

The City Record

Official Publication of the Council of the City of Cleveland



February the Eighteenth, Two Thousand and Four

Jane L. Campbell
Mayor

Frank G. Jackson
President of Council

Valarie J. McCall
City Clerk, Clerk of Council

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

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DIRECTORY OF CITY OFFICIALS

CITY COUNCIL – LEGISLATIVE

President of Council – Frank G. Jackson

Ward	Name	Residence	
1	Joseph T. Jones	4691 East 177th Street	44128
2	Robert J. White	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.	3004 Vega Avenue	44113
15	Merle R. Gordon	1700 Denison Avenue	44109
16	Michael C. O'Malley	6710 Brookside Drive	44144
17	Matthew Zone	1228 West 69th Street	44102
18	Jay Westbrook	1278 West 103rd Street	44102
19	Dona Brady	1272 West Boulevard	44102
20	Martin J. Sweeney	3632 West 133rd Street	44111
21	Michael A. Dolan	16519 West Park Road	44111

City Clerk, Clerk of Council – Valarie J. McCall, 216 City Hall, 664-2840
First Assistant Clerk – Sandra Franklin

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

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

DEPT. OF FINANCE – Robert H. Baker, Director, Room 104;
Frank Badalamenti, Manager, Internal Audit
DIVISIONS: Accounts – Alan Schneider, Commissioner, Room 19
Assessments and Licenses – Dedrick Stephens, Commissioner, Room 122
City Treasury – Algeron Walker, Treasurer, Room 115
Financial Reporting and Control – James Gentile, Controller, Room 18
Information Technology and Services – James S. Higgins, Commissioner, 1404 East 9th Street
Purchases and Supplies – Myrna Branche, Commissioner, Room 128
Printing and Reproduction – Michael Hewitt, Commissioner, 1735 Lakeside Avenue
Taxation – Nassim Lynch, Tax Administrator, 1701 Lakeside Avenue

DEPT. OF PUBLIC UTILITIES – Michael G. Konicek, Director, 1201 Lakeside Avenue
DIVISIONS – 1201 Lakeside Avenue
Cleveland Public Power – James F. Majer, Commissioner
Street Lighting Bureau – _____, Acting Chief
Utilities Fiscal Control – Dennis Nichols, Commissioner
Water – Julius Ciaccia, Jr., Commissioner
Water Pollution Control – 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 – Randell T. Scott, Commissioner, Room 25
Traffic Engineering – Robert Mavec, Commissioner, 4150 East 49th Street, Building #1
Waste Collection and Disposal – Ron Owens, Commissioner, 5600 Carnegie Avenue

DEPT. OF PUBLIC HEALTH – Matthew Carroll, Director, Mural Building, 1925 St. Clair Ave.
DIVISIONS: Air Quality – Commissioner
Correction – Robert Taskey, Commissioner, Cleveland House of Corrections, 4041 Northfield Rd.
Environment – Willie Bess, Acting Commissioner, Mural Building, 1925 St. Clair Ave.
Health – Dr. Wendy Johnson, Acting Commissioner, Mural Building, 1925 St. Clair Ave.

DEPT. OF PUBLIC SAFETY – Sanford E. Watson, Director, Room 230
DIVISIONS: Dog Pound – John Baird, Chief Dog Warden, 2690 West 7th Street
Emergency Medical Service – Edward Eckart, Commissioner, 1708 South Pointe Drive
Fire – Kevin G. Gerrity, Chief, 1645 Superior Avenue
Police – Edward F. Lohm, 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 – Joseph A. Sidoti, Commissioner

DEPT. OF BUILDING AND HOUSING – James G. Williams, Director, Room 500
DIVISIONS: Code Enforcement – Tyrone L. Johnson, Commissioner
Construction Permitting – Timothy R. Wolosz, Commissioner

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

DEPT. OF ECONOMIC DEVELOPMENT – 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 Wiebusch, Council Member Joe Cimperman, Dwayne J. Simpson; Robert Keiser, Secretary.

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

Judge	Courtroom
Presiding and Administrative Judge Larry A. Jones	14B
Judge Ronald B. Adrine	15A
Judge Emanuella Groves	13A
Judge Mabel M. Jasper	14D
Judge Kathleen Ann Keough	13D
Judge Mary Eileen Kilbane	14C
Judge Anita Laster Mays	12C
Judge Lauren C. Moore	12B
Judge Raymond L. Pianka (Housing Court Judge)	13B
Judge Angela R. Stokes	15C
Judge Pauline H. Tarver	12A
Judge Robert J. Trozzi	14A
Judge Joseph J. Zone	13C

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

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OFFICIAL PUBLICATION OF THE COUNCIL OF THE CITY OF CLEVELAND

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WEDNESDAY, FEBRUARY 18, 2004

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The City Record

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VALARIE J. McCALL

City Clerk, Clerk of Council
216 City Hall

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 2002-2005

MONDAY

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

MONDAY—Alternating

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

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

MONDAY

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

TUESDAY

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

TUESDAY—Alternating

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

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

WEDNESDAY—Alternating

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

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

WEDNESDAY—Alternating

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

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

The following Committees are subject to the Call of the Chairman:
Rules Committee: Jackson, Chairman; O'Malley, Reed, Sweeney, Westbrook.

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

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

OFFICIAL PROCEEDINGS CITY COUNCIL

NO MEETING

THE CALENDAR

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

NONE

BOARD OF CONTROL

February 11, 2004

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, February 11, 2004, at 10:30 a.m. with Mayor Campbell presiding.

Present: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Acting Director Wasik, Director Carroll, Acting Director Pettus, Directors Ronayne, Hudecek, Sims, Fumich, Taylor and Williams.
Absent: Director Routen.

Others: Myrna Branche, Commissioner, Purchases and Supplies.

Donna Felder, Director, Office of Equal Opportunity.

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

Resolution No. 41-04.

By Director Ricchiuto.

Be it resolved by the Board of Control of the City of Cleveland that the bid of General Traffic Inc. for purchase of Pedestrian Signals, Signal Hanger Assemblies and Astro-Brackets Items 6, 12, 13, and 14, for the Division of Traffic Engineering, Department of Public Service, for the period of one (1) year beginning with the date of execution of a contract, received on December 5, 2003, pursuant to the authority of Ordinance No. 371-03, passed March 24, 2003, which on the basis of the estimated quantity would amount to Nine Thousand Nine Hundred and Ninety Eight 00/100 Dollars (\$9,998.00), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby authorized to enter into a requirement contract for such goods, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 139727 which shall be certified against such contract in the sum of One Thousand and 00/100 Dollars (\$1,000.00).

Said requirement contract shall further provide that the contractor shall furnish the remainder of the City's requirements for such goods, 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, Acting Director Wasik, Director Carroll, Acting Director Pettus, Directors Ronayne, Hudecek, Sims, Fumich, Taylor and Williams.

Nays: None.

Absent: Director Routen.

Resolution No. 42-04.

By Director Ricchiuto.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Path Master Inc. for purchase of Traffic Signal Components, Items 1, 7, 8, 11, 15 and 16, for the Division of Traffic Engineering, Department of Public Service, for the period of one (1) year beginning with the date of execution of a contract, received on December 5, 2003, pursuant to the authority of Ordinance No. 371-03, passed March 24, 2003, which on the basis of the estimated quantity would amount to Nine Thousand Nine Hundred and Ninety Eight 00/100 Dollars (\$9,998.00), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby authorized to enter into a requirement contract for such goods, which shall provide for the immediate purchase as the initial amount of such contract of the following:

nance No. 371-03, passed March 24, 2003, which on the basis of the estimated quantity would amount to Eighty Nine Thousand Five Hundred and Ninety-Seven Thousand and 00/100 Dollars (\$89,597), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is authorized to enter into a requirement contract for such goods, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 139718

which shall be certified against such contract in the sum of Four Thousand Six Hundred and Sixty and 00/100 Dollars (\$4,660).

Said requirement contract shall further provide that the Contractor shall furnish the remainder of the City's requirements for such goods, 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, Acting Director Wasik, Director Carroll, Acting Director Pettus, Directors Ronayne, Hudecek, Sims, Fumich, Taylor and Williams.

Nays: None.

Absent: Director Routen.

Resolution No. 43-04.

By Director Ricchiuto.

Be it resolved by Board of Control of the City of Cleveland that the bid of Able Contracting Group for purchase of Traffic Signal Components, Items 2, 3, 4, 17 and 18, for the Division of Traffic Engineering, Department of Public Service, for the period of one (1) year beginning with the date of execution of a contract, received on December 5, 2003, pursuant to the authority of Ordinance No. 371-03, passed March 24, 2003, which on the basis of the estimated quantity would amount to One Hundred and Sixty Eight Thousand Nine Hundred and Ten and 00/100 Dollars (\$168,910.00), is affirmed and approved as the lowest and best bid, and the Director of Public Service is authorized to enter into a requirement contract for such goods, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 139719

which shall be certified against such contract in the sum of Eleven Thousand and 00/100 Dollars (\$11,000.00).

Said requirement contract shall further provide that the contractor shall furnish the remainder of the City's requirements for such goods, 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, Acting Director Wasik, Director Carroll, Acting Director Pettus, Directors Ronayne, Hudecek, Sims, Fumich, Taylor and Williams.

Nays: None.

Absent: Director Routen.

Resolution No. 44-04.

By Director Ricchiuto.

Be it resolved by Board of Control of the City of Cleveland that all bids received on December 5, 2003, for Pedestrian traffic lights, item 5 for the Division of Traffic Engineering and Parking, Department of Public Service, pursuant to the authority of Ordinance No. 371-03, passed by the Council of the City of Cleveland on March 24, 2003, are hereby rejected.

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Acting Director Wasik, Director Carroll, Acting Director Pettus, Directors Ronayne, Hudecek, Sims, Fumich, Taylor and Williams.

Nays: None.

Absent: Director Routen.

Resolution No. 45-04.

By Director Ricchiuto.

Be it resolved by Board of Control of the City of Cleveland that the bid of Traffic Parts Inc. for purchase of 8" School Signs and Pedestrian Pole Bases used for the installation of traffic signals Items 9 and 10, for the Division of Traffic Engineering, Department of Public Service, for the period of one (1) year beginning with the date of execution of a contract, received on December 5, 2003, pursuant to the authority of Ordinance No. 371-03, passed March 24, 2003, which on the basis of the estimated quantity would amount to Five Thousand Six Hundred and Forty Three and 00/100 Dollars (\$5,643), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby authorized to enter into a requirement contract for such goods, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 139721

which shall be certified against such contract in the sum of One Thousand Seven Hundred and Fourteen Dollars and 40/100 (\$1,714.40).

Said requirement contract shall further provide that the contractor shall furnish the remainder of the City's requirements for such goods, 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, Acting Director Wasik, Director Carroll, Acting Director Pettus, Directors Ronayne, Hudecek, Sims, Fumich, Taylor and Williams.

Nays: None.

Absent: Director Routen.

Resolution No. 46-04.

By Director Ricchiuto.

Be it resolved by Board of Control of the City of Cleveland that the bid of Consolidated Electrical Distributors, Inc., d.b.a. Leader Electric and Supply Co. for purchase of Electric Pull Boxes used for the installation of traffic signals, Items 19 and 20, for the Division of Traffic Engineering, Department of Public Service, for the period of one (1) year beginning with the date of execution of a contract, received on December 5, 2003, pursuant to the authority of Ordinance No. 371-03,

passed March 24, 2003, which on the basis of the estimated quantity would amount to Three Thousand Eight Hundred and Forty and 00/100 Dollars (\$3,840), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby authorized to enter into a requirement contract for such goods, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 139720

which shall be certified against such contract in the sum of One Thousand and Fifty and 00/100 Dollars (\$1,050).

Said requirement contract shall further provide that the Contractor shall furnish the remainder of the City's requirements for such goods, 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, Acting Director Wasik, Director Carroll, Acting Director Pettus, Directors Ronayne, Hudecek, Sims, Fumich, Taylor and Williams.

Nays: None.

Absent: Director Routen.

Resolution No. 47-04.

By Director Ronayne.

Whereas, by Resolution No. 356-96, adopted May 29, 1996, as amended by Resolution No. 35-99, adopted January 26, 1999, and Resolution No. 117-03, adopted February 26, 2003, pursuant to Section 133.14(a) of the Codified Ordinances of Cleveland, Ohio 1976, this Board of Control established the rental rates for the Cleveland Public Auditorium and Convention Center, its various rooms and halls and portions thereof; and

Whereas, this Board of Control desires to further amend said resolution; and now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that Resolution No. 356-96, adopted May 29, 1996, as amended by Resolution No. 35-99, adopted January 26, 1999, and Resolution No. 117-03, adopted February 26, 2003, is hereby further amended as follows:

1. After SCHEDULE II: PUBLIC EXPOSITION AND CONSUMER SHOWS, insert the following on the same line: "— PAID ADMISSION";

2. At the end of SCHEDULE II: PUBLIC EXPOSITION AND CONSUMER SHOWS, insert the following:

"PUBLIC EXPOSITIONS AND CONSUMER SHOWS — NO PAID ADMISSION

HALL A	\$5,000 per day
HALL B	\$4,000 per day
HALL C	\$3,000 per day
HALL D	\$4,500 per day
ARENA	\$4,000 per day";

3. In SCHEDULE III: THEATRICAL AND MEETING ROOMS (per performance), after "LITTLE THEATER \$1,000 or up to 8% of gross less admission tax, whichever is greater, and before HALL A \$5,000," insert the following:

"REHEARSAL RATE	
ARENA	\$500
MUSIC HALL	\$500
LITTLE THEATER	\$500

Note: Rehearsal rate shall apply to Arena, Music Hall and Little Theater stages for private rehearsals only, which are not open to the general public.”;

4. Under EXPLANATORY NOTES, in Schedule II (Public Expositions and Consumer Shows.), delete the phrase beginning on the second line “with or without an admission charge.”;

5. In the section RENT ADJUSTMENT, (a) Adjustment Limits, delete “No rental rate may be increases or” and substitute “Square footage rates may not be”;

6. In the section RENT ADJUSTMENT, (b) Standards for Rent Increases or Decreases; delete “Increases or” in the first line, delete “less than or substantially” in the eleventh line, and delete the last sentence which reads “By contrast, if a proposed event will yield Minimal Additional Benefits, the Director may increase the rental rate within range set forth in paragraph (a) above.”;

7. In the section RENT ADJUSTMENT, (c) Required Approvals for Rent Increases or Decreases, delete “Increases or” in the first line.

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Acting Director Wasik, Director Carroll, Acting Director Pettus, Directors Ronayne, Hudecek, Sims, Fumich, Taylor and Williams.

Nays: None.

Absent: Director Routen.

Resolution No. 48-04.

By Director Ronayne.

Whereas, pursuant to the authority of Ordinance No. 1194-03, passed October 6, 2003, by the Council of the City of Cleveland, the Commissioner of Purchases and Supplies is authorized by and at the direction of the Board of Control to sell certain City-owned property, no longer needed for public use, described therein and located in the City of Cleveland, also known as Permanent Parcel Numbers 107-15-021 and 107-15-219, to Glenville Church of Christ; and

Whereas, said Ordinance No. 1194-03 provided that the consideration to be paid for the property shall be at a price not less than the fair market value as determined by the Board of Control; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Ordinance No. 1194-03, passed by the Council of the City of Cleveland on October 6, 2003, the Commissioner of Purchases and Supplies is hereby directed to sell certain City-owned property, no longer needed for public use, described therein and located between East 90th and East 91st Street, North of Wade Park Avenue, also known as Permanent Parcel Numbers 107-15-021 and 107-15-219 to Glenville Church of Christ. The consideration to be paid for said property is hereby fixed at Three Thousand Dollars (\$3,000.00), which amount is determined to be not less than the fair market value.

Be it further resolved that the Mayor of the City of Cleveland is hereby requested to execute and deliver the official deed of the City of Cleveland conveying said property which document shall contain

such additional terms and conditions as the Director of Law shall deem necessary to protect and benefit the public interest.

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Acting Director Wasik, Director Carroll, Acting Director Pettus, Directors Ronayne, Hudecek, Sims, Fumich, Taylor and Williams.

Nays: None.

Absent: Director Routen.

Resolution No. 49-04.

By Director Hudecek.

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

Whereas, City has acquired Permanent Parcel No(s). 127-16-043, 127-16-044, 127-16-045, 127-16-048, 127-16-049, 127-16-050, 127-16-054, 127-16-075 under said Land Reutilization Program; and

Whereas, Ordinance No. 109-04 passed January 26, 2004, authorized the sale of said parcels for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Burten, Bell, Carr Development, Inc. has proposed to the City to purchase and develop said parcels; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 109-04 passed January 26, 2004, by the Cleveland City Council, the Mayor is hereby authorized to execute an official deed for and on behalf of the City of Cleveland with Burten, Bell, Carr Development, Inc. for the sale and development of Permanent Parcel No(s). 127-16-043, 127-16-044, 127-16-045, 127-16-048, 127-16-049, 127-16-050, 127-16-054, 127-16-075, as described in said Ordinance 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 parcels, shall be \$100.00 each, which amount is hereby determined to be not less than the fair market value of said parcels for uses in accordance with the Land Reutilization Program.

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Acting Director Wasik, Director Carroll, Acting Director Pettus, Directors Ronayne, Hudecek, Sims, Fumich, Taylor and Williams.

Nays: None.

Absent: Director Routen.

Resolution No. 50-04.

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. 138-15-053 located at Beachwood Avenue in Ward 2; and

Whereas, Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976 authorizes the Commissioner of Purchases and Supplies,

when directed by the Director of Community Development and when, certain specified conditions have been met, to sell Land Reutilization Program parcels to adjacent or abutting landowners; and

Whereas, Vera Belvy, abutting/adjacent landowner, has proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 2 has consented to the proposed sale;

2. The parcel is either less than 4,800 square feet or less than 40 feet frontage;

3. The proposed purchaser of said parcel is neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland, with Vera Belvy for the sale and development of Permanent Parcel No. 138-15-053 located at Beachwood 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, Acting Director Wasik, Director Carroll, Acting Director Pettus, Directors Ronayne, Hudecek, Sims, Fumich, Taylor and Williams.

Nays: None.

Absent: Director Routen.

Resolution No. 51-04.

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. 010-18-136 located at Sheryl Drive in Ward 15; 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, Mark A. Fedarko, abutting/adjacent landowner, has proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 15 has consented to the proposed sale;

2. The parcel is either less than 4,800 square feet or less than 40 feet frontage;

3. The proposed purchaser of said parcel is neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland, with Mark A. Fedarko for the sale and development of Permanent Parcel No. 010-18-136 located at Sheryl Drive, 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, Acting Director Wasik, Director Carroll, Acting Director Pettus, Directors Ronayne, Hudecek, Sims, Fumich, Taylor and Williams.

Nays: None.

Absent: Director Routen.

Resolution No. 52-04.

By Director Konicek.

Be it resolved, by Board of Control of the City of Cleveland that all bids received on January 23, 2004 for sodium hypochlorite solution for the Division of Water, Department of Public Utilities, pursuant to the authority of Section 129.24 of the Codified Ordinance of Cleveland, Ohio, 1976, are hereby rejected.

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Acting Director Wasik, Director Carroll, Acting Director Pettus, Directors Ronayne, Hudecek, Sims, Fumich, Taylor and Williams.

Nays: None.

Absent: Director Routen.

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

CIVIL SERVICE NOTICE

ANNOUNCEMENTS — 2004 2/23/04 — 2/27/04

Announcement No.	Type Exam	Classification
1	EE	Assistant Director of Finance (Non Comp)
2	EE	Assistant Superintendent of Electric Transmission/Distribution (Open)
3	WR	Bricklayer Helper (Open)
4	WR	Bricklayer (Open)
5	WR	Case Worker (Open)
6	EE	Construction Technician (Open)
7	EE	Copy Center Operator (Open)
8	EE	Elevator Inspector (Open)
9	EE	Junior City Planner (Open)

PROOF OF CITY RESIDENCY

Any applicant wishing to receive residency credit will be asked to show that he/she is a bona fide resident of the City of Cleveland. The following list gives examples of items that an applicant may present **at the time of filing.** The Civil Service Commission requires a minimum of three items from at least three **different** categories, where applicable. All items must be **current.** Please note that presentation of these items does not constitute conclusive proof of bona fide residency. Acceptable categories include, but are not limited to, the following:

Lease - from rental agency.

Lease - from independent party. Must include copy of cancelled check or money order receipts for previous rent and/or security deposit, and fully executed; otherwise, it is unacceptable.

Utility bills bearing the property address **and** your name.

Post Office change of address form properly date stamped.

Official documents relating to home ownership including deed, purchase agreement, or insurance policy.

Bank statements (Within last three months).

School registration of children.

Car insurance documents.

Car registration **or** Driver's License **or** Ohio I.D. (**One only**).

Loans and credit card statements (Within last three months).

Rental contracts (e.g.: furniture, tools, car, etc.).

Current bills not listed above (Within last three months).

The following are examples of **unacceptable** categories of proof:

Library cards.

Voter registration cards.

Birth certificates.

Notarized letters or affidavits.

Social Security card.

Rental receipts from independent party without cancelled checks or money order receipt.

APPROVED C.S.C MINUTES ANNOUNCEMENT NO. 1

ASSISTANT DIRECTOR OF FINANCE (Non Comp)

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of a non-competitive examination for the above mentioned classification.

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$36,590.39 to \$128,960.00 per year.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. **APPLICATIONS WILL BE RECEIVED FOR ENTRANCE TO THE EXAMINATION FROM 8:30 A.M. ON MONDAY, FEBRUARY 23, 2003 UNTIL 4:30 P.M. FRIDAY, FEBRUARY 27, 2003.**

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON FRIDAY, FEBRUARY 27, 2003.

THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.

EXAMINATION INFORMATION

TYPE: EXPERIENCE EVALUATION: Applicant's grade will be determined based on Education and Experience found in Resume.

NOTE: Each applicant is required to submit a detailed resume of his/her

education and experience at the time of filing application.

NOTE: THE CIVIL SERVICE COMMISSION RESERVES THE RIGHT TO REVIEW AND EVALUATE ANY AND ALL INFORMATION CONTAINED IN THE APPLICATION OR RESUME. LACK OF HONESTY WILL RESULT IN IMMEDIATE REMOVAL FROM THE ELIGIBLE LIST.

DUTIES OF THE POSITION

Under administrative direction, assists the Director of Finance in the supervision of the preparation of the budget, the capital plan and their implementation. Coordinates and facilitates special projects as directed by the Director of Finance. Under direction, coordinates the administration, development and implementation of specific projects or programs for the Finance Department. Plans, assigns, supervises and reviews activities of subordinate personnel; monitors the projects or programs of the department relating to budget and capital planning; designs, implements, and monitors procedures utilized in program evaluation. Maintains current information and oversees the preparation of budget and capital plan. Supervises staff as directed. Performs other job-related duties as required.

MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:

A High School Diploma or G.E.D. is required. A Bachelor's Degree in Finance, Accounting, Business, Public Administration, Information Systems or related field from an accredited four (4) year college or university. Seven (7) years of full time paid progressively responsible financial experience in governmental budgeting and finance. In addition, three (3) years of progressive supervisory experience is required. Excellent written and communications skills are a must. Must possess strong analytical and problem-solving skills. Proficient in Microsoft Office Suites 97/2000, especially Excel and Word are required. Must be able to lift minimum of thirty (30) pounds. A valid state of Ohio Driver's License is required.

NOTE: Applicants will be required to pay a \$10.00 (TEN DOLLARS) filing fee. Applicants who are currently employed in this position with the City of Cleveland are exempt. However, that when an applicant is disqualified from taking an examination on the basis of age, education or failure to meet other minimum entrance requirements, the fee paid by such applicant shall be refunded to such applicant upon the applicant's request in writing made within ten (10) days after the date of examination.

NOTE: All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Applications will not be accepted if

copies are not submitted with application at time of filing. Civil Service Commission will make copies for a standard fee.

NOTE: Any applicant who resigns or is dismissed from employment with the City of Cleveland will have his/her name removed from the eligible list.

AN EQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 2

ASSISTANT SUPERINTENDENT OF ELECTRIC TRANSMISSION/DISTRIBUTION (OPEN)

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of an Open examination for the above mentioned classification.

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$26,273.96 - \$66,396.19 per year.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE RECEIVED FOR ENTRANCE TO THE EXAMINATION FROM 8:30 A.M. ON MONDAY, FEBRUARY 23, 2003 UNTIL 4:30 P.M. ON FRIDAY, FEBRUARY 27, 2003.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON FRIDAY, FEBRUARY 27, 2003.

THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.

EXAMINATION INFORMATION

TYPE: EXPERIENCE EVALUATION: Applicant's grade will be determined based on Education and Experience found in Resume.

NOTE: Each applicant is required to submit a detailed resume of his/her education and experience at the time of filing application.

NOTE: THE CIVIL SERVICE COMMISSION RESERVES THE RIGHT TO REVIEW AND EVALUATE ANY AND ALL INFORMATION CONTAINED IN THE APPLICATION OR RESUME. LACK OF HONESTY WILL RESULT IN IMMEDIATE REMOVAL FROM THE ELIGIBLE LIST.

DUTIES OF THE POSITION

Under administrative direction, supervises the work activities performed within one or more Cleveland Public Power work units. Oversees and inspects the work performed by field crews. Schedules Electric Meter or Electric Transmission and

Distribution work crews. Schedules and coordinates work and manpower requirements. Tracks power schedule requirements. May prepare recommendations related to work practices and/or equipment specifications. Oversees power station maintenance activities. Prepares reports and maintains records and logs related to electric distribution or meter operations. Performs other job-related duties as required.

MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:

A High School Diploma or G.E.D. is required. A Bachelor's Degree in Electrical Engineering or related field is required. Two (2) years of full time paid experience working with the electric grid and electric generation, transmission, and distribution is required. Two years of full time paid responsible experience in electrical troubleshooting and operations, including the installation and restoration of service and maintenance and repair of electric distribution facilities is required. Substitution: One year of full time paid relevant experience may substitute for each year of post-secondary education lacking. Supervisory experience is required. A valid State of Ohio Driver's License is required. Must have successfully completed the electric lineman apprenticeship certificate program. Must have a general knowledge of OSHA regulations and SCADA (Supervising Control and Data Acquisition).

NOTE: Applicants will be required to pay a \$10.00 (TEN DOLLARS) filing fee. Applicants who are currently employed in this position with the City of Cleveland are exempt. However, that when an applicant is disqualified from taking an examination on the basis of age, education or failure to meet other minimum entrance requirements, the fee paid by such applicant shall be refunded to such applicant upon the applicant's request in writing made within ten (10) days after the date of examination.

NOTE: All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Civil Service Commission will make copies for a standard fee.

NOTE: Any applicant who resigns or is dismissed from employment with the City of Cleveland will have his/her name removed from the eligible list.

AN EQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 3

BRICKLAYER HELPER (OPEN)

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of an Open examination for the above mentioned classification.

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$22.14 - \$32.91 per hour.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE RECEIVED FOR ENTRANCE TO THE EXAMINATION FROM 8:30 A.M. ON MONDAY, FEBRUARY 23, 2004 UNTIL 4:30 P.M. ON FRIDAY, FEBRUARY 27, 2004.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON FRIDAY, FEBRUARY 27, 2004.

THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.

EXAMINATION INFORMATIONTYPE: WRITTEN

NOTE: THE CIVIL SERVICE COMMISSION RESERVES THE RIGHT TO REVIEW AND EVALUATE ANY AND ALL INFORMATION CONTAINED IN THE APPLICATION OR RESUME. LACK OF HONESTY WILL RESULT IN IMMEDIATE REMOVAL FROM THE ELIGIBLE LIST.

DUTIES OF THE POSITION

Under immediate supervision and instruction, to assist bricklayers by performing the less skilled tasks as directed; and to perform related duties as required.

MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:

A High School Diploma or G.E.D. is required. Two (2) years of full time paid experience in related construction and repair work is required. A valid State of Ohio Driver's License is required. Must be able to lift and carry up to 100 lbs.

NOTE: Applicants will be required to pay a \$10.00 (TEN DOLLARS) filing fee. Applicants who are currently employed in this position with the City of Cleveland are exempt. However, that when an applicant is disqualified from taking an examination on the basis of age, education or failure to meet other minimum entrance requirements, the fee paid by such applicant shall be refunded to such applicant upon the applicant's request in writing made within ten (10) days after the date of examination.

NOTE: All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Civil Service Commission will make copies for a standard fee.

NOTE: Any applicant who resigns or is dismissed from employment with the City of Cleveland will have his/her name removed from the eligible list.

NOTE: Those persons who are residents of the City of Cleveland and who received passing Scores shall have ten (10) additional points added to their grades. See accompanying list of acceptable forms of proof of residency applicants need to present at the time of filing.

AN EQUAL OPPORTUNITY EMPLOYERAPPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 4BRICKLAYER (OPEN)

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of an Open examination for the above mentioned classification.

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$28.06 - \$35.08 per hour.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE RECEIVED FOR ENTRANCE TO THE EXAMINATION FROM 8:30 A.M. ON MONDAY, FEBRUARY 23, 2004 UNTIL 4:30 P.M. ON FRIDAY, FEBRUARY 27, 2004.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON FRIDAY, FEBRUARY 27, 2004.

THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.

EXAMINATION INFORMATIONTYPE: WRITTEN

NOTE: THE CIVIL SERVICE COMMISSION RESERVES THE RIGHT TO REVIEW AND EVALUATE ANY AND ALL INFORMATION CONTAINED IN THE APPLICATION OR RESUME. LACK OF HONESTY WILL RESULT IN IMMEDIATE REMOVAL FROM THE ELIGIBLE LIST.

DUTIES OF THE POSITION

Under supervision, to lay brick and other materials in the construction and repair of foundations, walls, and other structures; and to perform related duties as required.

MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:

A High School Diploma or G.E.D. is required. Two (2) years of full time paid experience as a Journeyman Bricklayer is required. Must have completed apprenticeship training. A valid State of Ohio Driver's License is required. Must be able to lift and carry up to 80 lbs.

NOTE: Applicants will be required to pay a \$10.00 (TEN DOLLARS) filing fee. Applicants who are currently employed in this position with the City of Cleveland are exempt. However, that when an applicant is disqualified from taking an examination on the basis of age, education or failure to meet other minimum entrance requirements, the fee paid by such applicant shall be refunded to such applicant upon the applicant's request in writing made within ten (10) days after the date of examination.

NOTE: All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Civil Service Commission will make copies for a standard fee.

NOTE: Any applicant who resigns or is dismissed from employment with the City of Cleveland will have his/her name removed from the eligible list.

NOTE: Those persons who are residents of the City of Cleveland and who received passing Scores shall have ten (10) additional points added to their grades. See accompanying list of acceptable forms of proof of residency applicants need to present at the time of filing.

AN EQUAL OPPORTUNITY EMPLOYERAPPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 5CASE WORKER I (OPEN)

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of an Open examination for the above mentioned classification.

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$9.20 - \$16.37 per hour.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE RECEIVED FOR ENTRANCE TO THE EXAMINATION FROM 8:30 A.M. ON MONDAY, FEBRUARY 23, 2004 UNTIL 4:30 P.M. ON FRIDAY, FEBRUARY 27, 2004.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON FRIDAY, FEBRUARY 27, 2004.

THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.

EXAMINATION INFORMATIONTYPE: WRITTEN

NOTE: THE CIVIL SERVICE COMMISSION RESERVES THE RIGHT TO REVIEW AND EVALUATE ANY AND ALL INFORMATION CONTAINED IN THE APPLICATION OR RESUME. LACK OF HONESTY WILL RESULT IN IMMEDIATE REMOVAL FROM THE ELIGIBLE LIST.

DUTIES OF THE POSITION

Under supervision, to do case work in the handling of cases of applicants and clients in need and/or emergency relief; and to perform related duties as required.

MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:

High School Diploma or G.E.D. is required. An Associate Degree in Social Work or a closely related field from an accredited college or university is also required. A Bachelor's Degree is preferred. Applicant must be able to lift a minimum of thirty pounds. Applicant must possess a valid state of Ohio driver's license or state I.D. Substitution: One year of directly related case-work experience may substitute for each year of education lacking.

NOTE: Applicants will be required to pay a \$10.00 (TEN DOLLARS) filing fee. Applicants who are currently employed in this position with the City of Cleveland are exempt. However, that when an applicant is disqualified from taking an examination on the basis of age, education or failure to meet other minimum entrance requirements, the fee paid by such applicant shall be refunded to such applicant upon the applicant's request in writing made within ten (10) days after the date of examination.

NOTE: All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Civil Service Commission will make copies for a standard fee.

NOTE: Any applicant who resigns or is dismissed from employment with the City of Cleveland will have his/her name removed from the eligible list.

NOTE: Those persons who are residents of the City of Cleveland and who received passing Scores shall have ten (10) additional points added to their grades. See accompanying list of acceptable forms of proof of residency applicants need to present at the time of filing.

AN EQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 6

CONSTRUCTION TECHNICIAN (OPEN)

Public notice is hereby given by the Civil Service Commission of Cleve-

land, Ohio of an Open examination for the above mentioned classification.

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$12.02 - \$20.71 per hour.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE RECEIVED FOR ENTRANCE TO THE EXAMINATION FROM 8:30 A.M. ON MONDAY, FEBRUARY 23, 2004 UNTIL 4:30 P.M. ON FRIDAY, FEBRUARY 27, 2004.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON FRIDAY, FEBRUARY 27, 2004.

THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.

EXAMINATION INFORMATION

TYPE: EXPERIENCE EVALUATION: Applicant's grade will be determined based on Education and Experience found in Resume.

NOTE: Each applicant is required to submit a detailed resume of his/her education and experience at the time of filing application.

NOTE: THE CIVIL SERVICE COMMISSION RESERVES THE RIGHT TO REVIEW AND EVALUATE ANY AND ALL INFORMATION CONTAINED IN THE APPLICATION OR RESUME. LACK OF HONESTY WILL RESULT IN IMMEDIATE REMOVAL FROM THE ELIGIBLE LIST.

DUTIES OF THE POSITION

Under immediate supervision, to do routine work of a technical nature in civil engineering; to perform related duties as required.

MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:

High School Diploma or G.E.D. required. Associate Degree in Civil/Construction Engineering or a closely related field from an accredited college or trade school. One year of directly related experience in the Civil/Construction Engineering, Drafting or Surveying field. Valid state of Ohio driver's license in also required. Must be able to lift a minimum of thirty pounds. Substitution: Two years of directly related experience may substitute for each year of education lacking.

NOTE: Applicants will be required to pay a \$10.00 (TEN DOLLARS) filing fee. Applicants who are cur-

rently employed in this position with the City of Cleveland are exempt. However, that when an applicant is disqualified from taking an examination on the basis of age, education or failure to meet other minimum entrance requirements, the fee paid by such applicant shall be refunded to such applicant upon the applicant's request in writing made within ten (10) days after the date of examination.

NOTE: All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Civil Service Commission will make copies for a standard fee.

NOTE: Any applicant who resigns or is dismissed from employment with the City of Cleveland will have his/her name removed from the eligible list.

NOTE: Those persons who are residents of the City of Cleveland and who received passing Scores shall have ten (10) additional points added to their grades. See accompanying list of acceptable forms of proof of residency applicants need to present at the time of filing.

AN EQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 7

COPY CENTER OPERATOR (OPEN)

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of an Open examination for the above mentioned classification.

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$9.20 - \$16.64 per hour.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE RECEIVED FOR ENTRANCE TO THE EXAMINATION FROM 8:30 A.M. ON MONDAY, FEBRUARY 23, 2004 UNTIL 4:30 P.M. ON FRIDAY, FEBRUARY 27, 2004.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON FRIDAY, FEBRUARY 27, 2004.

THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.

EXAMINATION INFORMATION

TYPE: EXPERIENCE EVALUATION: Applicant's grade will be determined based on Education and Experience found in Resume.

NOTE: Each applicant is required to submit a detailed resume of his/her education and experience at the time of filing application.

NOTE: THE CIVIL SERVICE COMMISSION RESERVES THE RIGHT TO REVIEW AND EVALUATE ANY AND ALL INFORMATION CONTAINED IN THE APPLICATION OR RESUME. LACK OF HONESTY WILL RESULT IN IMMEDIATE REMOVAL FROM THE ELIGIBLE LIST.

DUTIES OF THE POSITION

Under general supervision, performs manual and machine tasks in support of a full-service reprographic operation. Prepares, processes and maintains records. Conducts basic equipment maintenance. Maintains a clean and orderly work area. Performs equivalent duties at the Division of Printing as directed. Delivers finished product to customers. Performs job related tasks as required.

MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:

A High School Diploma or G.E.D. is required. Five (5) years of experience in a print shop or successful completion of an accredited post-secondary program in printing equipment operation. Valid Ohio Driver's License is required. Must have the ability to lift approximately 60 lbs. As well as proficiency with a variety of print shop equipment including high-speed production copiers. Must be knowledgeable of all major printing processes including digital printing systems. Thorough understanding of print shop safety practices is required.

NOTE: Applicants will be required to pay a \$10.00 (TEN DOLLARS) filing fee. Applicants who are currently employed in this position with the City of Cleveland are exempt. However, that when an applicant is disqualified from taking an examination on the basis of age, education or failure to meet other minimum entrance requirements, the fee paid by such applicant shall be refunded to such applicant upon the applicant's request in writing made within ten (10) days after the date of examination.

NOTE: All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Civil Service Commission will make copies for a standard fee.

NOTE: Any applicant who resigns or is dismissed from employment with the City of Cleveland will have his/her name removed from the eligible list.

NOTE: Those persons who are residents of the City of Cleveland and who received passing Scores shall have ten (10) additional points added to their grades. See accompanying list of acceptable forms of proof of residency applicants need to present at the time of filing.

AN EQUAL OPPORTUNITY EMPLOYER

**APPROVED C.S.C MINUTES
ANNOUNCEMENT NO. 8**

ELEVATOR INSPECTOR (OPEN)

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of an Open examination for the above mentioned classification.

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$14.23 - \$21.84 per hour.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE RECEIVED FOR ENTRANCE TO THE EXAMINATION FROM 8:30 A.M. ON MONDAY, FEBRUARY 23, 2004 UNTIL 4:30 P.M. ON FRIDAY, FEBRUARY 27, 2004.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON FRIDAY, FEBRUARY 27, 2004.

THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.

EXAMINATION INFORMATION

TYPE: EXPERIENCE EVALUATION: Applicant's grade will be determined based on Education and Experience found in Resume.

NOTE: Each applicant is required to submit a detailed resume of his/her education and experience at the time of filing application.

NOTE: THE CIVIL SERVICE COMMISSION RESERVES THE RIGHT TO REVIEW AND EVALUATE ANY AND ALL INFORMATION CONTAINED IN THE APPLICATION OR RESUME. LACK OF HONESTY WILL RESULT IN IMMEDIATE REMOVAL FROM THE ELIGIBLE LIST.

DUTIES OF THE POSITION

Under general supervision, to make inspections of passenger and freight elevators for the purpose of insuring compliance with laws, ordinances, rules and regulations governing their safety and operation; and to perform related duties as required.

MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:

High School Diploma or G.E.D. is required. Applicant must possess a valid State of Ohio Inspectors License. Must have three (3) years experience in the installation, construction, inspection or repair of elevators. Applicant must be able to lift a minimum of thirty pounds.

Applicant must possess a valid state of Ohio driver's license.

NOTE: Applicants will be required to pay a \$10.00 (TEN DOLLARS) filing fee. Applicants who are currently employed in this position with the City of Cleveland are exempt. However, that when an applicant is disqualified from taking an examination on the basis of age, education or failure to meet other minimum entrance requirements, the fee paid by such applicant shall be refunded to such applicant upon the applicant's request in writing made within ten (10) days after the date of examination.

NOTE: All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Civil Service Commission will make copies for a standard fee.

NOTE: Any applicant who resigns or is dismissed from employment with the City of Cleveland will have his/her name removed from the eligible list.

NOTE: Those persons who are residents of the City of Cleveland and who received passing Scores shall have ten (10) additional points added to their grades. See accompanying list of acceptable forms of proof of residency applicants need to present at the time of filing.

AN EQUAL OPPORTUNITY EMPLOYER

**APPROVED C.S.C MINUTES
ANNOUNCEMENT NO. 9**

JUNIOR CITY PLANNER (OPEN)

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of an Open examination for the above mentioned classification.

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$9.20 - \$17.95 per hour.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE RECEIVED FOR ENTRANCE TO THE EXAMINATION FROM 8:30 A.M. ON MONDAY, FEBRUARY 23, 2004 UNTIL 4:30 P.M. ON FRIDAY, FEBRUARY 27, 2004.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON FRIDAY, FEBRUARY 27, 2004.

THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.

EXAMINATION INFORMATION

TYPE: EXPERIENCE EVALUATION: Applicant's grade will be determined based on Education and Experience found in Resume.

NOTE: Each applicant is required to submit a detailed resume of his/her education and experience at the time of filing application.

NOTE: THE CIVIL SERVICE COMMISSION RESERVES THE RIGHT TO REVIEW AND EVALUATE ANY AND ALL INFORMATION CONTAINED IN THE APPLICATION OR RESUME. LACK OF HONESTY WILL RESULT IN IMMEDIATE REMOVAL FROM THE ELIGIBLE LIST.

DUTIES OF THE POSITION

Under immediate supervision of persons in a higher planning grade, to do drafting, calculations, reports, surveys, research and design work; and to perform related duties as required.

MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:

A High School Diploma or G.E.D. is required. An Associate's Degree in Urban Planning, Architecture, Landscape Architecture, or a closely related field from an accredited college or university is required. One year of full time paid experience in a related field is required. Substitution: One (1) year of full time paid experience in a related field may substitute for each year of post secondary education lacking.

NOTE: Applicants will be required to pay a \$10.00 (TEN DOLLARS) filing fee. Applicants who are currently employed in this position with the City of Cleveland are exempt. However, that when an applicant is disqualified from taking an examination on the basis of age, education or failure to meet other minimum entrance requirements, the fee paid by such applicant shall be refunded to such applicant upon the applicant's request in writing made within ten (10) days after the date of examination.

NOTE: All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Civil Service Commission will make copies for a standard fee.

NOTE: Any applicant who resigns or is dismissed from employment with the City of Cleveland will have his/her name removed from the eligible list.

NOTE: Those persons who are residents of the City of Cleveland and who received passing Scores shall have ten (10) additional points added to their grades. See accompanying list of acceptable forms of proof of residency applicants need to present at the time of filing.

AN EQUAL OPPORTUNITY EMPLOYER

REYNALDO GALINDO,
President

February 18, 2004

SCHEDULE OF THE BOARD OF ZONING APPEALS

MONDAY, MARCH 1, 2004

9:30 A.M.

Calendar No. 04-30: 5700 Fullerton Avenue (Ward 12)

Alex Lebovitch, owner, appeals to erect a one-story, single family frame dwelling on a 32' x 53' existing foundation, situated on a 37' x 130' corner parcel in a Local Retail Business District on the southeast corner of East 57th Street and Fullerton Avenue at 5700 Fullerton Avenue; contrary to the Yards and Courts Regulations in Section 357.05(b)(1), where a distance of 2.3' is provided for the side street yard and 5' is required; and contrary to Section 357.06(a), no front yard setback is provided where 12' is required; and the interior side yards provided are 2.3' and 3', or a total width of 5.3', where the total interior side yards required are 10' and no interior side yard shall be less than 3' in width as stated in Section 357.09(2)B of the Codified Ordinances.

Calendar No. 04-31: 4009 Bailey Avenue (Ward 14)

Ramiro Ortega, owner, appeals to erect a 25' x 3.6' wrap-around wooden porch to the front of an existing two-story dwelling and a 20' x 22' one-story private garage to the east of the dwelling, all situated on an approximate 60' x 145' irregular shaped parcel, located in a Two-Family District on the south side of Bailey Avenue at 4009 Bailey Avenue; contrary to the Yards and Courts Regulations, where the proposed porch is a distance of 3.6' and the distance of the garage is 6' and 4' and no building shall be less than 10' from a main building on an adjoining lot as stated in Section 357.09(2)A of the Codified Ordinances.

Calendar No. 04-32: 3200-04 Carroll Avenue (Ward 14)

The International Church of the Four Square Gospel, owner c/o Pastor Don Hallum, appeals to construct a parking lot that has twelve parking spaces on a 64' x 50' corner parcel located in a Two-Family District on the west side of Carroll Avenue at the intersection of Carroll Avenue and West 32nd Street at 3200-04 Carroll Avenue; contrary to Section 349.13(c), where the Board of Zoning Appeals may permit a parking lot in a Residence District if the lot abuts or is across the street from a district other than a Residence District, and the proposed lot is surrounded by a Two-Family District; and contrary to Section 349.05(a), where no parking space shall be located within a 10' distance of any wall of a residential building or structure if such wall contains a ground floor opening designed to provide light or ventilation for such building; and there is no landscaping provided where Section 349.08 requires that a 4' wide, densely planted landscape strip shall separate the parking lot from the adjacent residential lots; and contrary to the Land-

scaping and Screening provisions of Section 352.10, where a 6' wide frontage strip is required along Carroll Avenue and West 32nd Street and none is provided; and contrary to Sections 357.04(a) and 357.05(a) of the Yards and Courts Regulations, there is no front yard setback provided along Carroll Avenue and no side street yard width along West 32nd Street, and the parking of motor vehicles in the required front setback is prohibited as stated in Section 357.14 of the Codified Ordinances.

Calendar No. 04-33: 4277 West 150th Street (Ward 20)

Boykin Cleveland, LLC, owner, c/o Ron Pohl, agent, appeals to erect a 16' x 40' freeway interchange sign in the existing northeast parking lot area of the Cleveland Airport Marriott Hotel, situated on an acreage parcel in a General Retail Business District on the east side of West 150th Street at 4277 West 150th Street; contrary to the provisions for Sign Regulations, where a 640 s/f sign face area is proposed and no sign face area of a freeway interchange sign shall exceed 225 s/f as stated in Section 350.09(c) of the Codified Ordinances.

EUGENE CRANFORD, JR.,
Secretary

REPORT OF THE BOARD OF ZONING APPEALS

TUESDAY, FEBRUARY 17, 2004

At the meeting of the Board of Zoning Appeals on Tuesday, February 17, 2004, the following appeals were heard by the Board:

The following appeals were **Approved:**

Calendar No. 04-21: 3200 West 33rd Street

Mercedarian Plaza LP appealed to erect a three-story, 30 unit, senior housing apartment building in a Two-Family District.

Calendar No. 04-29: 13511 Union Avenue

Mt. Pleasant NOW Development Corporation appealed to erect a three-story, 48 unit senior housing building and a 37 space parking lot in a General Retail Business District and a Semi-Industry District.

The following appeals were **Denied:**

Calendar No. 04-18: 11113 Fidelity Avenue

Anthony Lusardo appealed to erect a 15'-6" x 21' deck to the rear of a one family dwelling and to install 63 l/f of privacy fence along the eastern perimeter of a 40' x 129' parcel in a Two-Family District.

Calendar No. 04-19: 777 East 143rd Street

Eddie Clark, d.b.a. United Truck & Auto Salvage appealed to establish use as a salvage/auto wrecking yard an acreage parcel in a General Industry District.

The following appeal was **Postponed:**

Calendar No. 04-22: 14109 Benwood Avenue postponed to March 8, 2004.

The following appeal was **Withdrawn:**

Calendar No. 04-01: 917 East 105th Street
James Richardson appealed to use for an outdoor food sales trailer, a vacant portion of a 110' x 175' corner lot in a Local Retail Business District.

On Tuesday, February 17, 2004, in Executive Session:

The following appeals were heard by the Board on Monday, February 9, 2004, and said decisions were approved and adopted in Executive Session on Tuesday, February 17, 2004:

The following appeals were **Approved:**

Calendar No. 04-14: 18901 St. Clair Avenue
David Pysell appealed to establish use as a used car lot and repair an existing one-story brick building on an irregular shaped corner parcel in a General Industry and a Semi-Industry District.

Calendar No. 04-16: 4553 West 130th Street
Richard Bogdan appealed to change a one-story masonry building to an auto repair (muffler and exhaust installation and repair) in a General Retail Business District; subject to conditions.

Calendar No. 04-17: 6966 Broadway Avenue
The Alliance of Poles appealed to install an 8' high wood fence to enclose a dumpster and two air conditioner units at the rear of a brick building in a General Retail Business District.

Calendar No. 04-20: 410 West 152nd Street
The Cleveland Municipal School District appealed to erect a two-story kindergarten through 8th grade public school in a Two-Family and a Multi-Family District.

Calendar No. 04-23: 701 W. Lakeside Avenue
Pinnacle 701 LLC appealed to erect a three level parking garage addition and six additional floors for 80 residential apartment units over a two-story brick parking garage building in a Limited Retail Business District.

The following appeal was **Denied:**

Calendar No. 04-15: 18235 Euclid Avenue
Kimco of Ohio appealed to maintain existing dumpsters that are not screened nor enclosed along the rear of a shopping center in a General Retail Business District and a Shopping Center District.

EUGENE CRANFORD, JR.,
Secretary

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

Re: Report of the Meeting of February 11, 2004

As required by the provisions of Section 3103.20(2) of the Codified Ordinances of the City of Cleveland, Ohio 1976, the following brief of action of the subject meeting is given for publication in The City Record:

* * *

Docket A-130-03.

RE: Appeal of Susan S. Slaughter, Owner of the Two & One-half Story Frame Residential Property located on the premises known as 14101 Woodworth Avenue from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE of the Commissioner of the Department of Building and Housing, dated October 22, 2003, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to REMAND the property at 14101 Woodworth Avenue to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Bradley.
Yeas: Messrs. Denk, Saunders, Gallagher, Saab, Bradley. Nays: None.

* * *

Continued from January 28, 2004 — Docket A-132-03.

RE: Appeal of Global Builders & Jessie Johnson, Owners of the One & One-half Story Brick Residential Property located on the premises known as 13121 Terminal Avenue from a NOTICE OF VIOLATION — INTERIOR/EXTERIOR MAINTENANCE of the Commissioner of the Department of Building and Housing, dated October 15, 2003, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to REMAND the property at 13121 Terminal Avenue to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Saunders.
Yeas: Messrs. Denk, Saunders, Gallagher, Saab, Bradley. Nays: None.

* * *

Docket A-134-03.

RE: Appeal of Male House I. LLC, Owner of the Two & One-half Story Frame Mixed Use Property located on the premises known as 6031 St. Clair Avenue from a 30 DAY CONDEMNATION ORDER — MS of the Commissioner of the Department of Building and Housing, dated October 28, 2003, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

No action this date, the docket will be rescheduled in six (6) weeks, noting that the roof can be repaired and that the Condemnation Order is still enforced.

* * *

Docket A-136-03.

RE: Appeal of Bredt-Zanick, L.L.C., Owner of the Property located on the premises known as 2850 West 3rd Street from a NOTICE OF VIOLATION — FIRE CODE of the Chief of the Division of Fire, dated November 22, 2003, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to approve the abandonment of the existing fire alarm system, noting the concurrence of the Fire Prevention Bureau. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Gallagher.

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

* * *

Docket A-137-03.

RE: Appeal of George M. Greenawalt, Owner of the Residential Property located on the premises known as 11604 Governor Avenue from a NOTICE OF NONCONFORMANCE of the Commissioner of the Department of Building and Housing, dated November 25, 2003, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to grant the variance and permit the garage to be erected with the side lot line three (3) feet from the house with normal construction, and that the rear wall is to be constructed of one hour fire resistive rating, noting that it is 1'8" from the property line. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Saab.

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

* * *

Docket A-140-03.

RE: Appeal of Kenneth F. Brichacek, Owner of the Property located on the premises known as 5210 Franklin Boulevard from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE of the Commissioner of the Department of Building and Housing, dated November 24, 2003, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant until March 1, 2004 in which to clean and remove the debris, and to grant the Appellant until March 11, 2004 in which to organize the landscape work. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Bradley.

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

Docket A-141-03.

RE: Appeal of Joseph K. Hasrouni, Owner of the Two Story Brick Mixed Use Property located on the premises known as 1902 West 65th Street (aka 1900-12 West 65th Street) from a LIMITATION ON THE PERMIT of the Commissioner of the Department of Building and Housing, dated November 14, 2003, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to REMAND the property at 1902 West 65th Street (aka 1900-12 West 65th Street) to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Gallagher.

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

* * *

Docket A-144-03.

RE: Appeal of Ajaz Emini, Owner of the Residential Property located on the premises known as 4584 Rocky River Drive from a NOTICE OF NONCONFORMANCE of the Commissioner of the Department of Building and Housing, dated October 21, 2003, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to DENY the Appellant's appeal request to reuse the existing foundation due to the fact that it is substantially deteriorated and will not conform at the property at 4584 Rocky River Drive; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Saab.

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

* * *

Docket A-1-04.

RE: Appeal of Brooklyn Memorial United Methodist Church, Owner of the Property located on the premises known as 3784 Pearl Road from an ADJUDICATION ORDER of the Commissioner of the Department of Building and Housing, dated December 19, 2003, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to grant the variance and permit the two (2) doors to be constructed with 1-1/2 hour relabeled doors, noting that the rating of the two (2) walls are approximately two (2) hours and that the City concurs with the usage under those stipulations. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Bradley.

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

* * *

Docket A-8-04.

RE: Appeal of Stonebridge Center, Owner of the Property located on the premises known as 2100 Superi-

or Viaduct (aka 2019 Center Street) from an ADJUDICATION ORDER of the Commissioner of the Department of Building and Housing, dated January 26, 2004, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to grant the variance to the requirement for the fireproof structural system, noting the heavy timber construction and direct access to a grade location from the 5th floor, and noting that there is a one-hour horizontal separation at the 5th floor; and to permit the 5th floor to be used as a restaurant as proposed. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Bradley.

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

* * *

APPROVAL OF RESOLUTIONS:

Separate motions were entered by Mr. Saunders and seconded by Mr. Gallagher for Approval and Adoption of the Resolutions as presented by the Secretary for the following Dockets respectively, subject to the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC):

- A-139-03—James W. Romantic.
- A-3-04—Chester Partyka.
- A-7-04—James J. DeCaprio.

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

* * *

APPROVAL OF MINUTES:

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

January 28, 2004

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

* * *

EUGENE CRANFORD, JR.,
Secretary

PUBLIC NOTICE

Ordinance No. 2186-03, passed by the Council of the City of Cleveland on December 15, 2003, authorizes the submission to the electors of the City of Cleveland on Tuesday, March 2, 2004, of a proposal to amend Sections 116 and 126 of the Charter of the City of Cleveland, to read as follows:

§116 Police Force; Control by Chief

The Police Force shall consist of a Chief, three Deputy Chiefs of Police, eleven Commanders of Police, and such other officers,

patrolmen and employees as may be provided by ordinance or resolution of the Council. The Mayor may appoint a fourth Deputy Chief of Police for homeland security and a twelfth Commander of Police for community policing. In case of riot or like emergency the Mayor may appoint additional patrolmen and officers for temporary service who need not be in the classified service. The Chief of Police, the Deputy Chiefs of Police, and the Commanders of Police shall be appointed by the Mayor from the division of police or they may be persons appointed from outside the division who shall have had training and experience in law enforcement and they shall serve at the pleasure of the Mayor; provided, however, that the Mayor shall appoint to the positions of Deputy Chief of Police and Commander of Police from among persons recommended by the Chief of Police with the concurrence of the executive head of the police force if such executive head be other than the Mayor. The Council may, by ordinance, direct the Mayor to make appointments of minorities to the positions of Deputy Chief of Police and Commander of Police. Upon the termination of their service as Chief of Police, Deputy Chief of Police, or Commander of Police they shall, if appointed from the division of police, revert to the civil service status held by them at the time of their appointment, in so far as it is competent for this charter so to provide. The Chief of Police shall have exclusive control of the stationing and transfer of patrolmen and other officers and employees constituting the Police Force, under such rules and regulations as may be established by the Mayor or by the director of the department to whom the Chief of Police may be immediately responsible.

§126 Division into Classified and Unclassified Service

The civil service of the City is hereby divided into the unclassified and classified service.

1. The unclassified service shall include:

- (a) All officers elected by the people.
- (b) All directors of departments.
- (c) The Clerk of Council.
- (d) The Chief of Police, four Deputy Chiefs of Police, and twelve Commanders of Police.
- (e) The members of all boards or commissions appointed by the Mayor and of advisory boards appointed by the director of a department.
- (f) The secretary to the mayor and one secretary for each director of a department.
- (g) Eight (8) executive assistants to the Mayor, provided, however, that there shall be no restrictions as to their duties or assignments.
- (h) Students enrolled in a recognized college or university in a course of training in preparation for an administrative or professional career in the public service and employed upon the recommendation of the official in charge of personnel administration as student aides for training purposes without limitation as to assignment or duties.
- (i) School crossing guards.

(j) Members of the auxiliary police force.

2. The classified service shall comprise all positions not specifically included by this charter in the unclassified service. There shall be in the classified service three classes to be known as the competitive class, the noncompetitive class and the ordinary unskilled labor class.

(a) The competitive class shall include all positions and employment for which it is practicable to determine the merit and fitness of applicants by competitive tests.

(b) The noncompetitive class shall include all positions requiring peculiar and exceptional qualifications of a scientific, managerial, professional or educational character, as may be determined by the Commission, the fitness of applicants for which may be determined by non-competitive tests.

(c) The ordinary unskilled labor class shall include all ordinary unskilled labor positions for which it is impractical to give competitive tests. Such positions shall be filled from unskilled labor eligible lists established and maintained by the Commission. The Commission shall register applicants for positions in the labor class either continuously or at such times as there are vacancies to be filled, provided, however, that no registration may be accepted until public notice of the intention to so accept registrations shall be made by the Commission. Priority of such registration shall determine an applicant's place on the eligible list, provided the applicant meets required standards as to age, citizenship, physical fitness and residence as established by the Commission. Eligibility to be called for examination following registration shall expire one year following the date of registration.

The Civil Service Commission shall be the sole authority under the Charter to determine the grade and classification of positions as to duties and responsibilities in all branches of the classified service.

Valarie J. McCall
City Clerk, Clerk of Council

February 18, 2004

NOTICE OF PUBLIC HEARING

Notice of Public Hearing By the Council Committee On City Planning

**Mercedes Cotner Committee Room 217
City Hall, Cleveland, Ohio
On Wednesday, February 25, 2004
1:30 P.M.**

Notice is hereby given to all interested property owners that the Council Committee on City Planning will hold a public hearing in the Mercedes Cotner Committee Room 217, City Hall, Cleveland, Ohio, on Wednesday, February 25, 2004, at 1:30 P.M., to consider the following ordinances now pending in the Council:

Ord. No. 2407-03.

By Council Member Coats.

An ordinance to change the zoning of properties south of the Norfolk and Western Rail Right of Way between Octavia Road and Clarkstone Road from a General Industry Use District, a Semi-Industry Use District, and a Multi-Family Residential Use District to a Residence-Industry Use District, and from a "3" Height District to a "2" Height District (Map Change No. 2103, Sheet No. 7)

Ord. No. 2457-03.

By Council Member Reed.

An ordinance to change the zoning of properties along Union Avenue from East 116th to East 127th Streets (Map Change No. 2098, Sheet No. 10) from a General Retail Business Use District to a Two-Family Residential Use District and from a "C" Area District to a "B" Area District and to change the zoning of properties on the Southeast corner of Union Avenue and East 124th Street (Map Change No. 2105, Sheet No. 10) from a General Retail Business Use District to a Local Retail Business Use District.

Ord. No. 2458-03.

By Council Member Reed.

An ordinance to change the zoning of properties along Kinsman Road from East 117th to East 123rd Streets (Map Change No. 2099, Sheet No. 10) and along Kinsman between East 125th and East 126th Streets (Map Change No. 2104, Sheet No. 10) from Local Retail Business Use Districts to Two-Family Residential Use Districts and from "C" Area to "B" Area Districts.

Ord. No. 8-04.

By Council Member Reed.

An ordinance to change the zoning of properties north of Kinsman Road from East 152nd Street to East 153rd Street from a Local Retail Business Use District to an RA-2 Townhouse Use District (Map Change No. 2109, Sheet No. 10).

Ord. No. 9-04.

By Council Member Reed.

An ordinance to change the zoning of properties north of Kinsman Road between East 132nd and East 134th Streets from a Local Retail Business Use District and a Two-Family Residential Use District to a Multi-Family Use District; from a "B" Area District to a "C" Area District; and from a "2" Height District to a "1" Height District (Map Change No. 2106, Sheet No. 10).

Ord. No. 10-04.

By Council Member Reed.

An ordinance to change the zoning of properties along Kinsman Road and Union Avenue from East 130th Street to East 139th Street from a Local Retail Business Use District, General Retail Business Use District, and Semi-Industry Use District to a Residence-Office Use District; from a "C" Area District to a "B" Area District; and from a "2" Height District to a "1" Height District (Map Change No. 2108, Sheet No. 10).

Ord. No. 11-04.

By Council Members Reed and Johnson.

An ordinance to change the zoning of properties along Kinsman Road between East 137th and East 146th Streets from a General Retail Business Use District to a Local Retail Business Use District and from a "2" Height District to a "1" Height District (Map Change No. 2107, Sheet No. 10).

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

JOSEPH C. CIMPERMAN,
Chairman
Committee on City Planning

February 11, 2004 and February 18, 2004

NOTICE OF PUBLIC HEARING

February 5, 2004

Dear Interested Party:

The Fair Employment Wage Board of the City of Cleveland is charged with providing an evaluation of the impact of the Fair Employment Wage Ordinance after its first three years. In order to prepare such an evaluation, The Fair Employment Wage Board is planning a public hearing to gather comments on the application of the law.

The Hearing will be held on Wednesday February 18, 2004 from 1 to 3 p.m. at Cleveland City Hall, Room 514, 601 Lakeside Avenue, Cleveland, OH 44114.

Anyone who has comments is invited to testify. The Board would prefer that testimony be limited to 5 minutes per person and copies of testimony or recommendations be presented in writing for the record. Those invited to testify include businesses to which the Fair Employment Wage applies, business support groups, union groups, advocacy groups, and any other interested individual or group.

After the hearing, the Fair Employment Wage Board will prepare a report on the laws effect over the last three years and make recommendations for consideration by the City Administration and the City Council.

Please contact Gerald Meyer at 216-592-2262 or Tanya Jones at 216-664-2406 if you need additional information.

Sincerely,

GERALD H. MEYER,
Chairperson
Fair Employment Wage Board

February 11, 2004 and February 18, 2004

**Rules And Regulations
For the
50/50 Hazardous Sidewalk
Repair Program
Department Of Public Service**

These Rules and Regulations are issued pursuant to Section 6 of Ordinance Number 725-02, passed June 10, 2002, as amended by Ordinance No. 1262-03, passed July 16, 2003. These Rules and Regulations shall take effect immediately upon publication in the City Record.

1. The Program shall be available on a first-come, first-serve basis to eligible residents. To be eligible for the Program, an individual must reside in a ward for which Council has appropriated funds for this purpose. The sidewalks to be repaired must be adjacent to the individual's residence.

2. The sidewalks must be determined to be in an unsafe or dangerous condition, in the opinion of the Director of Public Service or designee.

3. Residents may participate in this Program by paying fifty percent of the estimated costs of the improvements as provided by the Division of Engineering & Construction and by signing an authorization form authorizing the City to construct the sidewalk improvements. Payment must be received by the City of Cleveland prior to any work being performed.

4. All work performed under the Program shall be performed by the City's contractor, under the direction and control of the Department of Public Service. The City shall not be liable for any claims arising during performance of the work or after the work has been performed.

5. The resident must not act in a manner that will interfere with the City's contractor and must cooperate fully with any reasonable request by the City or its contractor in connection with performance of the work.

6. If the resident's portion of the shared cost exceeds the estimated payment, the City shall invoice the resident for the additional payment, which payment shall be due within thirty (30) days of the date of the invoice. If the resident's portion of the shared cost is less than the estimated payment, the City shall refund the overpayment within thirty (30) days after receipt of actual cost information from the Department of Public Service.

7. If, at any time during the one-year period following the date of completion of the work, the resident finds any defects, omissions or inadequacies for any cause which may be attributed to the City's contractor, the resident must promptly notify the Director of Public Service in writing. Upon such notification, the Director or his designee shall determine if a defect or omission or inadequacy exists, which determination shall be binding on the resident. If there is a defect, omission or inadequacy, the Director shall demand that the City's contractor correct it.

8. Tree removal may be required to provide proper lines and grades on the sidewalk only after authorization by the City Forester. Trees removed as part of this program will be at the sole expense of the

City. If a tree is not removed, the cost of root grinding shall be shared on a 50-50 basis by the City and resident. The City Forester's decision whether or not to authorize tree removal shall be final.

9. These Rules and Regulations may be amended upon publication of amended Rules and Regulations in the City Record.

Mark W. Ricchiuto, Director
Department of Public Service

February 18, 2004

CITY OF CLEVELAND BIDS

For All Departments

Sealed bids will be received at the office of the Commissioner of Purchases and Supplies, Room 12S, City Hall, in accordance with the appended schedule, and will be opened and read in Room 12S, 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, FEBRUARY 25, 2004

Glenville Recreation Center Playground Improvements, for the Division of Research, Planning & Development, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 1114-02, passed by the Council of the City of Cleveland, June 17, 2002.

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

THERE WILL BE A NON-MANDATORY PRE-BID MEETING,

THURSDAY, FEBRUARY 19, 2004 AT 10:00 A.M., BURKE LAKEFRONT AIRPORT, 1ST FLOOR CONFERENCE ROOM, 1501 NORTH MARGINAL ROAD, CLEVELAND, OHIO 44114.

Labor & Materials Necessary to Repair and Maintain Various Pump Stations, for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Ordinance No. 2139-03, passed by the Council of the City of Cleveland, December 15, 2003.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING, FRIDAY, FEBRUARY 20, 2004 AT 10:00 A.M., DIVISION OF WATER POLLUTION CONTROL, RED CONFERENCE ROOM, 12302 KIRBY AVENUE, CLEVELAND, OHIO 44108.

February 11, 2004 and February 18, 2004

THURSDAY, FEBRUARY 26, 2004

Rehabilitation of Kinsman Road from East 93rd Street to East Corp. Line, for the Division of Engineering & Construction, Department of Public Service, as authorized by Ordinance Nos. 482-02, 1530-02 and 990-03, passed by the Council of the City of Cleveland, May 13, 2002, November 25, 2002 and June 10, 2003, respectively.

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

THERE WILL BE A MANDATORY PRE-BID MEETING, TUESDAY, FEBRUARY 17, 2004 AT 2:30 P.M., CITY HALL, ROOM 6 (BASEMENT), 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

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

Miscellaneous-Sized Steel Plates, for the various divisions of the Department of Finance, as authorized by Ordinance No. 2021-03, passed by the Council of the City of Cleveland, November 10, 2003.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING, FRIDAY, FEBRUARY 20, 2004 AT 10:00 A.M., CITY HALL, 601 LAKESIDE AVENUE, ROOM 104, CLEVELAND, OHIO 44114.

February 11, 2004 and February 18, 2004

WEDNESDAY, MARCH 3, 2004

Labor & Materials to Repair Water Mains-Area: West, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 2311-03, passed by the Council of the City of Cleveland, December 15, 2003.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING, FRIDAY, FEBRUARY 20, 2004 AT 1:30 P.M., CARL B. STOKES PUBLIC UTILITIES BUILDING, AUDITORIUM-1ST FLOOR, 1201 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

One (1) Yard Crane — New or Used, for the various divisions of the Department of Finance, as authorized by Ordinance No. 1169-03, passed by the Council of the City of Cleveland, July 16, 2003.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, MONDAY, FEBRUARY 23, 2004 AT 2:00 P.M., DIVISION OF MOTOR VEHICLE MAINTENANCE, 4150 EAST 49TH STREET, BUILDING #1, CLEVELAND, OHIO 44105.

Two (2) Cab/Chassis with Digger/Derrick Device, for the various divisions of the Department of Finance, as authorized by Ordinance No. 1169-03, passed by the Council of the City of Cleveland, July 16, 2003.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, MONDAY, FEBRUARY 23, 2004 AT 2:30 P.M., DIVISION OF MOTOR VEHICLE MAINTENANCE, 4150 EAST 49TH STREET, BUILDING #1, CLEVELAND, OHIO 44105.

February 11, 2004 and February 18, 2004

WEDNESDAY, MARCH 10, 2004

Labor & Materials Necessary to Remove Rubber and Any Other Contaminants from Paved Surfaces, for various divisions of the Department of Port Control, as authorized by Ordinance No. 2031-03, passed by the Council of the City of Cleveland, December 15, 2003.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, WEDNESDAY, FEBRUARY 25, 2004 AT 11:00 A.M., CLEVELAND HOPKINS INTERNATIONAL AIRPORT'S CENTRAL RECEIVING BUILDING, 19451 FIVE POINTS ROAD, CLEVELAND, OHIO 44135.

February 11, 2004 and February 18, 2004

WEDNESDAY, MARCH 3, 2004

Tree Lawn Repair, for various divisions of the Department of Public Utilities, as authorized by Ordinance No. 1153-03, passed by the Council of the City of Cleveland, August 13, 2003.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, THURSDAY, FEBRUARY 26, 2004 AT 10:30 A.M., DIVISION OF WATER — METER CONFERENCE ROOM, 4600 HARVARD AVENUE, CLEVELAND, OHIO 44105.

February 18, 2004 and February 25, 2004

THURSDAY, MARCH 4, 2004

Golf Course Beverages, for the Division of Recreation, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 2092-03, passed by the Council of the City of Cleveland, January 26, 2004.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, FRIDAY, FEBRUARY 27, 2004 AT 11:00 A.M., CITY HALL, DIVISION OF RECREATION, CONFERENCE ROOM 8, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

Golf Course Food, for the Division of Recreation, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 2092-03, passed by the Council of the City of Cleveland, January 26, 2004.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, FRIDAY, FEBRUARY 27, 2004 AT 10:00 A.M., CITY HALL, DIVISION OF RECREATION, CONFERENCE ROOM 8, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

February 18, 2004 and February 25, 2004

FRIDAY, MARCH 5, 2004

Fertilizer, Pesticide and Seeds for Golf Courses, for the Division of Recreation, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 2092-03, passed by the Council of the City of Cleveland, January 26, 2004.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, THURSDAY, FEBRUARY 26, 2004 AT 1:00 P.M., SENECA GOLF COURSE, 975 METRO VALLEY PKWY., BROADVIEW HEIGHTS, OHIO 44147.

Cushman Equipment Parts for Golf Courses, for the Division of Recreation, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 2092-03, passed by the Council of the City of Cleveland, January 26, 2004.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, THURSDAY, FEBRUARY 26, 2004 AT 2:00 P.M., SENECA GOLF COURSE, 975 METRO VALLEY PKWY., BROADVIEW HEIGHTS, OHIO 44147.

Jacobsen Mower Parts for Golf Courses, for the Division of Recreation, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 2092-03, passed by the Council of the City of Cleveland, January 26, 2004.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, THURSDAY, FEBRUARY 26, 2004 AT 1:30 P.M., SENECA GOLF COURSE, 975 METRO VALLEY PKWY., BROADVIEW HEIGHTS, OHIO 44147.

Toro Mower Parts for Golf Courses, for the Division of Recreation, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 2092-03, passed by the Council of the City of Cleveland, January 26, 2004.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, THURSDAY, FEBRUARY 26, 2004 AT 1:30 P.M., SENECA GOLF COURSE, 975 METRO VALLEY PKWY., BROADVIEW HEIGHTS, OHIO 44147.

February 18, 2004 and February 25, 2004

FRIDAY, MARCH 12, 2004

Sodium Hypochlorite Solution, for the Division of Water, Department of Public Utilities, authorized by Section 129.24, of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, FRIDAY, FEBRUARY 27, 2004 AT 1:00 P.M., CROWN WATER TREATMENT PLANT, 955 CLAGUE ROAD, WESTLAKE, OHIO 44145.

February 18, 2004 and February 25, 2004

ADOPTED RESOLUTIONS AND ORDINANCES

Res. No. 210-04.

By Council Member Britt.
An emergency resolution objecting to a New C1 Liquor Permit at 2603 Woodhill Road.

Whereas, Council has been notified by the Department of Liquor Control of an application for a New C1 Liquor Permit at Ibal, Inc., 2603 Woodhill Road, Cleveland, Ohio 44104, Permanent Number 4118409; 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 Liquor Permit at Ibal, Inc., 2603 Woodhill Road, Cleveland, Ohio 44104, Permanent Number 4118409, 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.

Adopted February 9, 2004.

Awaiting the Approval or Disapproval of the Mayor.

Res. No. 211-04.
By Council Member Cimperman.
An emergency resolution withdrawing objections to the renewal and transfer of stock of a D5 and D6 Liquor Permit at 4829 Superior Avenue and repealing Resolution Nos. 1624-02 and 2460-03, objecting to said renewal and transfer.

Whereas, this Council objected to a D5 and D6 Liquor Permit to 4829 Superior Avenue by Resolution No. 1624-02 adopted by the Council on August 14, 2002 and Resolution No. 2460-03 adopted by the Council on December 15, 2003; and

Whereas, this Council wishes to withdraw its objections to the above renewal and transfer of stock and consents to said renewal and transfer of stock based upon and pursuant to a cooperation agreement by and through City Council Representative, Joseph Cimperman and Applicant, Inchl Kim, Vice President of SCS Enterprises, Inc., DBA Marbles Grill and Bar, 4829 Superior Avenue, Cleveland, Ohio 44103, Permanent Number 7933934, a copy of which is in the file for this address with the City Law Department; 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 objections to a D5 and D6 Liquor Permit to SCS Enterprises, Inc., DBA Marbles Grill and Bar, 4829 Superior Avenue, Cleveland, Ohio 44103, Permanent Number 7933934 be and the same is hereby withdrawn and Resolution Nos. 1624-02 and 2460-03, containing such objections, be and the same is hereby repealed and that this Council consents to the immediate renewal and transfer 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.

Adopted February 9, 2004.

Awaiting the Approval or Disapproval of the Mayor.

Res. No. 212-04.
By Council Member White.
An emergency resolution declaring this Council's support of the proposal of the NRC Group, LLC for the Union Miles Homes IV Housing Tax Credit Development to the Ohio Housing Finance Agency for the use of low-income housing tax credits.

Whereas, each year the Ohio Housing Finance Agency allocates housing credits for affordable housing developments throughout Ohio using a competitive proposal process; and

Whereas, the NRC Group, LLC is proposing to develop up to 40 single family homes on scattered sites in the Union Miles Neighborhood of Cleveland; and

Whereas, 100% of these homes will be occupied by families at or below 60% of the area median income and no housing units will be market rate; and

Whereas, 20% of these housing units will serve a special needs population, specifically households with a member or members having mobility and/or sensory impairment; and

Whereas, the NRC Group LLC proposal will benefit the citizens of the City; and

Whereas, this resolution constitutes an emergency measure for the immediate preservation of public peace, property, health or safety, now, therefore,

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

Section 1. That this Council hereby declares its support of the proposal of the NRC Group, LLC for the Union Miles Homes IV Housing Tax Credit Development to the Ohio Housing Finance Agency for the use of low-income housing tax credits.

Section 2. That the Clerk of Council is hereby directed to transmit two certified copies of this resolution to the project owner of the NRP Group LLC at 5309 Transportation Boulevard, Cleveland, 44125.

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.

Adopted February 9, 2004.

Awaiting the Approval or Disapproval of the Mayor.

Ord. No. 2136-03.
By Council Member Jackson (by departmental request).

An emergency ordinance authorizing the Director of Finance to employ one or more professional consultants to study, assess, market, and sell corporate sponsorships for City facilities and assets.

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 employ by contract or contracts one or more consultants or one or more firms of consultants for the purpose of providing professional services necessary to study, assess, and develop a request for proposal for marketing and selling corporate sponsorships for City facilities and assets.

Section 2. That the Director of Finance 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 market, negotiate and sell corporate sponsorships for City facilities and assets.

Section 3. The selection of the consultant or consultants or firms of consultants for the services shall be made by the Board of Control on the

nomination of the Director of Finance from a list of qualified consultant or consultants or firms of consultants available for employment as may be determined after a full and complete canvass by the Director of Finance for the purpose of compiling the lists. 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 and approved and certified by the Director of Finance. That the contract or contracts authorized by this ordinance shall include a term stating that the consultant or consultants shall not consider changing the name of any neighborhood in the City for purposes of corporate sponsorships.

Section 4. That the cost of authorized contracts shall be paid from the fund or funds appropriated for the use of the various departments in City government responsible for managing the City facilities and assets marketed under the contracts.

Section 5. That notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Director of Parks, Recreation, and Properties is authorized to enter into one or more amendments to City Contract No. 56140 ("Concession Agreement") between the City of Cleveland and Lum's Vending and Food Service, Inc. and Cleveland Coca-Cola Bottling Company, Inc., a Joint Venture, to extend the term of the Concession Agreement until the earlier of: (a) the City enters into a corporate sponsorship agreement for soft drinks, candy, snack, and other vending machines throughout City parks and various City-owned and City-leased buildings, or (b) the City enters a new concession agreement for soft drinks, candy, snack, and other vending machines throughout City parks and various City-owned and City-leased buildings under the authority of Ordinance No. 39-03, passed by Cleveland City Council on May 12, 2003. That if the Director enters into any amendments to the Concession Agreement, the term of the Concession Agreement, as amended, shall not exceed December 31, 2004.

Section 6. 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.

Passed February 9, 2004.

Awaiting the Approval or Disapproval of the Mayor.

Ord. No. 2142-03.
By Council Members Polensek, Sweeney, Cimperman and Jackson (by departmental request).

An emergency ordinance determining the method of making the public improvement of rehabilitating, renovating, reconstructing, or otherwise improving The Collinwood Community Center of the Department of Community Development; authorizing the Director of Public Service to enter into one or more public improvement contracts for the making of the improvement; and authorizing the Director to employ one or more professional consultants to implement the improvement.

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, under Section 167 of the Charter of the City of Cleveland, it is determined to make the public improvement of rehabilitating, renovating, reconstructing, or otherwise improving The Collinwood Community Center of the Department of Community Development ("Improvement"), for the Department of Public Service, by one or more contracts duly let to the lowest responsible bidder or bidders after competitive bidding for a gross price for the Improvement.

Section 2. That the Director of Public Service is authorized to enter into one or more contracts for the making of the Improvement with the lowest responsible bidder or bidders after competitive bidding for a gross price for the Improvement, provided, however, that each separate trade and each distinct component part of the Improvement may be treated as a separate improvement, and each, or any combination, of the trades or components may be the subject of a separate contract for a gross price. On request of the Director the contractor shall furnish a correct schedule of unit prices, including profit and overhead, for all items constituting units of the Improvement.

Section 3. That the Director of Public Service 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 design the Improvement.

The selection of the consultants for the services shall be made by the Board of Control on the nomination of the Director of Public Service from a list of qualified consultants available for employment as may be determined after a full and complete canvass by the Director of Public Service 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 Public Service, and certified by the Director of Finance.

Section 4. That the cost of the contracts authorized shall be paid from Fund Nos. 20 SF 183, 20 SF 191, 20 SF 300, 20 SF 310, 20 SF 320, 20 SF 331, 20 SF 340, 20 SF 351, 20 SF 362, 20 SF 371, 20 SF 381, 20 SF 391, 11 SF 006, and 01-400100-693000, Request No. 115225.

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.

Passed February 9, 2004.

Awaiting the Approval or Disapproval of the Mayor.

Ord. No. 2143-03.

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

An emergency ordinance determining the method of making the public improvement of rehabilitating, renovating, reconstructing, or otherwise improving Cleveland City Hall; authorizing the Director of Public Service to enter into one or more public improvement contracts for the making of the improvement; and authorizing the Director to employ one or more professional consultants to implement the improvement.

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, under Section 167 of the Charter of the City of Cleveland, it is determined to make the public improvement of rehabilitating, renovating, reconstructing, or otherwise improving Cleveland City Hall ("Improvement"), for the Department of Public Service, by one or more contracts duly let to the lowest responsible bidder or bidders after competitive bidding for a gross price for the Improvement.

Section 2. That the Director of Public Service is authorized to enter into one or more contracts for the making of the Improvement with the lowest responsible bidder or bidders after competitive bidding for a gross price for the Improvement, provided, however, that each separate trade and each distinct component part of the Improvement may be treated as a separate improvement, and each, or any combination, of the trades or components may be the subject of a separate contract for a gross price. On request of the Director the contractor shall furnish a correct schedule of unit prices, including profit and overhead, for all items constituting units of the Improvement.

Section 3. That the Director of Public Service 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 design the Improvement.

The selection of the consultants for the services shall be made by the Board of Control on the nomination of the Director of Public Service from a list of qualified consultants available for employment as may be determined after a full and complete canvass by the Director of Public Service 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 Public Service, and certified by the Director of Finance.

Section 4. That the cost of the contracts authorized shall be paid from Fund Nos. 20 SF 183, 20 SF 191, 20 SF 300, 20 SF 310, 20 SF 320, 20 SF 331, 20 SF 340, 20 SF 351, 20 SF 362, 20 SF 371, 20 SF 381, 20 SF 391, 11 SF 006, and 01-400100-693000, Request No. 115227.

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.

Passed February 9, 2004.

Awaiting the Approval or Disapproval of the Mayor.

Ord. No. 2145-03.

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

An emergency ordinance determining the method of making the public improvement of rehabilitating, renovating, reconstructing, or otherwise improving various Department of Public Safety facilities; authorizing the Director of Public Service to enter into one or more public improvement contracts for the making of the improvement; and authorizing the Director to employ one or more professional consultants to implement the improvement.

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, under Section 167 of the Charter of the City of Cleveland, it is determined to make the public improvement of rehabilitating, renovating, reconstructing, or otherwise improving various Department of Public Safety facilities ("Improvement"), for the Department of Public Service, by one or more contracts duly let to the lowest responsible bidder or bidders after competitive bidding for a gross price for the Improvement.

Section 2. That the Director of Public Service is authorized to enter into one or more contracts for the making of the Improvement with the lowest responsible bidder or bidders after competitive bidding for a gross price for the Improvement, provided, however, that each separate trade and each distinct component part of the Improvement may be treated as a separate improvement, and each, or any combination, of the trades or components may be the subject of a separate contract for a gross price. On request of the Director the contractor shall furnish a correct schedule of unit prices, including profit and overhead, for all items constituting units of the Improvement.

Section 3. That the Director of Public Service 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 design the Improvement.

The selection of the consultants for the services shall be made by the Board of Control on the nomination of the Director of Public Service from a list of qualified consultants available for employment as may be determined after a full and complete canvass by the Director of Public Service 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 Public Service, and certified by the Director of Finance.

Section 4. That the cost of the contracts authorized shall be paid from Fund Nos. 20 SF 183, 20 SF 191, 20 SF 300, 20 SF 310, 20 SF 320, 20 SF 331, 20 SF 340, 20 SF 351, 20 SF 362, 20 SF 371, 20 SF 381, 20 SF 391, 11 SF 006, and 01-400100-693000, Request No. 115224.

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.

Passed February 9, 2004.

Awaiting the Approval or Disapproval of the Mayor.

Ord. No. 2146-03.

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

An emergency ordinance determining the method of making the public improvement of rehabilitating, renovating, reconstructing, or otherwise improving various Department of Public Service facilities; authorizing the Director of Public Service to enter into one or more public improvement contracts for the making of the improvement; and authorizing the Director to employ one or more professional consultants to implement the improvement.

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, under Section 167 of the Charter of the City of Cleveland, it is determined to make the public improvement of rehabilitating, renovating, reconstructing, or otherwise improving various Department of Public Service facilities ("Improvement"), for the Department of Public Service, by one or more contracts duly let to the lowest responsible bidder or bidders after competitive bidding for a gross price for the Improvement.

Section 2. That the Director of Public Service is authorized to enter into one or more contracts for the making of the Improvement with the lowest responsible bidder or bidders after competitive bidding for a gross price for the Improvement, provided, however, that each separate trade and each distinct component part of the Improvement may be treated as a separate improvement, and each, or any combination, of the trades or components may be the subject of a separate contract for a gross price. On request of the Director the contractor shall furnish a correct schedule of unit prices, including profit and overhead, for all items constituting units of the Improvement.

Section 3. That the Director of Public Service 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 de-

partments of the City of Cleveland in order to provide professional services necessary to design the Improvement.

The selection of the consultants for the services shall be made by the Board of Control on the nomination of the Director of Public Service from a list of qualified consultants available for employment as may be determined after a full and complete canvass by the Director of Public Service 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 Public Service, and certified by the Director of Finance.

Section 4. That the cost of the contracts authorized shall be paid from Fund Nos. 20 SF 183, 20 SF 191, 20 SF 300, 20 SF 310, 20 SF 320, 20 SF 331, 20 SF 340, 20 SF 351, 20 SF 362, 20 SF 371, 20 SF 381, 20 SF 391, 11 SF 006, and 01-400100-693000, Request No. 115226.

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.

Passed February 9, 2004.

Awaiting the Approval or Disapproval of the Mayor.

Ord. No. 2227-03.

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

An emergency ordinance determining the method of making the public improvement of rehabilitating and reconstructing Bennington Avenue and authorizing the Director of Public Service to enter into one or more public improvement contracts for the making of the improvement.

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, under Section 167 of the Charter of the City of Cleveland, it is determined to make the public improvement of rehabilitating and reconstructing Bennington Avenue between West 130th Street and the easterly end, for the Division of Engineering and Construction, Department of Public Service, by one or more contracts duly let to the lowest responsible bidder or bidders after competitive bidding on a unit basis for the improvement.

Section 2. That the Director of Public Service is authorized to enter into one or more contracts for the making of the public improvement with the lowest responsible bidder or bidders after competitive bidding on a unit basis for the improvement, provided, however, that each separate trade and each distinct component part of the improvement may be treated as a separate improvement, and each, or any combination, of the trades or components may be the subject of a separate contract on a unit basis.

Section 3. That the cost of the improvement authorized shall be paid from Fund Nos. 20 SF 334, 20 SF 342, 20 SF 353, 20 SF 364, 20 SF 373, 20 SF 380, 20 SF 383, and 20 SF 394, Request No. 138348.

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.

Passed February 9, 2004.

Awaiting the Approval or Disapproval of the Mayor.

Ord. No. 2241-03.

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

An emergency ordinance determining the method of making the public improvement of rehabilitating Lakeside Avenue and Van Aken Boulevard and authorizing the Director of Public Service to enter into one or more public improvement contracts for the making of the improvement.

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, under Section 167 of the Charter of the City of Cleveland, it is determined to make the public improvement of rehabilitating Lakeside Avenue between West 9th Street and East 9th Street and Van Aken Boulevard between Shaker Boulevard and Buckeye Road, for the Division of Engineering and Construction, Department of Public Service, by one or more contracts duly let to the lowest responsible bidder or bidders after competitive bidding on a unit basis for the improvement.

Section 2. That the Director of Public Service is authorized to enter into one or more contracts for the making of the public improvement with the lowest responsible bidder or bidders after competitive bidding on a unit basis for the improvement, provided, however, that each separate trade and each distinct component part of the improvement may be treated as a separate improvement, and each, or any combination, of the trades or components may be the subject of a separate contract on a unit basis.

Section 3. That the cost of the improvement authorized shall be paid from Fund Nos. 20 SF 334, 20 SF 342, 20 SF 353, 20 SF 364, 20 SF 373, 20 SF 380, 20 SF 383, and 20 SF 394, Request No. 138349.

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.

Passed February 9, 2004.

Awaiting the Approval or Disapproval of the Mayor.

Ord. No. 2329-03.
By Council Members Sweeney, Cimperman and Jackson (by departmental request).

An emergency ordinance determining the method of making the public improvement of repairing and constructing sidewalks, driveway aprons, curbing, curb ramps, median strips, intersections, bridge approaches, utility box, casting adjustments, and appurtenances necessary to provide a completed project; and authorizing the Director of Public Service to enter into one or more public improvement requirement contracts for the making of the improvement.

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, under Section 167 of the Charter of the City of Cleveland, it is determined to make the public improvement of constructing sidewalks, driveway aprons, curbing, curb ramps, median strips, intersections, bridge approaches, utility box, casting adjustments, and appurtenances necessary to provide a completed project, for the Division of Engineering and Construction, Department of Public Service, by one or more public improvement requirement contracts duly let to the lowest responsible bidder or bidders on a unit basis for the improvement.

Section 2. 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 term of one year for the making of the above public improvement with the lowest responsible bidder or bidders after competitive bidding on a unit basis for the improvement for a period not to exceed the specified term, purchased by the Commissioner of Purchases and Supplies on a unit basis for the Division of Engineering and Construction, Department of Public Service. 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 the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 3. That the costs of the contract or contracts shall be paid from Fund Nos. 10 SF 166, 14 SF 026, 14 SF 028, 14 SF 029, 10 SF 057, 20 SF 364, 20 SF 373, 20 SF 380, 20 SF 383, 20 SF 394, and shall also 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 138369)

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.

Passed February 9, 2004.

Awaiting the Approval or Disapproval of the Mayor.

Ord. No. 2330-03.
By Council Members Westbrook, Sweeney, Cimperman, and Jackson (by departmental request).

An emergency ordinance determining the method of making the public improvement of rehabilitating West 105th Street between Lorain Avenue and Bellaire Road; and authorizing the Director of Public Service to enter into one or more public improvement contracts for the making of the improvement.

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, under Section 167 of the Charter of the City of Cleveland, it is determined to make the public improvement of rehabilitating West 105th Street between Lorain Avenue and Bellaire Road, for the Division of Engineering and Construction, Department of Public Service, by one or more contracts duly let to the lowest responsible bidder or bidders after competitive bidding on a unit basis for the improvement.

Section 2. That the Director of Public Service is authorized to enter into one or more contracts for the making of the public improvement with the lowest responsible bidder or bidders after competitive bidding on a unit basis for the improvement, provided, however, that each separate trade and each distinct component part of the improvement may be treated as a separate improvement, and each, or any combination, of the trades or components may be the subject of a separate contract on a unit basis.

Section 3. That the cost of the improvement authorized shall be paid from Fund Nos. 20 SF 364, 20 SF 373, 20 SF 380, 20 SF 383, 20 SF 394, 20 SF 445, 52 F 001, 54 SF 001, and 58 SF 001, Request No. 138366.

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.

Passed February 9, 2004.

Awaiting the Approval or Disapproval of the Mayor.

Ord. No. 2333-03.
By Council Members Sweeney, Cimperman and Jackson (by departmental request).

An emergency ordinance determining the method of making the public improvement of rehabilitating Euclid Avenue between the East Cleveland corporation line and the Euclid corporation line; authorizing the Director of Public Service to enter into one or more public improvement contracts for the making of the improvement; and authorizing the Director to enter into a Local Project Administration Agreement with the Ohio Department of Transportation regarding the improvement.

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, under Section 167 of the Charter of the City of Cleveland, it is determined to make the public improvement of rehabilitating Euclid Avenue between the East Cleveland corporation line and the Euclid corporation line, for the Division of Engineering and Construction, Department of Public Service, by one or more contracts duly let to the lowest responsible bidder or bidders after competitive bidding on a unit basis for the improvement.

Section 2. That the Director of Public Service is authorized to enter into one or more contracts for the making of the public improvement with the lowest responsible bidder or bidders after competitive bidding on a unit basis for the improvement, provided, however, that each separate trade and each distinct component part of the improvement may be treated as a separate improvement, and each, or any combination, of the trades or components may be the subject of a separate contract on a unit basis.

Section 3. That the Director of Public Service is authorized to enter into a Local Project Administration Agreement with the Director of Transportation necessary to fund and construct the improvement.

Section 4. That the cost of the improvement authorized shall be paid from Fund Nos. 20 SF 364, 20 SF 373, 20 SF 380, 20 SF 383, 20 SF 394, 20 SF 443, 52 SF 001, 54 SF 001, 58 SF 001, and from the fund or funds to which are credited the proceeds of funds received under the Local Project Administration agreement, Request No. 138364.

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.

Passed February 9, 2004.

Awaiting the Approval or Disapproval of the Mayor.

Ord. No. 2334-03.
By Council Members Sweeney, Cimperman and Jackson (by departmental request).

An emergency ordinance determining the method of making the public improvement of rehabilitating Grayton Road between Puritas Avenue and the I-480 bridge; and authorizing the Director of Public Service to enter into one or more public improvement contracts for the making of the improvement.

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, under Section 167 of the Charter of the City of Cleveland, it is determined to make the public improvement of rehabilitating Grayton Road between Puritas Avenue and the I-480 bridge, for the Division of Engineering and Construction, Department of Public Service, by one or more contracts duly let to the lowest responsible bidder or bidders after competitive bidding on a unit basis for the improvement.

Section 2. That the Director of Public Service is authorized to enter into one or more contracts for the making of the public improvement with the lowest responsible bidder or bidders after competitive bidding on a unit basis for the improvement, provided, however, that each separate trade and each distinct component part of the improvement may be treated as a separate improvement, and each, or any combination, of the trades or components may be the subject of a separate contract on a unit basis.

Section 3. That the cost of the improvement authorized shall be paid from Fund Nos. 20 SF 364, 20 SF 373, 20 SF 380, 20 SF 383, 20 SF 394, 20 SF 444, 52 SF 001, 54 SF 001, and 58 SF 001, Request No. 138367.

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.

Passed February 9, 2004.

Awaiting the Approval or Disapproval of the Mayor.

Ord. No. 2426-03.
By Council Members Coats and Jackson (by departmental request).
An emergency ordinance authorizing the Director of Public Utilities to enter into one or more contracts with Cognos Corporation for the acquisition of one or more licenses for a financial information budgeting system and to upgrade and migrate the system, including but not limited to installation, design, training, testing, technical support, and software maintenance through September 18, 2007.

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 enter into one or more contracts with Cognos Corporation for professional services necessary for the acquisition of one or more licenses for a financial information budgeting system and to upgrade and migrate the system, including but not limited to installation, design, training, testing, technical support, and software maintenance through September 18, 2007 on the basis of its proposal dated November 24, 2003, in the total sum of \$148,053.35, for the Division of Water, Department of Public Utilities. The contract or contracts shall be paid from Fund No. 52 SF 001, Request No. 143086.

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.

Passed February 9, 2004.

Awaiting the Approval or Disapproval of the Mayor.

Ord. No. 2431-03.
By Council Members Coats and Jackson (by departmental request).
An emergency ordinance authorizing the Director of Public Utilities to apply for and accept a grant from American Public Power Association for the Case Western Reserve University North Residential Village Combined Cooling and Heating Program; and authorizing one or more contracts with Case Western Reserve University to implement the program.

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 apply for and accept a grant in the amount of \$20,000, from American Public Power Association to conduct the Case Western Reserve University North Residential Village Combined Cooling and Heating Program; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes set forth in the award letter and grant agreement for the grant contained in the file described below.

Section 2. That the award letter and grant agreement for the grant, File No. 2431-03-A, made a part of this ordinance as if fully rewritten, is approved in all respects.

Section 3. That the Director of Public Utilities is authorized to enter into one or more contracts with Case Western Reserve University to implement the program as described in the file.

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.

Passed February 9, 2004.

Awaiting the Approval or Disapproval of the Mayor.

Ord. No. 2433-03.
By Council Members Sweeney and Jackson (by departmental request).
An emergency ordinance to amend Section 6 of Ordinance No. 482-02, passed May 13, 2002, relating to the public improvement of rehabilitating a portion of Kinsman Road between East 93rd Street and the eastern corporation line.

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 6 of Ordinance No. 482-02, passed May 13, 2002, is amended to read as follows:

Section 6. That the cost of the improvement and services authorized shall be paid from Fund Nos. 10 SF 166, 11 SF 006, 20 SF 181, 20 SF 190, 20 SF 302, 20 SF 312, 20 SF 322, 20 SF 334, 20 SF 342, 20 SF 353, 20 SF 364, 20 SF 373, 20 SF 380, 20 SF 383, 20 SF 394, 52 SF 001, 54 SF 001, 58 SF 001, from the fund or

funds to which are credited the proceeds of the sale of general obligation bonds issued in 2002 authorized for this purpose, from the fund or funds to which are credited the proceeds of the grant accepted pursuant to this ordinance and are appropriated for this purpose, and from the fund or funds to which are credited the proceeds of the Ohio Public Works Commission grant authorized by Ordinance No. 1857-01.

Section 2. That existing Section 6 of Ordinance No. 482-02, passed May 13, 2002, 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.

Passed February 9, 2004.

Awaiting the Approval or Disapproval of the Mayor.

Ord. No. 3-04.
By Council Members Reed and Jackson (by departmental request).
An emergency ordinance authorizing the purchase by one or more requirement contracts of various equipment for the Division of Fire, Department of 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 Safety 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 hoses, nozzles, fittings, various emergency medical equipment, various types of small, safety, and rescue equipment, thermal imaging cameras, various types of appliances, an accountability system, and a records management system, including hardware, software, and peripherals, 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 Fire, Department of 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 the specified term 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 133738)

Section 3. That under Section 108(b) of the Charter, the purchases authorized by this ordinance may be

made through cooperative agreements using state procedures. The Director of Public Safety may sign all documents with the State of Ohio or any of its political subdivisions that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process.

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.

Passed February 9, 2004.

Awaiting the Approval or Disapproval of the Mayor.

Ord. No. 4-04.

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

An emergency ordinance determining to proceed to provide additional security for the Cleveland Theater District, cleaning and maintaining the public rights-of-way and Star Plaza within the District and collective marketing in the District in the City of Cleveland; adopting the assessments; and levying the assessments.

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 determined to proceed to provide additional security for the Cleveland Theater District, clean and maintain the public rights-of-way and Star Plaza within the District and collectively market the District (collectively, "District Services") in the Cleveland Theater District as established in Resolution No. 2094-03, adopted November 24, 2003 ("the Resolution of Necessity").

Section 2. That the District Services shall be performed under the provisions of the Resolution of Necessity, and consistent with the plans, specifications, profiles, and estimates previously approved and filed in the office of the Clerk of Council.

Section 3. That all claims for damages resulting from the District Services that have been filed under law shall be judicially inquired into after completion of the District Services.

Section 4. That it is further determined that the cost of the District Services to be assessed against benefited property shall be assessed in the amount, manner, and number of installments as provided for in the Resolution of Necessity.

Section 5. That the list of assessments for the cost of the District Services reported to this Council and now on file in the office of the Clerk of Council, and aggregating \$1,600,000 are adopted and confirmed as final assessments.

Section 6. That the several amounts of the final assessments are assessed and levied on the lots and lands benefited and to be charged therewith in the Cleveland Theater District, as described in the Resolution of Necessity, are calculated using the 2003 real property

valuations as determined by the County Auditor and certified by the State of Ohio as of the date of introduction of this ordinance. No subsequent change in any such valuation will be considered in making this calculation.

Section 7. That it is determined that the assessments do not exceed the special benefits resulting from the improvement, and do not exceed any statutory limitation.

Section 8. That the Clerk of Council is directed to continue to file in her office a list of the assessments and the description of the lots and lands.

Section 9. That the first year installment against each lot and parcel of land shall be payable in cash to the Commissioner of Assessments and Licenses of the City within thirty (30) days after the passage of this ordinance. The second through fifth annual installments shall be payable in cash within thirty (30) days after each of the next four anniversaries of the date of passage of this ordinance. All assessments and installments which have not been paid at the expiration of the respective thirty (30) day period shall be certified by the Clerk of Council to the County Auditor, to be placed by him on the tax duplicate and collected the same as other taxes, as provided by law.

Section 10. That the Clerk of this Council is directed to deliver a certified copy of this ordinance to the County Auditor within fifteen (15) days after the passage of this ordinance as required by Section 319.61 of the Revised Code.

Section 11. That the Clerk of this Council is directed to cause notice of the levy of the assessments to be filed with the County Auditor within twenty (20) days following the passage of this ordinance.

Section 12. That the Clerk of Council is directed to keep the adjusted assessments on file in her office for as long as any of them remain unpaid.

Section 13. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.

Section 14. 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.

Passed February 9, 2004.

Awaiting the Approval or Disapproval of the Mayor.

Ord. No. 64-04.

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

An emergency ordinance giving consent of the City of Cleveland to the Ohio Department of Transportation to upgrade and interconnect traffic signals at three intersections located in the Cities of Cleveland and Shaker Heights.

Whereas, this ordinance constitutes an emergency measure provid-

ing 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 declared to be in the public interest that consent of the City of Cleveland is given to the Director of Transportation of the State of Ohio (the "Director of Transportation") to make the following improvements under the plans, specifications and estimates approved by the Director of Transportation: to upgrade and interconnect the traffic signals at the intersections of Lee Road and Scottsdale Boulevard; Van Aken Boulevard and South Woodland Road; and North Moreland, Kemper Road, and Larchmere Boulevard, located both in the Cities of Cleveland and Shaker Heights (the "Improvement").

Section 2. That the City gives its consent to the Improvement and its administration by the Director of Transportation, provided that this ordinance shall not be construed to impose any financial obligation on the City for the Improvement. However, the City agrees to assume and contribute 100% of the cost of any item, included in the construction contracts at the request of the City, which are determined by the Director of Transportation to be ineligible or unnecessary for the Improvement.

Section 3. That the Director of Public Service is authorized to enter into agreements with the Director of Transportation necessary to complete the planning and construction of the Improvement.

Section 4. That on completion of the Improvement, the City will maintain the rights-of-way and keep them free of obstructions in a manner satisfactory to the Director of Transportation and hold the rights-of-way inviolate for public highway purposes and permit no signs, posters, billboards, roadside stands or other private installations within the limits of the rights-of-way.

Section 5. (a) That all existing streets and public rights-of-way within the City necessary for the Improvement shall be made available for the Improvement.

(b) That the City agrees that all rights-of-way required for the Improvement will be acquired and/or made available under current State and Federal regulations. The City also understands that right-of-way costs include eligible utility costs.

(c) That the installation of all utility facilities on the rights-of-way shall conform with the requirements of Title 23 CFR 645 and the ODOT Utilities Manual.

Section 6. That this Council requests the State to proceed with the Improvement.

Section 7. That the City agrees to allow the City of Shaker Heights to act as contractual agent for the Improvement.

Section 8. That the Clerk of Council is authorized to transmit to the Director of Transportation three (3) certified copies of this ordinance immediately on taking effect, and it shall become the basis for proceeding with the Improvement.

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.

Passed February 9, 2004.

Awaiting the Approval or Disapproval of the Mayor.

Ord. No. 94-04.

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

An emergency ordinance authorizing the Director of Public Service to enter into one or more agreements with the Cleveland Municipal School District, the Cleveland Public Libraries, and other entities to allow the placement and maintenance of City recycling bins on their properties.

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 any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Director of Public Service is authorized to enter into one or more agreements with the Cleveland Municipal School District, the Cleveland Public Libraries, and other entities to allow the City to place and maintain recycling bins on their properties.

Section 2. That the agreements shall be prepared by the Director of Law and shall contain terms and conditions as the Directors of Law and Public Service deem necessary to protect and benefit the public interest and that the agreements with public entities shall contain a provision that the City shall indemnify them against any injury, accident, or loss caused by the City's use of their properties or the City's nonperformance of its obligations under the agreements.

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.

Passed February 9, 2004.

Awaiting the Approval or Disapproval of the Mayor.

Ord. No. 116-04.

By Mayor Campbell and Council Member Brady.

An emergency ordinance to amend Sections 191.0318, 191.0501, 191.0901, and 191.1102, as amended by various ordinances, relating to including lottery and gambling winnings into the definition of taxable income, rate and taxable income, sources of income not taxed, and form and content of return.

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 following Sections of the Codified Ordinances of Cleveland, Ohio, 1976:

Section 191.0318, as amended by Ordinance No. 2393-03, passed November 28, 1966,

Section 191.0501, as amended by Ordinance No. 1619-80, passed

Section 191.0901, as amended by Ordinance No. 78-78, passed March 20, 1978, and

Section 191.1102, as amended by Ordinance No. 2393-03, passed November 28, 1966, are amended to read as follows:

Section 191.0318 Taxable Income

"Taxable income" means any and all income or compensation earned or received by an individual or an entity from whatever source before any deduction, that the City is not prohibited from taxing by federal law or state law, or that is not specifically exempted under Section 191.0901 of this chapter. Taxable income shall include, but not be limited to wages, salaries, commissions, profits, fees, lottery winnings and winnings from any and all types of gambling. Taxable income shall include the net profits from the operation of a business, profession, or other enterprise or business activity. Taxable income shall be adjusted in accordance with the provisions of this chapter and any rules and regulations duly adopted under this chapter.

Section 191.0501 Rate and Taxable Income

For the purposes specified in Section 191.0101, on and after January 1, 1967, an annual tax of one-half of one percent (0.5%) per annum shall be imposed upon the hereinafter specified income; provided that on an after July 1, 1968, the rate of tax shall be a total of one percent (1%) per annum; and that on and after March 1, 1979, the rate of such tax shall be a total of one and five-tenths percent (1.5%) per annum; and that on and after January 1, 1981, the rate of tax shall be two percent (2%) per annum. Such tax shall be imposed upon the following income:

(a) All wages, salaries, commissions, profits, fees, lottery winnings, winnings from any and all types of gambling, and other compensation earned or received by a resident of the City from whatever source on or after January 1, 1967 that the City is not prohibited from taxing by federal law or state law, or that is not specifically exempted under Section 191.0901 of this chapter, all as adjusted in accordance with the provisions of this chapter and any rules and regulations duly adopted under this chapter;

(b) All salaries, wages, commissions, and other compensation earned on and after January 1, 1967, by nonresidents of the City for work done or services performed or rendered within the City;

(c) (1) The portion attributable to the City on the net profits earned on and after January 1, 1967, of all resident unincorporated business entities or professions or other activities, derived from sales made, work done, services performed or rendered, and business, or other activities conducted in the City;

(2) The portion of the distributive share of the net profits earned on and after January 1, 1967, of a resident partner or owner of a resident unincorporated business entity not attributable to the City and not levied against such unincorporated business entity;

(d) (1) On the portion attributable to the City of the net profits earned on or after January 1, 1967, of all nonresident unincorporated business

entities, professions or other activities, derived from sales made, work done, services performed or rendered, and business, or other activities conducted in the City, whether or not such unincorporated business entity has an office or place of business in the City.

(2) On the portion attributable to the City of the net profits earned on and after January 1, 1967, of all corporations derived from sales made, work done, services performed or rendered, and business, or other activities conducted in the City, whether or not such corporations have an office or place of business in the City.

Section 191.0901 Sources of Income Not Taxed

The tax provided for in this chapter shall not be levied on the following:

(a) Pay or allowance of active members of the armed forces of the United States or the income of religious, fraternal, charitable, scientific, literary, or educational institutions to the extent that such income is derived from tax exempt real estate, tax exempt tangible or intangible property or tax exempt activities;

(b) Poor relief, unemployment insurance benefits, old age pensions or similar payments, including disability benefits received from local, State or Federal governments or charitable, religious, or educational organizations;

(c) Proceeds of insurance paid by reason of the death of the insured; pensions, disability benefits, annuities, or gratuities not in the nature of compensation for services rendered from whatever source derived;

(d) Receipts from seasonal or casual entertainment, amusements, sports events, and health and welfare activities when any such are conducted by bona fide charitable, religious, or educational organizations and associations;

(e) Alimony received;

(f) Personal earnings or any natural person under eighteen years of age;

(g) Compensation for personal injuries or for damages to property by way of insurance of otherwise;

(h) Interest, dividends, and other revenue from intangible property subject to the Ohio Intangible Property Tax or specifically exempted therefrom, provided, however, that this exemption does not apply to lottery, and all gambling winnings from any and all types of gambling;

(i) Gains from involuntary conversion, cancellation of indebtedness, interest on Federal obligations, items of income already taxed by the State which the City is specifically prohibited from taxing, and income of a decedent's estate during the period of administration, except such income from the operation of a business;

(j) Salaries, wages, commissions, and other compensation and net profits, the taxation of which is prohibited by the United States Constitution or any act of Congress limiting the power of the states or their political subdivisions to impose net income taxes on income derived from interstate commerce;

(k) Salaries, wages, commissions, and other compensation and net profits, the taxation of which is prohibited by the Constitution of the State or any act of the Ohio General Assembly limiting the power of the City to impose net income tax.

Section 191.1102 Form and Content of Return

The return shall be filed with the Administrator on a form furnished by or obtainable upon request from such Administrator, setting forth:

(a) The aggregate amounts of salaries, wages, commissions, profits, fees, lottery winnings, winnings from any and all types of gambling, other compensation, and other income earned or received, and gross income from business, profession, or other enterprise or business activity, less allowable expenses incurred in the acquisition of such gross income earned during the preceding year and subject to the tax;

(b) The amount of the tax imposed by this chapter on such earnings and profits; and

(c) Such other pertinent statements, information, returns, or other information as the Administrator may require.

Section 2. That the following existing Sections of the Codified Ordinances of Cleveland, Ohio, 1976:

Section 191.0318, as amended by Ordinance No. 2393-03, passed November 28, 1966,

Section 191.0501, as amended by Ordinance No. 1619-80, passed

Section 191.0901, as amended by Ordinance No. 78-78, passed March 20, 1978, and

Section 191.1102, as amended by Ordinance No. 2393-03, passed November 28, 1966, are 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.

Passed February 9, 2004.

Awaiting the Approval or Disapproval of the Mayor.

Ord. No. 167-04.

By Council Member Rybka.

An emergency ordinance to appropriate property for the public purpose of extending Bessemer Avenue.

Whereas, the Council of the City of Cleveland, by Resolution No. 2434-03, adopted January 26, 2004, declared the necessity and intention of appropriating the fee simple property interests described in this ordinance for the public purpose of extending Bessemer Avenue; and

Whereas, notice of the adoption of this resolution has been served on the persons in possession or having an interest in 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 for the public purpose of extending Bessemer Avenue, the following described fee simple interests are appropriated:

Exhibit 'A'

PID 20329

BESSEMER AVENUE EXTENSION
PARCEL 4-T1

Situated in the City of Cleveland, County of Cuyahoga, State of Ohio, and in Original 100 Acre Lot No. 325, further bounded and described as follows:

Commencing at an iron pipe found in the centerline of East 65th Street (66 feet wide) at its intersection with the centerline of Bessemer Avenue (70 feet wide), said point being at East 65th Street centerline Station 10+00.00 as shown by the Bessemer Avenue Extension Plans dated January 14, 2003 on file at the City of Cleveland, Division of Engineering and Construction;

Thence North 01°-10'-44" West a distance of 186.94 feet to a point lying at East 65th Street centerline Station 11+86.94;

Thence South 88°-49'-16" West a distance of 33.00 feet to a point in the Easterly line of lands conveyed to Richard M. Berg and Douglas Link Properties by deed recorded in Volume 87-0841 - Page 31 of the Cuyahoga County Records and the principal place of beginning. Said point lying 33.00 feet left of East 65th Street Station 11+86.94;

Thence along the arc of a curve deflecting to the right and having an arc distance of 76.99 feet, a radius of 35.00 feet and chord bearing South 61°-50'-04" West, 62.38 feet to a point of reverse curvature lying 30.00 feet left of Bessemer Avenue centerline Station 98+34.34;

Thence along the arc of a curve deflecting to the left and having an arc distance of 247.16 feet, a radius of 412.00 feet and chord bearing North 72°-20'-17" West, 243.47 feet to a point of tangency lying 30.00 feet left of Bessemer Avenue centerline Station 96+05.18;

Thence South 89°-31'-23" East a distance of 67.55 feet to a point of curvature;

Thence along the arc of a curve deflecting to the right and having an arc distance of 86.87 feet, a radius of 417.50 feet and chord bearing South 74°-15'-16" East, 86.71 feet to a point of tangency;

Thence South 66°-49'-47" East a distance of 54.85 feet to a point;

Thence South 58°-57'-39" East a distance of 54.03 feet to a point of curvature;

Thence along the arc of a curve deflecting to the left and having an arc distance of 51.41 feet, a radius of 30.86 feet and chord bearing North 50°-31'-46" East, 45.67 feet to a point;

Thence North 34°-19'-29" East a distance of 6.89 feet to a point lying 33.00 feet left of East 65th Street centerline Station 11+92.55;

Thence South 01°-10'-44" East a distance of 5.61 feet to the principal place of beginning and containing an area of 0.038 acres more or less but subject to all legal highways.

The above-described parcel is Auditor's Parcel Number 125-07-007.

Bearings are calculated from State Plane Coordinates of Cuyahoga County Regional Geodetic Survey and are to be used to denote angles only.

This description was calculated by Thomas M. Coffman Registered Surveyor No. 6857 and is based on a survey of Bessemer Avenue made by Ralph C. Tyler Company for the City of Cleveland in 2002.

Exhibit 'A'

PID 20329

BESSEMER AVENUE EXTENSION
PARCEL 4-WD

Situated in the City of Cleveland, County of Cuyahoga, State of Ohio, and in Original 100 Acre Lot No. 325, further bounded and described as follows:

Commencing at an iron pipe found in the centerline of East 65th Street (66 feet wide) at its intersection

with the centerline of Bessemer Avenue (70 feet wide), said point being at East 65th Street centerline Station 10+00.00 as shown by the Bessemer Avenue Extension Plans dated January 14, 2003 on file at the City of Cleveland, Division of Engineering and Construction; thence South 01°-10'-44" East a distance of 9.80 feet to a point lying at East 65th Street centerline Station 9+90.20;

Thence South 88°-49'-16" West a distance of 33.00 feet to a point in the easterly line of lands conveyed to Richard M. Berg and Douglas Link Properties by deed recorded in Volume 87-0841, Page 31 of Cuyahoga County Records and the principal place of beginning. Said point lying 33.00 feet left of East 65th Street Station 9+90.20;

Thence along the arc of a curve deflecting to the left and having an arc distance of 57.14 feet, a radius of 100.00 feet and chord bearing North 22°-53'-45" West, 56.37 feet to a point of compound curvature lying 30.00 feet right of Bessemer Avenue centerline Station 99+40.26;

Thence along the arc of a curve deflecting to the left and having an arc distance of 308.77 feet, a radius of 352.00 feet and chord bearing North 64°-23'-41" West, 298.96 feet to a point of tangency lying 30.00 feet left of Bessemer Avenue centerline Station 96+05.18;

Thence North 89°-31'-23" West a distance of 514.58 feet to a point lying 30.00 feet right of Bessemer Avenue centerline Station 90+90.60;

Thence North 01°-11'-26" West a distance of 60.03 feet to a point lying 30.00 feet left of Bessemer Avenue centerline Station 90+90.60;

Thence South 89°-31'-23" East a distance of 516.32 feet to a point of curvature lying 30.00 feet left of Bessemer Avenue centerline Station 96+05.18;

Thence along the arc of a curve deflecting to the right and having an arc distance of 247.16 feet, a radius of 412.00 feet and chord bearing South 72°-20'-17" East, 243.47 feet to a point of compound curvature lying 30.00 feet left of Bessemer Avenue centerline Station 98+34.34;

Thence along the arc of a curve deflecting to the left and having an arc distance of 76.99 feet, a radius of 35.00 feet and chord bearing North 61°-50'-04" East, 62.38 feet to a point of tangency lying 33.00 feet left of East 65th Street centerline Station 11+86.94;

Thence South 01°-10'-44" East a distance of 196.74 feet to the principal place of beginning and containing an area of 1.196 acres more or less but subject to all legal highways.

The above described parcel is Auditor's Parcel Number 125-07-007.

Bearings are calculated from State Plane Coordinates of Cuyahoga County Regional Geodetic Survey and are to be used to denote angles only.

This description was calculated by Thomas M. Coffman Registered Surveyor No. 6857 and is based on a survey of Bessemer Avenue made by Ralph C. Tyler Company for the City of Cleveland in 2002.

Exhibit 'A'

PID 20329

BESSEMER AVENUE EXTENSION
PARCEL 4-T2

Situated in the City of Cleveland, County of Cuyahoga, State of Ohio, and in Original 100 Acre Lot No. 325,

further bounded and described as follows:

Commencing at an iron pipe found in the centerline of East 65th Street (66 feet wide) at its intersection with the centerline of Bessemer Avenue (70 feet wide), said point being at East 65th Street centerline Station 10+00.00 as shown by the Bessemer Avenue Extension Plans dated January 14, 2003 on file at the City of Cleveland, Division of Engineering and Construction;

Thence South 01°-10'-44" East a distance of 9.80 feet to a point lying at East 65th Street centerline Station 9+90.20; thence South 88°-49'-16" West a distance of 33.00 feet to a point in the easterly line of lands conveyed to Richard M. Berg and Douglas Link Properties by deed recorded in Volume 87-0841, Page 31 of the Cuyahoga County Records and the principal place of beginning. Said point lying 33.00 feet left of East 65th Street Station 9+90.20;

Thence along the arc of a curve deflecting to the left and having an arc distance of 57.14 feet, a radius of 100.00 feet and chord bearing North 22°-53'-45" West, 56.37 feet to a point of compound curvature lying 30.00 feet right of Bessemer Avenue centerline Station 99+40.26;

Thence along the arc of a curve deflecting to the left and having an arc distance of 308.77 feet, a radius of 352.00 feet and chord bearing North 64°-23'-41" West, 298.96 feet to a point of tangency lying 30.00 feet left of Bessemer Avenue centerline Station 96+05.18;

Thence North 89°-31'-23" West a distance of 514.58 feet to a point lying 30.00 feet right of Bessemer Avenue centerline Station 90+90.60;

Thence South 01°-11'-26" East a distance of 7.02 feet to a point;

Thence South 85°-17'-27" East a distance of 9.08 feet to a point;

Thence South 88°-38'-39" East a distance of 115.32 feet to a point;

Thence South 89°-31'-23" East a distance of 384.89 feet to a point;

Thence South 78°-53'-38" East a distance of 133.05 feet to a point;

Thence South 58°-20'-50" East a distance of 90.39 feet to a point;

Thence South 46°-09'-31" East a distance of 90.35 feet to a point;

Thence South 36°-03'-03" East a distance of 25.10 feet to a point;

Thence South 13°-23'-57" East a distance of 18.56 feet to a point;

Thence South 80°-18'-21" West a distance of 11.18 feet to a point;

Thence South 01°-10'-26" East a distance of 24.74 feet to a point;

Thence North 89°-00'-20" East a distance of 16.00 feet to a point lying 33.00 feet left of Bessemer Avenue centerline Station 9+67.06 of East 65th Street as shown in the plans of Bessemer Avenue Extension;

Thence North 01°-10'-44" East a distance of 23.14 feet to the principal place of beginning and containing an area of 0.136 acres more or less and subject to all legal highways.

The above described parcel is Auditor's Parcel Number 125-07-007.

Bearings are calculated from State Plane Coordinates of Cuyahoga County Regional Geodetic Survey and are to be used to denote angles only.

This description was calculated by Thomas M. Coffman Registered Surveyor No. 6857 and is based on a survey of Bessemer Avenue made by Ralph C. Tyler Company for the City of Cleveland in 2002.

Section 2. That the Director of Law is directed to apply to a court

of competent jurisdiction to have a jury impaneled to make inquiry into and assess the compensation to be paid for the fee simple interests described above.

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.

Passed February 9, 2004.

Effective February 12, 2004.

Ord. No. 205-04.

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

An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the County of Cuyahoga for the 2003 Urban Area Security Initiative Program; authorizing one or more requirement contracts for the purchase of training, equipment, and services necessary to implement the grant; authorizing the Director to employ one or more professional consultants necessary to implement the grant; and authorizing agreements with the County of Cuyahoga and the American Red Cross Greater Cleveland Chapter.

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 Safety is authorized to apply for and accept a grant in the amount of \$2,855,087.00, from the County of Cuyahoga to conduct the 2003 Urban Area Security Initiative ("UASI") Program; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes set forth in the award letter and other documents for the grant contained in the file described below.

Section 2. That the award letter and other documents for the grant, File No. 205-04-A, made a part of this ordinance as if fully rewritten, is approved in all respects.

Section 3. That the Director of Public Safety 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 necessary items of training, equipment, and services needed to implement the program as described in the file. 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 shall determine. Alternate bids for a period less than the grant term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

That under Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative agreements using state procedures. The Director of Public Safety may sign all documents with the State of Ohio or any

of its political subdivisions that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process.

Section 4. That the Director of Public Safety 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 implement the grant as described in the file.

The selection of the consultants for the services shall be made by the Board of Control on the nomination of the Director of Public Safety from a list of qualified consultants available for employment as may be determined after a full and complete canvass by the Director of Public Safety 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 Public Safety, and certified by the Director of Finance.

Section 5. That, in addition, the sum of not more than \$38,000 is appropriated to the Department of Public Safety for administrative costs necessary to implement the Program.

Section 6. That the costs of the contracts authorized by this ordinance shall be charged against the fund or funds which are credited the grant proceeds accepted under this ordinance and 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.

Section 7. That The Director of Public Safety is authorized to enter the following agreements with the following entities in the amounts specified for purposes of implementing the grant as described in the file:

County of Cuyahoga	\$518,208.00
American Red Cross Greater Cleveland Chapter	\$ 15,000.00

Section 8. That the Director of Public Safety shall have the authority to extend the term of the grant if the extension does not involve an increase in the dollar amount of the grant specified above.

Section 9. That the contractual authority authorized by this ordinance is intended to authorize only the purchase of the categories of equipment identified in the letter from Mr. Withrow to Mr. Draper dated January 26, 2004 and supporting documents contained in the above-mentioned file, and to implement the services and programs described in the file. Additional legislative authority shall be required to enter into contract for any items of equipment, or for any services or programs, not identified in the file.

Section 10. 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.

Passed February 9, 2004.

Awaiting the Approval or Disapproval of the Mayor.

Ord. No. 206-04.

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

An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the County of Cuyahoga for the 2003 State Homeland Security Grant Program, Part II; and authorizing one or more requirement contracts for the purchase of vehicles, equipment, and services necessary to implement the grant.

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 Safety is authorized to apply for and accept a grant in the amount of \$1,089,511.00, from the County of Cuyahoga to conduct the 2003 State Homeland Security Grant Program, Part II; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes set forth in the award letter and other documents for the grant contained in the file described below.

Section 2. That the award letter and other documents for the grant, File No. 206-04-A, made a part of this ordinance as if fully rewritten, is approved in all respects.

Section 3. That the Director of Public Safety 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 necessary items of vehicles, equipment, and services needed to implement the program as described in the file. 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 shall determine. Alternate bids for a period less than the grant term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 4. That the costs of the contracts authorized by this ordinance shall be charged against the fund or funds which are credited the grant proceeds accepted under this ordinance and 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.

Section 5. That under Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative agreements using state procedures. The Director of Public Safety may sign all documents with the State of Ohio or any of its political subdivisions that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process.

Section 6. That the Director of Public Safety shall have the authority to extend the term of the grant if the extension does not involve an increase in the dollar amount of the grant specified above.

Section 7. That the contractual authority authorized by this ordinance is intended to authorize only the purchase of the categories of equipment identified in the letter from Mr. Withrow to Mr. Draper dated January 26, 2004 and supporting documents contained in the above-mentioned file, and to implement the services and programs described in the file. Additional legislative authority shall be required to enter into contract for any items of equipment, or for any services or programs, not identified in the file.

Section 8. 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.

Passed February 9, 2004.

Awaiting the Approval or Disapproval of the Mayor.

Ord. No. 207-04.

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

An emergency ordinance to amend Section 2 of Ordinance No. 1501-03, passed December 15, 2003, relating to authorizing the Director of Community Development to expend funds and to enter into contracts for the implementation of homeless assistance activities and with Cuyahoga County to operate the Cleveland/Cuyahoga County Office of Homeless Services.

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 2 of Ordinance No. 1501-03, passed December 15, 2003, is amended to read as follows:

Section 2. That the aggregate cost of the contracts authorized in Section 1 of this ordinance shall be in an amount not to exceed \$1,773,000.00 and shall be paid from Fund Nos. 13 SF 981, 14 SF 028 and 14 SF 029, Request No. 125748.

Section 2. That existing Section 2 of Ordinance No. 1501-03, passed December 15, 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.

Passed February 9, 2004.

Awaiting the Approval or Disapproval of the Mayor.

Ord. No. 209-04.

By Council Member Pierce Scott. An emergency ordinance amending the Title and Section 1 of Ordinance No. 1988-03, passed October 13, 2003 as it pertains to the New Fellowship Missionary Baptist Church After-school Leaders of Tomorrow Program through the use of Ward 8 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 and Section 1 of Ordinance No. 1988-03, passed October 13, 2003 are hereby amended to read as follows:

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with the New Fellowship Missionary Baptist Church for an After-school Leaders of Tomorrow Program through the use of Ward 8 Neighborhood Equity Funds.

Section 1. That the Director of Community Development is authorized to enter into an agreement with the New Fellowship Missionary Baptist Church for the After-school Leaders of Tomorrow Program for the public purpose of providing remedial education to Cleveland school children that have educational deficiencies through the use of Ward 8 Neighborhood Equity Funds.

Section 2. That the Title and Section 1 of Ordinance No. 1988-03, passed October 13, 2003 are 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.

Passed February 9, 2004.

Awaiting the Approval or Disapproval of the Mayor.

COUNCIL COMMITTEE MEETINGS

**Tuesday, February 17, 2004
9:00 a.m.**

Finance Committee: Present in Finance: Jackson, Chair; Sweeney, Vice Chair; Brady, Britt, Coats, Gordon, O'Malley, Reed, Pierce Scott, Westbrook, White.

**Wednesday, February 18, 2004
9:00 a.m.**

Finance Committee: Present in Finance: Jackson, Chair; Sweeney, Vice Chair; Brady, Britt, Coats, Gordon, Reed, White. *Authorized Absence:* Pierce Scott, Westbrook, O'Malley.

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