Be it ordained by the Council of the City of Cleveland:

Section 1. That the Clerk of Council is hereby authorized to enter into an agreement with Community Quarterback Foundation, on the basis of their proposal dated August 4, 2003, to provide financial assistance for the "Jamin' for Education" event to be held prior to the P&G Ohio Classic.

Section 2. That the cost of said contract shall not exceed \$23,500 and shall be paid from Fund No. 01 SF 001.

Section 3. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Motion to suspend rules. Charter and statutory provisions and place on final passage.

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 1733-03.

By Council Member Lewis.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on Crawford Road to Steven T. Halcrombe.

Whereas, the City of Cleveland has elected to adopt and implement the procedures under Chapter 5722 of the Ohio Revised Code to facilitate reutilization of nonproductive lands situated within the City of Cleveland; and

Whereas, real property acquired under the City's Land Reutilization Program is acquired, held, administered and disposed of by the City of Cleveland through its Department of Community Development under the terms of Chapter 5722 of the Ohio Revised Code and Section 183.021 of Codified Ordinances of the City of Cleveland, 1976; and

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

Be it ordained by the Council of the City of Cleveland:

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 119-03-029 (part of) and 119-03-030 (part of), as more fully described below, to Steven T. Halcrombe.

Section 2. That the real property to be sold pursuant to this ordinance is more fully described as follows:

P. P. No. 119-03-029 (part of)
and 119-03-030 (part of)

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Parcel "B" in the Lot Split and Consolidation for Hermania Inc. and Cuyahoga Metropolitan Housing Authority, of part of Original One Hundred Acre Lot No. 399, as shown by the recorded plat in Volume 326 of Maps, Page 51 of Cuyahoga County Records, and bounded and described as follows:

Beginning at a 3/8" drill hole in a stone in a monument box found on tile centerline of Crawford Road, 60 feet wide, at its intersection with

the Northerly line of said Original One Hundred Acre Lot No. 399;

Thence South 89° 14' 43" West, along the Northerly line of said Original One Hundred Acre Lot No. 399, to the Northwesterly line of Crawford Road;

Thence South 34° 28' 49" West, along the Northwesterly line of Crawford Road, a distance of 53.01 feet to a 5/8" capped (Dempsey) iron pin found at the principal place of beginning;

Thence continuing South 34° 28' 49" West, along the Northwesterly line of Crawford Road, a distance of 94.90 feet to a 5/8" capped (Reitz Eng) iron pin set;

Thence North 55° 31' 11" West, a distance of 175.00 feet to a 5/8" capped (Reitz Eng) iron pin set;

Thence North 34° 28' 49" East, a distance of 24.30 feet to a 5/8" capped (Reitz Eng) iron pin set on the Northerly line of said Original One Hundred Acre Lot No. 399;

Thence North 89° 14' 43" East, along the Northerly line of said Original One Hundred Acre Lot No. 39, passing through a 5/8" capped (Dempsey) iron pin found at 35.95 feet, a distance of 122.55 feet to a 5/8" capped (Dempsey) iron pin found at an interior corner of a parcel of land conveyed to Harry Sykes Jr. and Mary Sykes, by deed recorded in Volume 98-02243, Page 3 of Cuyahoga County Official Records;

Thence South 55° 26' 37" East, along the Southwesterly line of land so conveyed to Harry J. and Mary Sykes, a distance of 74.91 feet to the principal place of beginning, and containing 0.3003 acres (13,083 square feet) of land, according to a survey by The Henry G. Reitz Engineering Company, Stuart W. Saylor, Registered Surveyor No. S-8028, dated July 2003, be the same more or Jess, but subject to all legal highways and easements of record.

All bearings are based on Crawford Road having a bearing of North 34° 28' 49" East, and are used to denote angles only.

Section 3. That all documents necessary to complete the conveyance authorized by this ordinance shall be executed within six (6) months of the effective date of this ordinance. If all of the documents are not executed within six (6) months of the effective date of this ordinance, or such additional time as may be granted by the Director of Community Development, this ordinance shall be repealed and shall be of no further force or effect.

Section 4. That the consideration for the subject parcel shall be established by the Board of Control and shall be not less than Fair Market Value taking into account such terms and conditions, restrictions and covenants as are deemed necessary or appropriate.

Section 5. That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest including such restrictive covenants and reversionary interests as may be specified by the Board of Control, the Director of Community Development or the Director of Law.

Section 6. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of

all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Motion to suspend rules. Charter and statutory provisions and place on final passage.

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 1734-03.

By Council Member Lewis.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on Crawford Road to Willie C. Warner and Tiffany Warner.

Whereas, the City of Cleveland has elected to adopt and implement the procedures under Chapter 5722 of the Ohio Revised Code to facilitate reutilization of nonproductive lands situated within the City of Cleveland; and

Whereas, real property acquired under the City's Land Reutilization Program is acquired, held, administered and disposed of by the City of Cleveland through its Department of Community Development under the terms of Chapter 5722 of the Ohio Revised Code and Section 183.021 of Codified Ordinances of the City of Cleveland, 1976; and

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

Be it ordained by the Council of the City of Cleveland:

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 119-03-028 (part of) and 119-03-029 (part of), as more fully described below, to Willie C. Warner and Tiffany Warner.

Section 2. That the real property to be sold pursuant to this ordinance is more fully described as follows:

P. P. No. 119-03-028 (part of)
and 119-03-029 (part of)

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Parcel "B" in the Lot Split and Consolidation for Hermema Inc. and Cuyahoga Metropolitan Housing Authority, of part of Original One Hundred Acre Lot No. 399, as shown by the recorded plat in Volume 326 of Maps, Page 51 of Cuyahoga County Records, and bounded and described as follows:

Beginning at a 3/8" drill hole in a stone in a monument box found on the centerline of Crawford Road, 60 feet wide, at its intersection with the Northerly line of said Original One Hundred Acre Lot No. 399;

Thence South 89° 14' 43" West, along the Northerly line of said Original One Hundred Acre Lot No. 399, a distance of 36.73 feet to the Northwesterly line of Crawford Road;

Thence South 34° 28' 49" West, along the Northwesterly line of Crawford Road, passing through a 5/8" capped (Dempsey) iron pin found at 53.01 feet, a distance of 147.91 feet to a 5/8" capped (Reitz Eng) iron pin set at the principal place of beginning;

Thence continuing South 34° 28' 49" West, along the Northwesterly

line of Crawford Road, a distance of 77.10 feet to a 5/8" capped (Dempsey) iron pin found at the most Easterly corner of Parcel "A" in said Lot Split and Consolidation for Hermenia Inc. and Cuyahoga Metropolitan Housing Authority;

Thence North 55° 31' 11" West, along the Northeasterly line of said Parcel "A", a distance of 175.00 feet to a 5/8" capped (Reitz Eng) iron pin set;

Thence North 34° 28' 49" East, passing through a 5/8" capped (Reitz Eng) iron pin set at 31.95 feet, a distance of 77.10 feet to a 5/8" capped (Reitz Eng) iron pin set;

Thence South 55° 31' 11" East, a distance of 175.00 feet to the principal place of beginning, and containing 0.3097 acres (13,493 square feet) of land, according to a survey by The Henry G. Reitz Engineering Company, Stuart W. Saylor, Registered Surveyor No. S-8028, dated July, 2003, be the same more or less, but subject to all legal highways and easements of record.

All bearings are based on Crawford Road having a bearing of North 34° 28' 49" East, and are used to denote angles only.

Section 3. That all documents necessary to complete the conveyance authorized by this ordinance shall be executed within six (6) months of the effective date of this ordinance. If all of the documents are not executed within six (6) months of the effective date of this ordinance, or such additional time as may be granted by the Director of Community Development, this ordinance shall be repealed and shall be of no further force or effect.

Section 4. That the consideration for the subject parcel shall be established by the Board of Control and shall be not less than Fair Market Value taking into account such terms and conditions, restrictions and covenants as are deemed necessary or appropriate.

Section 5. That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest including such restrictive covenants and reversionary interests as may be specified by the Board of Control, the Director of Community Development or the Director of Law.

Section 6. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Motion to suspend rules. Charter and statutory provisions and place on final passage.

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 1735-03.

By Council Member Lewis.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on Brookline Ave. to Terri Lynne Walton.

Whereas, the City of Cleveland has elected to adopt and implement the procedures under Chapter 5722 of the Ohio Revised Code to facilitate reutilization of nonproductive lands situated within the City of Cleveland; and

Whereas, real property acquired under the City's Land Reutilization Program is acquired, held, administered and disposed of by the City of Cleveland through its Department of Community Development under the terms of Chapter 5722 of the Ohio Revised Code and Section 183.021 of Codified Ordinances of the City of Cleveland, 1976; and

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

Be it ordained by the Council of the City of Cleveland:

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 119-03-062, 119-03-063, 119-03-064, 119-03-065 and part of 119-03-028, 119-03-029 and 119-03-030 as more fully described below, to Terri Lynne Walton.

Section 2. That the real property to be sold pursuant to this ordinance is more fully described as follows:

P. P. No. 119-03-062, 119-03-063,

119-03-064, 119-03-065 and part of 119-03-028, 119-03-029 and 119-03-030

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Parcel "B" in the Lot Split and Consolidation for Hennema Inc. and Cuyahoga Metropolitan Housing Authority, of part of Original One Hundred Acre Lot No. 399, as shown by the recorded plat in Volume 326 of Maps, Page 51 of Cuyahoga County Records, and part of Original One Hundred Acre Lot No. 391, together forming a parcel of land bounded and described as follows:

Beginning at a 3/8" drill hole in a stone in a monument box found on the centerline of Crawford Road, 60 feet wide, at its intersection with the Northerly line of said Original One Hundred Acre Lot No. 399;

Thence South 89° 14' 43" West, along the Northerly line of said Original One Hundred Acre Lot No. 399, passing through a 5/8" capped (Dempsey) iron pin found at 128.44 feet, a distance of 215.04 feet to a 5/8" capped (Dempsey) iron pin found and the principal place of beginning;

Thence continuing South 89° 14' 43" West, along the Northerly line of said Original One Hundred Acre Lot No. 399, a distance of 35.95 feet to a 5/8" capped (Reitz Eng) iron pin set;

Thence South 34° 28' 49" West, passing through a 5/8" capped (Reitz Eng) iron pin set at 24.30 feet, a distance of 101.40 feet to a 5/8" capped (Reitz Eng) iron pin set on the Northeasterly line of Parcel "A" in said Lot Split and Consolidation for Hermenia Inc. and Cuyahoga Metropolitan Housing Authority;

Thence North 55° 31' 11" West, along the Northeasterly line of said Parcel "A", a distance of 32.23 feet to a 5/8" capped (Dempsey) iron pin found at an angle point therein;

Thence North, 62° 34' 21" West, along the Northeasterly line of said Parcel "A", a distance of 63.13 feet

to a 5/8" capped (Dempsey) iron pin found on an Easterly line of a parcel of land conveyed to the Board of Education of The Cleveland City School District, by deed recorded in Volume 10343, Page 281 of Cuyahoga County Records of Deeds;

Thence North 4° 07' 41" West, along an Easterly line of land so conveyed to The Board of Education of The Cleveland City School District, a distance of 22.30 feet to a 5/8" capped (Dempsey) iron pin found at an interior corner thereof;

Thence South 67° 05' 32" East, along a Southerly line of land so conveyed to The Board of Education of The Cleveland City School District, a distance of 38.10 feet to a 5/8" capped (Dempsey) iron pin found at a Southeasterly corner thereof;

Thence North 4° 07' 41" West, along an Easterly line of land so conveyed to The Board of Education of The Cleveland City School District, a distance of 27.49 feet to a 5/8" capped (Dempsey) iron pin found on the Northerly line of said Original One Hundred Acre Lot No. 399;

Thence South 89° 14' 43" West, along the Northerly line of said Original One Hundred Acre Lot No. 399, a distance of 5.55 feet to a 5/8" capped (Reitz Eng) iron pin set on the Easterly line of a parcel of land conveyed to the Board of Education of The Cleveland City School District in Volume 1,0369, Page 289 of Cuyahoga County Records of Deeds;

Thence North 0° 45' 7" West, along an Easterly line of land so conveyed to The Board of Education of The Cleveland City School District in Volume 10369, Page 289, a distance of 59.79 feet to a 5/8" capped (Reitz Eng) iron pin set on the Southerly line of Brookline Avenue, 30 feet wide;

Thence North 89° 14' 43" East, along the Southerly line of Brookline Avenue, a distance of 150.00 feet to a 5/8" capped (Reitz Eng) iron pin set at tile Northwesterly corner of a parcel of land conveyed to Harry Sykes Jr. and Mary Sykes, by deed recorded in Volume 98-02243, Page 3 of Cuyahoga County Official Records;

Thence South 0° 45' 17" East, along the Westerly line of land so conveyed to Harry Jr. and Mary Sykes, a distance of 59.79 feet to the principal place of beginning, and containing 0.3542 acres (15,431 square feet) of land, according to a survey by The Henry G. Reitz Engineering Company, Stuart W. Saylor, Registered Surveyor No. S-8028, dated July, 2003, be the same, more or less, but subject to all legal highways and easements of record.

All bearings are based on Crawford Road having a bearing of North 34° 28' 49" East, and are used to denote angles only.

Section 3. That all documents necessary to complete the conveyance authorized by this ordinance shall be executed within six (6) months of the effective date of this ordinance. If all of the documents are not executed within six (6) months of the effective date of this ordinance, or such additional time as may be granted by the Director of Community Development, this ordinance shall be repealed and shall be of no further force or effect.

Section 4. That the consideration for the subject parcel shall be established by the Board of Control and shall be not less than Fair Market Value taking into account such

terms and conditions, restrictions and covenants as are deemed necessary or appropriate.

Section 5. That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest including such restrictive covenants and reversionary interests as may be specified by the Board of Control, the Director of Community Development or the Director of Law.

Section 6. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Motion to suspend rules, Charter and statutory provisions and place on final passage.

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 1736-03.

By Council Member Reed.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the Christ Temple Missionary Baptist Church to stretch one (1) banner using CPP utility poles (by separate permission) which will encroach into the R/W of Union Avenue at E. 113th St. for the period of August 14, 2003 to August 25, 2003, inclusive to celebrate their special event.

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

Be it ordained by the Council of the City of Cleveland:

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio 1976, the Director of Public Service is hereby authorized and directed to issue a permit to the Christ Temple Missionary Baptist Church, 11210 Union Avenue, Cleveland, Ohio 44105, to stretch one (1) banner using Cleveland Public Power utility poles, (by separate permission) to celebrate their special event, for the period of August 14, 2003 to August 25, 2003, inclusive, and which banner is to be hung at the following pole location and pole number: Union Avenue - 1st pole West of East 113th Street (North), Pole Number SE-6-2-52A-10; and which pole and banner locations shall be approved by the Director of Public Service in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which banners will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banners, and said banners shall be removed promptly upon the expiration of said permit.

Section 2. That this ordinance is hereby declared to be an emergency

measure and provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Motion to suspend rules, Charter and statutory provisions and place on final passage.

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

FIRST READING EMERGENCY RESOLUTIONS READ IN FULL AND ADOPTED

Res. No. 1737-03.

By Council Member Brady.

An emergency resolution objecting to the transfer of ownership of a C1 Liquor Permit to 4200 West 130th Street.

Whereas, Council has been notified by the Department of Liquor Control of an application for the transfer of ownership of a C1 Liquor Permit from Kamal Abuoun, Inc., DBA Friendly Market, 4200 West 130th Street, Cleveland, Ohio 44135, Permanent Number 0037135 to Asmas Deli, Inc., 4200 West 130th Street, Cleveland, Ohio 44135, Permanent Number 02997890; and

Whereas, the granting of this application for a liquor permit to this high crime area, which is already saturated with other liquor outlets, is contrary to the best interests of the entire community; and

Whereas, the applicant does not qualify to be a permit holder and/or has demonstrated that he has operated his liquor business in disregard of the laws, regulations or local ordinances of this state or any other state; and

Whereas, the place for which the permit is sought has not conformed to the building, safety or health requirements of the governing body of this County or City; and

Whereas, the place for which the permit is sought is so arranged or constructed that law enforcement officers or agents of the Department of Liquor Control are prevented reasonable access to the establishment; and

Whereas, the place for which the permit is sought is so located with respect to the neighborhood that it substantially interferes with public decency, sobriety, peace or good order; and

Whereas, this objection is based on other legal grounds as set forth in Revised Code Section 4303.292; and

Whereas, this resolution constitutes an emergency measure providing for the immediate preservation of the public peace, prosperity, safety and welfare pursuant to Section 4303.26 of the Ohio Revised Code. Council's objection to said permit must be received by the Director of Liquor Control within 30 days of notification; now, therefore,

Be it resolved by the Council of the City of Cleveland:

Section 1. That Council does hereby record its objection to the transfer of ownership of a C1 Liquor Permit from Kamal Abuoun, Inc., DBA Friendly Market, 4200 West 130th Street, Cleveland, Ohio 44135, Permanent Number 0037135 to Asmas Deli, Inc., 4200 West 130th Street, Cleveland, Ohio 44135, Permanent Number 02997890; and requests the

Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

Section 2. That the Clerk of Council be and she is hereby directed to transmit two certified copies of this resolution, together with two copies of a letter of objection and two copies of a letter requesting that the hearing be held in Cleveland, Cuyahoga County.

Section 3. That this resolution is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its adoption and approval by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Motion to suspend rules. Charter and statutory provisions and place on final adoption.

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Adopted. Yeas 20. Nays 0.

Res. No. 1738-03.

By Council Member Cimperman.

An emergency resolution objecting to a New C1 and C2 Liquor Permit at 5510 St. Clair Avenue.

Whereas, Council has been notified by the Department of Liquor Control of an application for a New C1 and C2 Liquor Permit at Best of Cleveland, Inc., DBA Dai Cheng Service Station, 5510 St. Clair Avenue, Cleveland, Ohio 44103, Permanent Number 0659778; and

Whereas, the granting of this application for a liquor permit to this high crime area, which is already saturated with other liquor outlets, is contrary to the best interests of the entire community; and

Whereas, the applicant does not qualify to be a permit holder and/or has demonstrated that he has operated his liquor business in disregard of the laws, regulations or local ordinances of this state or any other state; and

Whereas, the place for which the permit is sought has not conformed to the building, safety or health requirements of the governing body of this County or City; and

Whereas, the place for which the permit is sought is so arranged or constructed that law enforcement officers or agents of the Department of Liquor Control are prevented reasonable access to the establishment; and

Whereas, the place for which the permit is sought is so located with respect to the neighborhood that it substantially interferes with public decency, sobriety, peace or good order; and

Whereas, this objection is based on other legal grounds as set forth in Revised Code Section 4303.292; and

Whereas, this resolution constitutes an emergency measure providing for the immediate preservation of the public peace, prosperity, safety and welfare pursuant to Section 4303.26 of the Ohio Revised Code. Council's objection to said permit must be received by the Director of Liquor Control within 30 days of notification; now, therefore,

Be it resolved by the Council of the City of Cleveland:

Section 1. That Council does hereby record its objection to a New C1 and C2 Liquor Permit at Best of

Cleveland, Inc., DBA Dai Cheng Service Station, 5510 St. Clair Avenue, Cleveland, Ohio 44103, Permanent Number 0659778; and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

Section 2. That the Clerk of Council be and she is hereby directed to transmit two certified copies of this resolution, together with two copies of a letter of objection and two copies of a letter requesting that the hearing be held in Cleveland, Cuyahoga County.

Section 3. That this resolution is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its adoption and approval by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Motion to suspend rules. Charter and statutory provisions and place on final adoption.

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Adopted. Yeas 20. Nays 0.

Res. No. 1739-03.

By Council Member Coats.

An emergency resolution objecting to a New C2 Liquor Permit at 18121 Euclid Avenue.

Whereas, Council has been notified by the Department of Liquor Control of an application for a New C2 Liquor Permit at 18121 Euclid, Inc., DBA Convenient Food Mart, 18121 Euclid Avenue, Cleveland, Ohio 44112, Permanent Number 6549122; and

Whereas, the granting of this application for a liquor permit to this high crime area, which is already saturated with other liquor outlets, is contrary to the best interests of the entire community; and

Whereas, the applicant does not qualify to be a permit holder and/or has demonstrated that he has operated his liquor business in disregard of the laws, regulations or local ordinances of this state or any other state; and

Whereas, the place for which the permit is sought has not conformed to the building, safety or health requirements of the governing body of this County or City; and

Whereas, the place for which the permit is sought is so arranged or constructed that law enforcement officers or agents of the Department of Liquor Control are prevented reasonable access to the establishment; and

Whereas, the place for which the permit is sought is so located with respect to the neighborhood that it substantially interferes with public decency, sobriety, peace or good order; and

Whereas, this objection is based on other legal grounds as set forth in Revised Code Section 4303.292; and

Whereas, this resolution constitutes an emergency measure providing for the immediate preservation of the public peace, prosperity, safety and welfare pursuant to Section 4303.26 of the Ohio Revised Code. Council's objection to said permit must be received by the Director of Liquor Control within 30 days of notification; now, therefore,

Be it resolved by the Council of the City of Cleveland:

Section 1. That Council does hereby record its objection to a New C2 Liquor Permit at 18121 Euclid, Inc., DBA Convenient Food Mart, 18121 Euclid Avenue, Cleveland, Ohio 44112, Permanent Number 6549122; and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

Section 2. That the Clerk of Council be and she is hereby directed to transmit two certified copies of this resolution, together with two copies of a letter of objection and two copies of a letter requesting that the hearing be held in Cleveland, Cuyahoga County.

Section 3. That this resolution is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its adoption and approval by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Motion to suspend rules. Charter and statutory provisions and place on final adoption.

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Adopted. Yeas 20. Nays 0.

Res. No. 1740-03.

By Council Member Dolan.

An emergency resolution withdrawing objection to the renewal of a C1, C2 and D6 Liquor Permit at 14120 Lorain Avenue and repealing Resolution No. 1647-02, objecting to said renewal.

Whereas, this Council objected to a C1, C2 and D6 Liquor Permit to 14120 Lorain Avenue by Resolution No. 1647-02 adopted by the Council on August 14, 2002; and

Whereas, this Council wishes to withdraw its objection to the above renewal and consents to said renewal; and

Whereas, this resolution constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

Be it resolved by the Council of the City of Cleveland:

Section 1. That objection to a C1, C2 and D6 Liquor Permit to Mustafa Ali, DBA Anne's Beverage, 14120 Lorain Avenue, Cleveland, Ohio 44111, Permanent Number 0118682, be and the same is hereby withdrawn and Resolution No. 1647-02, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

Section 2. That this resolution is hereby declared to be an emergency measure and provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its adoption and approval by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Motion to suspend rules. Charter and statutory provisions and place on final adoption.

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Adopted. Yeas 20. Nays 0.

Res. No. 1741-03.**By Council Member O'Malley.****An emergency resolution objecting to the stock transfer of ownership of a D5 Liquor Permit to 6125 Denison Avenue, 1st Floor and Basement.**

Whereas, Council has been notified by the Department of Liquor Control of an application for a stock transfer of ownership of a D5 Liquor Permit to L & F Tavern, Inc., DBA Partners Pub, 6125 Denison Avenue, 1st Floor and Basement, Cleveland, Ohio 44102, Permanent Number 49541830001; and

Whereas, the granting of this application for a liquor permit to this high crime area, which is already saturated with other liquor outlets, is contrary to the best interests of the entire community; and

Whereas, the applicant does not qualify to be a permit holder and/or has demonstrated that he has operated his liquor business in disregard of the laws, regulations or local ordinances of this state or any other state; and

Whereas, the place for which the permit is sought has not conformed to the building, safety or health requirements of the governing body of this County or City; and

Whereas, the place for which the permit is sought is so arranged or constructed that law enforcement officers or agents of the Department of Liquor Control are prevented reasonable access to the establishment; and

Whereas, the place for which the permit is sought is so located with respect to the neighborhood that it substantially interferes with public decency, sobriety, peace or good order; and

Whereas, this objection is based on other legal grounds as set forth in Revised Code Section 4303.292; and

Whereas, this resolution constitutes an emergency measure providing for the immediate preservation of the public peace, prosperity, safety and welfare pursuant to Section 4303.26 of the Ohio Revised Code. Council's objection to said permit must be received by the Director of Liquor Control within 30 days of notification; now, therefore,

Be it resolved by the Council of the City of Cleveland:

Section 1. That Council does hereby record its objection to the stock transfer of ownership of a D5 Liquor Permit to L & F Tavern, Inc., DBA Partners Pub, 6125 Denison Avenue, 1st Floor and Basement, Cleveland, Ohio 44102, Permanent Number 49541830001; and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

Section 2. That the Clerk of Council be and she is hereby directed to transmit two certified copies of this resolution, together with two copies of a letter of objection and two copies of a letter requesting that the hearing be held in Cleveland, Cuyahoga County.

Section 3. That this resolution is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of

all the members elected to Council, it shall take effect and be in force immediately upon its adoption and approval by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Motion to suspend rules. Charter and statutory provisions and place on final adoption.

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Adopted. Yeas 20. Nays 0.

Res. No. 1742-03.**By Council Member Westbrook.****An emergency resolution withdrawing objection to a New C2 Liquor Permit at 3171 West Boulevard and repealing Resolution No. 452-03 objecting to said permit.**

Whereas, this Council objected to a New C2 Liquor Permit at 3171 West Boulevard by Resolution No. 452-03 adopted by the Council on March 17, 2003; and

Whereas, this Council wishes to withdraw its objection to the above permit and consents to said permit; and

Whereas, this resolution constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

Be it resolved by the Council of the City of Cleveland:

Section 1. That objection to a New C2 Liquor Permit to Revco Discount Drug Centers, Inc., DBA CVS Pharmacy, #3333, 3171 West Boulevard, Cleveland, Ohio 44102, Permanent Number 73153070336 be and the same is hereby withdrawn and Resolution No. 452-03, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate permit thereof.

Section 2. That this resolution is hereby declared to be an emergency measure and provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its adoption and approval by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Motion to suspend rules. Charter and statutory provisions and place on final adoption.

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Adopted. Yeas 20. Nays 0.

Res. No. 1743-03.**By Council Member White.****An emergency resolution objecting to the transfer of ownership of a C2, C2X and D6 Liquor Permit to 11609 Miles Avenue.**

Whereas, Council has been notified by the Department of Liquor Control of an application for the transfer of ownership of a C2, C2X and D6 Liquor Permit from Gail R. Gray, DBA Gray's Marathon Mini Mart, 11609 Miles Avenue, Cleveland, Ohio 44105, Permanent Number 3333707 to Habibi, Inc., DBA Frank's Marathon, 11609 Miles Avenue, Cleveland, Ohio 44105, Permanent Number 3479133; and

Whereas, the granting of this application for a liquor permit to

this high crime area, which is already saturated with other liquor outlets, is contrary to the best interests of the entire community; and

Whereas, the applicant does not qualify to be a permit holder and/or has demonstrated that he has operated his liquor business in disregard of the laws, regulations or local ordinances of this state or any other state; and

Whereas, the place for which the permit is sought has not conformed to the building, safety or health requirements of the governing body of this County or City; and

Whereas, the place for which the permit is sought is so arranged or constructed that law enforcement officers or agents of the Department of Liquor Control are prevented reasonable access to the establishment; and

Whereas, the place for which the permit is sought is so located with respect to the neighborhood that it substantially interferes with public decency, sobriety, peace or good order; and

Whereas, this objection is based on other legal grounds as set forth in Revised Code Section 4303.292; and

Whereas, this resolution constitutes an emergency measure providing for the immediate preservation of the public peace, prosperity, safety and welfare pursuant to Section 4303.26 of the Ohio Revised Code. Council's objection to said permit must be received by the Director of Liquor Control within 30 days of notification; now, therefore,

Be it resolved by the Council of the City of Cleveland:

Section 1. That Council does hereby record its objection to the transfer of ownership of a C2, C2X and D6 Liquor Permit from Gail R. Gray, DBA Gray's Marathon Mini Mart, 11609 Miles Avenue, Cleveland, Ohio 44105, Permanent Number 3333707 to Habibi, Inc., DBA Frank's Marathon, 11609 Miles Avenue, Cleveland, Ohio 44105, Permanent Number 3479133; and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

Section 2. That the Clerk of Council be and she is hereby directed to transmit two certified copies of this resolution, together with two copies of a letter of objection and two copies of a letter requesting that the hearing be held in Cleveland, Cuyahoga County.

Section 3. That this resolution is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its adoption and approval by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Motion to suspend rules. Charter and statutory provisions and place on final adoption.

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Adopted. Yeas 20. Nays 0.

SECOND READING EMERGENCY ORDINANCES PASSED

Ord. No. 1204-03.

By Council Member Jackson (by departmental request).

An emergency ordinance providing for the issuance and sale of Bonds in the maximum principal amount of \$27,385,000 for the purpose of providing funds to improve the municipal street system and related facilities and to pay all expenses incurred in connection with the issuance of the Bonds; to authorize agreements with respect to the Bonds; and to authorize the issuance of notes in anticipation of such Bonds.

Approved by Directors of Finance, Law; Passage recommended by Committee on Finance; when amended as follows:

1. In the title, line 3, strike "\$27,385,000" and insert "**\$29,485,000**".

2. In Section 1, strike lines 2 and 3 in their entirety and insert the following: "**amount not to exceed Twenty-Nine Million Four Hundred Eighty-Five Thousand Dollars (\$29,485,000) for the purpose of providing funds to improve the municipal street system and related**".

3. In Section 6, at the end, add the following: "**Any interest earned on the proceeds of the Bonds prior to their expenditure shall be used for any purpose as described in Section 1, hereof, including constructing and reconstructing sidewalks and related pedestrian improvements.**"

4. In Section 9, strike lines 3 and 4 in their entirety and insert the following: "**in an aggregate principal amount not to exceed Twenty-Nine Million Four Hundred Eighty-Five Thousand Dollars (\$29,485,000) (the "Notes") upon the direction of the Director of Finance to be set**".

Amendments agreed to.

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

In compliance with Section 33 of the Charter, a copy of the legislation was furnished to each member of Council before final passage.

Ord. No. 1494-03.

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

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Centers for Disease Control and Prevention for the STEPS to a Healthier US Program; and to enter into one or more contracts necessary to implement the program.

Approved by Directors of Public Health, Finance, Law; Passage recommended by Committees on Health and Human Services, Finance.

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 1495-03.

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

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the U.S. Department of Housing and Urban Development for the Greater Cleveland Lead Reduction Program; and to enter into one or more agreements with various agencies to implement the program.

Approved by Directors of Public Health, Finance, Law; Passage recommended by Committees on Health and Human Services, Finance.

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 1496-03.

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

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Ohio Department of Health for the 2004 Cleveland Infant Mortality Reduction Initiative Project; and to enter into one or more contracts with various agencies to implement the project.

Approved by Directors of Public Health, Finance, Law; Passage recommended by Committees on Health and Human Services, Finance.

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

MOTION

By Council Member Cimperman seconded by Council Member Scott and unanimously carried that the absence of Council Member Merle R. Gordon, be and is hereby authorized.

MOTION

The Council Meeting adjourned at 7:43 p.m. to meet on Monday, September 15, 2003, at 7:00 p.m. in the Council Chambers.



Clerk of Council

THE CALENDAR

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

NONE

BOARD OF CONTROL

September 3, 2003

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, September 3, 2003, at 10:30 a.m. with Mayor Campbell presiding.

Present: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Ricchiuto, Carroll, Acting Director Petus, Directors Ronayne, Hudecek, Routen, Fumich, Taylor and Williams.

Absent: Acting Director Appolito. Others: Myrna Branche, Commissioner, Purchases and Supplies.

Henry Guzman, Director, Office of Equal Opportunity.

On motion, the following resolutions were adopted.

Resolution No. 520-03.

By Director Baker.

Resolved by the Board of Control of the City of Cleveland, that pursuant to 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 August, 2003 in the amount of \$3.00, hereto attached and made a part hereof, is hereby received, approved and ordered filed.

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Ricchiuto, Carroll, Directors Ronayne, Hudecek, Routen, Fumich, Taylor, Williams and Acting Director Petus.

Nays: None.

Absent: Acting Director Appolito.

Resolution No. 521-03.

By Director Baker.

Resolved by the Board of Control, of the City of Cleveland that the conditional bid of American, Inc. except for such terms and conditions as are not acceptable to the Director of Law, for the following: cameras, networked digital recording systems, other required security devices and peripherals, all items, for the Department of Finance, on behalf of the Clerk of the Cleveland Municipal Court, Criminal Division, Civil Division and Parking Violation Bureau, received on the 18th day of July, 2003, pursuant to the authority of Ordinance No. 2142-01, passed on April 1, 2002, which on the basis of the order quantities would amount to One Hundred Twenty One Thousand, Seven Hundred Fifty Nine and 00/100 Dollars (\$121,759.00) (Net), is hereby affirmed and approved as the lowest and best bid, and the Director of Finance is hereby requested to enter into a standard purchase contract for such items.

Be it further resolved that the employment of the following subcontractor by American, Inc. for the above mentioned contract is approved:

Sub-Contractor
Amount — Percentage

Alarm Core
\$5,000.00 — 4.11%

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Ricchiuto, Carroll, Directors Ronayne, Hudecek, Routen, Fumich, Taylor, Williams and Acting Director Petus.

Nays: None.

Absent: Acting Director Appolito.

Resolution No. 522-03.

By Director Mok.

Whereas, pursuant to the authority of Ordinance No. 1336-01, passed by Cleveland City Council on December 3, 2001, and Board of Control Resolution No. 85-02, adopted February 27, 2002, the City, through its Director of Port Control entered into City Contract No. 59589 with Quebecor World/Dittler Bros., Inc. ("Quebecor") for the necessary items of airline schedule data and for the layout, printing and distribution of online and printed publications, including the flight guide; and

Whereas, by its letter dated February 3, 2003, Quebecor requested the City's consent to assign all of Quebecor's obligations and interests under City Contract No. 59589 to Innovata, LLC, effective April 1, 2003; and

Whereas, Innovata, LLC proposes to undertake all of Quebecor's obligations under said City Contract No. 59589; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the request by Quebecor by the February 3, 2003 letter, this Board consents to the assignment of City Contract No. 59589 for the necessary items of airline schedule data and for the layout, printing and distribution of online and printed publications, including the flight guide from Quebecor World/Dittler Bros., Inc., to Innovata, LLC effective April 1, 2003.

Be it further resolved that the Director of Port Control is authorized to complete and execute all documents necessary and appropriate to implement the consent authorized, provided that the terms of such assignment do not conflict with the terms and conditions of City Contract No. 59589.

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Ricchiuto, Carroll, Directors Ronayne, Hudecek, Routen, Fumich, Taylor, Williams and Acting Director Pettus.

Nays: None.

Absent: Acting Director Appolito.

Resolution No. 523-03.

By Director Mok.

Whereas, pursuant to Ordinance Nos. 930-95, 469-98 and 327-2000, passed respectively by the Cleveland City Council on June 19, 1995, May 18, 1998 and June 12, 2000, the Board of Control by its Resolution No. 194-03, adopted April 2, 2003, affirmed and approved Blue Dot Services of Ohio, Inc. ("Blue Dot") as the lowest responsible bidder for the public improvement of Phase 2 Continuation of the Residential Sound Insulation Program, General Construction, Contract "A-03-01", all items, for the Division of Cleveland Hopkins International Airport, Department of Port Control; and

Whereas, Blue Dot has failed to fulfill the promises made in its bid to furnish a satisfactory performance bond after notice of an award of contract; and

Whereas, Standen Contracting Co., Inc. was the next lowest responsible bidder for said improvement; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that Blue Dot, which this Board affirmed and approved by Resolution No. 194-03, adopted April 2, 2003, as the lowest responsible bidder for the public improvement of Phase 2 Continuation of the Residential Sound Insulation Program, General Construction, Contract "A-03-01", all items, for the Division of Cleveland Hopkins International Airport, Department of Port Control, received on December 18, 2002, pursuant to the authority of Ordinance Nos. 930-95, 469-98 and 327-2000, passed respectively by the Cleveland City Council on June 19, 1995, May 18, 1998 and June 12, 2000, upon a unit basis for the improvement, in the aggregate amount of Nine Hundred Ninety-Nine Thousand

Nine Hundred Ninety-Nine and 29/100 Dollars (\$999,999.29), is declared to be in default of its bid.

Be it further resolved that the award to Blue Dot for the public improvement of Phase 2 Continuation of the Residential Sound Insulation Program; General Construction, Contract "A-03-01", all items, for the Division of Cleveland Hopkins International Airport, Department of Port Control is rescinded.

Be it further resolved that in light of the default of Blue Dot set forth above, the bid of Standen Contracting Co., Inc. for the public improvement of Phase 2 Continuation of the Residential Sound Insulation Program, General Construction, Contract "A-03-01", all items, for the Division of Cleveland Hopkins International Airport, Department of Port Control, received on December 18, 2002, pursuant to the authority of Ordinance Nos. 930-95, 469-98 and 327-2000, passed respectively by the Cleveland City Council on June 19, 1995, May 18, 1998 and June 12, 2000 upon a unit basis for the improvement in the aggregate amount of One Million Two Thousand One Hundred Thirty-eight and 00/100 Dollars (\$1,002,138.00), is hereby affirmed and approved as the lowest responsible bid; and the Director of Port Control is authorized to enter into a contract for said improvement with said bidder.

Be it further resolved by the Board of Control of the City of Cleveland that employment of the following subcontractors by Standen Contracting Co., Inc. is approved:

Subcontractor
DBE/MBE/FBE % — Amount

Ressler Contracting
4.59% — FBE — \$46,000.00

MAP International
13.77% — DBE/MBE — \$138,000.00

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Ricchiuto, Carroll, Directors Ronayne, Hudecek, Routen, Fumich, Taylor, Williams and Acting Director Pettus.

Nays: None.

Absent: Acting Director Appolito.

Resolution No. 524-03.

By Director Ricchiuto.

Be it resolved by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 649-03, passed by the Council of the City of Cleveland on May 12, 2003, the firm of CT Consultants, Inc. is selected upon the nomination of the Director of Public Service from a list of qualified engineering consultants or firms of such consultants determined to be available after a full and complete canvass by the Director of Public Service as the firm to be employed by contract to supplement the regularly employed staff of the several departments of the City in order to obtain engineering services to design the rehabilitation and reconstruction of West 105 Street between Lorain Avenue and Bellaire Road.

Be it further resolved that the Director of Public Service is authorized to enter into a written contract with CT Consultants, Inc. based on its proposal dated April 30, 2003, and

amended by its revised proposal dated August 5, 2003, provided that the compensation to be paid shall not exceed Two Hundred Eighty-Nine Thousand, Nine Hundred Seventy-five and 00/100 Dollars (\$289,975.00). The agreement authorized hereby shall be prepared by the Director of Law and shall contain such other provisions as the Director of Law deems necessary to protect and benefit the public interest.

Be it further resolved that the employment of the following subconsultants by CT Consultants, Inc. for the design services contract authorized above is approved:

Ralph Tyler Companies
1120 Chester Avenue, Suite 200
Cleveland, OH 44114
(MBE) — \$42,250.00 — (14.57%)

KS Associates, Inc.
260 Burns Road, Suite 100
Elyria, OH 44036
(FBE) — \$14,500.00 — (5.00%)

Professional Service Industries, Inc.
5555 Canal Road
Cleveland, OH 44125
\$20,920.00 — (7.21%)

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Ricchiuto, Carroll, Directors Ronayne, Hudecek, Routen, Fumich, Taylor, Williams and Acting Director Pettus.

Nays: None.

Absent: Acting Director Appolito.

Resolution No. 525-03.

By Director Ricchiuto.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of Newell Equipment, Inc. for an estimated quantity of various salt spreader, insert and plow parts and labor if necessary, item 2 and 4, for the Division of Motor Vehicle Maintenance, Department of Public Service, for the period of two (2) years beginning with the date of execution of a contract, received on May 30, 2003, pursuant to the authority of Ordinance No. 2228-02, passed by the Council of the City of Cleveland on December 9, 2002, which on the basis of the estimated quantity would amount to Eighty Thousand and no/100 Dollars (\$80,000.00) (Net), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 130004
which shall be certified against such contract in the sum of Ten Thousand and no/100 Dollars (\$10,000.00).

Said requirement contract shall further provide that the Contractor shall furnish the remainder of the City's requirements for such goods and/or services, 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, Konicek, Mok, Ricchiuto, Carroll, Directors Ronayne,

Hudecek, Routen, Fumich, Taylor, Williams and Acting Director Pettus.

Nays: None.

Absent: Acting Director Appolito.

Resolution No. 526-03.

By Director Ricchiuto.

Resolved, by the Board of Control of the City of Cleveland that the bid of Valley Ford Truck Sales, Inc. for an estimated quantity of cab/chassis with van body (Item #1, Item #2-alternate, and Item #3-primary) for the various divisions of City government, for the period of one (1) year beginning with the date of execution of a contract, received on July 2, 2003, pursuant to the authority of Ordinance No. 1262-02, passed by the Council of the City of Cleveland on July 17, 2002, which on the basis of the estimated quantity would amount to One Hundred Forty-Six Thousand Six Hundred Sixty-Five and 00/100 Dollars (\$146,665.00) (0%-30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Finance is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 130028

which shall be certified against such contract in the sum of One Hundred Forty-Six Thousand Six Hundred Sixty-Five and 00/100 Dollars (\$146,665.00).

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

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractor by Valley Ford Truck Sales, Inc. for the above mentioned purchase is hereby approved:

Logical Services, Inc.
FBE — \$900.00 per unit — (0.62%)

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Ricchiuto, Carroll, Directors Ronayne, Hudecek, Routen, Fumich, Taylor, Williams and Acting Director Pettus.

Nays: None.

Absent: Acting Director Appolito.

Resolution No. 527-03.

By Director Ricchiuto.

Resolved, by the Board of Control of the City of Cleveland that the bid of Republic Services of Ohio I, LLC for the purchase of an estimated quantity of direct haul disposal of municipal solid waste from areas of the City in proximity to and to be served by the transfer site at 3227 Harvard Avenue, Newburgh Heights, Ohio 44105 for the Division of Waste Collection and Disposal, Department of Public Service, for the period of two (2) years beginning with the date of execution of a contract, received on August 1, 2003 pursuant to the authority of Ordinance No. 490-03, passed May 12, 2003, which on the basis of the estimated quantity

would amount to approximately Seven Million Seven Hundred Eighteen Thousand Seven Hundred Fifty and no/100 Dollars (\$7,718,750.00), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 123288

which shall be certified against such contract in the sum of Three Hundred Eighty Six Thousand Dollars and 00/100 (\$386,000.00).

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

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by Republic Services of Ohio I, LLC for the disposal of municipal solid waste are hereby approved:

Granger Trucking, Inc.
MBE — 15% — \$1,157,812.50

Interstate Safety & Service Co., Inc.
FBE — 5% — \$385,937.50

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Ricchiuto, Carroll, Directors Ronayne, Hudecek, Routen, Fumich, Taylor, Williams and Acting Director Pettus.

Nays: None.

Absent: Acting Director Appolito.

Resolution No. 528-03.

By Director Ricchiuto.

Resolved, by the Board of Control of the City of Cleveland that the bid of Republic Services of Ohio II, LLC for an estimated quantity of transfer and disposal of municipal solid waste, Contract W, for the Division of Waste Collection and Disposal, Department of Public Service, for the period of two (2) years beginning with the date of execution of a contract, received on August 1, 2003 pursuant to the authority of Ordinance No. 493-03, passed May 12, 2003, which on the basis of the estimated quantity would amount to approximately Twelve Million Five Hundred Eighty Four Thousand Two Hundred Fifty and no/100 Dollars (\$12,584,250.00), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 123265

which shall be certified against such contract in the sum of One Million and no/100 Dollars (\$1,500,000.00).

Said requirement contract shall further provide that the Contractor shall furnish the remainder of the City's requirements for such goods and/or services, whether more or less than said estimated quantity, as

may be ordered under subsequent requisitions separately certified against said contract.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by Republic Services of Ohio II, LLC for the transfer and disposal of municipal solid waste is hereby approved:

Granger Trucking, Inc.
MBE — 7.5% — \$941,093.75

Ramos Trucking
MBE — 7.5% — \$941,093.75

Interstate Safety & Services, Inc.
FBE — 5% — \$627,412.50

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Ricchiuto, Carroll, Directors Ronayne, Hudecek, Routen, Fumich, Taylor, Williams and Acting Director Pettus.

Nays: None.

Absent: Acting Director Appolito.

Resolution No. 529-03.

By Director Ricchiuto.

Resolved, by the Board of Control of the City of Cleveland that the bid of Kurtz Brothers, Inc. for an estimated quantity of disposal of construction and demolition debris, item 1, for the Division of Waste Collection and Disposal, Department of Public Service, for the period of one (1) year beginning with the date of execution of a contract, received on August 1, 2003, pursuant to the authority of Ordinance No. 489-03, passed May 12, 2003, which on the basis of the estimated quantity would amount to approximately Sixty Seven Thousand Two Hundred and no/100 Dollars (\$67,200.00) is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 123266
which shall be certified against such contract in the sum of Ten Thousand and no/100 Dollars (\$10,000.00).

Said requirement contract shall further provide that the Contractor shall furnish the remainder of the City's requirements for such goods and/or services, 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, Konicek, Mok, Ricchiuto, Carroll, Directors Ronayne, Hudecek, Routen, Fumich, Taylor, Williams and Acting Director Pettus.

Nays: None.

Absent: Acting Director Appolito.

Resolution No. 530-03.

By Director Ricchiuto.

Resolved, by the Board of Control of the City of Cleveland that the bid of American Landfill, Inc. for an estimated quantity of transfer and disposal of tires, some on rims, Contract T, item 1, for the Division of Waste Collection and Disposal, Department of Public Service, for the period of one (1) year beginning with the date

of execution of a contract, received on August 1, 2003 pursuant to the authority of Ordinance No. 492-03, passed May 12, 2003, which on the basis of the estimated quantity would amount to approximately One Hundred Thirty Three Thousand Eight Hundred Thirty and no/100 Dollars (\$133,830.00), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 123264

which shall be certified against such contract in the sum of Fifty Thousand and no/100 Dollars (\$50,000.00).

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

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractor by American Landfill, Inc. for the transfer and disposal of tires is hereby approved:

C. Barnes, Inc.

MBE — 20% — \$26,766.00

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Ricciuto, Carroll, Directors Ronayne, Hudecek, Routen, Fumich, Taylor, Williams and Acting Director Pettus.

Nays: None.

Absent: Acting Director Appolito.

Resolution No. 531-03.

By Director Ronayne.

Whereas, by Resolution No. 117-03, adopted on February 26, 2003, under the authority of Section 133.14 (a) of the Codified Ordinances of Cleveland, Ohio, 1976, this Board of Control established rental rates for the Cleveland Public Auditorium and Convention Center, its various rooms and halls and portions thereof; and Whereas, every September the City of Cleveland sponsors and celebrates Unity Week; and

Whereas, as part of Unity Week, the City sponsors Gospelfest at the Cleveland Convention Center; and

Whereas, Gospelfest is open to the public free of charge; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that Resolution No. 117-03, adopted February 26, 2003, is amended by inserting the following after "Schedule IV: BANQUET RATES":

"Schedule V: GOSPELFEST

There shall be no rental charge for the use of the Cleveland Convention Center for the City-sponsored Gospelfest that occurs during Unity Week."

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Ricciuto, Carroll, Directors Ronayne, Hudecek, Routen, Fumich, Taylor, Williams and Acting Director Pettus.

Nays: None.

Absent: Acting Director Appolito.

Resolution No. 532-03.

By Director Hudecek.

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. 132-25-071 located on Park Avenue in Ward 12; 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, Thaddeus Kubik and Dianne Kubik, abutting/adjacent landowners, have proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 12 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 purchasers of said parcel are 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 Thaddeus Kubik and Dianne Kubik for the sale and development of Permanent Parcel No. 132-25-071 located on Park Avenue, 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 \$1.00, 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, Konicek, Mok, Ricciuto, Carroll, Directors Ronayne, Hudecek, Routen, Fumich, Taylor, Williams and Acting Director Pettus.

Nays: None.

Absent: Acting Director Appolito.

Resolution No. 533-03.

By Director Baker.

Resolved, by the Board of Control of the City of Cleveland that the employment of the following subcontractor by American Express Tax & Business Services, under the contract for financial consulting for the Department of Finance on behalf of the Cleveland Municipal Court, authorized by the authority of Ohio Revised Code Section 1901.26(B)(1) and Cleveland Municipal Court Journal Entry Volume, II, Page 21, dated April 23, 2003, and Board of Control Resolution No. 517-03 adopted August 27, 2003 is approved:

Subcontractor
Work — Percentage

Dingus & Daga Inc.
\$4,500.00 — 13.85%

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Ricciuto, Carroll, Directors Ronayne, Hudecek, Routen, Fumich, Taylor, Williams and Acting Director Pettus.

Nays: None.

Absent: Acting Director Appolito.

Resolution No. 534-03.

By Director Draper.

Resolved by the Board of Control of the City of Cleveland that the bid of Life Fitness, A Division of Brunswick Corporation for physical fitness equipment, Group 1, Item Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12; Group 2, Item Nos. 1, 2, 3, and 4; Group 6, Item Nos. 1, 2, 3, and 4, for the Division of Fire, Department of Public Safety, for the period of one (1) year beginning with the date of execution of a contract, received on July 25, 2003, pursuant to the authority of Ordinance No. 2171-02, passed February 3, 2003, which on the basis of the estimated quantity would amount to Three Hundred Seventy Thousand Six Hundred Forty and 00/100 dollars (\$370,640.00), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Safety is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No: 133669

as specified, which shall be certified against such contract in the sum of Seventeen Thousand Five Hundred Eighty-Four and 00/100 Dollars (\$17,584.00).

Said requirement contract shall further provide that the Contractor shall furnish the remainder of the City's requirements for such goods and/or services, 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, Konicek, Mok, Ricciuto, Carroll, Directors Ronayne, Hudecek, Routen, Fumich, Taylor, Williams and Acting Director Pettus.

Nays: None.

Absent: Acting Director Appolito.

Resolution No. 535-03.

By Director Draper.

Resolved by the Board of Control of the City of Cleveland that the bid of Balbo Industries, Inc. d.b.a. Fitness Serve for physical fitness equipment, Group 3, Item Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10, for the Division of Fire, Department of Public Safety, for the period of one (1) year beginning with the date of execution of a contract, received on July 25, 2003, pursuant to the authority of Ordinance No. 2171-02, passed February 3, 2003, which on the basis of the estimated quantity would amount to Sixteen Thousand Three Hundred Thirty-One and 90/100 dollars (\$16,331.90), is hereby affirmed

and approved as the lowest and best bid, and the Director of Public Safety is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No: 133668
as specified,

which shall be certified against such contract in the sum of Eight Hundred Sixteen and 80/100 Dollars (\$816.80).

Said requirement contract shall further provide that the Contractor shall furnish the remainder of the City's requirements for such goods and/or services, 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, Konicek, Mok, Ricchiuto, Carroll, Directors Ronayne, Hudecek, Routen, Fumich, Taylor, Williams and Acting Director Petrus.

Nays: None.

Absent: Acting Director Appolito.

Resolution No. 536-03.

By Director Draper.

Resolved by the Board of Control of the City of Cleveland that the bid of Health & Fitness, Inc. for physical fitness equipment, Group 5, Item No. 1, for the Division of Fire, Department of Public Safety, for the period of one (1) year beginning with the date of execution of a contract, received on July 25, 2003, pursuant to the authority of Ordinance No. 2171-02, passed February 3, 2003, which on the basis of the estimated quantity would amount to Thirty-Two Thousand Five Hundred and 00/100 Dollars (\$32,500.00), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Safety is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 133666
as specified,

which shall be certified against such contract in the sum of One Thousand Six Hundred Twenty-Five and 00/100 Dollars (\$1,625.00).

Said requirement contract shall further provide that the Contractor shall furnish the remainder of the City's requirements for such goods and/or services, 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, Konicek, Mok, Ricchiuto, Carroll, Directors Ronayne, Hudecek, Routen, Fumich, Taylor, Williams and Acting Director Petrus.

Nays: None.

Absent: Acting Director Appolito.

Resolution No. 537-03.

By Director Draper.

Resolved by the Board of Control of the City of Cleveland that the bid of Sanders Health & Fitness, Inc., d.b.a. The Fitness Store for physical fitness equipment, Group 4, Item No.

1; and Group 7, Item No. 1, for the Division of Fire, Department of Public Safety, for the period of one (1) year beginning with the date of execution of a contract, received on July 25, 2003, pursuant to the authority of Ordinance No. 2171-02, passed February 3, 2003, which on the basis of the estimated quantity would amount to Two Hundred Eight Thousand Three Hundred Ninety and 00/100 Dollars (\$208,390.00), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Safety is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No: 133667
as specified,

which shall be certified against such contract in the sum of Two Hundred Eight Thousand Three Hundred Ninety and 00/100 Dollars (\$208,390.00).

Said requirement contract shall further provide that the Contractor shall furnish the remainder of the City's requirements for such goods and/or services, 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, Konicek, Mok, Ricchiuto, Carroll, Directors Ronayne, Hudecek, Routen, Fumich, Taylor, Williams and Acting Director Petrus.

Nays: None.

Absent: Acting Director Appolito.

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, SEPTEMBER 22, 2003

9:30 A.M.

Calendar No. 03-232: 1178 East 79th Street (Ward 7)

Shiloh Temple House of God and Bishop Steven L. Best appeal to construct a 66' x 104' two-story brick church building, all situated on an approximate 87' x 130' parcel in a Local Retail Business District on the northwest corner of East 79th Street and Donald Avenue at 1178 East 79th Street; said construction being contrary to the Business District Regulations of Section 343.01 where by reference as regulated in a One-Family District, according to Section 337.02(e)(1), a church and accessory uses if located less than 15' from any residential district is subject to the Board of Zoning Appeals approval and the proposed church building abuts a Two-Family District and a Multi-Family District; and contrary to the Off-Street Parking and Loading Requirements, where 32 parking spaces are proposed and 34 spaces are required as stated in Section 349.04(e) of the Codified Ordinances.

Calendar No. 03-233: Appeal of Fuad D. Jaser Hack License Suspension

Fuad D. Jaser appeals under Chapter 76-6 of the Charter of the City of Cleveland and Section 443.36 of the Codified Ordinances from the suspension of a City of Cleveland Hack License issued March 19, 2003 by Dedrick Stephens, Commissioner of Assessments and Licenses.

Calendar No. 03-234: 2079 Random Road (Ward 6)

Random Road LLC and Mark Dodds, agent, appeal to construct a 136' x 70' three-story, 14 unit townhouse building with detached garages, all situated on an approximate 149' x 168' parcel located in a Multi-Family District on the east side of Random Road at 2079 Random Road; said construction being contrary to the Area Requirements of Section 355.04, where in a "C" area district, the gross floor area cannot exceed 12,465 s/f (one-half of the lot size) and 28,000 s/f is proposed; and contrary to Section 353.01(b) of the Height Regulations, 45' is proposed and the maximum building height permitted is 35' and an interior side yard of 6' is proposed where 11.25' (one quarter of the building height) is required as stated in Section 357.09(b)(2)(B) in the Yards and Courts Regulations of the Codified Ordinances.

Calendar No. 02-223: 12222 Lorain Avenue (Ward 19)

Edward M. Krivec, owner, and Donald Folmer, tenant, appeal to change the use of an existing first floor 750 sq. ft. tenant space area into a tattoo and body piercing shop on a 50' x 118' parcel located in a General Retail Business District on the north side of Lorain Avenue at 12222 Lorain Avenue; said change of

use being contrary to the Specific Use Regulations, where the proposed use is directly abutting a residential district and is within 250'-300' of McKinley Elementary School and Playground and tattoo and body piercing use shall not be established within 1000' of a residential district, kindergarten, elementary school or playground as stated in Section 347.12(b)(1) of the Codified Ordinances. (Motion for Reconsideration and Rehearing Granted)

Calendar No. 03-208: 3715 Highland Road (Ward 19)

David Hinz, owner, appeals to construct a 22' x 40' two-story attached garage to the rear of an existing 2-story wood frame house all situated on a 40' x 444' parcel located in an A-1 Single-Family District on the north side of Highland Road at 3715 Highland Road; said construction being contrary to the Yards and Courts Requirements where an interior side yard setback of 2.6' is proposed and 3' is required with an aggregated side-yard setback not less than 10' shall be provided as stated in Section 357.09(b)(2)(B) of the Codified Ordinances. (Motion for Reconsideration and Rehearing Granted)

EUGENE CRANFORD, JR.,
Secretary

REPORT OF THE BOARD OF ZONING APPEALS

MONDAY, SEPTEMBER 8, 2003

At the meeting of the Board of Zoning Appeals on Monday, September 8, 2003, the following appeals were heard by the Board:

The following appeals were **Approved:**

Calendar No. 03-218: 13521 Lakewood Heights Boulevard

Timko Investments Inc. appealed to change the use of a one-story office and storage building into a dental laboratory and production in a General Retail Business District.

Calendar No. 03-219: 5817 Prosser Avenue

Leon Fountain appealed to construct a 4' x 4' landing and stair system 12' above finish grade on a 40' x 25' parcel in a Two-Family District.

Calendar No. 03-224: 11904 Holborn Avenue

Herman Sewell appealed to construct a 12' x 9' three seasons sunroom to the front of a dwelling in a Two-Family District.

Calendar No. 03-245: 5802-04 Prosser Avenue

Santo Malavé, Jr. appealed to install 113 linear feet of 4' high chain link fencing around a 43' x 71' parcel in a Two-Family District.

Calendar No. 03-186: 1988-98 Fulton Road

3500 Group Ltd. appealed to install an 18 space parking lot on the west side of Fulton Road in a Local Retail Business District.

The following appeal was **Denied:**

None.

The following appeal was **Withdrawn:**

None.

The following appeal was **Dismissed:**

None.

The following appeals were **Postponed:**

Calendar No. 03-220: 8701 Buckeye Road postponed to October 13, 2003.

Calendar No. 03-221: 8707 Buckeye Road postponed to October 13, 2003.

Calendar No. 03-222: 3821 East 93rd Street postponed to October 6, 2003.

Calendar No. 03-223: 1900 Train Avenue postponed to October 27, 2003.

Calendar No. 03-185: 12814 Buckeye Road postponed to October 6, 2003.

Calendar No. 03-190: 3006 East 116th Street postponed to October 6, 2003.

On Monday, September 8, 2003, in Executive Session:

The following appeals were heard by the Board on Tuesday, September 2, 2003, and said decisions were approved and adopted in Executive Session on Monday, September 8, 2003:

The following appeals were **Approved:**

Calendar No. 03-213: 11500 Lorain Avenue

Georgea Matheou appealed to expand the use of an existing approximate 36' x 90' masonry building to include a karate studio on the first floor and basement levels, situated on an 81' x 107' parcel in a Local Retail Business District and a Two-Family District.

Calendar No. 03-215: 6014 Franklin Boulevard

Barry Tutin appealed to establish use of a 24' x 35' two-story carriage house as a dwelling unit, located at the rear of a 4 dwelling unit house on a 52' x 175' parcel in a Two-Family District.

The following appeal was **Denied:**

Calendar No. 03-216: 3906 Clinton Avenue

Scott Francis appealed to install 6' high wooden fence in place of existing 6' high chain link fence on the easterly side of a 66' x 129' parcel in a Two-Family District.

EUGENE CRANFORD, JR.,
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."

WEDNESDAY, SEPTEMBER 17, 2003

Re-Bid of Item (#9) for Various Paper Products and Mailing Services, Typesetting and Printing of Personalized Letterhead Envelopes, Business Cards, Informational Cards, Note Pads, Newsletters, Brochures, and Flyers and

for the Preparation, Transportation, and Delivery of Printed Materials to a Designated United States Post Office or Other Designated Sites for Cleveland City Council. (Ordinance approved by the Council of the City of Cleveland Pending).

THERE WILL BE A PRE-BID MEETING, WEDNESDAY, SEPTEMBER 10, 2003, AT 10:00 A.M., AT CITY COUNCIL OFFICES, ROOM 220, CITY HALL, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

September 3, 2003 and September 10, 2003

THURSDAY, SEPTEMBER 18, 2003

One (1) Cab/Chassis with Tire Service Repair Equipment, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 1169-03, passed by the Council of the City of Cleveland, July 16, 2003.

THERE WILL BE A PRE-BID MEETING, MONDAY, SEPTEMBER 8, 2003 AT 4:00 P.M., DIVISION OF MOTOR VEHICLE MAINTENANCE, 4150 EAST 49TH ST., BUILDING #1, CLEVELAND, OHIO 44105.

Fabrication of Ring and Pinion Gears, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 1001-03, passed by the Council of the City of Cleveland, June 10, 2003.

THERE WILL BE A MANDATORY PRE-BID MEETING WHERE YOUR ATTENDANCE IS MANDATORY TO BE ELIGIBLE FOR BIDDING; THURSDAY, SEPTEMBER 11, 2003 AT 10:30 A.M., DISTRIBUTION MAINTENANCE METERS CONFERENCE ROOM, 4600 HARVARD AVENUE, CLEVELAND, OHIO 44105.

West 67th Place Reconstruction Project, for the Division of Engineering & Construction, Department of Public Service, as authorized by Ordinance Nos. 1686-2000 and 2378-01, passed by the Council of the City of Cleveland, November 13, 2000 and December 3, 2001, respectively.

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

THERE WILL BE A PRE-BID MEETING, FRIDAY, SEPTEMBER 12, 2003 AT 10:00 A.M., CITY HALL, CONFERENCE ROOM 518, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

September 3, 2003 and September 10, 2003

FRIDAY, SEPTEMBER 26, 2003

Sodium Silicofluoride and Hydrofluosilicic Acid, for the Division of Water, Department of Public Utilities, as authorized by Section 129.24 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A PRE-BID MEETING, TUESDAY, SEPTEMBER 16, 2003 AT 1:00 P.M., CROWN WATER TREATMENT PLANT, 955 CLAGUE ROAD, WESTLAKE, OHIO 44145.

September 3, 2003 and September 10, 2003

WEDNESDAY, SEPTEMBER 24, 2003

Labor and Materials Necessary To Replace An Emergency Generator at 1st District Police Headquarters, for the Division of Police, Department of Public Safety, as authorized by Ordinance No. 374-03, passed by the Council of the City of Cleveland, May 12, 2003.

THERE WILL BE A PRE-BID MEETING THURSDAY, SEPTEMBER 18, 2003 AT 10:30 A.M., FIRST DISTRICT POLICE STATION, 3895 WEST 130TH ST., CLEVELAND, OHIO 44111.

September 10, 2003 and September 17, 2003

THURSDAY, SEPTEMBER 25, 2003

Labor & Materials Necessary To Maintain, Repair, and Modify Existing Airfield, Parking and Terminal Lighting Systems (Phase II), for the Various Divisions, Department of Port Control, as authorized by Ordinance No. 1015-03, passed by the Council of the City of Cleveland, June 10, 2003.

THERE WILL BE A PRE-BID MEETING, THURSDAY, SEPTEMBER 18, 2003, AT 10:00 A.M., CLEVELAND HOPKINS INTERNATIONAL AIRPORT, CENTRAL RECEIVING BUILDING, 19451 FIVE POINTS ROAD, CLEVELAND, OHIO 44135.

September 10, 2003 and September 17, 2003

FRIDAY, SEPTEMBER 26, 2003

Broadview Road Relief Sewer Project, for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Ordinance No. 598-03, passed by the Council of the City of Cleveland, June 10, 2003.

THERE WILL BE A REFUNDABLE FEE 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 WHERE YOUR ATTENDANCE IS MANDATORY TO BE ELIGIBLE FOR BIDDING; THURSDAY, SEPTEMBER 18, 2003, AT 10:00 A.M., DIVISION OF WATER POLLUTION CONTROL, 12302 KIRBY AVENUE, CLEVELAND, OHIO 44108.

September 10, 2003 and September 17, 2003

FRIDAY, SEPTEMBER 26, 2003

Digital Document Retrieval Management System, for the Department of Building & Housing, as authorized by Ordinance No. 558-03, passed by the Council of the City of Cleveland, May 12, 2003.

THERE WILL BE A PRE-BID MEETING FRIDAY, SEPTEMBER 19, 2003, AT 10:00 A.M., CITY HALL, CONFERENCE ROOM 509, 601 LAKESIDE AVE., CLEVELAND, OHIO 44114.

September 10, 2003 and September 17, 2003

WEDNESDAY, OCTOBER 1, 2003

Video Conferencing System, for the Division of Police, Department of Public Safety, as authorized by Ordinance No. 2460-02, passed by the Council of the City of Cleveland, March 24, 2003.

THERE WILL BE A PRE-BID MEETING, TUESDAY, SEPTEMBER 23, 2003 AT 11:00 A.M., 3RD DISTRICT POLICE, COMMUNITY ROOM, 2001 PAYNE AVE., CLEVELAND, OHIO 44114.

September 10, 2003 and September 17, 2003

THURSDAY, OCTOBER 2, 2003

The Plaza At Huron Point, for the Division of Engineering & Construction, Department of Public Service, as authorized by Ordinance No. 1530-02 & 990-03, passed November 25, 2002 and June 10, 2003.

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

THERE WILL BE A PRE-BID MEETING, THURSDAY, SEPTEMBER 25, 2003 AT 10:00 A.M., CITY HALL, CONFERENCE ROOM 518, 601 LAKESIDE AVE., CLEVELAND, OHIO 44114.

September 10, 2003 and September 17, 2003

ADOPTED RESOLUTIONS AND ORDINANCES

NONE

COUNCIL COMMITTEE MEETINGS

**Monday, September 8, 2003
9:30 A.M.**

Health and Human Services Committee:

Present: Britt, Chair; Zone, Vice Chair; Cintron, Conwell, Scott, Polensek. Authorized Absence: Gordon.

2:00 P.M.

Finance Committee:

Present: Jackson, Chair; Sweeney, Vice Chair; Brady, Britt, Coats, Gordon, O'Malley, Reed, Scott, Westbrook, White.

**Tuesday, September 9, 2003
9:30 A.M.**

Community and Economic Development Committee:

Present: Gordon, Chair; Cimperman, Vice Chair; Jones, Lewis, Reed, Scott, Zone. Authorized Absence: Cintron, Coats.

**Wednesday, September 10, 2003
10:00 A.M.**

Aviation and Transportation Committee:

Present: Westbrook, Chair; Sweeney, Vice Chair; Britt, Dolan, Gordon, Reed, Rybka.

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 Bold figures—Final Publication; D—Defeated; R—Reprint; T—Tabled; V—Vetoed;
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