

# The City Record

Official Publication of the Council of the City of Cleveland



February the Twenty-Third, Two Thousand and Five

**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

The City Record is available online at  
[www.clevelandcitycouncil.org](http://www.clevelandcitycouncil.org)

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# DIRECTORY OF CITY OFFICIALS

## CITY COUNCIL – LEGISLATIVE

President of Council – Frank G. Jackson

Ward	Name	Residence	
1	Joseph T. Jones	4691 East 177th Street	44128
2	Robert J. White	9703 Cardwell Avenue	44105
3	Zachary Reed	3734 East 149th Street	44120
4	Kenneth L. Johnson	2948 Hampton Road	44120
5	Frank G. Jackson	2327 East 38th Street	44115
6	Patricia J. Britt	12402 Britton Drive	44120
7	Fannie M. Lewis	7416 Star Avenue	44103
8	Sabra Pierce Scott	9212 Kempton Avenue	44108
9	Kevin Conwell	10647 Ashbury Avenue	44106
10	Roosevelt Coats	1775 Cliffview Road	44112
11	Michael D. Polensek	17855 Brian Avenue	44119
12	Edward W. Rybka	6832 Indiana Avenue	44105
13	Joe Cimperman	3053 West 12th Street	44113
14	Nelson Cintron, Jr.	3004 Vega Avenue	44113
15	Merle R. Gordon	1700 Denison Avenue	44109
16	Michael C. O'Malley	6710 Brookside Drive	44144
17	Matthew Zone	1228 West 69th Street	44102
18	Jay Westbrook	1278 West 103rd Street	44102
19	Dona Brady	1272 West Boulevard	44102
20	Martin J. Sweeney	3632 West 133rd Street	44111
21	Michael A. Dolan	16519 West Park Road	44111

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

### MAYOR – Jane L. Campbell

Christopher S. Ronayne, Chief of Staff  
Darnell Brown, Chief Operating Officer  
Craig Tame, Executive Assistant  
Collette J. Appolito, 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 – Teresa M. Beasley, Director, Richard F. Horvath, Chief Counsel, Rm. 106  
Karen E. Martinez, 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 – Douglas Divish, Commissioner, 1404 East 9th Street  
Purchases and Supplies – James E. Hardy, Commissioner, Room 128  
Printing and Reproduction – Michael Hewitt, Commissioner, 1735 Lakeside Avenue  
Taxation – Nassim Lynch, Tax Administrator, 1701 Lakeside Avenue

DEPT. OF PUBLIC UTILITIES – Julius Ciaccia, 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 – John Christopher Nielson, Commissioner  
Water Pollution Control – Ollie Shaw, Commissioner

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

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

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

DIVISIONS: Architecture – Kurt Wiebusch, Commissioner, Room 517  
Engineering and Construction – Randall E. DeVaul, Commissioner, Room 518  
Motor Vehicle Maintenance, Daniel A. Novak, Commissioner, Harvard Yards  
Streets – 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 – Richard L. Nemeth, Commissioner  
Correction – Robert Taskey, Commissioner, Cleveland House of Corrections, 4041 Northfield Rd.  
Environment – Willie Bess, Commissioner, Mural Building, 1925 St. Clair Ave.  
Health – Anjou Parekh, Commissioner, Mural Building, 1925 St. Clair Ave.

DEPT. OF PUBLIC SAFETY – 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 – Paul A. Stubbs, Chief, 1645 Superior Avenue  
Police – Edward F. Lohn, Chief, Police Hdqtrs. Bldg., 1300 Ontario Street

DEPT. OF PARKS, RECREATION & PROPERTIES – Natalie A. Ronayne, Director

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

DEPT. OF COMMUNITY DEVELOPMENT – Daryl Rush, Director, 3rd Floor, City Hall

DIVISIONS: Administrative Services – Terrence Ross, Commissioner  
Neighborhood Services – Louise V. Jackson, Commissioner  
Neighborhood Development – Joseph A. Sidoti, Commissioner

DEPT. OF BUILDING AND HOUSING – James G. Williams, Director, Room 500

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

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

DEPT. OF ECONOMIC DEVELOPMENT – Gregory G. Huth, 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;

Margaret Hopkins, Ozell Dobbins, Joan Shaver Washington, Tim Donovan, \_\_\_\_\_, 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 Teresa M. Beasley, President;

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

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

Teresa M. Beasley; Councilman Martin J. Sweeney.

BOARD OF REVIEW – (Municipal Income Tax) – Law Director Teresa M. Beasley; Utilities

Director Julius Ciaccia; Council President Frank G. Jackson.

CITY PLANNING COMMISSION – Room 501 – Robert N. Brown, 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 Teresa M. Beasley; 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

Bauknight, 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 – James D. Gibans, Chair;

Randall B. Shorr, Vice Chair; Kevin Dreyfuss-Wells, India Pierce Lee, Laura M. Noble, Robert N. Brown, N. Kurt Wiebusch, Council Member Joe Cimperman, Robert Jackimowicz; 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 Anita Laster Mays	14C
Judge Lauren C. Moore	12B
Judge Raymond L. Pianka (Housing Court Judge)	13B
Judge Angela R. Stokes	15C
Judge Pauline H. Tarver	12C
Judge Robert J. Triozzi	14A
Judge Joseph J. Zone	13C

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

# The City Record



OFFICIAL PUBLICATION OF THE COUNCIL OF THE CITY OF CLEVELAND

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WEDNESDAY, FEBRUARY 23, 2005

No. 4759

## CITY COUNCIL

MONDAY, FEBRUARY 21, 2005

### The City Record

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Address all communications to

**VALARIE J. McCALL**

City Clerk, Clerk of Council  
216 City Hall

### PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 2002-2005

#### MONDAY

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

#### MONDAY—Alternating

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

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

#### MONDAY

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

#### TUESDAY

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

#### TUESDAY—Alternating

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

1:30 P.M. — **Legislation Committee:** White, Chairman; Pierce 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, Pierce 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, Pierce 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 16, 2005

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, February 16, 2005, at 10:30 a.m. with Mayor Campbell presiding.

Present: Mayor Campbell, Director Beasley, Acting Director Schneider, Directors Mok, Ricchiuto, Carroll, Acting Director Pettus, Directors Ronayne, Rush, Routen, Huth, Fumich, Taylor and Williams.

Absent: Director Ciaccia.

Others: Jim Hardy, Acting Commissioner, Purchases and Supplies.

Collette Appolito, Director, Office of Equal Opportunity.

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

#### Resolution No. 68-05.

By Director Baker.

Be it resolved by the Board of Control of the City of Cleveland that the employment of the following subconsultant by SBC Global Services, Inc. under the contract for professional services necessary to assess, plan, design and manage the implementation of the data and voice infrastructure network technology solution for the City, approved by Resolution No. 426-04, adopted by this Board July 20, 2004, under the authority of Ordinance No. 2152-02, passed by the Council of the City on December 9, 2002, as amended by Ordinance No. 1484-03, passed by the Council of the City on December 15, 2003, is approved:

Subconsultant	Percentage Amount
Callisma, Inc.	6.3% \$60,000.00

Yeas: Mayor Campbell, Director Beasley, Acting Director Schneider, Directors Mok, Ricchiuto, Carroll, Acting Director Pettus, Directors Ronayne, Rush, Routen, Huth, Fumich, Taylor and Williams.

Nays: None.

Absent: Director Ciaccia.

#### Resolution No. 69-05.

By Director Baker.

Whereas, Resolution No. 33-05, adopted by this Board January 26, 2005, under the authority of Ordinance No. 2302-03, passed by the Cleveland City Council on December 15, 2003, approving a professional services contract to implement a citywide time and attendance system for the Division of Accounts, Department of Finance, incorrectly identified the consultant under the contract as RNR Consulting; now therefore,

Be it resolved by the Board of Control of the City of Cleveland that Resolution No. 33-05, adopted by this Board January 26, 2005, under the authority of Ordinance No. 2302-03, passed by the Cleveland City Council on December 15, 2003, approving RNR Consulting to provide the professional services necessary to implement a citywide time and attendance system for the Division of Accounts, Department of Finance, is amended by deleting "RNR Consulting" and substituting "RNR Consult-

ing Rahim Inc., dba RNR Consulting," where appearing.

Be it further resolved that all other provisions of Resolution No. 33-05, adopted January 26, 2005 not expressly amended by this resolution shall remain unchanged and in full force and effect.

Yeas: Mayor Campbell, Director Beasley, Acting Director Schneider, Directors Mok, Ricchiuto, Carroll, Acting Director Pettus, Directors Ronayne, Rush, Routen, Huth, Fumich, Taylor and Williams.

Nays: None.

Absent: Director Ciaccia.

**Resolution No. 70-05.**

By Director Ciaccia.

Be it resolved, by the Board of Control of the City of Cleveland that all bids received on December 16, 2004, for an estimated quantity of miscellaneous line and street lighting materials, FRE conduit and fittings, for the Division of Cleveland Public Power, Department of Public Utilities, pursuant to the authority of Section 129.26 of the Codified Ordinances of Cleveland, Ohio 1976, be and the same are hereby rejected.

Yeas: Mayor Campbell, Director Beasley, Acting Director Schneider, Directors Mok, Ricchiuto, Carroll, Acting Director Pettus, Directors Ronayne, Routen, Huth, Fumich, Taylor and Williams.

Nays: None.

Absent: Directors Ciaccia and Rush.

**Resolution No. 71-05.**

By Director Ciaccia.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Dueco, Inc. for an estimated quantity of testing, inspection and repair of bucket trucks, item nos. 1 thru 5, for the Division of Cleveland Public Power, Department of Public Utilities, for a period of two (2) years beginning with the date of execution of a contract, received on the 12th day of January 2005, under the authority of Ordinance No. 250-04, passed June 7, 2004 on the basis of the estimated quantity would amount to Three Hundred Ninety Thousand and no/100 Dollars (\$390,000.00) (2%, 10 Days), is affirmed and approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into requirement contract for the commodities, which shall provide for the immediate purchase as the initial amount of the contract of the following:

Requisition No. 153235 which shall be certified against the contract in the sum of Twenty Five Thousand and no/100 Dollars (\$25,000.00).

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

Yeas: Mayor Campbell, Director Beasley, Acting Director Schneider, Directors Mok, Ricchiuto, Carroll, Acting Director Pettus, Directors

Ronayne, Routen, Huth, Fumich, Taylor and Williams.

Nays: None.

Absent: Directors Ciaccia and Rush.

**Resolution No. 72-05.**

By Director Ricchiuto.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of Advanced Tire, Inc. for an estimated quantity of tire repair road service, all items, for the Division of Motor Vehicle Maintenance, Department of Public Service, for two (2) years beginning with the date of execution of a contract, received on January 12, 2005, under the authority of Ordinance No. 774-04, passed by the Council of the City of Cleveland on May 17, 2004, which on the basis of the estimated quantity would amount to Sixty Four Thousand Five Hundred Sixty Four and no/100 Dollars (\$64,564.00) (Net 10 Days), is affirmed and approved as the lowest and best bid, and the Director of Public Service is requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 154068

which shall be certified against the contract in the sum of Twenty Thousand and no/100 Dollars (\$20,000.00).

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

Yeas: Mayor Campbell, Director Beasley, Acting Director Schneider, Directors Mok, Ricchiuto, Carroll, Acting Director Pettus, Directors Ronayne, Rush, Routen, Huth, Fumich, Taylor and Williams.

Nays: None.

Absent: Director Ciaccia.

**Resolution No. 73-05.**

By Director Ricchiuto.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of Wise International Truck of Ohio for an estimated quantity of International truck parts and labor, all items, for the Division of Motor Vehicle Maintenance, Department of Public Service, for two (2) years beginning with the date of execution of a contract, received on January 12, 2005, under the authority of Ordinance No. 845-04, passed by the Council of the City of Cleveland on August 11, 2004, which on the basis of the estimated quantity would amount to Five Hundred Thousand and no/100 Dollars (\$500,000.00) (2% 30 Days), is affirmed and approved as the lowest and best bid, and the Director of Public Service is requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 154069

which shall be certified against the contract in the sum of One Hundred

Five Thousand and no/100 Dollars (\$105,000.00).

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

<u>Subcontractor</u>	<u>Percentage Amount</u>
Independent Brokers, Inc. (MBE)	2% \$10,000.00

Yeas: Mayor Campbell, Director Beasley, Acting Director Schneider, Directors Mok, Ricchiuto, Carroll, Acting Director Pettus, Directors Ronayne, Rush, Routen, Huth, Fumich, Taylor and Williams.

Nays: None.

Absent: Director Ciaccia.

**Resolution No. 74-05.**

By Director Ricchiuto.

Be it resolved by the Board of Control of the City of Cleveland that the bid of G & M Auto Company for an estimated quantity of towing services (all items), for the Division of Motor Vehicle Maintenance, Department of Public Service, for two (2) years beginning with the date of execution of a contract, received on January 13, 2005, under the authority of Ordinance No. 777-04, passed by the Council of the City of Cleveland on May 17, 2004, which on the basis of the estimated quantity would amount to One Hundred Seven Thousand and no/100 Dollars (\$107,000.00) (2%10), is affirmed and approved as the lowest and best bid, and the Director of Public Service is requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 154067

which shall be certified against the contract in the sum of Fifteen Thousand and no/100 Dollars (\$15,000.00).

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

<u>Subcontractor</u>	<u>Percentage Amount</u>
Roger's Towing, Inc. (FBE)	3.80% \$3,300.00

Yeas: Mayor Campbell, Director Beasley, Acting Director Schneider, Directors Mok, Ricchiuto, Carroll, Acting Director Pettus, Directors Ronayne, Rush, Routen, Huth, Fumich, Taylor and Williams.

Nays: None.

Absent: Director Ciaccia.

**Resolution No. 75-05.**

By Director Watson.

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 181.19(b), of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby directed to offer to sell to the police officers listed below, at their fair market value, the service revolvers bearing the serial numbers listed to the right of the respective officer's name:

Serial No.

Donald Duman	9MM,19	FUF278
James T. Kurtz	9MM,5943	TVB0436

Yeas: Mayor Campbell, Director Beasley, Acting Director Schneider, Directors Mok, Ricchiuto, Carroll, Acting Director Pettus, Directors Ronayne, Rush, Routen, Huth, Fumich, Taylor and Williams.

Nays: None.

Absent: Director Ciaccia.

**Resolution No. 76-05.**

By Director Rush.

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. 002-35-198, located at 4612 Bridge Avenue under said Land Reutilization Program; and

Whereas, Ordinance No. 476-04 passed December 6, 2004, authorized the sale of said parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Michael DeCesare has proposed to the City to purchase and develop said parcel; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 476-04 passed December 6, 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 Michael DeCesare for the sale and development of Permanent Parcel No. 002-35-198, 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 parcel shall be \$100.00, which amount is hereby determined to be not less than the fair market value of said parcel for uses in accordance with the Land Reutilization Program.

Yeas: Mayor Campbell, Director Beasley, Acting Director Schneider, Directors Mok, Ricchiuto, Carroll, Acting Director Pettus, Directors Ronayne, Rush, Routen, Huth, Fumich, Taylor and Williams.

Nays: None.

Absent: Director Ciaccia.

**Resolution No. 77-05.**

By Director Rush.

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. 107-12-021, located at East 91st Street under said Land Reutilization Program; and

Whereas, Ordinance No. 1285-04 passed December 13, 2004, authorized the sale of said parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Herman Thomas and Ethel L. Thomas have proposed to the City to purchase and develop said parcel; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 1285-04 passed December 13, 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 Herman Thomas and Ethel L. Thomas for the sale and development of Permanent Parcel No. 107-12-021, 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 parcel shall be \$400.00, which amount is hereby determined to be not less than the fair market value of said parcel for uses in accordance with the Land Reutilization Program.

Yeas: Mayor Campbell, Director Beasley, Acting Director Schneider, Directors Mok, Ricchiuto, Carroll, Acting Director Pettus, Directors Ronayne, Rush, Routen, Huth, Fumich, Taylor and Williams.

Nays: None.

Absent: Director Ciaccia.

**Resolution No. 78-05.**

By Director Rush.

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. 004-02-071, located at West 18th Street under said Land Reutilization Program; and

Whereas, Ordinance No. 2121-04 passed January 31, 2005, authorized the sale of said parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Christian Flores has proposed to the City to purchase and develop said parcel; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 2121-04 passed January 31, 2005, 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 Christian Flores for the sale and development of Permanent Parcel No. 004-02-071, 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 parcel shall be \$100.00, which amount is hereby determined to be not less than the fair market value of said parcel for uses in accordance with the Land Reutilization Program.

Yeas: Mayor Campbell, Director Beasley, Acting Director Schneider,

Directors Mok, Ricchiuto, Carroll, Acting Director Pettus, Directors Ronayne, Rush, Routen, Huth, Fumich, Taylor and Williams.

Nays: None.

Absent: Director Ciaccia.

**Resolution No. 79-05.**

By Director Rush.

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. 118-09-003 (Southwesterly part of), located at Sagamore Avenue under said Land Reutilization Program; and

Whereas, Ordinance No. 2455-03 passed May 3, 2004, authorized the sale of said parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Miller Bailey and Leola Bailey have proposed to the City to purchase and develop said parcel; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 2455-03 passed May 3, 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 Miller Bailey and Leola Bailey for the sale and development of Permanent Parcel No. 118-09-003 (Southwesterly part of), 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 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 the Land Reutilization Program.

Yeas: Mayor Campbell, Director Beasley, Acting Director Schneider, Directors Mok, Ricchiuto, Carroll, Acting Director Pettus, Directors Ronayne, Rush, Routen, Huth, Fumich, Taylor and Williams.

Nays: None.

Absent: Director Ciaccia.

**Resolution No. 80-05.**

By Director Rush.

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. 119-04-002, located at Crawford Road under said Land Reutilization Program; and

Whereas, Ordinance No. 787-03 passed May 3, 2004, authorized the sale of said parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Sandra Fleming Brooks has proposed to the City to purchase and develop said parcel; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 787-03 passed May 3, 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 Sandra Fleming Brooks for the sale and development of Permanent Parcel No. 119-04-002, 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 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 the Land Reutilization Program.

Yeas: Mayor Campbell, Director Beasley, Acting Director Schneider, Directors Mok, Ricchiuto, Carroll, Acting Director Pettus, Directors Ronayne, Rush, Routen, Huth, Fumich, Taylor and Williams.

Nays: None.

Absent: Director Ciaccia.

**Resolution No. 81-05.**

By Director Rush.

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 Nos. 016-22-055 and 016-22-141, located at West 47th and 49th Streets under said Land Reutilization Program; and

Whereas, Ordinance No. 2254-04 passed January 31, 2005, 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, Cleveland Housing Network, 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. 2254-04 passed January 31, 2005, 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 Cleveland Housing Network, Inc. for the sale and development of Permanent Parcel Nos. 016-22-055 and 016-22-141, 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, Director Beasley, Acting Director Schneider, Directors Mok, Ricchiuto, Carroll, Acting Director Pettus, Directors Ronayne, Rush, Routen, Huth, Fumich, Taylor and Williams.

Nays: None.

Absent: Director Ciaccia.

**Resolution No. 82-05.**

By Director Rush.

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

Whereas, under said Program, the City has acquired Permanent Parcel No. 103-22-114 located at East 38th Street in Ward 5; 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, Fifth Church of God, 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 5 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 Fifth Church of God for the sale and development of Permanent Parcel No. 103-22-114 located at East 38th Street, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcel shall be \$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, Director Beasley, Acting Director Schneider, Directors Mok, Ricchiuto, Carroll, Acting Director Pettus, Directors Ronayne, Rush, Routen, Huth, Fumich, Taylor and Williams.

Nays: None.

Absent: Director Ciaccia.

**Resolution No. 83-05.**

By Director Ronayne.

Be it resolved by the Board of Control of the City of Cleveland that under authority of Ordinance No. 2151-03 passed by the Council of the City of Cleveland December 15, 2003, R.J. Priest Associates, Inc. is selected from a list of qualified consultants available for employment after a canvass by the Director of Parks, Recreation & Properties as the firm to be employed by contract to supplement the regularly employed staff of several departments of the City to provide the professional services necessary to complete the Bump Taylor Football Field Improvement for the Division of Research, Planning & Development, Department of Parks, Recreation & Properties.

Be it further resolved that the Director of Parks, Recreation & Properties is authorized to enter into a contract with R.J. Priest

Associates, based upon its proposal dated November 15, 2004, for a total cost not to exceed Thirty-One Thousand, Two Hundred Eighty-Seven and 00/100 Dollars (\$31,287.00), consisting of a lump sum fee of Twenty-Four Thousand, Nine Hundred Sixty and 00/100 Dollars (\$24,960.00) and reimbursable expenses not to exceed Six Thousand, Three Hundred Twenty-Seven and 00/100 Dollars (\$6,327.00), which contract shall be prepared by the Director of Law, shall provide for furnishing of professional services as stated in the proposal and shall contain such other terms and conditions as the Director of Law deems necessary to protect and benefit the public interest.

Be it further resolved that the employment of the following subconsultants by R.J. Priest Associates is approved:

Subcontractor	Amount Percentage
Dalia Consultants (MBE)	\$1,500 4.79%
CTL Engineering (MBE)	\$2,327 7.44%
City Blue	\$2,500 7.99%

Yeas: Mayor Campbell, Director Beasley, Acting Director Schneider, Directors Mok, Ricchiuto, Carroll, Acting Director Pettus, Directors Ronayne, Rush, Routen, Huth, Fumich, Taylor and Williams.

Nays: None.

Absent: Director Ciaccia.

JEFFREY B. MARKS,  
Secretary

**CIVIL SERVICE NOTICES**

**General Information**

Application blanks and information, regarding minimum entrance qualifications, scope of examination, and suggested reference materials may be obtained at the office of the Civil Service Commission, Room 119, City Hall, East 6th Street, and Lakeside Avenue.

Application blanks must be properly filled out on the official form prescribed by the Civil Service Commission and filed at the office of the commission not later than the final closing date slated in the examination announcement.

**EXAMINATION RESULTS:** Each applicant whether passing or failing will be notified of the results of the examination as soon as the commission has graded the papers. Thereafter, eligible lists will be established which will consist of the names of those candidates who have been successful in all parts of the examination.

**PHYSICAL EXAMINATION:** All candidates for original entrance positions who are successful in other parts of the examinations must submit to a physical examination.

REYNALDO GALINDO,  
President

**SCHEDULE OF THE BOARD OF ZONING APPEALS**

**MONDAY, MARCH 7, 2005**

**9:30 A.M.**

**Calendar No. 05-18:** Appeal of Charles Hart Communications, Inc., 870 East 185th Street (Ward 11)

Charles F. Hart and Charles Hart Communications, Inc. appeal under Section 76-6 of the Charter of the City of Cleveland from an order, dated January 7, 2005 issued by the Commissioner of Assessments and Licenses under the authority of Section 670B.06 of the Cleveland Codified Ordinances, for the removal of an outdoor payphone located at 870 East 185th Street and a denied application for the outdoor payphone, as proposed and located, is in violation of Section 670B.02(h), where the outdoor payphone is within 500' of the permitted payphone #167, located at 910 East 195th Street.

**Calendar No. 05-26:** 2175 Cornell Road (Ward 6)

Peter Smakula, owner, appeals to make a change in an existing, legal nonconforming parking lot for eleven spaces, located in a Multi-Family District and situated on a 56' x 223' irregular shaped corner lot where there is also a two-story brick building, that is located in a General Retail Business District, and all situated on the southeast corner of Cornell Road and Random Road at 2175 Cornell Road; the proposed orientation change for the existing parking spaces requires the Board of Zoning Appeals approval, as stated in Section 359.01(a) of the Codified Ordinances.

**Calendar No. 05-27:** 7500 Euclid Avenue (Ward 5)

Aldi, Inc. c/o Mike Jones, agent, appeal to erect a 15,341 s/f, one-story retail store and an accessory parking lot with 83 spaces to be situated on a 276' x 316' lot, located in split zoning for a General Retail Business District and a Semi-Industry District on the south side of Euclid Avenue at 7500 Euclid Avenue; contrary to the Requirements for Off-Street Parking and Loading, 83 parking spaces are proposed instead of 103 spaces, or, one accessory parking space per 150 s/f of gross floor area, as required according to Section 349.04(f) of the Codified Ordinances.

**Calendar No. 05-28:** 4090 East 93rd Street (Ward 2)

The Cleveland Municipal School District c/o Jason Downey and Cleveland Educational Design Alliance, agent, appeal to erect a 260' x 520' two-story, brick, Kindergarten through Eighth Grade school building to be situated on acreage that extends south along East 93rd Street between Harvard Avenue and Miles Park Avenue and located in split zoning between a General Retail Business and Two-Family Districts at 4090 East 93rd Street; as proposed, the project abuts a Two-Family District at the rear of the property and is subject to the limitations of Section 337.03, by reference, as regulated in a One-Family

District by Section 337.02, where a school is required to be 30' from any adjoining premises in a Residence District not used for a similar purpose and subject to the Board of Zoning Appeals approval; and contrary to Sections 358.04 and 358.05, a fence height of 8' is proposed along Miles Park Avenue, where 4' is the maximum fence height in residential and non-residential actual side street yards; and a 5' setback is proposed along East 93rd Street instead of 10' and an 8' setback is proposed at the corner along Harvard Avenue instead of 20' as established by the specific setback on the Zoning Map and according to Section 357.07(a) of the Codified Ordinances.

**Calendar No. 05-29:** 13448 Puritas Avenue (Ward 20)

The Cuyahoga Metropolitan Housing Authority c/o Mike Hobbs, appeal to erect three duplex housing units in an existing, legal nonconforming, residential development site, situated on acreage in an A1 One-Family District on the north side of Puritas Avenue at 13448 Puritas Avenue; as proposed, the one-story duplex units are contrary to Section 357.10 that requires for large scale housing development there be at least a 45' distance between the buildings and only 14' is proposed; and the expansion of a nonconforming use requires the Board of Zoning Appeals approval as stated in Section 359.01 of the Codified Ordinances.

Secretary

**REPORT OF THE BOARD OF ZONING APPEALS**

**TUESDAY, FEBRUARY 22, 2005**

At the meeting of the Board of Zoning Appeals on Tuesday, February 22, 2005, the following appeals were heard by the Board:

The following appeals were **Approved:**

**Calendar No. 05-19:** 2630-32 St. Clair Avenue

Oswgi Limited Partnership, owner, and WDOK Radio, lessee, appealed to install 69' of 6' high ornamental fence; subject to condition.

**Calendar No. 05-20:** 2644-54 St. Clair Avenue

Oswgi Limited Partnership, owner, and WDOK Radio, lessee, appealed to install 49' of 6' high ornamental fence; subject to condition.

The following appeal was **Denied:**

**Calendar No. 05-21:** 11843 St. John Avenue

Sabur Brown appealed to erect a 5' x 20' addition to an existing garage in an A1 One-Family District.

The following appeal was **Withdrawn:**

**Calendar No. 05-16:** 15235 Lorain Avenue

Raymond Herzberger, owner, and Ganley Chevrolet appealed to construct an auto sales and parking lot in a General Retail Business District.

The following appeal was **Dismissed:**

**Calendar No. 05-14:** Appeal of Nick Simone, 1958-60 East 120th Street  
Nick Simone appealed under Section 76-6 of the Charter of the City of Cleveland and Section 329.02(d) of the Cleveland Codified Ordinances from a decision of the Cleveland Landmarks Commission.

The following appeals were **Postponed:**

**Calendar No. 05-8:** Appeal of Midwest Telecom Payphones postponed to March 21, 2005.

**Calendar No. 04-323:** 10705 Superior Avenue postponed to April 4, 2005.

In Executive Session on February 22, 2005, the following appeal heard by the Board on February 14, 2005 was adopted and approved.

The following appeal was **Approved:**

**Calendar No. 05-9:** 1801 Superior Avenue

The Plain Dealer Publishing Company appealed to install 6' high ornamental fence along its property facing East 18th Street and facing north on St. Clair Avenue.

The following appeal was **Denied:**

**Calendar No. 05-10:** Violation Notice — 2781 West 11th Street

Jesus Roman appealed from a Notice of Violation issued by the Building and Housing Department for failure to comply with Section 327.02(b) of the Codified Ordinances.

The following appeal heard by the Board on January 24, 2005 was adopted and approved on February 22, 2005:

The following appeal was **Approved:**

**Calendar No. 04-327:** 3547 East 93rd Street

Gill Taylor appealed to establish use for a tow truck storage and a dispatch office in a General Retail Business District; subject to conditions.

Secretary

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

NO MEETING

**PUBLIC NOTICE**

NONE

**NOTICE OF PUBLIC HEARING**

NONE



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

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

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

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

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

**WEDNESDAY, MARCH 2, 2005**

**Computer Hardware, Software & Associated Peripherals Equipment**, for the Various Divisions of City Government, Department of Finance, as authorized by Ordinance No. 126-05, pending.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, THURSDAY, FEBRUARY 24, 2005 AT 1:30 P.M., INFORMATION TECHNOLOGY & SERVICES CONFERENCE ROOM, 4TH FLOOR, 205 WEST ST. CLAIR AVENUE, CLEVELAND, OHIO 44113.

February 16, 2005 and February 23, 2005

**FRIDAY, MARCH 4, 2005**

**Labor and Materials Necessary to Repair or Replace Fire Hydrants and Appurtenances Area B — Cleveland Suburbs**, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 1002-03, passed by the Council of the City of Cleveland, June 10, 2003.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, THURSDAY, FEBRUARY 24, 2005

AT 10:30 A.M., DISTRIBUTION & MAINTENANCE, 2ND FLOOR, 4600 HARVARD AVENUE, NEWBURGH HEIGHTS, CLEVELAND, OHIO 44105.

February 16, 2005 and February 23, 2005

**FRIDAY, MARCH 11, 2005**

**Purchase of Laboratory Equipment, Testing and Analytical Services; Biological and Chemical Testing Supplies, Apparatus and Appurtenances**, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 495-96, passed by the Council of the City of Cleveland, May 6, 1996.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, FRIDAY, FEBRUARY 25, 2005 AT 1:00 P.M., PUBLIC UTILITIES BUILDING, 1201 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

February 16, 2005 and February 23, 2005

**FRIDAY, MARCH 25, 2005**

**Labor and Materials to Maintain and Repair Low-Pressure Steam Boiler System Equipment and Appurtenances**, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 2310-03, passed by the Council of the City of Cleveland, December 15, 2003.

THERE WILL BE A **MANDATORY** PRE-BID MEETING FRIDAY, MARCH 4, 2005 AT 10:00 A.M., PUBLIC UTILITIES BUILDING, 1201 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

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

February 16, 2005 and February 23, 2005

**WEDNESDAY, MARCH 9, 2005**

**Maplewood, McGowan & Mohican Park Site Improvements**, for the Division of Research, Planning & Development, Department of Parks, Recreation and Properties, as authorized by Ordinance Nos. 1114-02 and 2151-03, passed by the Council of the City of Cleveland, June 17, 2002 and December 15, 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 **NON-MANDATORY** PRE-BID MEETING, THURSDAY, MARCH 3, 2005 AT 10:00 A.M., BURKE LAKEFRONT AIRPORT, 2ND FLOOR CONFERENCE ROOM, 1501 NORTH MARGINAL ROAD, CLEVELAND, OHIO 44114.

**One (1) Cab/Chassis with Rotary Snow Blower**, for the Various Divisions, Department of Public Service, as authorized by Ordinance No. 1481-04, passed by the Council of the City of Cleveland, October 11, 2004.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, THURSDAY, MARCH 3, 2005 AT 3:00 P.M., DIVISION OF MOTOR VEHICLE MAINTENANCE, 4150 EAST 49TH STREET, BUILDING #1, CLEVELAND, OHIO 44105.

**Tire Recapping**, for the Various Divisions, Department of Public Service, as authorized by Ordinance No. 773-04, passed by the Council of the City of Cleveland, May 17, 2004.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, THURSDAY, MARCH 3, 2005 AT 3:30 P.M., DIVISION OF MOTOR VEHICLE MAINTENANCE, 4150 EAST 49TH STREET, BUILDING #1, CLEVELAND, OHIO 44105.

February 23, 2005 and March 2, 2005

**THURSDAY, MARCH 10, 2005**

**Ammunition**, for the Division of Police, Department of Public Safety, as authorized by Ordinance No. 646-92, passed by the Council of the City of Cleveland, June 1, 1992.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, THURSDAY, MARCH 3, 2005 AT 10:00 A.M., DIVISION OF POLICE, OUTDOOR RANGE, 3700 WEST 58TH STREET, CLEVELAND, OHIO 44102.

**One (1) Speed-Monitoring Trailer**, for the Division of Motor Vehicle Maintenance, Department of Finance, as authorized by Ordinance No. 657-03, passed by the Council of the City of Cleveland, April 14, 2003.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, THURSDAY, MARCH 3, 2005 AT 2:30 P.M., DIVISION OF MOTOR VEHICLE MAINTENANCE, 4150 EAST 49TH STREET, BUILDING #1, CLEVELAND, OHIO 44105.

February 23, 2005 and March 2, 2005

**FRIDAY, MARCH 18, 2005**

**Cable**, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 1630-92, passed by the Council of the City of Cleveland, September 21, 1992.

THERE WILL BE A **MANDATORY** PRE-BID MEETING WEDNESDAY, MARCH 9, 2005 AT 11:00 A.M., CLEVELAND PUBLIC POWER, 1300 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

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

February 23, 2005 and March 2, 2005

**WEDNESDAY, MARCH 23, 2005**

**Cleaning and Cement Mortar Lining of Distribution Mains — Area A — 2005**, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 2293-04, passed by the Council of the City of Cleveland, January 31, 2005. THERE WILL BE A **REFUNDABLE FEE FOR PLANS/SPECIFICA-**



TIONS IN THE AMOUNT OF ONE HUNDRED DOLLARS (\$100.00) IN THE FORM OF A CASHIER'S CHECK AND/OR MONEY ORDER.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, WEDNESDAY, MARCH 9, 2005 AT 2:00 P.M., PUBLIC UTILITIES BUILDING, 1ST FLOOR AUDITORIUM, 1201 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

February 23, 2005 and March 2, 2005

**WEDNESDAY, MARCH 30, 2005**

**Cleaning and Cement Mortar Lining of Distribution Mains — Area B — 2005**, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 2293-04, passed by the Council of the City of Cleveland, January 31, 2005.

THERE WILL BE A **REFUNDABLE FEE** FOR PLANS/SPECIFICATIONS IN THE AMOUNT OF ONE HUNDRED DOLLARS (\$100.00) IN THE FORM OF A CASHIER'S CHECK AND/OR MONEY ORDER.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, WEDNESDAY, MARCH 9, 2005 AT 2:00 P.M., PUBLIC UTILITIES BUILDING, 1ST FLOOR AUDITORIUM, 1201 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

February 23, 2005 and March 2, 2005

#### **ADOPTED RESOLUTIONS AND ORDINANCES**

**Res. No. 236-05.**

**By Council Member Cimperman.**

An emergency resolution declaring Cleveland City Council's support of the proposal of CMHA/McCormack Baron/Turbov for the development and construction of affordable housing using low-income housing tax credits from the Ohio Housing Finance Agency.

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

Whereas, the Council of the City of Cleveland has recognized the need to maintain affordable housing in Cleveland's neighborhoods; and

Whereas, Cuyahoga Metropolitan Housing Authority (CMHA) has been awarded a HOPE VI grant in the amount of \$19,649,000 for the demolition and redevelopment of the Valleyview Homes Estates site ("Valleyview"); and

Whereas, CMHA and McCormack Baron Salazar/Turbov Associates ("Developers") are proposing to develop Phase I consisting of one hundred ten (110) units of multifamily housing on a portion of the Valleyview site; and

Whereas, approximately sixty-seven percent (67%) of these units will be occupied by qualified low-

income individuals and families and approximately thirty-three percent (33%) by market-rate families; and

Whereas, no less than fifty percent (50%) of the units will be reserved for public housing eligible families; and

Whereas, none of these units are targeted for a special needs population as defined in the 2005 Qualified Allocation Plan; and

Whereas, the CMHA/McCormack Baron/Turbov 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 the Council of the City of Cleveland supports the proposal of CMHA/McCormack Baron/Turbov for the development of affordable housing using low-income housing tax credits awarded by the Ohio Housing Finance Agency.

**Section 2.** That the Clerk of Council is hereby requested to transmit two certified copies of this resolution to the Executive Director of CMHA.

**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 14, 2005.

Awaiting the approval or disapproval of the Mayor.

**Res. No. 245-05.**

**By Council Member Zone.**

An emergency resolution declaring Cleveland City Council's support of the proposal of Cogswell Hall, Inc., Detroit Shoreway Community Development Organization and Lutheran Housing Corporation to provide affordable housing for the citizens of Cleveland through the use of housing tax credits from the Ohio House Finance Agency.

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

Whereas, Cogswell Hall Inc., Detroit Shoreway Community Development Organization and Lutheran Housing Corporation are proposing to renovate and expand the Cogswell Hall facility located at 7200 Franklin Boulevard; and

Whereas, all forty (40) units will be single room occupancy units for single women with limited incomes; and

Whereas, one hundred percent (100%) of these units will be set aside for individuals with a household income at or below fifty percent (50%) of area median gross income; and

Whereas, there will be no market rate units; and

Whereas, this Council of the City of Cleveland supports the proposal to develop this affordable housing for the benefit of the citizens of Cleveland; 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 the Council of the City of Cleveland supports the proposal of Cogswell Hall Inc., Detroit Shoreway Community Development Organization and Lutheran Housing Corporation to provide affordable housing for the citizens of Cleveland through the use of housing tax credits from the Ohio Housing Finance Agency.

**Section 2.** That the Clerk of Council is hereby requested to transmit a copy of this resolution to the Executive Directors of Cogswell Hall Inc., Detroit Shoreway Community Development Organization and Lutheran Housing Corporation.

**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 14, 2005.

Awaiting the approval or disapproval of the Mayor.

**Res. No. 246-05.**

**By Council Member Cimperman.**

An emergency resolution withdrawing objection to the renewal of a C2 and C2X Liquor Permit at 6029 Superior Avenue and repealing Resolution No. 1573-04, objecting to said renewal.

Whereas, this Council objected to a C2 and C2X Liquor Permit to 6029 Superior Avenue by Resolution No. 1573-04 adopted by the Council on August 11, 2004; and

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

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

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

**Section 1.** That objection to a C2 and C2X Liquor Permit to Superior 61st Street Beverage, Inc., 6029 Superior Avenue, Cleveland, Ohio 44103, Permanent Number 8703270 be and the same is hereby withdrawn and Resolution No. 1573-04, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

**Section 2.** That this resolution is hereby declared to be an emergency measure and, provided it receives

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

Adopted February 14, 2005.

Awaiting the approval or disapproval of the Mayor.

**Res. No. 247-05.**

**By Council Member Dolan.**

**An emergency resolution withdrawing objection to a New C1 Liquor Permit at 4217 Rocky River Drive and repealing Resolution No. 2074-04, objecting to said permit.**

Whereas, this Council objected to a New C1 Liquor Permit to 4217 Rocky River Drive by Resolution No. 2074-04 adopted by the Council on October 25, 2004; and

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

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

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

**Section 1.** That objection to a New C1 Liquor Permit to Culver's Trucking, Inc., DBA Autocare Unlimited, 4217 Rocky River Drive, Cleveland, Ohio 44135, Permanent Number 1849017, be and the same is hereby withdrawn and Resolution No. 2074-04, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate permit thereof.

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

Adopted February 14, 2005.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 13-05.**

**By Council Member Cimperman.**

**An emergency ordinance to amend the title, Section 1, Section 2, and Section 3 of Ordinance No. 43-04, passed January 16, 2004, relating to the sale of real property as part of the Land Reutilization Program.**

Whereas, Ordinance No. 43-04, passed January 16, 2004, authorized the sale of real property as part of the Land Reutilization Program to Cuyahoga County Metropolitan Housing Authority for new construction as part of its Valley View Hope VI Revitalization Plan in the Tremont Neighborhood; and

Whereas, it is necessary to amend Ordinance No. 43-04, passed January 16, 2004, to authorize the sale of such property to Cleveland Housing Network, Inc.; and

Whereas, it is necessary to amend Ordinance No. 43-04, passed January 16, 2004, to authorize the sale of an additional parcel of land; and

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

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

**Section 1.** That the title of Ordinance No. 43-04, passed January 16, 2004, is hereby amended to read as follows:

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program to Cleveland Housing Network, Inc. for new construction as part of the Valley View Hope VI Revitalization Plan in the Tremont Neighborhood.

**Section 2.** That Section 1 of Ordinance No. 43-04, passed January 16, 2004, is hereby amended to read as follows:

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel Nos. 004-17-048, 004-17-049, 004-17-052, 004-17-053 and 004-17-054, as more fully described below, to Cleveland Housing Network, Inc. for new construction as part of the Valley View Hope VI Revitalization Plan in the Tremont Neighborhood.

**Section 3.** That Section 2 of Ordinance No. 43-04, passed January 16, 2004, is hereby amended to read as follows:

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

**P. P. No. 004-17-042**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Allotment of Sublot No. 3 in N.S. Calhoun's Re-Subdivision of part of Original Brooklyn Township Lot No. 87 as shown by the recorded plat in Volume 15 of Maps, Page 29 of Cuyahoga County Records and being 26.12 feet front on the Southwesterly side of West 7th Street (formerly University Street) and extending back of equal width 91.82 feet deep along the Southeasterly side of University Count S.W., as appears by said plat, be the same more or less, but subject to all legal highways. Subject to Zoning Ordinances, if any.

**P. P. No. 004-17-048**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being the Easterly 130 feet of the Northerly one half of Sublot No. 152 in William Slade Jr.'s Allotment of part of Original Brooklyn Township Lot No. 87, as shown by the recorded plat in Volume 1 of Maps, Page 23 of Cuyahoga County Records and being 33 feet front on the Southwesterly side of West 7th Street (formerly University Street) and extending back of equal width 130 feet deep, as appears by said plat, be the same more or less but subject to all legal highways.

**P. P. No. 004-17-049**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being the North-easterly 130 feet of the Southeasterly half of Sublot No. 152 in William Slade, Jr.'s Allotment of part of Original Brooklyn Township Lot No. 87 as shown by the recorded plat in Volume 1 of Maps, Page 23 of Cuyahoga County Records and being 33 feet front on the Southwesterly side of West 7th Street and extending back of equal width 130 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

**P. P. No. 004-17-052**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 151 in William Slade Jr.'s Allotment of part of Original Brooklyn Township Lot No. 87, as shown by the recorded plat in Volume 1 of Maps, Page 23 of Cuyahoga County Records, and bounded and described as follows: January 21, 2004 The City Record 1171 Beginning on the Northerly line of Starkweather Avenue, S.W. at its intersection with the Southwesterly line of Thurman Street, S.W. which beginning point is also the Southeast-erly corner of said Sublot No.151; thence Northwesterly along the Southwesterly line of Thurman Street, S.W. to the most Northerly corner of said Sublot No. 151; thence Southwesterly along the Northwesterly line of said Sublot No. 151, a distance of 36 feet to the most Northerly corner of a parcel of land conveyed to Christian Karkoff by deed dated January 20, 1875, and recorded in Volume 238, Page 460 of Cuyahoga County Records; thence Southeasterly parallel with the Southwesterly line of Thurman Street, S.W. and along the Easterly line of said parcel of land conveyed to Christian Karkoff to the Northerly line of Starkweather Avenue, S.W.; thence Easterly along the Northerly line of Starkweather Avenue, S.W. to the place of beginning, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

**P. P. No. 004-17-053**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 151 in William Slade Jr.'s Allotment of part of Original Brooklyn Township Lot No. 87, as shown by the recorded plat in Volume 1 of Maps, Page 23 of Cuyahoga County Records, and bounded and described as follows:

Beginning in the Northerly line of Starkweather Avenue, S.W., at the Southeasterly corner of a parcel of land conveyed to Wincenty Izyderczyk and Wladyslawa Izyderczyk, by deed dated June 7, 1923, and recorded in Volume 2806, Page 606 of Cuyahoga County Records; thence Easterly along the Northerly line of said Starkweather Avenue, S.W., to the Southwesterly corner of a parcel of land conveyed to Alex Rusnyk and Julie Rusnyk, by deed dated July 11, 1912, and recorded in Volume 1398, Page 417 of Cuyahoga County Records; thence Northwest-erly along the Southwesterly line of said parcel so conveyed to Alex

Rusynyk and Julia Rusynyk, about 71.84 feet to the most Westerly corner of said parcel and the Northwesterly line of the property of John Ripich and Elizabeth Ripich, as established by Court Decree in Common Pleas Court Case No. 109020; thence Southwesterly along said Northwesterly line, as decreed to the most Northerly corner of the parcel conveyed to Wincenty Izyderczyk and Wladyslawa Izyderczyk, aforesaid; thence Southerly along the Easterly line of said parcel so conveyed to Wincenty Izyderczyk and Wladyslawa Izyderczyk, 32.54 feet to the place of beginning, be the same more or less, but subject to all legal highways.

P. P. No. 004-17-054

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 151 in the William Slade Jr. Subdivision of part of Original Brooklyn Township Lot No. 87, as shown by the recorded plat in Volume 1 of Maps, Page 23 of Cuyahoga County Records, bounded and described as follows:

Beginning on the Northerly line of Starkweather Avenue, S.W., distant Westerly 164.29 feet from the intersection of said Northerly line of Starkweather Avenue, S.W., with the Westerly line of Thurman Street, S.W., said beginning point being at the intersection of the Northerly line of Starkweather Avenue, S.W., with the old fence line separating premises of John and Elizabeth Ripich from premises of Tom Maichrycz and Mary Maichrycz; thence Easterly along the Northwesterly line of premises of John and Elizabeth Ripich, as said line was established by Decree of Common Pleas Court of Case Tom Maichrycz and Mary Maichrycz against John Ripich and Elizabeth Ripich, said case being No. 109020 in the Court of Common Pleas of Cuyahoga County, Ohio

54.05 feet; thence Southerly along a line drawn at right angles with the Northerly line of Starkweather Avenue, S.W., 32.54 feet to the Northerly line of Starkweather Avenue, S.W., thence Westerly along the Northerly line of Starkweather Avenue, S.W. 43.15 feet to the place of beginning, according to the survey of Charles W. Root, Civil Engineer, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

**Section 4.** That Section 3 of Ordinance No. 43-04, passed January 16, 2004, is hereby amended to read as follows:

Section 3. That all documents necessary to complete the conveyance authorized by this ordinance amending Ordinance No. 43-04, passed January 16, 2004, shall be executed within six (6) months of the effective date of this ordinance amending Ordinance No. 43-04, If all of the documents are not executed within six (6) months of the effective date of this ordinance, or such additional time as may be granted by the Director of Community Development, this ordinance shall be repealed and shall be of no further force or effect.

**Section 5.** That the Title, existing Section 1, existing Section 2, and existing Section 3 of Ordinance No. 43-04, passed January 16, 2004, are hereby repealed.

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

Passed February 14, 2005.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 134-05.**

**By Council Member Cimperman.**

**An emergency ordinance to name the mailroom located in City Hall, 601 Lakeside Avenue, as "Andrew M. Kyovsky Mailroom".**

Whereas, Andrew M. Kyovsky ("Andy") began his service with the City of Cleveland on February 3, 1964; and

Whereas, Andy was charming, outspoken, helpful, dedicated and always willing to help others when he could; and

Whereas, Andy's kindness and dedication were an inspiration to all who knew him; and

Whereas, it is appropriate to honor Andy's forty-one (41) years of service with the City of Cleveland; and

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

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

**Section 1.** That the mailroom located in City Hall, 601 Lakeside Avenue, is hereby named "Andrew M. Kyovsky Mailroom".

**Section 2.** That the Director of Parks, Recreation, and Properties is hereby authorized and directed to take the necessary action to give effect to this ordinance including the placement of proper signs.

**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 14, 2005.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 237-05.**

**By Mayor Campbell.**

**An emergency ordinance approving the collective bargaining agreement with the Municipal Construction Equipment Operators' Labor Council; and amending Section 45 of Ordinance No. 384-03, passed March 10, 2003, relating to compensation for various classifications.**

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 division (B) of Section 4117.10 of the Revised Code, this Council approves the collective bargaining agreement with the Municipal Construction Equipment Operators' Labor Council, under the terms contained in File No. 237-05-A, for the period from February 14, 2005 through March 31, 2007, and which provides, among other things, for an increase in the salaries and wages for members of the bargaining unit under the following schedule:

<u>Increase</u>	<u>Effective Date of Increase</u>
3%	April 1, 2006

In addition to the percentage increase effective April 1, 2006, each member of the bargaining agreement will receive a separate payment in the amount of \$500.00 no later than May 1, 2005, which amount is not part of the member's wage base. Each member will also receive an additional separate payment in an amount up to \$2,500.00, which also is not part of the member's wage base, in recognition of no wage increases for

the period of January 1, 2004 through January 31, 2005. This amount will be calculated based upon the formula set forth in the file. This payment will be made to the member within two weeks after passage of this ordinance.

**Section 2.** That Section 45 of Ordinance No. 384-03, passed March 10, 2003, is amended to read as follows:

**Section 45. Hourly Rate – MCEO**

Compensation for all persons employed by the hour in any of the following classifications shall be fixed by the appointing authority within the limits established in the following schedule for each classification:

	<b>Minimum</b>	<b>Maximum</b>
1. Construction Equipment – Group A .....	\$ 27.42	\$ 31.03
2. Construction Equipment – Group B .....	\$ 27.27	\$ 32.88
3. Master Mechanic.....	\$ 27.92	\$ 31.53

**Section 3.** That existing Section 45 of Ordinance No. 384-03, passed March 10, 2003, is repealed.

**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 14, 2005.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 243-05.**  
**By Council Member Britt.**  
An emergency ordinance amending Section 2 of Ordinance No. 1687-04, passed September 13, 2004, as amended by Ordinance No. 1817-04, passed September 27, 2004, and as amended by Ordinance No. 2019-04, passed October 18, 2004 as it pertains to the InterAct Hunger Center Program through the use of Ward 6 Neighborhood Equity Funds.

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

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

**Section 1.** That Section 2 of Ordinance No. 1687-04, passed September 13, 2004, as amended by Ordinance No. 1817-04, passed September 27, 2004, and as amended by Ordinance No. 2019-04, passed October 18, 2004 is hereby amended to read as follows:

**Section 2.** That the cost of said contract shall be in an amount not to exceed \$31,368 and shall be paid from Fund No. 10 SF 166.

**Section 3.** That Section 2 of Ordinance No. 1687-04, passed September 13, 2004, as amended by Ordinance No. 1817-04, passed September 27, 2004, and as amended by Ordinance No. 2019-04, passed October 18, 2004 is hereby repealed.

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

Passed February 14, 2005.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 244-05.**  
**By Council Member White.**  
An emergency ordinance amending Section 2 of Ordinance No. 1209-04, passed June 14, 2004, as amended by Ordinance No. 1367-04 passed July 14, 2004 as it pertains to the Community Employment Resources Center Program through the use of Ward 2 Neighborhood Equity Funds.

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

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

**Section 1.** That Section 2 of Ordinance No. 1209-04, passed June 14, 2004, as amended by Ordinance No. 1367-04 passed July 14, 2004 is hereby amended to read as follows:

Section 2. That the cost of said contract shall be in an amount not to exceed \$61,000 and shall be paid from Fund No. 10 SF 166.

**Section 2.** That Section 2 of Ordinance No. 1209-04, passed June 14, 2004, as amended by Ordinance No. 1367-04 passed July 14, 2004 is hereby repealed

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

Passed February 14, 2005.

Awaiting the approval or disapproval of the Mayor.

**COUNCIL COMMITTEE MEETINGS**

**GENERAL FUND BUDGET HEARINGS**  
**Wednesday, February 16, 2005**  
**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.

**GENERAL FUND BUDGET HEARINGS**  
**Thursday, February 17, 2005**  
**9:00 a.m.**

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

**GENERAL FUND BUDGET HEARINGS**  
**Friday, February 18, 2005**  
**9:00 a.m.**

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

**SPECIAL HEARING**  
**Tuesday, February 22, 2005**  
**9:00 a.m.**

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

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O—Ordinance; R—Resolution; F—File  
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