

# The City Record

Official Publication of the Council of the City of Cleveland



September the Twenty-Fourth, Two Thousand and Three

**Jane L. Campbell**  
Mayor

**Frank G. Jackson**  
President of Council

**Valarie J. McCall**  
City Clerk, Clerk of Council

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

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

# DIRECTORY OF CITY OFFICIALS

## CITY COUNCIL – LEGISLATIVE

President of Council – Frank G. Jackson

Ward	Name	Residence	
1	Joseph T. Jones	4691 East 177th Street	44128
2	Robert J. White	3760 East 126th Street	44105
3	Zachary Reed	3734 East 149th Street	44120
4	Kenneth L. Johnson	2948 Hampton Road	44120
5	Frank G. Jackson	2327 East 38th Street	44115
6	Patricia J. Britt	12402 Britton Drive	44120
7	Fannie M. Lewis	7416 Star Avenue	44103
8	Sabra Pierce Scott	9212 Kempton Avenue	44108
9	Kevin Conwell	774 East 131st Street	44108
10	Roosevelt Coats	1775 Cliffview Road	44112
11	Michael D. Polensek	17855 Brian Avenue	44119
12	Edward W. Rybka	6832 Indiana Avenue	44105
13	Joe Cimperman	3053 West 12th Street	44113
14	Nelson Cintron, Jr.	4326 Daisy Avenue	44109
15	Merle R. Gordon	1700 Denison Avenue	44109
16	Michael C. O'Malley	6710 Brookside Drive	44144
17	Matthew Zone	1228 West 69th Street	44102
18	Jay Westbrook	1278 West 103rd Street	44102
19	Dona Brady	3466 Bosworth Road	44111
20	Martin J. Sweeney	3632 West 133rd Street	44111
21	Michael A. Dolan	16519 West Park Road	44111

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

### MAYOR – Jane L. Campbell

Debra M. Janik, Chief of Staff  
 David M. McGuirk, Executive Assistant  
 Timothy Mueller, Executive Assistant  
 Craig Tame, Executive Assistant  
 Henry Guzman, Director, Office of Equal Opportunity  
 Margreat A. Jackson, Legislative Affairs Liaison  
 Erik Janas, Inter-Governmental Affairs Officer  
 Loma Wisham, Chief Public Affairs Officer

DEPT. OF LAW – Subodh Chandra, Director, Galen L. Schuerlein, Acting Chief Counsel, Rm. 106  
 Karen E. Martines, Law Librarian, Room 100

DEPT. OF FINANCE – Robert H. Baker, Director, Room 104;

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

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

DIVISIONS – 1201 Lakeside Avenue  
 Cleveland Public Power – James F. Majer, Commissioner  
 Street Lighting Bureau – \_\_\_\_\_, Acting Chief  
 Utilities Fiscal Control – Dennis Nichols, Commissioner  
 Water – Julius Ciacchia, Jr., Commissioner  
 Water Pollution Control – Darnell Brown, Commissioner

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

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

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

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

DEPT. OF PUBLIC HEALTH – Matthew Carroll, Acting Director, Mural Building, 1925 St. Clair Ave.

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

DEPT. OF PUBLIC SAFETY – James A. Draper, Director, Room 230

DIVISIONS: Dog Pound – John Baird, Chief Dog Warden, 2690 West 7th Street  
 Emergency Medical Service – Edward Eckart, Commissioner, 1708 South Pointe Drive  
 Fire – Kevin G. Gerrity, Chief, 1645 Superior Avenue  
 Police – Edward F. 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 Weibusch, Council Member Joe Cimperman, Dwayne J. Simpson; Robert Keiser, Secretary.

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

Judge	Courtroom
Presiding and Administrative Judge Larry A. Jones	13C
Judge Ronald B. Adrine	15A
Judge C. Ellen Connally	15C
Judge Sean C. Gallagher	12C
Judge Emanuella Groves	12B
Judge Mabel M. Jasper	14D
Judge Kathleen Ann Keough	13D
Judge Mary E. Kilbane	14C
Judge Ralph J. Perk, Jr.	14B
Judge Raymond L. Pianka (Housing Court Judge)	13B
Judge Angela R. Stokes	13A
Judge Robert J. Triozzi	14A
Judge Joseph J. Zone	12A

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

# The City Record



71 OFFICIAL PUBLICATION OF THE COUNCIL OF THE CITY OF CLEVELAND

Vol. 90

WEDNESDAY, SEPTEMBER 24, 2003

No. 4685

## CITY COUNCIL

MONDAY, SEPTEMBER 22, 2003

### 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

Cleveland, Ohio

Monday, September 22, 2003

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

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

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

Pursuant to Ordinance No. 2926-76, prayer was offered by Rev. Jesse Harris, Pastor of Tabernacle Baptist Church, located at 2042 West 26th Steet, Cleveland, Ohio 44113 in Ward 14. Pledge of Allegiance.

#### MOTION

On the motion of Council Member Gordon the reading of the minutes of the last meeting was dispensed

with and the journal approved. Seconded by Council Member White.

#### COMMUNICATIONS

##### File No. 1866-03.

From the University Hospitals HealthSystem — Notice Pursuant to Section 686.03 of Ordinance No. 385-2000 re: UHHS Saint Michael Hospital. Received.

##### File No. 1867-03.

From Northeast Ohio Regional Sewer District — 2002 Annual Report, Investing in Northeast Ohio ...the benefits are clear. Received.

##### File No. 1868-03.

From the Cleveland Foodbank — Annual Report 2002, Never Doubt. Received.

##### File No. 1869-03.

From Dworken & Bernstein Co. L.P.A. re: Reports obtained from the City of Brookpark. Received.

#### FROM DEPARTMENT OF LIQUOR CONTROL

##### File No. 1870-03.

Re: Transfer of Ownership Application — 0296801 — Ashlex, Inc., d.b.a. Union Deli, 12408 Union Avenue. (Ward 3). Received.

##### File No. 1871-03.

Re: Stock Transfer Application — 0717856 — Binkeys Den, Inc., d.b.a. Peanut Bar, 8401 Denison Avenue, first floor and basement. (Ward 18). Received.

##### File No. 1872-03.

Re: Liquor Agency Contract — 0296801 — Ashlex, Inc., d.b.a. Union Deli, 12408 Union Avenue. (Ward 3). Received.

#### MAYOR'S APPOINTMENT COMMITTEE

##### File No. 1629-03-A.

September 16, 2003

To the Honorable Council of the  
City of Cleveland City Council

Ladies and Gentlemen:

Report of the Mayor's Appointment Committee's consideration of the Mayor's New Appointment to the Housing Advisory Board.

We have before us the Mayor's Letter wherein she names her appointment to the Housing Advisory Board:

Michael Bowen  
Term expires February 28, 2005

The Mayor's Appointment Committee hereby recommends that Council approve the appointment as stated above.

Mayor's Appointment Committee

Roosevelt Coats, Chairman  
Jay Westbrook  
Nelson Cintron, Jr.  
Zachary Reed  
Sabra Pierce Scott

Without objection, Mayor's Appointment approved. Yeas 20. Nays 0.

**File No. 1630-03-A.**

September 16, 2003

To the Honorable Council of the City of Cleveland City Council

Ladies and Gentlemen:

Report of the Mayor's Appointment Committee's consideration of the Mayor's Reappointment to the Housing Advisory Board.

We have before us the Mayor's Letter wherein she names her reappointment to the Housing Advisory Board:

Keith Brown  
Term expires February 28, 2005

The Mayor's Appointment Committee hereby recommends that Council approve the reappointment as stated above.

Mayor's Appointment Committee

Roosevelt Coats, Chairman  
Jay Westbrook  
Nelson Cintron, Jr.  
Zachary Reed  
Sabra Pierce Scott

Without objection, Mayor's Appointment approved. Yeas 20. Nays 0.

**File No. 1631-03-A.**

September 16, 2003

To the Honorable Council of the City of Cleveland City Council

Ladies and Gentlemen:

Report of the Mayor's Appointment Committee's consideration of the Mayor's New Appointment to the Housing Advisory Board.

We have before us the Mayor's Letter wherein she names her appointment to the Housing Advisory Board:

Nate Coffman  
Term expires February 28, 2005

The Mayor's Appointment Committee hereby recommends that Council approve the appointment as stated above.

Mayor's Appointment Committee

Roosevelt Coats, Chairman  
Jay Westbrook  
Nelson Cintron, Jr.  
Zachary Reed  
Sabra Pierce Scott

Without objection, Mayor's Appointment approved. Yeas 20. Nays 0.

**File No. 1632-03-A.**

September 16, 2003

To the Honorable Council of the City of Cleveland City Council

Ladies and Gentlemen:

Report of the Mayor's Appointment Committee's consideration of the Mayor's Reappointment to the Housing Advisory Board.

We have before us the Mayor's Letter wherein she names her reappointment to the Housing Advisory Board:

Michael Foley  
Term expires February 28, 2005

The Mayor's Appointment Committee hereby recommends that Council approve the reappointment as stated above.

Mayor's Appointment Committee

Roosevelt Coats, Chairman  
Jay Westbrook  
Nelson Cintron, Jr.  
Zachary Reed  
Sabra Pierce Scott

Without objection, Mayor's Appointment approved. Yeas 20. Nays 0.

**File No. 1633-03-A.**

September 16, 2003

To the Honorable Council of the City of Cleveland City Council

Ladies and Gentlemen:

Report of the Mayor's Appointment Committee's consideration of the Mayor's appointment to the Housing Advisory Board.

We have before us the Mayor's Letter wherein she names her appointment to the Housing Advisory Board:

Delores Graham  
Term expires February 28, 2005

The Mayor's Appointment Committee hereby recommends that Council approve the appointment as stated above.

Mayor's Appointment Committee

Roosevelt Coats, Chairman  
Jay Westbrook  
Nelson Cintron, Jr.  
Zachary Reed  
Sabra Pierce Scott

Without objection, Mayor's Appointment approved. Yeas 20. Nays 0.

**File No. 1634-03-A.**

September 16, 2003

To the Honorable Council of the City of Cleveland City Council

Ladies and Gentlemen:

Report of the Mayor's Appointment Committee's consideration of

the Mayor's Appointment to the Housing Advisory Board.

We have before us the Mayor's Letter wherein she names her appointment to the Housing Advisory Board:

Donet Graves  
Term expires February 28, 2005

The Mayor's Appointment Committee hereby recommends that Council approve the appointment as stated above.

Mayor's Appointment Committee

Roosevelt Coats, Chairman  
Jay Westbrook  
Nelson Cintron, Jr.  
Zachary Reed  
Sabra Pierce Scott

Without objection, Mayor's Appointment approved. Yeas 20. Nays 0.

**File No. 1635-03-A.**

September 16, 2003

To the Honorable Council of the City of Cleveland City Council

Ladies and Gentlemen:

Report of the Mayor's Appointment Committee's consideration of the Mayor's Reappointment to the Housing Advisory Board.

We have before us the Mayor's Letter wherein she names her reappointment to the Housing Advisory Board:

Eric Hoddersen  
Term expires February 28, 2005

The Mayor's Appointment Committee hereby recommends that Council approve the reappointment as stated above.

Mayor's Appointment Committee

Roosevelt Coats, Chairman  
Jay Westbrook  
Nelson Cintron, Jr.  
Zachary Reed  
Sabra Pierce Scott

Without objection, Mayor's Appointment approved. Yeas 20. Nays 0.

**File No. 1636-03-A.**

September 16, 2003

To the Honorable Council of the City of Cleveland City Council

Ladies and Gentlemen:

Report of the Mayor's Appointment Committee's consideration of the Mayor's Appointment to the Housing Advisory Board.

We have before us the Mayor's Letter wherein she names her appointment to the Housing Advisory Board:

John Horton, Jr.  
Term expires February 28, 2005

The Mayor's Appointment Committee hereby recommends that Council approve the appointment as stated above.

Mayor's Appointment Committee

Roosevelt Coats, Chairman  
Jay Westbrook  
Nelson Cintron, Jr.  
Zachary Reed  
Sabra Pierce Scott

Without objection, Mayor's Appointment approved. Yeas 20. Nays 0.

**File No. 1637-03-A.**

September 16, 2003

To the Honorable Council of the  
City of Cleveland City Council

Ladies and Gentlemen:

Report of the Mayor's Appointment Committee's consideration of the Mayor's Appointment to the Housing Advisory Board.

We have before us the Mayor's Letter wherein she names her appointment to the Housing Advisory Board:

Kathleen Monter Durban  
Term expires February 28, 2005

The Mayor's Appointment Committee hereby recommends that Council approve the appointment as stated above.

Mayor's Appointment Committee

Roosevelt Coats, Chairman  
Jay Westbrook  
Nelson Cintron, Jr.  
Zachary Reed  
Sabra Pierce Scott

Without objection, Mayor's Appointment approved. Yeas 20. Nays 0.

**File No. 1638-03-A.**

September 16, 2003

To the Honorable Council of the  
City of Cleveland City Council

Ladies and Gentlemen:

Report of the Mayor's Appointment Committee's consideration of the Mayor's Reappointment to the Housing Advisory Board.

We have before us the Mayor's Letter wherein she names her reappointment to the Housing Advisory Board:

David Perkowski  
Term expires February 28, 2005

The Mayor's Appointment Committee hereby recommends that Council approve the reappointment as stated above.

Mayor's Appointment Committee

Roosevelt Coats, Chairman  
Jay Westbrook  
Nelson Cintron, Jr.  
Zachary Reed  
Sabra Pierce Scott

Without objection, Mayor's Appointment approved. Yeas 20. Nays 0.

**File No. 1639-03-A.**

September 16, 2003

To the Honorable Council of the  
City of Cleveland City Council

Ladies and Gentlemen:

Report of the Mayor's Appointment Committee's consideration of the Mayor's Appointment to the Housing Advisory Board.

We have before us the Mayor's Letter wherein she names her appointment to the Housing Advisory Board:

India Pierce Lee  
Term expires February 28, 2005

The Mayor's Appointment Committee hereby recommends that Council approve the appointment as stated above.

Mayor's Appointment Committee

Roosevelt Coats, Chairman  
Jay Westbrook  
Nelson Cintron, Jr.  
Zachary Reed  
Sabra Pierce Scott

Without objection, Mayor's Appointment approved. Yeas 20. Nays 0.

**File No. 1640-03-A.**

September 16, 2003

To the Honorable Council of the  
City of Cleveland City Council

Ladies and Gentlemen:

Report of the Mayor's Appointment Committee's consideration of the Mayor's Reappointment to the Housing Advisory Board.

We have before us the Mayor's Letter wherein she names her reappointment to the Housing Advisory Board:

Keith Sutton  
Term expires February 28, 2005

The Mayor's Appointment Committee hereby recommends that Council approve the reappointment as stated above.

Mayor's Appointment Committee

Roosevelt Coats, Chairman  
Jay Westbrook  
Nelson Cintron, Jr.  
Zachary Reed  
Sabra Pierce Scott

Without objection, Mayor's Appointment approved. Yeas 20. Nays 0.

**File No. 1641-03-A.**

September 16, 2003

To the Honorable Council of the  
City of Cleveland City Council

Ladies and Gentlemen:

Report of the Mayor's Appointment Committee's consideration of the Mayor's Appointment to the Housing Advisory Board.

We have before us the Mayor's Letter wherein she names her appointment to the Housing Advisory Board:

Thomas Yablonsky  
Term expires February 28, 2005

The Mayor's Appointment Committee hereby recommends that Council approve the appointment as stated above.

Mayor's Appointment Committee

Roosevelt Coats, Chairman  
Jay Westbrook  
Nelson Cintron, Jr.  
Zachary Reed  
Sabra Pierce Scott

Without objection, Mayor's Appointment approved. Yeas 20. Nays 0.

**File No. 1642-03-A.**

September 16, 2003

To the Honorable Council of the  
City of Cleveland City Council

Ladies and Gentlemen:

Report of the Mayor's Appointment Committee's consideration of the Mayor's Reappointment to the Fair Housing Board.

We have before us the Mayor's Letter wherein she names her reappointment to the Fair Housing Board:

Michael Doud  
Term expires June 1, 2006

The Mayor's Appointment Committee hereby recommends that Council approve the reappointment as stated above.

Mayor's Appointment Committee

Roosevelt Coats, Chairman  
Jay Westbrook  
Nelson Cintron, Jr.  
Zachary Reed  
Sabra Pierce Scott

Without objection, Mayor's Appointment approved. Yeas 20. Nays 0.

**File No. 1643-03-A.**

September 16, 2003

To the Honorable Council of the  
City of Cleveland City Council

Ladies and Gentlemen:

Report of the Mayor's Appointment Committee's consideration of the Mayor's Reappointment to the Fair Employment Wage Board.

We have before us the Mayor's Letter wherein she names her reappointment to the Fair Employment Wage Board:

Gerald Meyer  
Term expires May 25, 2006

The Mayor's Appointment Committee hereby recommends that Council approve the reappointment as stated above.

Mayor's Appointment Committee

Roosevelt Coats, Chairman  
Jay Westbrook  
Nelson Cintron, Jr.  
Zachary Reed  
Sabra Pierce Scott

Without objection, Mayor's Appointment approved. Yeas 20. Nays 0.

**File No. 1644-03-A.**

September 16, 2003

To the Honorable Council of the  
City of Cleveland City Council

Ladies and Gentlemen:

Report of the Mayor's Appointment Committee's consideration of the Mayor's New Appointment to the Housing Advisory Board.

We have before us the Mayor's Letter wherein she names her appointment to the Housing Advisory Board:

John Anoliefo  
Term expires February 28, 2005

The Mayor's Appointment Committee hereby recommends that Council approve the appointment as stated above.

Mayor's Appointment Committee

Roosevelt Coats, Chairman  
Jay Westbrook  
Nelson Cintron, Jr.  
Zachary Reed  
Sabra Pierce Scott

Without objection, Mayor's Appointment approved. Yeas 20. Nays 0.

**CONDOLENCE RESOLUTIONS**

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

**Res. No. 1874-03** — Reverend Richard Sering.

**Res. No. 1875-03**—Thomas R. Jones.

**Res. No. 1876-03**—Mary Ann McCoy-Bush.

**CONGRATULATION RESOLUTIONS**

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

**Res. No. 1877-03** — Dr. Alex Johnson.

**Res. No. 1878-03**—Sgt. William Cunningham.

**Res. No. 1879-03** — Barbara Byrd-Bennett.

**RECOGNITION RESOLUTIONS**

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

**Res. No. 1880-03**—Timothy Isaac.  
**Res. No. 1881-03**—Garnet C. Jamison.

**Res. No. 1882-03**—Gerald Levert.  
**Res. No. 1883-03** — Alan H. Chaning.

**Res. No. 1884-03**—Omar Vizquel.  
**Res. No. 1885-03** — Cleveland Indians.

**APPRECIATION RESOLUTION**

The rules were suspended and the following Resolution was adopted without objection:

**Res. No. 1886-03**—Reverend Dr. A. Charles Bowie.

**WELCOME RESOLUTION**

The rules were suspended and the following Resolution was adopted without objection:

**Res. No. 1887-03**—Arnez J.

**FIRST READING EMERGENCY ORDINANCES REFERRED****Ord. No. 1850-03.**

**By Council Members Reed and Jackson (by departmental request). An emergency ordinance to amend Section 6 of Ordinance No. 76-03, passed March 24, 2003, relating to authorizing the Director of Public Safety to apply for and accept a grant from the Ohio Department of Youth Services for the Juvenile Accountability Incentive Block Grant Programs and to enter into contracts with various entities necessary 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 Section 6 of Ordinance No. 76-03, passed March 24, 2003, is amended to read as follows:

Section 6. That the Director of Public Safety is authorized to enter into one or more contracts for the implementation of the program as described in the application contained in the file with the following agencies in the following amounts:

Police Athletic League	\$15,000.00
Berea Children's Home Assessments	4,812.00
Berea Children's Home MST	7,040.00
Berea Children's Home Community Mental Health	8,236.79
Berea Children's Home Sub Abuse Group Couns.	1,904.00
Berea Children's Home Sub Abuse Individ. Couns.	2,007.21
<b>Partnership For A Safer Cleveland</b>	<b>40,000.00</b>

**Section 2.** That existing Section 6 of Ordinance No. 76-03, passed March 24, 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.

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

**Ord. No. 1851-03.**

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

**An emergency ordinance authorizing the acquisition of certain easement interests from Cleveland Business Park, Ltd. for ingress and egress to the Maplewood ball diamonds.**

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

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

**Section 1.** That notwithstanding and as an exception to the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized to acquire certain easement rights from Cleveland Business Park, Ltd. in the premises described below for ingress and egress to the Maplewood ball diamonds, more particularly described as follows:

**INGRESS/EGRESS EASEMENT  
NORTHERLY SIDE OF  
CLEVELAND PARKWAY  
CUL-DE-SAC**

Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio, and known as being a part of Original Rockport Township Section No. 3 as shown by the recorded plat in Volume \_\_\_\_\_ of Maps, Page \_\_\_\_\_ of Cuyahoga County Records, further bounded and described as follows:

Beginning at an iron pin monument in the centerline of Rocky River Drive, S.W. (width varies) at its intersection with the centerline of Cleveland Parkway, S.W. (width varies) f.k.a. Cleveland Business Park Drive, S.W.;

Thence South 88° 55' 19" East along the centerline of Cleveland Parkway, S.W., 1047.85 feet to an iron pin monument therein;

Thence North 01° 04' 41" East and at right angles to said centerline, 30.00 feet to an iron pin set at a point of curvature in the Northerly line of said Cleveland Parkway, S.W.;

Thence along the arc of a curve deflecting to the left, 31.82 feet. Said curve having a radius of 40.00 feet, a central angle of 45° 34' 23", and a chord bearing North 68° 17' 29" East, 30.98 feet to an iron pin at a point of reverse curvature in the Northerly cul-de-sac line;

Thence along the arc of a curve deflecting to the right, 36.75 feet. Said curve having a radius of 60.00 feet, a central angle of 35° 05' 52", and a chord bearing North 63° 03' 14" East, 36.18 feet to a point of tangency in the Northerly cul-de-sac line and the principle place of beginning of the following described parcel:

Thence North 01° 04' 41" East and at right angles to said centerline of Cleveland Parkway, S.W., 1.00 feet to a point in the Southerly line of the Riverview Subdivision No. 2 as shown by the recorded plat in Volume 95 of Maps, Page 38 of Cuyahoga County Records;

Thence South 88° 55' 19" East along said Southerly line, 21.82 feet to a point therein;

Thence South 01° 04' 41" West, 1.00 feet to an iron pin in the Northerly line of said cul-de-sac;

Thence North 88° 55' 19" West along said Northerly line, 21.82 feet to the place of beginning.

Containing within said bounds, an area of 21.82 square feet of land be the same more or less but subject to all legal highways, easements, and restrictions of record.

**Section 2.** That the cost of the acquisition of the easement rights shall not exceed the appraised value of the easement rights acquired or the amount of the jury verdict in the event eminent domain is needed to acquire the easement interests in and to the premises. The purchase price, appraisal, title, escrow, and all other costs incurred in acquiring the easement interests shall be paid from Fund No. 20 SF 370.

**Section 3.** That the Director of Parks, Recreation and Properties shall execute all documents on behalf of the City of Cleveland necessary to acquire the easement interests in and to the premises.

**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.

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

**Ord. No. 1852-03.**

**By Mayor Campbell.**

**An emergency ordinance authorizing the continuation of City-provided group health and life insurance coverage, under the same terms and conditions currently in effect, and further authorizing a continuation of military leave with pay to all City employees who would otherwise lose such benefits as a result of a call to active military duty.**

Whereas, due to world events, City employees who are in the reserve military forces have been called to active military service; and

Whereas, under the Codified Ordinances and relevant collective bargaining agreements and management compensation plans, the City provides certain military leave with pay when an employee is called to active military duty in the direction of the President or the Governor; and

Whereas, the possible discontinuation of City-provided group health and life insurance and the limitation on military leave with pay under the Codified Ordinances could cause economic and procedural hardships for affected employees and their families; and

Whereas, the City desires to support and assist those City employees who have been called to active military duty and their families who have been financially burdened by the employees' call to active military duty; and

Whereas, Ordinance No. 2188-02, passed December 16, 2002, provided for certain salary payments and the continuation of group health and life insurance benefits for City employees who are members of the reserve military forces who are called to active duty; and

Whereas, the provision of group health and life insurance benefits under Ordinance No. 2188-02 expires on December 16, 2003, and

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

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

**Section 1.** That, notwithstanding and as an exception to the Codified Ordinances of Cleveland, Ohio, 1976, all employees of the City who are in the reserve military forces of the United States and who are now serving or may in the future serve as part of the active military forces of the United States shall be paid by the City throughout such employee's active military service the difference in money between the employee's City pay and the employee's military pay so long as the employee's military pay is less than employee's City pay for the same time period.

**Section 2.** That, notwithstanding and as an exception to the Codified Ordinances of Cleveland, Ohio, 1976, the group health and life insurance benefits currently provided to all City employees pursuant to the Codified Ordinances and the City's collective bargaining agreements, shall remain in full force and effect for those City employees otherwise eligible for such benefits, who are in the reserve military forces of the United States and who are now serving or may in the future serve as part of the active military forces of the United States. Such benefits shall continue for the duration of such employees' active military service, but in no event shall such benefits continue beyond one year from December 16, 2003.

**Section 3.** That to continue the group health insurance benefits in full force and effect, the employee shall be responsible for paying any contributions to the health care premium that the employee is required to pay as an employee.

**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.

Referred to Directors of Personnel and Human Resources, Finance, Law; Committees on Employment, Affirmative Action and Training, Finance.

**Ord. No. 1853-03.**

**By Council Member Lewis.**

**An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 1770 Crawford Road to Laverne Carter and James Carter.**

Whereas, the City of Cleveland has elected to adopt and implement

the procedures under Chapter 5722 of the Ohio Revised Code to facilitate reutilization of nonproductive lands situated within the City of Cleveland; and

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

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

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

**Section 1.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 119-03-032, as more fully described below, to Laverne Carter and James Carter.

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

P. P. No. 119-03-032

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 10 in the Subdivision made by Eliza Hough and the heirs of Oliver Hough of part of Original One Hundred Acre Lots Nos. 391 and 392, as shown by the recorded plat in Volume 3 of Maps, Page 21 of Cuyahoga County Records bounded and described as follows:

Beginning at a point in the Northwesterly line of Crawford Road, N.E., 38.01 feet Southwesterly from its intersection with the Northerly line of said Sublot; thence Westerly 126.78 feet to a point 30.87 feet Southerly from the Northerly line of said Sublot; thence Southerly 35.68 feet to the Northerly line of Brookline Avenue, N.E., (formerly Crawford Place), said Northerly line of Brookline Avenue, N.E., running parallel with and 90 feet Northerly from the Southerly line of said Sublot No. 10 which Southerly line is also the Southerly line of said Original Lot No. 391; thence Easterly along the Northerly line of said Brookline Avenue, N.E. 101.66 feet to the Northwesterly line of Crawford Road, N.E.; thence North-easterly along said Northwesterly line, 43.64 feet to the place of beginning, said premises are also known as a part of Sublot No. 21 in a proposed Subdivision intended to be made by F.B. Fox, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

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

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

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

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

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

**Ord. No. 1854-03.**

**By Council Member Britt.**

**An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on East 100th Street to Fairfax Renaissance Development Corporation.**

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

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

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

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

**Section 1.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 121-18-134, 121-18-135, 121-18-136 and 121-18-129, as more fully described below, to Fairfax Renaissance Development Corporation.

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

P. P. No. 121-18-134

Situated in the City of Cleveland, County of Cuyahoga and State of

Ohio, and known as being Sublot No. 57 in Jane Sayle and others' Subdivision of part of Original One Hundred Acre Lot No. 409 as shown by the recorded plat in Volume 14 of Maps, Page 5 of Cuyahoga County Records and being 40 feet front on the Easterly side of East 100th Street (formerly Streater Avenue) and extending back if equal width 125 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

P. P. No. 121-18-135

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 59 in Jane Sayle and others' Subdivision of part of Original One Hundred Acre Lot No. 409 as shown by the recorded plat in Volume 14 of Maps, Page 5 of Cuyahoga County Records. Said Sublot No. 59 has a frontage of 40 feet on the Easterly side of East 100th Street (formerly Streater Avenue) and extends back between parallel lines 125 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

P. P. No. 121-18-136

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 60 in the Jane Sayle and others' Subdivision of part of Original One Hundred Acre Lot No. 409, as shown by the recorded plat in Volume 14 of Maps, Page 5 of Cuyahoga County Records, and being 40 feet front on the Easterly line of East 100th Street and extending back between parallel lines 125 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

P. P. No. 121-18-129

Parcel No. 1  
Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 58 in Jane Sayle and others' Subdivision of part of Original One Hundred Acre Lot No. 409, as shown by the recorded plat in Volume 14 of Maps, Page 5 of Cuyahoga County Records, and being 40 feet front on the Easterly side of East 100th Street, (formerly Streater Avenue) and extending back of equal width 125 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

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

**Section 4.** That the consideration for the subject parcel shall be established by the Board of Control and

shall be not less than Fair Market Value taking into account such terms and conditions, restrictions and covenants as are deemed necessary or appropriate.

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

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

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

**Ord. No. 1855-03.**

**By Council Member Lewis.**

**An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 6101 White Avenue to Greater Cleveland Habitat for Humanity, Inc.**

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

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

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

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

**Section 1.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 104-17-053, as more fully described below, to Greater Cleveland Habitat for Humanity, Inc.

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

P. P. No. 104-17-053

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 97 in White Manufacturing Company's Allotment of part of Original One Hundred Acre Lot No. 340 as



shown by the recorded plat in Volume 12 of Maps, Page 14 of Cuyahoga County Records, and being 45 feet front on the Northerly side of White Avenue, N.E., and extending back between parallel lines 144 feet deep on the Easterly line, 144 feet deep on the Westerly line, which is also along the Easterly line of East 61st Street, as appears by said plat, be the same more or less, but subject to all legal highways.

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

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

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

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

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

#### FIRST READING EMERGENCY RESOLUTION REFERRED

**Res. No. 1856-03.**

**By Council Member Cintron (by request).**

**An emergency resolution declaring the intention to vacate a portion of West 37th Place.**

Whereas, this Council; is satisfied that there is good cause to vacate a portion of West 37th Place, as hereinafter described; 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 it hereby declares its intention to vacate a portion of the following described real property:

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and described as follows:

WEST 37TH PLACE (10.00 feet wide) extending Southerly from the Southerly line of Chatham Avenue S.W.(50.00 feet wide) to that portion of West 37th Place vacated by the Council of the City of Cleveland by Ordinance Number 1977-02, passed November 25, 2002.

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

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

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

**Ord. No. 1857-03.**

**By Council Member Lewis.**

**An emergency ordinance to amend Section 1 of Ordinance No. 1108-03, passed August 13, 2003, relating to the Director of Economic Development entering into an amendment to Loan Agreement No. 40151, and other related documents for the Lexington Village Phase II Limited Partnership to defer the repayment date.**

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

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

**Section 1.** That Section 1 of Ordinance No. 1108-03, passed August 13, 2003, is amended to read as follows:

**Section 1.** That the Director of Economic Development is authorized to enter into an amendment to Loan Agreement No. 40151, and any other related documents, for Lexington Village Phase II Limited Partnership, to defer the repayment date to a date co-terminus with the HUD-insured first-mortgage loan refinancing Lexington Village, Phase II. All other terms shall remain the same.

**Section 2.** That existing Section 1 of Ordinance No. 1108-03, passed August 13, 2003, is repealed.

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

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

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

**Ord. No. 1858-03.**

**By Council Member Jackson.**

**An emergency ordinance determining the bid of Cleveland Letter Service, Inc. for addressing services and mailing services [Item #1, A, B, and C] the lowest and best bid and authorizing the Clerk of Council to enter into a written requirement contract with Cleveland Letter Service, Inc. for the necessary items of addressing services and mailing services for a period of two (2) years with two one (1) year options to renew exercisable by the Clerk of Council.**

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

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

**Section 1.** That it is hereby determined that the bid of Cleveland Letter Service, Inc. for addressing services and mailing services [Item #1, A, B, and C], received on September 17, 2003, in response to the invitation to bid for mailing services for Cleveland City Council, is the lowest and best bid received after advertising in accordance with the Charter and Codified Ordinances of the City of Cleveland.

**Section 2.** That the Clerk of Council is hereby authorized to enter into a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, and in accordance with bid specifications, with Cleveland Letter Service, Inc. for the requirements for the period of two (2) years, with two one (1) year options to renew exercisable by the Clerk of Council, for the necessary items of addressing services and mailing services [Item #1, A, B, and C] to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for Cleveland City Council. The term of such written requirement contract shall begin on September 22, 2003.

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

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

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

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

**Ord. No. 1859-03.****By Council Member Britt.**

**An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to University Circle Incorporated to stretch two (2) banners on M.L.K., Jr. Dr. & Stokes Blvd. using CPP utility poles (by separate permission) publicizing their special event for the period of November 10, 2003 to December 12, 2003, inclusive.**

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

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

**Section 1.** That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio 1976, the Director of Public Service is hereby authorized and directed to issue a permit to University Circle Incorporated, 10831 Magnolia Drive, Cleveland, Ohio 44106, to install, maintain and remove two (2) banners to be stretched on Cleveland Public Power utility poles, (by separate permission), for the period of November 10, 2003 to December 12, 2003, inclusive, publicizing their special event, and which banners are to be placed at the following pole locations and on the following pole numbers: Martin Luther King Jr. Drive; 1st pole N. of Parkgate Avenue Ramp from East Blvd. (E), No Tag; Pole opposite Parkgate Avenue Ramp (W), No Tag; and Stokes Boulevard; S. of Carnegie (W), Pole # 88329; S. of Carnegie (E), 88330; and which pole and banner locations shall be approved by the Director of Public Service in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be placed must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner, and said banner shall be removed promptly upon the expiration of said permit.

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

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

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

**Ord. No. 1860-03.****By Council Member Britt.**

**An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to University Circle Incorporated to stretch one (1) banner on Martin Luther King Jr. Drive using Cleveland Public Power utility poles (by separate permission) publicizing their special event for the period of September 30, 2003 to October 17, 2003, inclusive.**

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

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

**Section 1.** That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio 1976, the Director of Public Service is hereby authorized and directed to issue a permit to University Circle Incorporated, 10831 Magnolia Drive, Cleveland, Ohio 44106, to install, maintain and remove one (1) banner to be stretched on Cleveland Public Power utility poles, (by separate permission), for the period of September 30, 2003 to October 17, 2003, inclusive, publicizing their special event, and which banner is to be placed at the following pole location and on the following pole number: Martin Luther King Jr. Drive; 1st pole N. of Parkgate Avenue Ramp from East Blvd. (E), No Tag; Pole opposite Parkgate Avenue Ramp (W), No Tag; and which pole and banner locations shall be approved by the Director of Public Service in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be placed must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner, and said banner shall be removed promptly upon the expiration of said permit.

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

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

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

**Ord. No. 1861-03.****By Council Member Britt.**

**An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to University Circle Incorporated to stretch one (1) banner on Stokes Boulevard using Cleveland Public Power utility poles (by separate permission) publicizing their special event for the period of September 16, 2003 to October 17, 2003, inclusive.**

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

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

**Section 1.** That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio 1976, the Director of Public Service is hereby authorized and directed to issue a permit to University Circle Incorporated, 10831

Magnolia Drive, Cleveland, Ohio 44106, to install, maintain and remove one (1) banner to be stretched on Cleveland Public Power utility poles, (by separate permission), for the period of September 16, 2003 to October 17, 2003, inclusive, publicizing their special event, and which banner is to be placed at the following pole location and on the following pole number: Stokes Boulevard; S. of Carnegie (W), pole number 88329; and S. of Carnegie (E), pole number 88330; and which pole and banner locations shall be approved by the Director of Public Service in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be placed must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner, and said banner shall be removed promptly upon the expiration of said permit.

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

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

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

**Ord. No. 1862-03.****By Council Member Cimperman.**

**An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to St. Peter Church to hang six (6) banners on Superior Avenue using Cleveland Public Power utility poles (by separate permission) publicizing their Church's 150th Anniversary for the period of October 1, 2003 to November 1, 2003, inclusive.**

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

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

**Section 1.** That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio 1976, the Director of Public Service is hereby authorized and directed to issue a permit to St. Peter Church, 1533 East 17th Street, Cleveland, Ohio 44114, to install, maintain and remove six (6) banners to be hung on Cleveland Public Power utility poles, (by separate permission), for the period of October 1, 2003 to November 1, 2003, inclusive, publicizing the Church's 150th Anniversary, and which banners are to be placed at the following pole locations and on the following pole numbers: Superior Avenue/North Side; 1st pole East of East 17th Street, B43-12; 2nd pole East of East 17th Street, B43-11; 3rd pole East of East 17th Street, B43-10; and Superior Avenue/South Side; 1st pole East of

East 17th Street, B43-39; 2nd pole East of East 17th Street, B43-40; 3rd pole East of East 17th Street, B43-41; and which pole and banner locations shall be approved by the Director of Public Service in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be placed must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banners, and said banners shall be removed promptly upon the expiration of said permit.

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

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

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

**FIRST READING EMERGENCY RESOLUTIONS READ IN FULL AND ADOPTED**

**Res. No. 1863-03.**

**By Council Member Brady.**

**An emergency resolution withdrawing objection to the renewal of a D1, D2, D3, D3A and D6 Liquor Permit at 11730 Lorain Avenue and repealing Resolution No. 1618-02, objecting to said renewal.**

Whereas, this Council objected to a D1, D2, D3, D3A and D6 Liquor Permit to 11730 Lorain Avenue by Resolution No. 1618-02 adopted by the Council on August 14, 2002; and

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

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

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

**Section 1.** That objection to a D1, D2, D3, D3A and D6 Liquor Permit to Ray Bons, Inc., 11730 Lorain Avenue, Cleveland, Ohio 44111, Permanent Number 7220737, be and the same is hereby withdrawn and Resolution No. 1618-02, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

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

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

**Res. No. 1864-03.**

**By Council Member Cimperman.**

**An emergency resolution withdrawing objection to the renewal of a D5 and D6 Liquor Permit at 612 Prospect Avenue and repealing Resolution No. 1625-02, objecting to said renewal.**

Whereas, this Council objected to a D5 and D6 Liquor Permit to 612 Prospect Avenue, 1st Floor, by Resolution No. 1625-02 adopted by the Council on August 14, 2002; and

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

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

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

**Section 1.** That objection to a D5 and D6 Liquor Permit to Lander Kay Co., DBA Domino Lounge, 612 Prospect Avenue, Cleveland, Ohio 44115, Permanent Number 5006093, be and the same is hereby withdrawn and Resolution No. 1625-02, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

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

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

**Res. No. 1865-03.**

**By Council Member Scott.**

**An emergency resolution objecting to a New C2 Liquor Permit at 1250 East 105th Street.**

Whereas, Council has been notified by the Department of Liquor Control of an application for a New C2 Liquor Permit at A & B Randa, Inc., DBA Family Discount, Inc., 1250 East 105th Street, Cleveland, Ohio 44108, Permanent Number 0000725; and

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

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

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

Whereas, the place for which the permit is sought is so arranged or

constructed that law enforcement officers or agents of the Department of Liquor Control are prevented reasonable access to the establishment; and

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

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

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

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

**Section 1.** That Council does hereby record its objection to a New C2 Liquor Permit at A & B Randa, Inc., DBA Family Discount, Inc., 1250 East 105th Street, Cleveland, Ohio 44108, Permanent Number 0000725; and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

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

**Res. No. 1873-03.**

**By Council Members Britt, Jackson, Rybka, Cimperman, Jones, White, Reed, Johnson, Lewis, Pierce Scott, Conwell, Coats, Polensek, Cinton, Gordon, O'Malley, Zone, Westbrook, Brady, Sweeney and Dolan.**

**An emergency resolution demanding an end to a health care system that indisputably fails to provide quality care to urban neighborhoods and the uninsured poor in our city; calling upon community leaders, hospitals and medical service providers to respond quickly to this health care crisis by working together to create a comprehensive plan to ensure that all citizens are provided quality, affordable health care; and reaffirming this Council's commitment to work with community leaders, hospitals, and medical providers to address local health care issues and possible solutions.**

Whereas, the State of Ohio ranked second in the nation in hospital closures in 2000; and

Whereas, in recent years, the City of Cleveland has been affected by the closure of St. Luke Hospital and Mt. Sinai Hospital; and

Whereas, Huron Hospital recently contemplated the closure of its trauma center and the closure of Deaconess Hospital is rumored to be imminent; and

Whereas, University Hospitals Health System hired a consultant to review the future use of the St. Michael Hospital facility but failed to share the results of the study with the community; and

Whereas, last week University Hospitals Health System announced that St. Michael Hospital will stop providing medical services on December 19, 2003; and

Whereas, the future closing of St. Michael Hospital is just the latest consequence of an ineffective health care system and yet another indication of the failure of our health care system to meet the needs of the uninsured poor; and

Whereas, the closing of St. Michael Hospital will significantly hinder the ability of local residents to receive urgent medical services and will have a significant impact on the neighborhood, its residents and the City of Cleveland; and

Whereas, the closing of St. Michael Hospital indicates an obvious lack of concern by health care officials and hospital administrators for the detrimental social and economic consequences such a closing will have on the neighborhood; and

Whereas, this announcement and decision by University Hospitals Health System is an ominous foreshadowing of what is to come in this city and this country if we do not confront the significant health care issues affecting all cities and communities in the United States; and

Whereas, these health care issues include a health care system that fails to provide health care to all citizens, a system that is revenue driven, and a system that is burdened with excessive administrative operating costs, including insurance costs; and

Whereas, the current health care system has caused a disinvestment by health care providers in urban hospitals and medical centers and thereby a disinvestment in care provided to residents in those urban neighborhoods, including the uninsured poor; and

Whereas, decisions to close and/or decrease medical services in urban hospitals further limits the ability of indigent and uninsured citizens to obtain quality health care; and

Whereas, closing and/or decreasing medical services in urban hospitals causes neighborhoods, built for years around such hospitals, to deteriorate as businesses that relied on the hospital close up and move out, and people who live in the neighborhoods are forced to seek medical assistance farther away from home, and

Whereas, hospital closures and decreases in medical services in urban areas create an increased burden on those hospitals that take on the responsibility of providing medical care and services to every person in need; and

Whereas, health care providers have a moral and ethical responsibility to ensure that all citizens in a community, whether insured or not, receive quality health care; and

Whereas, it is incumbent upon hospitals and medical service providers to provide care to their fair share of indigent and uninsured patients in order to relieve hospitals that are overburdened with those patients; and

Whereas, it is incumbent upon hospitals and medical service providers to cooperate to find solutions by which all citizens are provided decent, affordable health care; and

Whereas, these solutions could be created by the drafting of a comprehensive plan coordinated by community leaders, hospitals, and medical service providers; and

Whereas, community leaders, hospitals, and medical service providers must find a way to work together to find a smarter and more efficient way to provide health care services to all residents of the City of Cleveland, including the uninsured poor, in order to create a comprehensive plan that would address the health care needs of residents of the City 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 this Council hereby demands an end to the current health care system, a system that indisputably fails to provide quality health care to urban neighborhoods and the uninsured poor.

**Section 2.** That this Council hereby calls upon community leaders, hospitals, and medical service providers to respond quickly to the current health care crisis by working together to create a comprehensive plan to ensure that all citizens are provided quality, affordable health care.

**Section 3.** That this Council hereby reaffirms its commitment to work with community leaders, hospitals, and medical service providers to address local health care issues and possible solutions.

**Section 4.** That the Clerk of Council is hereby directed to transmit copies of this resolution to Senators George Voinovich and Mike DeWine, Representatives Dennis Kucinich and Stephanie Tubbs Jones, Floyd Loop, CEO, Cleveland Clinic, Terry R. White, President and CEO, Metro Health Medical Center and Thomas Zenty, CEO, University Hospitals Health Systems.

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

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

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

## SECOND READING EMERGENCY ORDINANCES PASSED

### Ord. No. 392-03.

By Council Member Cimperman.

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Sections 512.01 to 512.09 and 512.99 relating to the issuance of temporary public right-of-way permits for business signs.

Approved by Directors of Public Service, City Planning Commission, Finance, Law; Relieved of Committees on Legislation, City Planning; Passage recommended by Committees on Public Service, Finance; when amended as follows:

1. In the title, line 5, after "right-of-way" insert "**occupancy**".

2. In Section 1, line 5, after "RIGHT-OF-WAY" insert "**OCCUPANCY**".

3. In Section 1, at new Section 512.01, division (e), line 1, after "of its business" insert "**with customers**"; and in line 2 after "premises." Insert "**''Retail business'' does not include residential buildings or parking lots.**".

4. In Section 1, at new Section 512.02, in the section title, after "Right-of-Way" insert "**Occupancy**"; and in line 3, after "right-of-way" insert "**occupancy**".

5. In Section 1, at new Section 512.03, in division (b), line 1, after "temporary" insert "**public right-of-way**"; in division (e), line 4, strike "the placement of"; in line 8, strike "therewith. Such" and insert "**with it. The**"; in lines 9 and 10, strike "Such insurance shall also name the City of Cleveland as an additional insured, its officers and employees," and insert "**The insurance also shall name the City of Cleveland, including its officers and employees, as an additional insured.**".

6. In Section 1, at new Section 512.04, strike the first paragraph in its entirety and insert: "**An application for a permit shall be accompanied by a fee established by the Board of Control for each business sign.**".

7. In Section 1, at new Section 512.04, at the second paragraph, line 2, strike "Director of the City Planning Commission, the Secretary of the" and insert "**the City Planning Commission, and the**"; and strike the last sentence beginning with "Denial".

8. In Section 1, at new Section 512.04, strike the third paragraph in its entirety and insert:

**"The City Planning Commission and the Landmarks Commission, if applicable, shall consider in their review of the permit application, the size and design of the proposed sign."**

9. In Section 1, at new Section 512.04, the fifth paragraph, line 1, strike "shal" and insert "**shall**"; strike lines 4 and 5 in their entirety and insert "**been made from the previous approved application. The permit renewal fee shall be established by the Board of Control. If there are changes to the information provided in the application, a new application must be made in**".

10. In Section 1, at new Section 512.05, insert new division (a) to read as follows:

**"(a) temporary public right-of-way occupancy permits shall be issued for placement of business signs only in areas of the Central Business Dis-**

trict designated for such signs by the Cleveland City Council and in Pedestrian Retail Overlay Districts specifically designated for placement of such signs under the provisions of Section 343.22 of the Codified Ordinances;"

; and reletter existing division "(a)", "(b)", "(c)", "(d)", "(e)" and "(f)" as new divisions "(b)", "(c)", "(d)", "(e)", "(f)", and "(g)".

11. In Section 1, at new Section 512.05, at existing division (a), line 1 and in existing division (b), line 1, strike "only be placed" and insert "be placed only"; and at existing division (d), line 1, after "roadway or" insert "be"; and strike existing division (f) and insert "(g) a business sign shall not be located where the clear, continuous, unobstructed sidewalk for the passageway of pedestrians would be reduced to less than six (6) feet if the business sign were located there."

12. In Section 1, at new Section 512.06, line 2, strike "Permits" and insert "The permit issued".

13. In Section 1, at new Section 512.07, at division (b), line 1, strike "only" and after "be placed" insert "only"; strike division (c) in its entirety and insert: "(c) The business sign shall be displayed in the public right-of-way only during the operating hours of the business and shall be removed from the right-of-way at the end of each business day."; at division (d), line 1, strike "office" and insert "officer"; at division (g), line 1, strike "be designed to" and in line 2, strike the period after "conditions" and insert "which anchoring system shall be approved by the Director of Public Service."; strike division (i) in its entirety and insert: "(i) The business sign shall be no more than forty-eight inches (48") tall and thirty inches (30") wide and shall be designed to withstand normal winds loads. The size of a business sign shall be no bigger than that which is necessary to identify the retail business to pedestrians."; and insert new division (k) to read as follows: "(k) No permit shall be issued for a sidewalk not in compliance with code requirements."

14. In Section 1, at new Section 512.08, at division (a), line 2, strike "he" and insert "the"; at division (b), line 4, strike "division (d) of"; in line 5, strike "the actions" and insert "suspension or revocation" and also strike "such notice" and insert "the notice of suspension or revocation by"; and strike lines 10, 11 and 12 in their entirety and insert "the opportunity to contest the action and present evidence. After the hearing, the director shall determine whether to suspend or revoke the permit."

15. In Section 1, at new Section 512.09, line 3, after "this section" insert "or not in compliance with a permit issued".

16. In Section 1, at new Section 512.99, line 2, strike "Whoever" and insert "No person shall violate the provisions of this chapter and whoever".

Amendments agreed to.

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

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

#### Ord. No. 692-03.

By Council Member Jackson.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 3298 East 93rd Street to Love Center Interdenominational Church.

Approved by Directors of Community Development, City Planning Commission, Finance, Law; Passage recommended by Committees on Community and Economic Development, City Planning, Finance.

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

#### Ord. No. 1157-03.

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

An emergency ordinance authorizing the Director of Port Control to enter into a contract amendment with Camp Dresser McKee to complete the design and conduct construction oversight of the Doan Brook restoration in Rockefeller Park, and to enter into a contract or contracts for professional services necessary to implement mitigation monitoring of the Doan Brook restoration in Rockefeller Park, for the Department of Port Control.

Approved by Directors of Port Control, Finance, Law; Passage recommended by Committees on Aviation and Transportation, Finance.

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

#### Ord. No. 1158-03.

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

An emergency ordinance authorizing the purchase by one or more requirement contracts of labor and materials necessary to maintain and repair elevators, escalators, and moving walkways, for the various divisions of the Department of Port Control, for a period not to exceed two years.

Approved by Directors of Port Control, Finance, Law; Passage recommended by Committees on Aviation and Transportation, Finance; when amended as follows:

1. In the title, lines 6 and 7, strike "for a period not to exceed two years".

2. In Section 1, line 3, strike "two years" and insert "one year or two years"; in line 7, in line 10, strike "two years" and insert "the specified term"; and at the end of the section, after "entire term." insert the following: "The Director of Port Control is authorized to enter into one or more contracts with a term of two years instead of one year when there is a financial advantage to the City. For purposes of this ordinance, a financial advantage shall be determined by the Director of Port Control by comparing the bids received for both terms."

Amendments agreed to.

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

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

#### Ord. No. 1160-03.

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

An emergency ordinance authorizing the Director of Port Control to employ one or more consultants or one or more firms of consultants to provide professional services necessary to conduct annual audits of select vendors and concessionaires for Fiscal Year 2003 for the various divisions of the Department of Port Control.

Approved by Directors of Port Control, Finance, Law; Passage recommended by Committees on Aviation and Transportation, Finance.

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

#### Ord. No. 1161-03.

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

An emergency ordinance authorizing the Director of Port Control to enter into one or more requirement contracts with Siemens Building Technologies, Inc. for labor and materials necessary to maintain, repair and expand the Building Automation System, for the various divisions of the Department of Port Control, for a period not to exceed three years.

Approved by Directors of Port Control, Finance, Law; Passage recommended by Committees on Aviation and Transportation, Finance.

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

#### Ord. No. 1162-03.

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

An emergency ordinance authorizing the purchase by one or more requirement contracts of labor and materials necessary to maintain and repair automatic doors, for the various divisions of the Department of Port Control, for a period not to exceed two years.

Approved by Directors of Port Control, Finance, Law; Passage recommended by Committees on Aviation and Transportation, Finance; when amended as follows:

1. In the title, lines 6 and 7, strike "for a period not to exceed two years".

2. In Section 1, line 3, strike "two years" and insert "one year or two years" in lines 10, strike "two years" and insert "the specified term"; and at the end of the section, after "entire term." insert the following: "The Director of Port Control is authorized to enter into one or more contracts with a term of two years instead of one year when there is a financial advantage to the City. For purposes of this ordinance, a financial advantage shall be determined by the Director of Port Control by comparing the bids received for both terms."

Amendments agreed to.

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

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

**Ord. No. 1163-03.**

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

An emergency ordinance authorizing the purchase by one or more requirement contracts of labor and materials necessary to maintain and repair air conditioning systems, for the various divisions of the Department of Port Control, for a period not to exceed two years.

Approved by Directors of Port Control, Finance, Law; Passage recommended by Committees on Aviation and Transportation, Finance; when amended as follows:

1. In the title, lines 6 and 7, strike "for a period not to exceed two years".

2. In Section 1, line 3, strike "two years" and insert "one year or two years"; in line 10, strike "two years" and insert "the specified term"; and at the end of the section, after "entire term," insert the following: "The Director of Port Control is authorized to enter into one or more contracts with a term of two years instead of one year when there is a financial advantage to the City. For purposes of this ordinance, a financial advantage shall be determined by the Director of Port Control by comparing the bids received for both terms."

Amendments agreed to.

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

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

**Ord. No. 1164-03.**

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

An emergency ordinance authorizing the purchase by one or more requirement contracts of labor and materials necessary to maintain and repair plumbing systems, for the various divisions of the Department of Port Control, for a period not to exceed two years.

Approved by Directors of Port Control, Finance, Law; Passage recommended by Committees on Aviation and Transportation, Finance; when amended as follows:

1. In the title, lines 6 and 7, strike "for a period not to exceed two years".

2. In Section 1, line 3, strike "two years" and insert "one year or two years"; in line 10, strike "two years" and insert "the specified term"; and at the end of the section, after "entire term," insert the following: "The Director of Port Control is authorized to enter into one or more contracts with a term of two years instead of one year when there is a financial advantage to the City. For purposes of this ordinance, a financial advantage shall be determined by the Director of Port Control by comparing the bids received for both terms."

Amendments agreed to.

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

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

**Ord. No. 1165-03.**

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

An emergency ordinance authorizing the purchase by one or more requirement contracts of labor and materials necessary to maintain and repair boilers, for the various divisions of the Department of Port Control, for a period not to exceed two years.

Approved by Directors of Port Control, Finance, Law; Passage recommended by Committees on Aviation and Transportation, Finance; when amended as follows:

1. In the title, line 6, strike "for a period not to exceed two years".

2. In Section 1, line 3, strike "two years" and insert "one year or two years"; in line 10, strike "two years" and insert "the specified term"; and at the end of the section, after "entire term," insert the following: "The Director of Port Control is authorized to enter into one or more contracts with a term of two years instead of one year when there is a financial advantage to the City. For purposes of this ordinance, a financial advantage shall be determined by the Director of Port Control by comparing the bids received for both terms."

Amendments agreed to.

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

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

**Ord. No. 1166-03.**

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

An emergency ordinance authorizing the purchase by one or more requirement contracts of labor and materials necessary to furnish and install airfield signage, for the various divisions of the Department of Port Control, for a period not to exceed two years.

Approved by Directors of Port Control, Finance, Law; Passage recommended by Committees on Aviation and Transportation, Finance; when amended as follows:

1. In the title, strike lines 2 and 3, in their entirety and insert:

"Authorizing the Director of Port Control to enter into one or more requirement contracts without competitive bidding with Standard Signs, Inc. for the purchase of labor and materials".

2. Strike Section 1 in its entirety and insert:

"Section 1. That this Council determines that the within commodities are non-competitive and cannot be secured from any source other than Standard Signs, Inc. Therefore, the Director of Port Control is authorized to make one or more written requirement contracts for a total period not to exceed two years with Standard Signs, Inc. for labor and materials necessary to furnish and install airfield signage, for the various divisions of the Department of Port Control, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Department of Port Control."

Amendments agreed to.

The rules were suspended. Yeas 20. Nays 0. Read second time. Read

third time in full. Passed. Yeas 20. Nays 0.

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

**Ord. No. 1215-03.**

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

An emergency ordinance authorizing the Director of Port Control to enter into an amendment to Contract No. 53666 with Michael Baker and Associates to provide additional design services relating to the construction of new runway 6L-24R, for the Division of Cleveland Hopkins International Airport, Department of Port Control.

Approved by Directors of Port Control, Finance, Law; Passage recommended by Committees on Aviation and Transportation, Finance; when amended as follows:

1. In Section 1, line 4, strike "lease" and insert "contract".

2. In Section 2, line 1, after "shall" insert "not exceed \$851,500 and shall"

Amendments agreed to.

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

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

**Ord. No. 1217-03.**

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

An emergency ordinance authorizing the Director of Port Control to employ one or more professional consultants to provide design services, quality assurance, testing and inspection services for smaller task projects.

Approved by Directors of Port Control, Finance, Law; Passage recommended by Committees on Aviation and Transportation, Finance; when amended as follows:

1. In Section 2, line 1, after "shall" insert "not exceed \$150,000 and shall"

Amendment agreed to.

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

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

**Ord. No. 1218-03.**

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

An emergency ordinance authorizing the purchase by one or more requirement contracts of labor and materials necessary to clean and maintain oil/water separators, sewers, electrical vaults, holding tanks, lift stations, and associated appurtenances, including testing and disposal of waste materials, for the various divisions of the Department of Port Control for a period not to exceed two years.

Approved by Directors of Port Control, Finance, Law; Passage recommended by Committees on Aviation and Transportation, Finance; when amended as follows:

1. In the title, lines 9 and 10, strike "for a period not to exceed two years".

2. In Section 1, line 3, strike "two years" and insert "one year or two years"; in line 7, strike "year" and insert "term"; in lines 11 and 12, strike "two years" and insert "the specified term"; and at the end of the section, after "entire term." insert the following: "The Director of Port Control is authorized to enter into one or more contracts with a term of two years instead of one year when there is a financial advantage to the City. For purposes of this ordinance, a financial advantage shall be determined by the Director of Port Control by comparing the bids received for both terms."

Amendments agreed to.

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

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

**Ord. No. 1230-03.**

By Council Member Coats.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on Green Road to Tony H. Smith, Sr.

Approved by Directors of Community Development, City Planning Commission, Finance, Law; Passage recommended by Committees on Community and Economic Development, Finance.

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

**Ord. No. 1234-03.**

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

An emergency ordinance authorizing the Director of Economic Development to apply for and accept a grant from the U.S. Department of Labor, Employment and Training Administration for the Year 4 Youth Opportunity Program; and to enter into one or more contracts with Vocational Guidance Services, Inc. for the continued development, operation, and implementation of the program.

Approved by Directors of Economic Development, Finance, Law; Passage recommended by Committees on Community and Economic Development, Finance.

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

**Ord. No. 1487-03.**

By Council Member Cimperman (by request).

An emergency ordinance authorizing the Director of Public Service to issue a permit to K & D Enterprises, Inc., Managing Member of Stonebridge Towers Ltd., to encroach into the public right-of-way of Detroit Ave. with above street level building overhangs in the front and rear of their apartment/condominium buildings, Phase III, to be located at 2222 Detroit Ave.

Approved by Directors of Public Service, City Planning Commission, Finance, Law; Relieved of Committee on Public Service; Passage recommended by Committees on City Planning, Finance.

The rules were suspended. Yeas 20. Nays 0. Read second time. Read

third time in full. Passed. Yeas 20. Nays 0.

**Ord. No. 1489-03.**

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

An emergency ordinance determining the method of making the public improvement of constructing infrastructure and streetscape improvements on East 4th Street between Prospect Avenue and Euclid Avenue; authorizing the Directors of Public Service and Public Utilities to enter into one or more public improvement contracts for the making of the improvement; and authorizing a cost-sharing agreement with MRN, Ltd.

Approved by Directors of Public Service, Public Utilities, City Planning Commission, Finance, Law; Relieved of Committees on Public Utilities, City Planning; Passage recommended by Committees on Public Service, Finance; when amended as follows:

1. In the title, line 3, and in Section 1, line 3, after "infrastructure" insert "including sewers."

2. In Section 3, line 4, between "Avenue" and the period insert "and to cause payment to MRN, Ltd. for the cost of the design for a new sewer on East 4th Street, provided that the cost of the design for the new sewer shall not exceed fifteen percent (15%) of the cost of constructing the new sewer".

3. In Section 3, line 6, strike "of One Million Dollars".

Amendments agreed to.

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

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

**Ord. No. 1490-03.**

By Council Member Cintron (by request).

An emergency ordinance authorizing the Director of Public Service to issue a permit to MetroHealth Medical Center to relocate two sewer lines (1-sanitary, 1-water), which will encroach into the right-of-way of South Point Drive and Scranton Road for the development of their new Critical Care Facility.

Approved by Directors of Public Service, City Planning Commission, Finance, Law; Relieved of Committee on City Planning; Passage recommended by Committees on Public Service, Finance.

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

**Ord. No. 1491-03.**

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

An emergency ordinance authorizing the Director of Public Service to request the Board of Commissioners of Cuyahoga County to include items not eligible for Federal funds in the rehabilitation of West 140th Street from Puritas Road to I-90.

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

1. In Section 2, at the end, strike the period and insert "from funds appropriated for that purpose."

Amendment agreed to.

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

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

**Ord. No. 1499-03.**

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

An emergency ordinance to amend Section 1 of Ordinance No. 39-03, passed May 12, 2003, relating to one or more concession agreements for the operation of soft drink, candy, snack, and other vending machines throughout City parks and various City-owned and City-leased buildings.

Approved by Directors of Parks, Recreation and Properties, Finance, Law; Passage recommended by Committees on Public Parks, Property and Recreation, Finance.

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

**Ord. No. 1506-03.**

By Council Member Jackson.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on Colfax Avenue to New Israel Missionary Baptist Church.

Approved by Directors of Community Development, City Planning Commission, Finance, Law; Passage recommended by Committees on Community and Economic Development, Finance.

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

**Ord. No. 1508-03.**

By Council Member Lewis.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 6211 Lexington Avenue (rear) to Helen Wilson.

Approved by Directors of Community Development, City Planning Commission, Finance, Law; Passage recommended by Committees on Community and Economic Development, Finance.

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

**Ord. No. 1509-03.**

By Council Member Lewis.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on East 82nd Street to Stephanie Hunter.

Approved by Directors of Community Development, City Planning Commission, Finance, Law; Passage recommended by Committees on Community and Economic Development, Finance.

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

**Ord. No. 1511-03.**

By Council Member Lewis.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on scattered sites to Consortium for Economic and Community Development, Inc. or designee.

Approved by Directors of Community Development, City Planning Commission, Finance, Law; Passage recommended by Committees on Community and Economic Development, Finance; when amended as follows:

1. Strike Sections 9 and 10 in their entirety and insert the following:

**"Section 9. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 104-19-014 as more fully described below, to Consortium for Economic and Community Development, Inc. or designee.**

**Section 10. That the real property to be sold pursuant to this Ordinance is more fully described as follows:**

**P. P. No. 104-19-014**

**Situated in the City of Cleveland, County of Cuyahoga and State of Ohio; And known as being Sublot No. 31 in the Re-Survey of the White Manufacturing Company's Allotment of part of Original One Hundred Acre Lot No. 340, as shown by the recorded plat in Volume 12 of Maps, Page 14 of Cuyahoga County Records, and being 40-06/100 feet front on the Southerly side of White Avenue, (now know as White Avenue, N.E.) and extending back of equal width 150 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.**

**Subject to Zoning Ordinances, if any.**

Amendment agreed to.

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

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

**Ord. No. 1512-03.**

By Council Member Lewis.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 1580-82 East 45th Street to Queen E. Kizer.

Approved by Directors of Community Development, City Planning Commission, Finance, Law; Passage recommended by Committees on Community and Economic Development, Finance; when amended as follows:

1. In the title, line 4 strike "45th" and insert "**82nd**".

Amendment agreed to.

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

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

**Ord. No. 1513-03.**

By Council Member Lewis.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program

and located on East 76th Street to Josephine M. Copley.

Approved by Directors of Community Development, City Planning Commission, Finance, Law; Passage recommended by Committees on Community and Economic Development, Finance.

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

**Ord. No. 1514-03.**

By Council Member Reed.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 3852 East 153rd Street to Mt. Pleasant Now Development Corporation.

Approved by Directors of Community Development, City Planning Commission, Finance, Law; Passage recommended by Committees on Community and Economic Development, Finance.

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

**Ord. No. 1516-03.**

By Council Member Zone.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 6809 Colgate Avenue to Cleveland Housing Network, Inc.

Approved by Directors of Community Development, City Planning Commission, Finance, Law; Passage recommended by Committees on Community and Economic Development, Finance.

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

**Ord. No. 1521-03.**

By Council Member Cimperman.

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Sections 512A.01 to 512A.09 and 512A.99 relating to the issuance of permits for retail business signs in the public right-of-way.

Approved by Directors of City Planning Commission, Public Service, Law; Relieved of Committee on City Planning; Passage recommended by Committees on Public Service, Finance; when amended as follows:

1. In Section 1, at new Section 512A.02, first paragraph, line 2, after "right-of-way" insert "**occupancy**".

2. In Section 1, at new Section 512A.03, division (e), line 4, strike "the placement of"; in line 8, strike "therewith. Such" and insert "**with it. The**"; in lines 9 and 10, strike "Such insurance shall also name the City of Cleveland as an additional insured, its officers and employees," and insert "**The insurance also shall name the City of Cleveland as an additional insured, including its officers and employees.**".

3. In Section 1, at new Section 512A.04, strike the first paragraph in its entirety and insert: "**An application for a permit shall be accompanied by a fee determined by the Board of Control for each business sign.**".

4. In Section 1, at new Section 512A.04, second paragraph, lines 1 and 2, strike "Director of the City Planning Commission, the Secretary of" and insert "**, the Director of Pub-**

**lic Safety, the City Planning Commission, and**"; and strike the last sentence of that paragraph which begins with the word "Denial".

5. In Section 1, at new Section 512A.04, strike the third paragraph in its entirety.

6. In Section 1, at new Section 512A.04, paragraph 5, strike lines 4 and 5 in their entirety and insert: "**been made from the previous approved application. The permit renewal fee shall be established by the Board of Control. If there are changes to the information provided in the application, a new application must be made in**".

7. In Section 1, at new Section 512A.05, division (a), line 1, strike "only be placed" and insert "**be placed only**"; strike division (b) in its entirety and insert: "**(b) The City Planning Commission or Landmarks Commission, if applicable, reviewed the design of the retail business sign and the sign is no greater in size than necessary to identify the retail business to pedestrians.**"; in division (g), line 1, after "roadway or" insert "**be**".

8. In Section 1, at new Section 512A.06, line 2, strike "Permits shall be posted" and insert "**The permit issued shall be posted**".

9. In Section 1, at new Section 512A.07, division (b), strike "only be placed" and insert "**be placed only**"; and strike division (e) in its entirety.

10. In Section 1, at new Section 512A.08, division (a), line 2, strike "he" and insert "**the**"; in division (b), line 4, strike "division (d) of"; in line 5, strike "action" and insert "**suspension or revocation**" and also in line 5, strike "such notice" and insert "**the notice of suspension or revocation by**"; and strike lines 10, 11 and 12 in their entirety and insert "**the opportunity to contest the action and present evidence. After the hearing, the Director shall determine whether to suspend or revoke the permit.**".

11. In Section 1, at new Section 512A.09, line 3, after "this section" insert "**or not in compliance with a permit issued.**".

12. In Section 1, at new Section 512A.99, line 2, strike "Whoever" and insert "**No person shall violate the provisions of this chapter and whoever**".

Amendments agreed to.

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

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

**Ord. No. 1681-03.**

By Council Member Jackson (by departmental request).

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

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

1. In Section 2, line 5, strike "21543" and insert "**100355**".

Amendment agreed to.

The rules were suspended. Yeas 20. Nays 0. Read second time. Read



third time in full. Passed. Yeas 20. Nays 0.

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

**Ord. No. 1682-03.**

By Council Member Jackson (by departmental request).

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

Approved by Directors of Finance, Law; Passage recommended by Committee on Finance.

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

**Ord. No. 1683-03.**

By Council Member Jackson (by departmental request).

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

Approved by Directors of Finance, Law; Passage recommended by Committee on Finance.

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

**Ord. No. 1684-03.**

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

An emergency ordinance authorizing the Director of Public Utilities to make alterations and modifications in Contract No. 61081 for the E. 68th and E. 69th Street sewer replacement with Fabrizi Trucking & Paving Co., for the Department of Public Utilities.

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

1. In Section 1, at the last line, after "from" insert "**Fund Nos. 20 SF 363, 20 SF 372, and**".

Amendment agreed to.

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

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

**Ord. No. 1685-03.**

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

An emergency ordinance authorizing the Director of Port Control to make alterations and modifications in Contract No. 57531 for the construction of Abrams Creek with Independence Excavating, Inc., for the Department of Port Control.

Approved by Directors of Port Control, Finance, Law; Passage recommended by Committees on Aviation and Transportation, Finance.

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

**Ord. No. 1695-03.**

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

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

Approved by Directors of Port Control, Finance, Law; Passage recommended by Committees on Aviation and Transportation, Finance; when amended as follows:

1. In Section 1, line 13, after "Revised Contract Amount" strike "\$2,348,000.00" and insert "**\$2,648,000.00**". Amendment agreed to.

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

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

**Ord. No. 1696-03.**

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

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

Approved by Directors of Port Control, Finance, Law; Passage recommended by Committees on Aviation and Transportation, Finance.

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

**Ord. No. 1697-03.**

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

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

Approved by Directors of Port Control, Finance, Law; Passage recommended by Committees on Aviation and Transportation, Finance.

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

**Ord. No. 1698-03.**

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

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

Approved by Directors of Port Control, Finance, Law; Passage recommended by Committees on Aviation and Transportation, Finance.

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

**Ord. No. 1700-03.**

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

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

Approved by Directors of Parks, Recreation and Properties, Finance, Law; Passage recommended by Committees on Public Parks, Property and Recreation, Finance.

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 14. Nays 6.

Those voting yea were Council Members Jackson, Cimperman, Cinton, Coats, Gordon, Johnson, Jones, Lewis, Polensek, Rybka, Scott, Sweeney, Westbrook, White.

Those voting nay were Council Members Brady, Conwell, Dolan, O'Malley, Reed, Zone.

Absent: Council Member Britt.

**Ord. No. 1701-03.**

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

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

Approved by Directors of Community Development, City Planning Commission, Finance, Law; Relieved of Committee on Community and Economic Development, City Planning; Passage recommended by Committee on Finance.

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

**Ord. No. 1703-03.**

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

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

Approved by Directors of Community Development, City Planning Commission, Finance, Law; Relieved of Committees on Community and Economic Development, City Planning; Passage recommended by Committee on Finance.

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

**SECOND READING EMERGENCY RESOLUTIONS ADOPTED****Res. No. 1185-03.**

By Council Members Cimperman and Zone (by request).

An emergency resolution declaring the intention to vacate portions of Division Ave. N.W., Crescent Ave. N.W., W. 45th St., W. 53rd St. and W. 54th St.

Approved by Directors of Public Service, City Planning Commission, Finance, Law; Adoption recommended by Committees on Public Service, City Planning, Finance.

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

**Res. No. 1492-03.**

By Council Member Cimperman (by request).

An emergency resolution declaring the intention to vacate a portion of Noyes Court S.W.

Approved by Directors of Public Service, City Planning Commission, Finance, Law; Adoption recommended by Committees on Public Service, City Planning, Finance.

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

**Res. No. 1493-03.**

By Council Member Cintron (by request).

An emergency resolution declaring the intention to vacate a portion of West 39th Place.

Approved by Directors of Public Service, City Planning Commission, Finance, Law; Adoption recommended by Committees on Public Service, City Planning, Finance.

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

**LAID ON THE TABLE****Res. No. 909-03.**

By Council Member Jackson (by request).

An emergency resolution declaring the intention to vacate portions of Ashland Road S.E., Longfellow Avenue S.E. and East 61st Street.

Without objection, Resolution No. 909-03 was relieved for further consideration of all committees and was laid on the table pursuant to the Rules of Council.

The rules were suspended. Yeas 20. Nays 0. Resolution No. 909-03 was tabled.

**MOTION**

By Council Member Gordon seconded by Council Member White and unanimously carried that the absence of Council Member Patricia J. Britt, be and is hereby authorized.

**MOTION**

The Council Meeting adjourned at 8:34 p.m. to meet on Monday, September 29, 2003, at 7:00 p.m. in the Council Chambers.



Clerk of Council

**THE CALENDAR**

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

NONE

**BOARD OF CONTROL**

September 17, 2003

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, September 17, 2003, at 10:30 a.m. with Mayor Campbell presiding.

Present: Mayor Campbell, Directors Chandra, Baker, Konicek, Acting Director McGraw, Directors Ricchiuto, Carroll, Acting Director Pettus, Director Ronayne, Acting Director Resseger, Directors Routen, Sims, Fumich, Taylor and Williams.

Others: Myrna Branche, Commissioner, Purchases and Supplies.

Henry Guzman, Director, Office of Equal Opportunity.

On motion, the following resolutions were adopted.

**Resolution No. 549-03.**

By Director Mok.

Whereas, City News Events wishes to utilize the Parking Facility at Burke Lakefront Airport (the "Airport") for the 2003 Gospel/Soul Food Festival (the "Event") to be held on September 19, 2003 and September 20, 2003; and

Whereas, the City is willing to grant City News Events the privilege, permit and license to conduct the Event at the Airport; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.04 of the Codified Ordinances of Cleveland, Ohio 1976, the Director of the Department of Port Control is hereby authorized to enter into an agreement (the "Agreement") granting City News Events the privilege, permit and license to conduct the Event in the Parking Facility at Burke Lakefront Airport from 9:00 a.m. to 9:00 p.m. on September 19, 2003 and September 20, 2003, and to use and occupy the Parking Facility for such period of time before the Event as necessary for preparation and after the Event for clean up. City News Events shall pay the City a \$8,160.00 fee for the Event, and shall be responsible at its expense for providing traffic control, security and clean up.

Be it further resolved that the Agreement authorized hereby shall be prepared by the Director of Law and shall contain such other provisions, as the Director deems necessary to benefit and protect the public interest.

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Acting Director McGraw, Directors Ricchiuto, Carroll, Acting Director Pettus, Director Ronayne, Acting Director Resseger, Directors Routen, Sims, Fumich, Taylor and Williams.

Nays: None.

Absent: None.

**Resolution No. 550-03.**

By Director Ricchiuto.

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authority of Ordinance No. 647-03, passed by the Council of the City of Cleveland on May 12, 2003, Michael Benza and Associates, Inc. is selected upon the nomination of the Director of Public Service from a list of qualified engineering consultants or firms of such consultants determined to be available after a full and complete canvass by the Director of Public Service as the firm to be employed by contract to supplement the regularly employed staff of the several departments of the City to obtain the engineering services necessary for the improvements to Euclid Avenue between the East Cleveland corporation line and the Euclid corporation line.

Be it further resolved that the Director of Public Service is authorized to enter into a written contract with Michael Benza and Associates, Inc. based on its proposal dated April 29, 2003, as amended by its revised cost proposal dated July 22, 2003, provided that the compensation to be paid shall not exceed Four Hundred Six Thousand, Four Hundred Fifty-Eight Dollars (\$406,458.00). The agreement authorized hereby shall be prepared by the Director of Law and shall contain such other provisions as the Director of Law deems necessary to protect and benefit the public interest.

Be it further resolved that the employment of the following sub-consultants by Michael Benza and Associates, Inc. for the above authorized contract is approved:

MV Technologies, Inc.  
2855 West Market Street, Suite 214  
Akron, OH 44333  
(MBE) — \$77,850.00 — (19.153%)

Dalia Consultants  
6025 Royalton Road  
North Royalton, OH 44133  
(MBE) — \$46,344.00 — (11.402%)

Prime Engineering, Inc.  
1038 Ghent Road  
Akron, OH 44333  
(FBE) — \$28,630.00 — (7.044%)

AAA Pipe Cleaning Corporation  
7277 Bessemer Avenue  
Cleveland, OH 44127  
\$41,445.00 — (10.197%)

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Acting Director McGraw, Directors Ricchiuto, Carroll, Acting Director Pettus, Director Ronayne, Acting Director Resseger, Directors Routen, Sims, Fumich, Taylor and Williams.

Nays: None.

Absent: None.

**Resolution No. 551-03.**

By Acting Director Carroll.

Resolved, by the Board of Control of the City of Cleveland that the bid of Pharmed Corporation for an estimated quantity of Pharmaceutical supplies, items numbered 1 thru 46, 48 thru 121, 123 thru 129, 131 thru 139, 141 thru 164, 166 thru 180, 182 thru 238, 240 thru 290, for the Division of Correction, Department of Public Health for the period of one (1) year beginning with the date of execution of contract, received on June 11, 2003, pursuant to the authority of Ordinance No. 497-03 passed April 14, 2003, which on the basis of the estimated quantity would amount to Three Hundred Fifty-One Thousand Six Hundred Thirty-One and Seventy-One/100 Dollars (\$351,631.71), is hereby affirmed

and approved as the lowest and best bid, and the Director of Public Health is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

**Requisition No. 134746**

for medication

which shall be certified against such contract in the sum of Seventeen Thousand Nine Hundred Thirty-One and Fifty-Nine/100 Dollars (\$17,931.59).

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

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Acting Director McGraw, Directors Ricchiuto, Carroll, Acting Director Pettus, Director Ronayne, Acting Director Resseger, Directors Routen, Sims, Fumich, Taylor and Williams.

Nays: None.

Absent: None.

**Resolution No. 552-03.**

By Director Ronayne.

Resolved by the Board of Control of the City of Cleveland that the bid of SimplexGrinnell LP for the following: Labor and Materials necessary to Maintain/Repair and Test the Life Safety System, all items, for the Division of Convention Center and Stadium, Department of Parks, Recreation & Properties, received on the 3rd day of July, 2003, pursuant to the authority of Ordinance No. 604-03 & 237-03, passed May 12, 2003 & March 3, 2003, which on the basis of the order quantity would amount to \$64,400.00 is hereby approved as the lowest and best bid, and the Director of Parks, Recreation & Properties is hereby requested to enter into contract for such items.

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Acting Director McGraw, Directors Ricchiuto, Carroll, Acting Director Pettus, Director Ronayne, Acting Director Resseger, Directors Routen, Sims, Fumich, Taylor and Williams.

Nays: None.

Absent: None.

**Resolution No. 553-03.**

By Director Ronayne.

Be it resolved by the Board of Control of the City of Cleveland, that the bid of Berbakos Tree Service for a requirement contract for Urban Forest property maintenance services, all items, for the Division of Park Maintenance & Properties, Department of Parks, Recreation & Properties, for a period of one (1) year with a renewal option of one (1) year, received on May 1, 2003, pursuant to the authority of Ordinance No. 179-03, passed on March 3, 2003, which on the basis of the estimated quantity would amount to Forty-Six Thousand, Seven Hundred and Five Dollars and 00/100 (\$46,705.00), is hereby affirmed and approved as the lowest and best bid; and the Director of Department of Parks, Recreation & Properties is hereby authorized to enter into a requirement contract for such commodities, which shall provide for the immediate purchase as the initial of such contract of the following:

**Requisition No. 135723**

which shall be certified against such contract in the sum of Forty-six Thousand, Seven Hundred and Five Dollars and 00/100 (\$46,705.00).

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

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Acting Director McGraw, Directors Ricchiuto, Carroll, Acting Director Pettus, Director Ronayne, Acting Director Resseger, Directors Routen, Sims, Fumich, Taylor and Williams.

Nays: None.

Absent: None.

**Resolution No. 554-03.**

By Director Hudecek.

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

Whereas, under said Program, the City has acquired Permanent Parcel No. 004-07-121 located at West 19th Place in Ward 14; 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, Jesse Carrion and Ana Carrion, abutting/adjacent landowners, have proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 14 has consented to the proposed sale;

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

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

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland, with Jesse Carrion and Ana Carrion for the sale and development of Permanent Parcel No. 004-07-121 located at West 19th Place, 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, Acting Director McGraw, Directors Ricchiuto, Carroll, Acting Director Pettus, Director Ronayne, Acting Director

Resseger, Directors Routen, Sims, Fumich, Taylor and Williams.

Nays: None.

Absent: None.

**Resolution No. 555-03.**

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. 103-24-086 under said Land Reutilization Program; and

Whereas, Ordinance No. 503-03 passed August 13, 2003, 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, Farid Elabed 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. 503-03 passed August 13, 2003, 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 Farid Elabed for the sale and development of Permanent Parcel No. 103-24-086, 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 \$1,500.00, 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, Directors Chandra, Baker, Konicek, Acting Director McGraw, Directors Ricchiuto, Carroll, Acting Director Pettus, Director Ronayne, Acting Director Resseger, Directors Routen, Sims, Fumich, Taylor and Williams.

Nays: None.

Absent: None.

**Resolution No. 556-03.**

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 Nos. 119-03-062, 063, 064, 065 and part of 119-03-028, 029, 030 under said Land Reutilization Program; and

Whereas, Ordinance No. 1735-03 passed September 8, 2003, 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, Terri Lynne Walton 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. 1735-03 passed September 8, 2003, 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 Terri Lynne Walton for the sale and development of Permanent Parcel Nos. 119-03-062, 063, 064, 065 and part of 119-03-028, 029, 030, as described in said Ordinance in accordance with the Land Reutilization Program.

lization 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, Acting Director McGraw, Directors Ricchiuto, Carroll, Acting Director Pettus, Director Ronayne, Acting Director Resseger, Directors Routen, Sims, Fumich, Taylor and Williams.

Nays: None.  
Absent: None.

**Resolution No. 557-03.**

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 Nos. 119-03-029 (part of) and 119-03-030 (part of) under said Land Reutilization Program; and

Whereas, Ordinance No. 1733-03 passed September 8, 2003, 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, Steven T. Halcrombe 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. 1733-03 passed September 8, 2003, 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 Steven T. Halcrombe for the sale and development of Permanent Parcel Nos. 119-03-029 (part of) and 119-03-030 (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 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, Acting Director McGraw, Directors Ricchiuto, Carroll, Acting Director Pettus, Director Ronayne, Acting Director Resseger, Directors Routen, Sims, Fumich, Taylor and Williams.

Nays: None.  
Absent: None.

**Resolution No. 558-03.**

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 Nos. 119-03-028 (part of) and 119-03-029 (part of) under said Land Reutilization Program; and

Whereas, Ordinance No. 1734-03 passed September 8, 2003, 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, Willie C. Warner and Tiffany Warner have 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. 1734-03 passed September 8, 2003, 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 Willie C. Warner and Tiffany Warner for the sale and development of Permanent Parcel Nos. 119-03-028 (part of) and 119-03-029 (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 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, Acting Director McGraw, Directors Ricchiuto, Carroll, Acting Director Pettus, Director Ronayne, Acting Director Resseger, Directors Routen, Sims, Fumich, Taylor and Williams.

Nays: None.  
Absent: None.

**Resolution No. 559-03.**

By Director Hudecek.

Whereas, pursuant to the authority of Ordinance No. 1357-03, passed August 13, 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 City-owned property no longer needed for public use, described therein and located at 813 Alhambra Road, also known as Permanent Parcel Number 115-26-145, to Northeast Shores Development Corporation; and

Whereas, said Ordinance No. 1357-03, provided that the consideration to be paid for said parcel 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. 1357-03, passed by the Council of the City of Cleveland on August 13, 2003, the Commissioner of Purchases and Supplies is hereby directed to sell City-owned property no longer needed for public use, described therein and located at 813 Alhambra Road, also known as Permanent Parcel Number 115-26-145, to Northeast Shores Development Corporation at a consideration of One Dollar (\$1.00), and other valuable considerations.

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 parcel which document shall contain such additional terms and conditions as the Director of Law shall deem necessary.

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Acting Director McGraw, Directors Ricchiuto, Carroll, Acting Director Pettus, Director Ronayne, Acting Director Resseger, Directors Routen, Sims, Fumich, Taylor and Williams.

Nays: None.  
Absent: None.

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, OCTOBER 6, 2003**

**9:30 A.M.**

**Calendar No. 03-237:** 10503-07 Superior Avenue (Ward 8)

Mohammad J. Ali, owner, and Amadou Sy, prospective tenant, appeal to add an accessory use of outdoor vending to sell various items in a parking lot at the front of a vacant former food service building, located in a Local Retail Business District on the northeast corner of East 105th Street and Superior Avenue at 10503-07 Superior Avenue; the proposed accessory use being contrary to Section 343.01(b) of the Local Retail Business District Regulations, where no display of goods is permitted in front of the setback building line; and that front yards and side street yards are required for all main buildings and premises on corner lots according to Section 357.01 (b) of the Yards and Courts Regulations; and where outdoor display and sales is not a permitted front yard encroachment as stated in Section 357.13 of the Codified Ordinances.

**Calendar No. 03-246:** 4081 West 158th Street (Ward 21)

Steven Englehart, owner, appeals to construct a 27' wide x 27' long x 17' high, one-story, frame accessory garage to the rear of an approximate 40' x 125' parcel located in a One-Family District on the east side of West 158th Street at 4081 West 158th Street; said construction being contrary to the Residential District Requirements where a floor area of 729 s/f is proposed and the maximum floor area allowed is 666 s/f with a mean height of 14' as stated in Section 337.23(7)A of the Codified Ordinances.

**Calendar No. 03-247:** 5410 Stickney Avenue (Ward 16)

Jon A. Periandri II, owner, appeals to erect a 13' x 24' one-story, frame garage with gable roof at the rear of a single family dwelling and to install approximately 120 linear feet of 6' high privacy fence to the east side of the 35' x 152' irregular shaped parcel located in a Two Family District on the north side of Stickney Avenue and Fulton Road at 5410 Stickney Avenue; contrary to the Residential District Requirements where according to Section 337.23(a) accessory buildings shall be located a minimum of 18" from all property lines and contrary to the requirements of Section 357.05(b)(1) in the Side Street Yards Regulations, where the rear third portion of a corner lot in a residence district requires that the building line shall not be less than 10' back from the side street line; and contrary to the Fence Regulations where fences in actual side street yards shall not exceed 4' in height and be at least 50% open, except that in an actual side street yard, a fence that is set back at least 4' from the side street property line may be a maximum of 6' high and may be solid or open as stated in Section 358.04(a) of the Codified Ordinances.

**Calendar No. 03-248:** 1233 West 67th Street (Ward 17)

Hallie, Inc., owner, and their agent, Miriam Colen, appeal to construct a parking lot for 15 cars on an approximate 50' x 110' parcel located in a General Industry District on the east side of West 67th Street at 1233 West 67th Street; the proposed construction being contrary to provisions of the Landscaping and Screening Requirements where no landscape transition strip is provided and a 10' wide transition landscape strip is required to separate the parking lot use from the residential district to the south and east of the lot as stated in Sections 352.08-352.11 of the Codified Ordinances.

**Calendar No. 03-249:** 1229 West 67th Street (Ward 17)

Hallie, Inc., owner, and their agent, Miriam Colen, appeal to erect a 2100 s/f single family townhouse unit on an approximate 20' x 110' parcel located in a General Industry District on the east side of West 67th Street at 1229 West 67th Street; said construction being contrary to the Industrial District Regulations of Section 345.04(c) where a building for human habitation is not permitted in a General Industry District; and contrary to the provisions of the Area Requirements where the maximum gross floor area in a "B" Area District may not exceed one-half of the lot size and there is 2100 s/f proposed where 1500 s/f is allowed; and subject to the Yards and Courts Requirements with no side yards proposed where a 10' aggregate and a 3' minimum side yard are required and where no building may be erected within 10' of another residential building and 0' is proposed as stated in Section 357.09 of the Codified Ordinances.

**Calendar No. 03-250:** 1227 West 67th Street (Ward 17)

Hallie, Inc., owner, and their agent, Miriam Colen, appeal to erect a 2100 s/f single family townhouse unit on an approximate 20' x 110'

parcel located in a General Industry District on the east side of West 67th Street at 1227 West 67th Street; said construction being contrary to the Industrial District Regulations of Section 345.04(c) where a building for human habitation is not permitted in a General Industry District; and contrary to the provisions of the Area Requirements where the maximum gross floor area in a "B" Area District may not exceed one-half of the lot size and there is 2100 s/f proposed where 1100 s/f is allowed; and subject to the Yards and Courts Requirements with no side yards proposed where a 10' aggregate and a 3' minimum side yard are required and where no building may be erected within 10' of another residential building and 0' is proposed as stated in Section 357.09 of the Codified Ordinances.

**Calendar No. 03-251:** 17725 Puritas Avenue (Ward 20)

Cleveland Housing Network, Inc., owner, and Delorce Graham, agent, appeal to erect a 26' x 44' two-story, frame single family dwelling and a 20' x 20' detached garage on an approximate 40' x 123' parcel located in a One-Family District on the south side of Puritas Avenue at 17725 Puritas Avenue; appellants' plan being contrary to the Yards and Courts Regulations where a front yard distance of 30' is proposed and 35' is required as stated in Section 357.04(a) of the Codified Ordinances.

**Calendar No. 03-252:** 4856 Lee Road (Ward 1)

Lee Heights Community Church, owner, and Reverend Vern Miller appeal to install approximately 592 linear feet of 4' high chain link fencing at the front and at the north and south sides of an approximate 169' x 250' irregular shaped parcel located in a One Family District on the west side of Lee Road and Highview Avenue at 4856 Lee Road; said installation of chain link fencing being contrary to the Fence Regulations, where in a residential district only ornamental fence is permitted in the actual front and actual side street yards as stated in Section 358.04(c)(1) of the Codified Ordinances.

EUGENE CRANFORD, JR.,  
Secretary

## REPORT OF THE BOARD OF ZONING APPEALS

### MONDAY, SEPTEMBER 22, 2003

At the meeting of the Board of Zoning Appeals on Monday, September 22, 2003, the following appeals were heard by the Board:

The following appeals were **Approved**:

**Calendar No. 03-232:** 1178 East 79th Street

Shiloh Temple House of God appealed to construct a 66' x 104' two-story brick church building on a 87' x 130' parcel in a Local Retail Business District.

**Calendar No. 03-234:** 2079 Random Road

Random Road LLC appealed to construct a 136' x 70' three-story, 14 unit townhouse building with de-

tached garages on a 149' x 168' parcel in a Multi-Family District.

**Calendar No. 02-223:** 12222 Lorain Avenue

Edward M. Krivec and Donald Folmer appealed to change the use of a first floor tenant space into a tattoo and body piercing shop in a General Retail Business District.

**Calendar No. 03-207:** 4337 West 58th Street

Renee Vucek appealed from a Violation Notice issued by the Division of Building and Housing.

The following appeals were **Denied**:

**Calendar No. 03-153:** 2217 Broadview Road

Fred Manson and Gus Moulagianis appealed to change the use of a first floor two-story masonry building into a tattoo and body piercing shop in a Local Retail Business District.

**Calendar No. 03-209:** 4200 Brookpark Road

Capps and Karas Investments Inc. and Paul Duffy appealed to change the use of a one-story masonry video store building into an adult video store in a Semi-Industry District and General Industry District.

The following appeal was **Dismissed**:

**Calendar No. 03-233:** Fuad D. Jaser appealed from the suspension of a City of Cleveland Hack License.

The following appeals were **Postponed**:

**Calendar No. 03-208:** 3715 Highland Road postponed to October 27, 2003.

**Calendar No. 03-200:** 3809 Pearl Road postponed to October 20, 2003.

**On Monday, September 22, 2003, in Executive Session:**

The following appeals were heard by the Board on Monday, September 15, 2003, and said decisions were approved and adopted in Executive Session on Monday, September 22, 2003:

The following appeals were **Approved**:

**Calendar No. 03-226:** 4016 John Avenue

I & J Investment appealed to convert a two-story frame, two dwelling unit to a single dwelling unit in a Two-Family District.

**Calendar No. 03-228:** 2384 Professor Avenue

Parkhill Associates appealed to change the use of a four unit dwelling building to a two dwelling unit building in a General Retail Business District.

**Calendar No. 03-198:** 2375 East 39th Street

BFR Partners appealed to construct a 32' x 52' one-story frame, single family house with an attached garage on a 42' x 125' parcel in a Multi-Family District.

**Calendar No. 03-217:** 4765 State Road

Jehovah's Witnesses appealed to construct a parking lot for 61 park-

ing spaces on a 160' x 312' parcel in a Local Retail Business District.

The following appeal was **Denied**:

**Calendar No. 03-229:** 4408 West 145th Street

Dustin Giberson appealed to install 50 linear feet of 6' high wood privacy fence to the side of a single family dwelling on a 45' x 107' parcel in a One-Family District.

**Calendar No. 03-230:** 10020 Somerset Avenue

Brent Price, owner, and Lashanetta Smith, tenant, appealed to establish use as a Type A day care center a 30' x 60' two-story, frame two-family dwelling in a Two-Family District.

**Calendar No. 03-210:** Appeal of Northeast Ohio Telephone, Inc., 9410 Denison Avenue

Northeast Ohio Telephone appealed from an order to remove an outdoor pay phone at the property of 9410 Denison Avenue.

EUGENE CRANFORD, JR.,  
Secretary

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

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NO MEETING

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**PUBLIC NOTICE**

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NONE

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**NOTICE OF PUBLIC HEARING**

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NONE

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**LEGAL NOTICE**

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Advertisement of the Clerk of Cleveland Municipal Court, City of Cleveland, Ohio. As authorized by Ordinance 459.03(d), the Clerk of the Cleveland Municipal Court is seeking sealed proposals in response to a Request For Proposal (R.F.P.) issued **September 30, 2003** for management consulting for the Parking Violations Bureau, processing of parking tickets including, but not limited to: database management and delinquent ticket noticing and certain other collection services for parking tickets issued against vehicles in the City of Cleveland. Each proposal must be in accordance with the specifications of the R.F.P. The R.F.P. is available at the office of the Clerk, Cleveland Municipal Court, Justice Center-Level 2, 1200 Ontario St. Cleveland, Ohio 44113. Each prospective bidder must submit a letter of intent to bid to the Clerk by **October 10, 2003**. No proposals will be considered unless delivered to the Clerk's Office no later than 12:00 p.m. on **November 21, 2003**.

Earle B. Turner, Clerk  
Cleveland Municipal Court

September 24, 2003 and October 1, 2003

**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, OCTOBER 1, 2003**

**Labor & Materials Necessary To Install and/or Repair Fencing**, for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Ordinance No. 1150-03, passed by the Council of the City of Cleveland, July 16, 2003.

THERE WILL BE A PRE-BID MEETING, THURSDAY, SEPTEMBER 25, 2003 AT 2:00 P.M., DIVISION OF WATER POLLUTION CONTROL, 12302 KIRBY AVENUE, CLEVELAND, OHIO 44108.

September 17, 2003 and September 24, 2003

**THURSDAY, OCTOBER 2, 2003**

**Labor & Materials For Sewer Test Tee Installation, Inspection & Repair**, for the Division of Water Pollution Control, Department of Public Utilities, of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A MANDATORY PRE-BID MEETING WHERE YOUR ATTENDANCE IS MANDATORY TO BE ELIGIBLE FOR BIDDING; FRIDAY, SEPTEMBER 26, 2003 AT 9:00 A.M., DIVISION OF WATER POLLUTION CONTROL, 12302 KIRBY AVENUE, CLEVELAND, OHIO 44108.

September 17, 2003 and September 24, 2003

**WEDNESDAY, OCTOBER 8, 2003**

**Multi-Functional Engineering Drawing Copier/Scanner/Printer**, for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Ordinance No. 800-03, passed by the Council of the City of Cleveland, June 2, 2003.

THERE WILL BE A PRE-BID MEETING, THURSDAY, OCTOBER 2, 2003 AT 10:00 A.M., DIVISION OF WATER POLLUTION CONTROL, 12302 KIRBY AVENUE, CLEVELAND, OHIO 44108.

September 17, 2003 and September 24, 2003

**THURSDAY, OCTOBER 9, 2003**

**Harvard Yards Site Improvements 2003**, for the Division of Architecture, Department of Public Service, as authorized by Ordinance No. 833-02, passed by the Council of the City of Cleveland, June 3, 2002.

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

THERE WILL BE A PRE-BID MEETING, WEDNESDAY, OCTOBER 1, 2003, AT 10:00 A.M., BUILDING #1—HARVARD YARDS FACILITY, 4150 E. 49TH STREET, CUYAHOGA HEIGHTS, OHIO 44105.

September 17, 2003 and September 24, 2003

**THURSDAY, OCTOBER 16, 2003**

**Maintenance of Decorative and Special Lighting**, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 998-03, passed by the Council of the City of Cleveland, June 10, 2003.

THERE WILL BE A MANDATORY PRE-BID MEETING WHERE YOUR ATTENDANCE IS MANDATORY TO BE ELIGIBLE FOR BIDDING; THURSDAY, OCTOBER 2, 2003 AT 10:00 A.M., CLEVELAND PUBLIC POWER, 1300 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

September 17, 2003 and September 24, 2003

**THURSDAY, OCTOBER 9, 2003**

**Archmere Avenue Sewer Replacement**, for the Division of Water Pollution Control, Department of Public Utilities as authorized by Ordinance No. 643-03, passed by the Council of the City of Cleveland, July 16, 2003.

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

THERE WILL BE A PRE-BID MEETING, THURSDAY, OCTOBER 2, 2003 AT 11:00 A.M., DIVISION OF WATER POLLUTION CONTROL, 12302 KIRBY AVENUE, CLEVELAND, OHIO 44108.

**Lubricants**, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 805-03, passed by the Council of the City of Cleveland, June 10, 2003.

THERE WILL BE A PRE-BID MEETING, WEDNESDAY, OCTOBER 1, 2003 AT 3:30 P.M., AT DIVISION OF MOTOR VEHICLES, 4150 E. 49TH STREET, BUILDING 1, CLEVELAND, OHIO 44105.

**Shop Tools and Diagnostic Equipment**, for Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 1424-02, passed by the Council of the City of Cleveland, July 17, 2002.

THERE WILL BE A PRE-BID MEETING, WEDNESDAY, OCTOBER 1, 2003 AT 4:00 P.M., AT DIVISION OF MOTOR VEHICLES, 4150 E. 49TH STREET, BUILDING 1, CLEVELAND, OHIO 44105.

September 24, 2003 and October 1, 2003

**WEDNESDAY, OCTOBER 15, 2003**

**(Phase I) Labor & Materials Necessary To Maintain, Repair, and Modify Existing Airfield, Parking and Terminal Lighting Systems**, for the Various Divisions, Department of Port Control, as authorized by Ordinance No. 1015-03, passed by the Council of the City of Cleveland, June 10, 2003.

THERE WILL BE A PRE-BID MEETING, WEDNESDAY, OCTOBER 8, 2003 AT 10:00 A.M., AT CLEVELAND HOPKINS INTERNATIONAL AIRPORT, CENTRAL RECEIVING BUILDING, 19451 FIVE POINTS ROAD, CLEVELAND, OHIO 44135.

September 24, 2003 and October 1, 2003

#### ADOPTED RESOLUTIONS AND ORDINANCES

##### **Res. No. 1705-03.**

**By Council Member Jackson (by departmental request).**

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

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

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

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

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

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

sure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its 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 September 15, 2003.

Effective September 17, 2003.

##### **Res. No. 1815-03.**

**By Council Member Cintron.**

**An emergency resolution opposing any effort to prematurely end the protective steel tariffs and urging the Bush Administration to allow the protective steel tariffs to continue in operation through their original three year term.**

Whereas, the proud tradition of steelmaking is a vital part of our community's history and identity, and our local economy is still largely linked to the steel industry as a provider of quality jobs; and

Whereas, a thorough Section 201 investigation by the International Trade Commission ("ITC") concluded that American steel companies, communities, families and other non-steel manufacturing operations were injured as a result of illegally-dumped foreign steel, and the ITC recommended immediate action by the U.S. Department of Commerce to curb the illegal dumping of foreign steel in U.S. markets; and

Whereas, after receiving the ITC's report and carefully considering a number of remedies, the Department of Commerce and the Bush Administration took legal and just corrective action and instituted limited tariffs on specific steel products for a period of three years; and

Whereas, enactment of the tariffs has slowed the illegal dumping of foreign steel and allowed American steelmakers and their employees to partially recover from the crises sparked in 1998 by illegally dumped foreign steel; and

Whereas, if the steel industry is to survive, recovery must be able to continue; and

Whereas, the American steel industry is currently in a state of wide-scale restructuring and consolidation that will eventually enable the remaining American steel companies to compete effectively in an increasingly global marketplace; and

Whereas, this Council supports the continuation of these protective tariffs through their original three year term and opposes any efforts to end them prematurely; and

Whereas, premature ending of these protective tariffs will have devastating consequences in the Cleveland area as many individuals, families, and business rely on the steel manufacturing industry and related industries for jobs and business; 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 hereby opposes any effort to prematurely end the protective steel tariffs, instituted after an investigation by the ITC, and urges the Bush Administration to allow the protective steel tariffs to continue in operation through their original three year term.

**Section 2.** That the Clerk of Council is hereby directed to transmit a copy of this resolution to President George W. Bush and the United States Secretary of Commerce.

**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 September 15, 2003.

Effective September 17, 2003.

##### **Res. No. 1816-03.**

**By Council Member Westbrook.**

**An emergency resolution withdrawing objection to the transfer of ownership of a C1 Liquor Permit at 8806 Almira Avenue and repealing Resolution No. 1134-03, objecting to said transfer.**

Whereas, this Council objected to the transfer of ownership of a C1 Liquor Permit to 8806 Almira Avenue by Resolution No. 1134-03 adopted by the Council on June 9, 2003; and

Whereas, this Council wishes to withdraw its objection to the above transfer and consents to said transfer based upon and pursuant to a cooperation agreement by and through City Council Representative, Jay Westbrook and Applicant, Cosme Delgado, President of Jenny's Deli Mart, Inc., DBA Jenny Daily Mart, 8806 Almira Avenue, Cleveland, Ohio 44102, Permanent Number 1758573, 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 objection to the transfer of ownership of a C1 Liquor Permit to 8806 Almira Avenue be and the same is hereby withdrawn and Resolution No. 1134-03, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate 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 September 15, 2003.

Effective September 17, 2003.

**Res. No. 1817-03.****By Council Member White.**

**An emergency resolution withdrawing objection to the renewal of C2 and C2X Liquor Permit at 9305 Miles Avenue and repealing Resolution No. 1661-02, objecting to said renewal.**

Whereas, this Council objected to the renewal of a C2 and C2X Liquor Permit to 9305 Miles Avenue by Resolution No. 1661-02 adopted by the Council on August 14, 2002; and

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

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

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

**Section 1.** That objection to the renewal of a C2 and C2X Liquor Permit to 9305 Miles Avenue be and the same is hereby withdrawn and Resolution No. 1661-02, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

Adopted September 15, 2003.  
Effective September 17, 2003.

**Res. No. 1818-03.****By Council Members Gordon, Jackson, Reed, White, Coats and Jones.**

**An emergency resolution recognizing the important and vital role of Section 8 vouchers in providing low income individuals and families, including families with children, with housing opportunities; expressing Council's support of the Section 8 voucher program and Council's concern that individuals and families, including families with children, will be forced into homelessness if there is a loss of Section 8 vouchers; and encouraging the Ohio Congressional delegation to support full funding for the United States Department of HUD Section 8 voucher program.**

Whereas, 5.4 million households in the United States are in worst case housing or are paying more than 30% of their income on housing costs according to the United States Department of Housing and Urban Development ("HUD"); and

Whereas, 3.5 million households in the United States will experience homelessness this year and 1.35 million of those people will be children according to the Urban Institute; and

Whereas, in the City of Cleveland, 50% of the approximately 101,000 rental households pay more than 30% of their income for rent, and 25% pay more than 50% of their income on rent; and

Whereas, in Cuyahoga County, an extremely low income household (earning \$18,000 per year, 30% of the Area median income of \$60,000 per year) can afford a monthly rent of no more than \$450, while the Fair Market Rent for a two bedroom apartment is \$748/month, and

Whereas, it would take 112 hours of work a week for a household living on minimum wage to be able to properly afford a 2 bedroom apartment, and

Whereas, a recipient of SSI (receiving \$593/month) can afford monthly rent no more than \$178, while the fair market rent for a one-bedroom unit is \$603 according to the United States Department of Housing and Urban Development; and

Whereas, the City of Cleveland Consolidated Plan and Cuyahoga County Continuum of Care recognizes the needs for affordable housing units and the need for additional funding resources; and

Whereas, the United States Congressional Budget Office has estimated that given the current resources being proposed by the United States Senate, there will be the loss of approximately 100,000 Section 8 vouchers for families currently utilizing them; and

Whereas, the United States Congressional Budget Office has estimated that given the current resources being proposed by the United States House of Representatives, there will be the loss of approximately 63,000 Section 8 vouchers for families currently utilizing them; and

Whereas, this loss of Section 8 vouchers will leave many individuals and families, including families with children, without access to affordable housing; and

Whereas, this loss of Section 8 vouchers will force many individuals and families, including families with children, onto the streets and into a life of homelessness; and

Whereas, the City of Cleveland has reported 17 straight years of increases in homelessness, and the U.S. Census reported the homeless shelter population at 120% of capacity in April of 2000; and

Whereas, this Council has continually supported the need and right of its citizens to live in safe, decent, fair, accessible and affordable housing; and

Whereas, this Council recognizes the important and vital role that Section 8 vouchers provide in enabling low income individuals and families to afford housing; and

Whereas, this Council is concerned that the projected reductions in Section 8 vouchers will increase the number of homeless individuals and families, including families with children; 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 recognizes the important and vital role of Section 8 vouchers in providing low income individuals and families, including families with children, with housing opportunities.

**Section 2.** That this Council is supportive of the Section 8 voucher program and is concerned that individuals and families, including families with children, currently assisted by Section 8 vouchers will be forced into homelessness if there is a loss of Section 8 vouchers.

**Section 3.** That this Council reaffirms the importance and need for affordable housing and hereby encourages all members of the Ohio Congressional Delegation to support the full funding necessary to ensure that the HUD Section 8 program operates at full capacity.

**Section 4.** That the Clerk of Council is hereby directed to transmit copies of this resolution to U.S. Senator Michael DeWine, U.S. Senator George Voinovich, Congresswoman Stephanie Tubbs Jones, Congressman Dennis Kucinich, Congressman Sherrod Brown, and Congressman Steven LaTourette.

**Section 5.** 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 September 15, 2003.  
Effective September 17, 2003.

**Ord. No. 1486-03.****By Council Member Cimperman (by request).**

**An emergency ordinance authorizing the Director of Public Service to issue a permit to 3500 Group, Ltd. by Real Estate Services, Agent, to encroach into the right-of-way of an Unnamed, Unimproved 12-Foot Alley North of Lorain Avenue and East of Fulton Place for a new parking lot.**

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

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

**Section 1.** That the Director of Public Service hereby is authorized to issue a permit, revocable at the will of Council, and assignable by the Permittee with the written consent of the Director of Public Service to the 3500 Group, Ltd. by Real Estate Services, Authorized Agent, P.O. Box 91672, Cleveland, Ohio 44101, for the construction, use and maintenance of an expanded parking lot area adjacent to the 3500 Lorain Avenue ("Project") which will encroach into the right-of-way of an Unnamed, Unimproved 12-Foot Alley North of Lorain Avenue and East of Fulton Place and is described as follows:

**ENCROACHMENT AREA/  
PARKING LOT/3500 LORAIN  
AVENUE - "FULTON PLACE"**

Situated in the City of Cleveland, County of Cuyahoga and the State of Ohio and known as being part of Sublot No. 325 in Barber and Lord's Allotment, of a part of Original Brooklyn Township Lots Nos. 51, 52, 69 and 70, as shown by the Record-



ed Plat in Volume 11 of Maps, Page 26 of Cuyahoga County Records being bounded and described as follows:

Beginning in the intersection of the southeasterly line of a 12-foot Alley and the northeasterly line of Fulton Place N.W., (16.00 feet wide);

Course 1: Thence along the northeasterly line of Fulton Place, North 48°-20'-00" West, a distance of 13.02 feet;

Course 2: Thence North 18°-51'-16" East, a distance of 63.08 feet to the southwesterly line of land owned by the Public Library Board of the City of Cleveland as recorded in Volume 977, Page 327 of Cuyahoga County Deed Records;

Course 3: Thence along the southwesterly line of the Public Library, South 66°-05'-29" East, a distance of 12.04 feet to the southeasterly line of the 12-foot Alley;

Course 4: Thence along the southeasterly line of the 12-foot Alley, South 18°-51'-16" West, a distance 67.07 feet to the place of beginning and containing 781 square feet of land according to a survey by the M. Neff Design Group, dated February 2003, be the same more or less, but subject to all legal highways.

NOTE: Bearings shown hereon are to an assumed meridian and are used to denote angles only.

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

**Section 3.** That the permit herein authorized shall be prepared by the Director of Law and shall be issued only when, in the opinion of the Director of Law, the City of Cleveland has been properly indemnified against any and all loss which may result from said permit.

**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 September 15, 2003.

Effective September 17, 2003.

**Ord. No. 1808-03.**

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

**An emergency ordinance authorizing the Director of Economic Development to apply for and accept a grant from the Clean Ohio Assistance Fund, for a Clean Ohio Assistance Grant for the acquisition and remediation of certain parcels located at East 116th Street and Kinsman; and authorizing the director to enter into a participation agreement with Mt. Pleasant NOW Development Corporation to implement the project.**

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

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

**Section 1.** That the Director of Economic Development is authorized to apply for and accept a grant in the amount of \$583,614.00, from the Clean Ohio Assistance Fund, for a Clean Ohio Assistance Grant to conduct the acquisition and remediation of permanent parcel numbers 128-23-004, 128-23-005, 128-23-016, 128-23-017, and 128-23-018 located at East 116th and Kinsman.

**Section 2.** That the Director of Economic Development 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 summary for the grant.

**Section 3.** That the summary for the grant, File No. 1808-03-A, made a part as if fully rewritten herein, is approved in all respects.

**Section 4.** That the Director of Economic Development is authorized to enter into a participation agreement with Mt. Pleasant NOW Development Corporation to implement the acquisition and remediation project as described in the summary.

**Section 5.** That the contracts authorized by this ordinance shall be prepared by the Director of Law and shall contain terms and conditions as the Director deems necessary to protect and benefit the public interest.

**Section 6.** That the cost of the contracts authorized shall only be paid from the fund or funds that are credited the proceeds of the grant accepted under this ordinance.

**Section 7.** 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 September 15, 2003.

Effective September 17, 2003.

**Ord. No. 1812-03.**

**By Council Member Cimperman. An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the Saint Peter Church to stretch banners on Superior Avenue between East 17th & East 18th Street, for the period from October 1, 2003 to November 1, 2003, inclusive, publicizing the 150th Anniversary of Saint Peter Church.**

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

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

**Section 1.** That notwithstanding the provision of Section 623.13 of the Codified Ordinances, of Cleveland,

Ohio, 1976, the Director of the Department of Public Service is hereby authorized and directed to issue a permit to the Saint Peter Church to install, maintain and remove banners on Superior Avenue between East 17th & East 18th Street, for the period from October 1, 2003 to November 1, 2003, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

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

Passed September 15, 2003.

Effective September 17, 2003.

**Ord. No. 1813-03.**

**By Council Member Dolan. An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Cleveland Public Art for the Cleveland Police and Firemen's Memorial Project through the use of Ward 21 Neighborhood Equity Funds.**

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

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

**Section 1.** That the Director of Community Development is authorized to enter into an agreement with Cleveland Public Art for the Cleveland Police and Firemen's Memorial Project for the public purpose of recognizing the contributions of those individuals who served in the ranks of the Cleveland Police and Fire safety forces through the use of Ward 21 Neighborhood Equity Funds.

**Section 2.** That the cost of said contract shall be in an amount not to exceed \$5,000 and shall be paid from Fund No. 10 SF 166.

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

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

from and after the earliest period allowed by law.

Passed September 15, 2003.  
Effective September 17, 2003.

**Ord. No. 1814-03.  
By Council Member Reed.**

**An emergency ordinance authorizing the Director of Community Development to enter into an agreement with the Murtis H. Taylor Multi-Service Center for the Congregate Meals Program through the use of Ward 3 Neighborhood Equity Funds.**

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

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

**Section 1.** That the Director of Community Development is authorized to enter into an agreement with the Murtis H. Taylor Multi-Service Center for the Congregate Meals Program for the public purpose of providing social activities for senior citizens and hot meals to home bound senior citizens residing in the City of Cleveland through the use of Ward 3 Neighborhood Equity Funds.

**Section 2.** That the cost of said contract shall be in an amount not to exceed \$25,000 and shall be paid from Fund No. 10 SF 166.

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

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

Passed September 15, 2003.  
Effective September 17, 2003.

Rybka, Sweeney. Authorized Absence: White, Vice Chair; Dolan, Jones.

**2:00 P.M.**

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

**Tuesday, September 23, 2003  
1:30 P.M.**

**Health and Human Services Committee:** Present in Health: Zone, Vice Chair; Conwell, Gordon, Pierce Scott, Polensek. Authorized Absence: Britt, Chair, Cintron.

**Wednesday, September 24, 2003  
11:00 A.M.**

**City Planning Committee:** Present in City Planning: Cimperman, Chair; Rybka, Vice Chair; Conwell, Lewis, O'Malley, Westbrook, Pierce Scott.

**1:30 p.m.**

**Public Utilities Committee:** Present in Public Utilities: Coats, Chair; O'Malley, Vice Chair; Brady, Jones, Polensek, Sweeney, Westbrook, Zone. Authorized Absence: Cintron.

**COUNCIL COMMITTEE MEETINGS**

**Monday, September 22, 2003  
9:30 A.M.**

**Public Parks, Property & Recreation Committee:** Present in Public Parks: Johnson, Chair; Cimperman,

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