

The City Record

Official Publication of the Council of the City of Cleveland



September the Twenty-Second, Two Thousand and Ten

Frank G. Jackson
Mayor

Martin J. Sweeney
President of Council

Patricia J. Britt
City Clerk, Clerk of Council

Ward Name

- 1 Terrell H. Pruitt
- 2 Zachary Reed
- 3 Joe Cimperman
- 4 Kenneth L. Johnson
- 5 Phyllis E. Cleveland
- 6 Mamie J. Mitchell
- 7 TJ Dow
- 8 Jeffrey D. Johnson
- 9 Kevin Conwell
- 10 Eugene R. Miller
- 11 Michael D. Polensek
- 12 Anthony Brancatelli
- 13 Kevin J. Kelley
- 14 Brian J. Cummins
- 15 Matthew Zone
- 16 Jay Westbrook
- 17 Dona Brady
- 18 Martin J. Sweeney
- 19 Martin J. Keane

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DIRECTORY OF CITY OFFICIALS

CITY COUNCIL – LEGISLATIVE

President of Council – Martin J. Sweeney

Ward Name Residence

- 1 Terrell H. Pruitt 3877 East 189th Street 44122
- 2 Zachary Reed 3734 East 149th Street 44120
- 3 Joe Cimperman P.O. Box 91688 44101
- 4 Kenneth L. Johnson 2948 Hampton Road 44120
- 5 Phyllis E. Cleveland 2369 East 36th Street 44105
- 6 Mamie J. Mitchell 12701 Shaker Boulevard, #712 44120
- 7 TJ Dow 7715 Decker Avenue 44103
- 8 Jeffrey D. Johnson 9024 Parkgate Avenue 44108
- 9 Kevin Conwell 10647 Ashbury Avenue 44106
- 10 Eugene R. Miller 13615 Kelso Avenue 44110
- 11 Michael D. Polensek 17855 Brian Avenue 44119
- 12 Anthony Brancatelli 6924 Ottawa Road 44105
- 13 Kevin J. Kelley 5904 Parkridge Avenue 44144
- 14 Brian J. Cummins 3104 Mapledale Avenue 44109
- 15 Matthew Zone 1228 West 69th Street 44102
- 16 Jay Westbrook 1278 West 103rd Street 44102
- 17 Dona Brady 1272 West Boulevard 44102
- 18 Martin J. Sweeney 3632 West 133rd Street 44111
- 19 Martin J. Keane 15907 Colletta Lane 44111

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

MAYOR – Frank G. Jackson

Ken Silliman, Secretary to the Mayor, Chief of Staff
Darnell Brown, Executive Assistant to the Mayor, Chief Operating Officer
Valerie J. McCall, Executive Assistant to the Mayor, Chief of Government Affairs
Chris Warren, Executive Assistant to the Mayor, Chief of Regional Development
Monyka S. Price, Executive Assistant to the Mayor, Chief of Education
Maureen Harper, Executive Assistant to the Mayor, Chief of Communications
Andrea V. Taylor, Executive Assistant to the Mayor, Press Secretary
Andrew Watterson, Executive Assistant to the Mayor, Chief of Sustainability
Natoya J. Walker, Interim Director, Office of Equal Opportunity
DEPT. OF LAW – Robert J. Triozzi, Director, Richard F. Horvath, Chief Corporate Counsel,
Thomas J. Kaiser, Chief Trial Counsel, Barbara A. Langhenry, Chief Counsel, Rm. 106
Pam Benjamin, Law Librarian, Room 100

DEPT. OF FINANCE – Sharon Dumas, Director, Room 104;
Frank Badalamenti, Manager, Internal Audit

DIVISIONS: Accounts – Richard W. Sensenbrenner, Commissioner, Room 19
Assessments and Licenses – Dedrick Stephens, Commissioner, Room 122
City Treasury – _____, Treasurer, Room 115
Financial Reporting and Control – James Gentile, Controller, Room 18
Information Technology and Services – Douglas Divish, Commissioner, 205 W. St. Clair
Avenue
Purchases and Supplies – James E. Hardy, Commissioner, Room 128
Printing and Reproduction – Michael Hewitt, Commissioner, 1735 Lakeside Avenue
Taxation – Nassim Lynch, Tax Administrator, 205 W. St. Clair Avenue

DEPT. OF PUBLIC UTILITIES – Barry A. Withers, Director, 1201 Lakeside Avenue
DIVISIONS – 1201 Lakeside Avenue
Cleveland Public Power – Ivan Henderson, Commissioner
Street Lighting Bureau – _____, Acting Chief
Utilities Fiscal Control – Dennis Nichols, Commissioner
Water – John Christopher Nielson, Commissioner
Water Pollution Control – Ollie Shaw, Commissioner

DEPT. OF PORT CONTROL – Ricky D. Smith, Director
Cleveland Hopkins International Airport, 5300 Riverside Drive
Burke Lakefront Airport – Khalid Bahhur, Commissioner
Cleveland Hopkins International Airport – Fred Szabo, Commissioner

DEPT. OF PUBLIC SERVICE – Jomarie Wasik, Director, Room 113
DIVISIONS: Architecture – Kurt Wiebusch, Commissioner, Room 517
Engineering and Construction – _____, 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 – Matt Carroll, Director, Mural Building, 75 Erieview Plaza
DIVISIONS: Air Quality – Richard L. Nemeth, Commissioner
Environment – Willie Bess, Commissioner, Mural Building, 75 Erieview Plaza
Health – Karen K. Butler, Commissioner, Mural Building, 75 Erieview Plaza

DEPT. OF PUBLIC SAFETY – Martin Flask, Director, Room 230
DIVISIONS: Dog Pound – John Baird, Chief Dog Warden, 2690 West 7th Street
Correction – Robert Taskey, Commissioner, Cleveland House of Corrections, 4041 Northfield Rd.
Emergency Medical Service – Edward Eckart, Commissioner, 1708 South Pointe Drive
Fire – Paul A. Stubbs, Chief, 1645 Superior Avenue
Police – Michael C. McGrath, Chief, Police Hdqtrs. Bldg., 1300 Ontario Street

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

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

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

DEPT. OF PERSONNEL AND HUMAN RESOURCES – Nycole D. West, Interim Director, Room 121

DEPT. OF ECONOMIC DEVELOPMENT – Tracey A. Nichols, Director, Room 210

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

DEPT. OF CONSUMER AFFAIRS – John D. Mahone, Interim Director

COMMUNITY RELATIONS BOARD – Room 11, Blaine Griffin, Director; Mayor Frank G. Jackson, Chairman Ex-Officio; Rev. Charles Lucas, Jr., Vice-Chairman; Councilman Kevin Conwell, Councilman Brian J. Cummins, Councilman _____, Councilman Matthew Zone, City Council Representatives; Charles L. Patton, Jr., Paula Castleberry, Emmett Saunders, John Banno, Kathryn M. Hall, Evangeline Hardaway, Janet Jankura, Gia Hoa Ryan, Rev. Jesse Harris, Magda Gomez, Fred J. Livingstone, Margot James Copeland.

CIVIL SERVICE COMMISSION – Room 119, Reynaldo Galindo, President; Rev. Earl Preston, Vice President; Lucille Ambroz, Secretary; Members: Diane M. Downing, Michael L. Nelson.

SINKING FUND COMMISSION – Frank G. Jackson, President; Council President Martin J. Sweeney; Betsy Hruby, Asst. Sec'y.; Sharon Dumas, Director.

BOARD OF ZONING APPEALS – Room 516, Carol A. Johnson, Chairman; Members: John Myers, Ozell Dobbins, Joan Shaver Washington, Tim Donovan, _____, Secretary.

BOARD OF BUILDING STANDARDS AND BUILDING APPEALS – Room 516, J. F. Denk, Chairman; _____, Arthur Saunders, Alternate Members – D. Cox, P. Frank, E. P. O'Brien, Richard Pace, J.S. Sullivan.

BOARD OF REVISION OF ASSESSMENTS – Law Director Robert J. Triozzi, President; Finance Director Sharon Dumas, Secretary; Council President Martin J. Sweeney.

BOARD OF SIDEWALK APPEALS – Service Director Jomarie Wasik, Law Director Robert J. Triozzi; Councilman _____.

BOARD OF REVIEW – (Municipal Income Tax) – Law Director Robert J. Triozzi; Utilities Director _____; Council President Martin J. Sweeney.

CITY PLANNING COMMISSION – Room 501 – Robert N. Brown, Director; Anthony J. Coyne, Chairman; David H. Bowen, Lillian Kuri, Lawrence A. Lumpkin, Gloria Jean Pinkney, Norman Krumholz, Council Member Phyllis E. Cleveland.

FAIR EMPLOYMENT WAGE BOARD – Room 210 – Gerald Meyer, Chair; Angela Caldwell, Vice Chair; Patrick Gallagher, Kathryn Jackson, Draydean McCaleb, Council Member _____, Ed Romero.

FAIR HOUSING BOARD – Charles See, Chair; Lisa Camacho, Daniel Conway, Robert L. Render, Genesis O. Brown.

HOUSING ADVISORY BOARD – Room 310 – Keith Brown, Terri Hamilton Brown, Vickie Eaton-Johnson, Mike Foley, Eric Hodderson, Janet Loehr, Mark McDermott, Marcia Nolan, David Perkowski, Joan Shaver Washington, Keith Sutton.

CLEVELAND BOXING AND WRESTLING COMMISSION – Robert Jones, Chairman; Clint Martin, Mark Rivera.

MORAL CLAIMS COMMISSION – Law Director Robert J. Triozzi; Chairman; Finance Director Sharon Dumas; Council President Martin J. Sweeney; Councilman Kevin Kelley.

POLICE REVIEW BOARD – Thomas Jones, Board Chair Person; Vernon Collier, Vermel Whalen, Nancy Cronin, Elvin Vauss.

CLEVELAND LANDMARKS COMMISSION – Room 519 – Jennifer Coleman, Chair; Laura M. Bala, Council Member Anthony Brancatelli, Robert N. Brown, Thomas Coffey, Allan Dreyer, William Mason, Michael Rastatter, Jr., John Torres, N. Kurt Wiebusch, Robert Keiser, Secretary.

AUDIT COMMITTEE – Yvette M. Ittu, Chairman; Debra Janik, Bracy Lewis, Diane Downing, Donna Sciarappa, Council President Martin J. Sweeney; Law Director Robert J. Triozzi.

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

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

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

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WEDNESDAY, SEPTEMBER 22, 2010

No. 5050

CITY COUNCIL

MONDAY, SEPTEMBER 20, 2010

1. The City Record

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Address all communications to

PATRICIA J. BRITT

City Clerk, Clerk of Council
216 City Hall

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 2010-2013

MONDAY — Alternating

9:30 A.M. — **Public Parks, Properties, and Recreation Committee:** K. Johnson, Chair; Conwell, Vice Chair; Brancatelli, Cimperman, Dow, Polensek, Reed.

9:30 A.M. — **Health and Human Services Committee:** Cimperman, Chair; J. Johnson, Vice Chair; Conwell, Keane, Kelley, Reed, Zone.

11:00 A.M. — **Public Service Committee:** Miller, Chair; Cummins, Vice Chair; Cleveland, Dow, K. Johnson, Keane, Polensek, Pruitt, Sweeney.

11:00 A.M. — **Legislation Committee:** Mitchell, Chair; K. Johnson, Vice Chair; Brancatelli, Cimperman, Cleveland, Reed, Sweeney.

MONDAY

2:00 P.M. — **Finance Committee:** Sweeney, Chair; Kelley, Vice Chair; Brady, Brancatelli, Cleveland, Keane, Miller, Mitchell, Polensek, Pruitt, Westbrook.

TUESDAY

9:30 A.M. — **Community and Economic Development Committee:** Brancatelli, Chair; Dow, Vice Chair; Cimperman, Cummins, J. Johnson, Miller, Pruitt, Westbrook, Zone.

1:30 P.M. — **Employment, Affirmative Action and Training Committee:** Pruitt, Chair; Miller, Vice Chair; Cummins, J. Johnson, K. Johnson, Mitchell, Westbrook.

WEDNESDAY — Alternating

10:00 A.M. — **Aviation and Transportation Committee:** Keane, Chair; Pruitt, Vice Chair; Cummins, J. Johnson, K. Johnson, Kelley, Mitchell.

10:00 A.M. — **Public Safety Committee:** Conwell, Chair; Polensek, Vice Chair; Brady, Cleveland, Cummins, Dow, Miller, Mitchell, Zone.

WEDNESDAY — Alternating

1:30 P.M. — **Public Utilities Committee:** Kelley, Chair; Brady, Vice Chair; Conwell, Cummins, Dow, Miller, Polensek, Pruitt, Westbrook.

1:30 P.M. — **City Planning Committee:** Cleveland, Chair; Westbrook, Vice Chair; Brady, Conwell, Dow, Keane, Zone.

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

Rules Committee: Sweeney, Chair;
Cleveland, Keane, Polensek, Pruitt.

Personnel and Operations Committee: Westbrook, Chair; Conwell, K. Johnson, Kelley, Mitchell, Sweeney, Zone.

Mayor's Appointment Committee:
Dow, Chair; Cleveland, Kelley, Miller, Sweeney.

OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio

Monday, September 20, 2010

The meeting of the Council was
called to order, The President, Martin J. Sweeney, in the Chair.

Council Members present: Brady, Brancatelli, Cimperman, Cleveland, Conwell, Cummins, Dow, J. Johnson, K. Johnson, Keane, Kelley, Miller, Mitchell, Polensek, Pruitt, Reed, Sweeney, Westbrook and Zone.

Also present were Mayor Frank G. Jackson, Ken Silliman, Chief of Staff, Chris Warren, Chief of Regional Development, Momyka S. Price, Chief of Education, Natoya J. Walker Minor, Chief of Public Affairs, Andrea V. Taylor, Press Secretary, Andrew Watterson, Chief of Sustainability, and Directors Triozzi, Dumas, Withers, Wasik, Flask, Cox, Griffin, Rybka, West, Nichols, Brown, Interim Director John D. Mahone, and Teresa Stevenson of Legislative Affairs.

Council Members, Administration, Staff, and those in the audience rose for a moment of silent reflection. Pledge of Allegiance was led by Boy Scout Troop #176 of St. Vincent de Paul Catholic Church, located in Ward 18.

MOTION

On the motion of Council Member Dow the reading of the minutes of the last meeting was dispensed with and the journal approved. Seconded by Council Member Brancatelli.

FROM THE DEPARTMENT OF OF LIQUOR CONTROL

File No. 1271-10.

Re: #5378910 — D1, D2, D32, D3A D6 Transfer of Ownership and Location Application — MGK of Ohio, Inc., d.b.a. Improv, 1148 Main Street, Ste. 400. (Ward 3). Received.

File No. 1272-10.

Re: #6621205 — D5, D6 Transfer of Ownership Application — P H Corporation, Inc., d.b.a. City Tap Cleveland, 1st Flr. and Mezzanine and Bsmt, 748-50 Prospect Avenue. (Ward 3). Received.

File No. 1273-10.

Re: #3452641 — Liquor Agency Contract — Gurdev, Inc., d.b.a. Deeps State Liquor & Market, 7401-05 Central Ave, 1st Fl & Bsmt. (Ward 5). Received.

File No. 1274-10.

Re: #66076390015 — D2, D2X, D3, D3A Transfer of Location Application — Ovations Food Services, L.P., 2000 Prospect Ave. (Ward 8). Received.

File No. 1275-10.

Re: #0089591 — D1, D2, D3 Transfer of Ownership Application — Al Dente, LLC, d.b.a. Washington Place, 2203 Cornell Rd., 1st Fl. & Bsmt. (Ward 9). Received.

File No. 1276-10.

Re: #15255190005 — C1 New Application — Clark Petroleum, LLC., 5110 Clark Ave. (Ward 15). Received.

PLAT

File No. 1277-10.

Re-Subdivision Plat, Bergen Village Subdivision. (Ward 3).

Approved by Planning Director; Recommended by Committees on City Planning and Public Service.

Without objection, Plat approved. Yeas 19. Nays 0.

CONDOLENCE RESOLUTIONS

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

Res. No. 1268-10—Judge Alvin I. "Buddy" Krenzler.

Res. No. 1278-10—James M. Andrews, Sr.

Res. No. 1279-10—Jimmy Baines.

CONGRATULATION RESOLUTIONS

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

Res. No. 1280-10—St. John A.M.E. Church — 180th Anniversary.

Res. No. 1281-10—Chorbishop Bernard Khachan.

Res. No. 1282-10—Inez Lutheran Patterson.

RESOLUTION OF RECOGNITION

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

Res. No. 1283-10—Woodland Cemetery Foundation.

FIRST READING EMERGENCY ORDINANCES REFERRED**Ord. No. 1259-10.**

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

An emergency ordinance authorizing the Director of Port Control to exercise the first option to renew Contract Nos. 68393 and 68394 with Parking Solutions, Inc., an Ohio Corporation to operate a valet service concession and to lease space to operate the service at Cleveland Hopkins International Airport, for the Department of Port Control.

Whereas, under the authority of Ordinance No. 132-07, passed June 4, 2007, the Director of Port Control entered into Contract Nos. 68393 and 68394 with Parking Solutions, Inc., an Ohio Corporation to operate a valet service concession and to lease space to operate the service at Cleveland Hopkins International Airport, for the Department of Port Control; and

Whereas, Ordinance No. 132-07 requires further legislation before exercising the first option to renew on these contracts; and

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

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

Section 1. That the Director of Port Control is authorized to exercise the first option to renew Contract No. 68393 and 68394 with Parking Solutions, Inc., an Ohio Corporation to operate a valet service concession and to lease space to operate the service at Cleveland Hopkins International Airport, for the Department of Port Control for an additional year. This ordinance constitutes the additional legislative authority required by Ordinance No. 132-07 to exercise these options.

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

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

Ord. No. 1260-10.

By Council Members Zone, Miller, Mitchell and Sweeney (by departmental request).

An emergency ordinance to amend Section 551.113 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 2393-02, passed February 2, 2003, relating to agreements for the use of the Ridge Road Transfer Station.

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 551.113 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 2393-02, passed February 2, 2003, is amended to read as follows:

Section 551.113 Agreements for the Use of the Ridge Road Transfer Station

(a) The Director of Public Service is authorized to enter into agreements with other governmental entities and with private concerns for the use of the City's Ridge Road Transfer Station for the disposal of solid waste. The Director shall establish the tipping fee for each user of the transfer station in an amount not less than the cost to the City of disposing of the waste, including the unit price paid by the City for its disposal and an additional amount for operational and administrative costs.

(b) **The Director of Public Service is authorized to enter into agreements with other governmental entities and with private concerns for the collection of recyclable materials at the City's Ridge Road Transfer Station. The Director is authorized to sell the recyclable materials under Section 181.18 and issue payments to the governmental entities for any amounts received from the sale of the recyclable materials in excess of the City's operational and administrative costs.**

(c) Any agreement made under this section shall contain provisions that are necessary in the opinion of the Director of Law to protect the interests of the City of Cleveland.

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

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

FIRST READING EMERGENCY ORDINANCES READ IN FULL AND PASSED**Ord. No. 1258-10.**

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

An emergency ordinance authorizing the Director of Economic Development to enter into a Tax Increment Financing Agreement with Dunham Square Land, LLC, or its designee; to provide for the construction of a multi-tenant office/technology center located at 6700 Euclid Avenue; to provide for payments to the Cleveland City School District; and to declare certain improvements to real property to be a public purpose.

Whereas, under Section 5709.41 of the Revised Code, improvements to real property may be declared to be a public purpose where fee title to the real property was, at one time, held by the City of Cleveland and the real property is then leased or conveyed by the City; and

Whereas, under the authority of Ordinance No. 795-10, passed June 7, 2010, as amended by Ordinance No. 1039-10, passed August 18, 2010, and

prior to the adoption of this ordinance, the City approved both the acquisition and conveyance of fee title to certain real property, which is more particularly described in the documents set forth in the file described in this ordinance (the "Real Property"); and

Whereas, under Section 5709.41 of the Revised Code, the improvements declared to be a public purpose may be exempt from real property taxation; and

Whereas, under Section 5709.41 of the Revised Code, the owners of the improvements may be required to make annual service payments in lieu of taxes that would have been paid had the improvement not been exempt; and

Whereas, under Section 5709.41 of the Revised Code, the exemption may exceed 75% of the improvements for up to 30 years when a portion of the service payments so collected are distributed to the Cleveland City School District ("District") in an amount equal to the amount the District would have received had the improvement not been exempt; and

Whereas, the District has been notified of the intent to enter into the agreement authorized by this ordinance in compliance with Sections 5709.41(C)(4) and 5709.83 of the Revised Code; and

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

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

Section 1. That the real property improvements to be constructed by Dunham Square Land, LLC, or its designee ("Redeveloper"), to provide for the construction of a multi-tenant office/technology center located at 6700 Euclid Avenue ("Improvements"), are declared to be a public purpose for purposes of Section 5709.41 of the Revised Code, and are more fully described in File No. 1258-10-A.

Section 2. That one hundred percent (100%) of the Improvements are declared exempt from real property taxation for a period of 30 years; and that in no event shall the exemption period extend beyond 2040.

Section 3. That, under Section 5709.41 of the Revised Code, Redeveloper (or the owners of the Improvements) shall make service payments for a period of 20 years in lieu of the exempt taxes to the Cuyahoga County Treasurer; the payments shall be charged and collected in the same manner, and shall be in an amount not less than the taxes that would have been paid had the Improvements not been exempt from taxation.

Section 4. That a portion of the service payments collected under Section 3 of this ordinance shall be distributed by the Cuyahoga County Treasurer to the Treasurer of the District in the amount of the taxes that would have been payable to the District had the Improvement not been exempt from taxation.

Section 5. That the Director of Economic Development is authorized to enter into an agreement or agreements with Redeveloper to provide for the exemption and service payments described in this ordinance, including agreements securing the payments described in Section 3 of this ordinance, which agreement or agreements shall con-

tain those terms contained in the file mentioned above.

Section 6. That under Section 5709.43 of the Revised Code, there is established a 6700 Euclid Urban Redevelopment Tax Increment Equivalent Fund ("6700 Euclid TIF Fund") which shall be used as a debt reserve for the loan authorized by Ordinance No. 711-10, passed June 7, 2010 or for other economic development purposes as determined by the Director of Economic Development.

Section 7. That it is found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in open meetings of this Council, and any of its committees that resulted in formal action were in meetings open to the public in compliance with the law.

Section 8. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

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

The rules were suspended. Yeas 19. Nays 0. Read second time. Read third time in full. Passed. Yeas 19. Nays 0.

Ord. No. 1261-10.

By Council Member Polensek.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 15225 Saranac Road to Ishmael Pettigrew, or his designee.

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 under Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized to sell the real property, more fully described below, to Ishmael Pettigrew or his designee.

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

P. P. Nos. 116-09-001, 116-09-003, 116-09-044, 116-09-045

Situated in the City of Cleveland County of Cuyahoga and State of Ohio: And known as being all of Sublot No. 2 and parts of Sublot Nos. 1 and 109 in William Packard, Frost et al. Re-Subdivision of part of Original Euclid Township Tract No. 16, as shown by the recorded plat in

Volume 9 of Maps, Page 35 of Cuyahoga County Records, and together forming a parcel of land bounded and described as follows:

Beginning on the Easterly line of East 152nd Street, at the Northwest corner of Sublot No. 2; thence Southerly along the Easterly line of East 152nd Street, 53.90 feet to the Southwesterly corner thereof; thence Northeasterly along the Southeasterly line of Sublot No. 2, 150.33 feet to a point which is distant Southwesterly measured along said Southerly line, 10 feet from the Southeasterly corner of Sublot No. 2; thence Southeasterly along a line parallel with the Northeasterly lines of Sublot Nos. 1 and 109, about 94 feet to its intersection with the Northwesterly line of Saranac Road; thence Northeasterly along the Northerly line of Saranac Road, 10 feet to the Southwesterly corner of Sublot No. 109; thence Northerly along the Northwesterly lines of Sublot Nos. 109, 1 and 2, 141.67 feet to the Northeasterly corner of Sublot No. 2; thence Southwesterly along the Northwesterly line of Sublot No. 2, 140 feet to the place of beginning, as appears by said plat be the same more or less, but subject to all legal highways.

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio: And known as being Sublot Nos. 3 and 4 in Williams, Packard and others' Allotment of Blocks "A", "B", "C" and "D", of W.G. Rose's Subdivision of a part of Original Euclid Township Tract No. 16, as shown by the recorded plat in Volume 9 of Maps, Page 35 of Cuyahoga County Records, and being 100 feet front on the Northwesterly side of Saranac Road, N.E. (formerly Collins Avenue) and extending back 140 feet on the Northeasterly line, 141 feet 8 inches on the Southwesterly line, and being 80 feet in the rear, 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.

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

The rules were suspended. Yeas 19. Nays 0. Read second time. Read third time in full. Passed. Yeas 19. Nays 0.

Ord. No. 1262-10.

By Council Member Conwell.

An emergency ordinance amending the Title and Section 1 of Ordinance No. 1049-10 passed August 18, 2010 as it pertains to the exterior and interior building renovation improvements for the Reflections Beauty Salon through the use of Ward 9 Neighborhood Capital Funds.

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

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

Section 1. That the Title and Section 1 of Ordinance No. 1049-10 passed August 18, 2010 are hereby amended to read as follows:

Authorizing the Director of the Department of Economic Development to enter into an agreement with **Kyra M. Wordlaw & Company, Inc. for the exterior and interior building renovation improvements for the Reflections Beauty Salon** through the use of Ward 9 Neighborhood Capital Funds.

Section 1. That the Director of the Department of Economic Development be authorized to enter into an agreement with **Kyra M. Wordlaw & Company, Inc. for the exterior and interior building renovation improvements** of the Reflections Beauty Salon located at 11506 Superior Avenue, Cleveland, Ohio for the public purpose of promoting economic development and new job creation in the city of Cleveland through the use of Ward 9 Neighborhood Capital Funds.

Section 2. That the Title and Section 1 of Ordinance No. 1049-10 passed August 18, 2010 are hereby repealed.

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

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

The rules were suspended. Yeas 19. Nays 0. Read second time. Read third time in full. Passed. Yeas 19. Nays 0.

Ord. No. 1269-10.

By Council Members Cimperman, Cleveland and Pruitt.

An emergency ordinance designating East Roadway between Superior Avenue and Rockwell Avenue with a secondary and honorary designation of "Jesse Owens Way".

Whereas, Jesse Owens was a 1933 graduate of Cleveland's East Technical High School; and,

Whereas, Jesse Owens broke political and social barriers and

achieved international fame at the 1936 Olympics in Berlin, Germany by winning gold medals in the 100- and 200-meter sprints, the long jump and as part of the 4 x 100 meter relay team; and,

Whereas, at a time when Adolf Hitler was using the Olympic Games as a vehicle to bolster the "Aryan race," Jesse Owens was cheered on by 110,000 spectators at Berlin's Olympic Stadium; and,

Whereas, the citizens of Cleveland want to honor the legacy of Jesse Owens with a street sign designation of "Jesse Owens Way"; 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 East Roadway between Superior Avenue and Rockwell Avenue is designated with a secondary and honorary designation of "Jesse Owens Way".

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 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 passage.

The rules were suspended. Yeas 19. Nays 0. Read second time. Read third time in full. Passed. Yeas 19. Nays 0.

Ord. No. 1270-10.

By Council Members Cimperman and Cummins.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the Hispanic Roundtable to stretch banners on the north and south side of 2905 Lorain Avenue for the period from September 17, 2010 to October 16, 2010, inclusive, announcing the Hispanic Convention 2010.

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 Hispanic Roundtable to install, maintain and remove banners on the north and south side of 2905 Lorain Avenue, for the period from September 17, 2010 to October 16, 2010, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

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

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

The rules were suspended. Yeas 19. Nays 0. Read second time. Read third time in full. Passed. Yeas 19. Nays 0.

FIRST READING EMERGENCY RESOLUTIONS READ IN FULL AND ADOPTED

Res. No. 1263-10.

By Council Member Cimperman.
An emergency resolution withdrawing objection to the renewal of a D2, D2X, D3 and D3A Liquor Permit at 1104 Rowley Avenue, 1st floor and basement and repealing Resolution No. 1059-10, objecting to said renewal.

Whereas, this Council objected to a D2, D2X, D3 and D3A Liquor Permit to Rowley Inn, 1104 Rowley Avenue, 1st floor and basement, Cleveland, Ohio 44109 by Resolution No. 1059-10 adopted by the Council on August 18, 2010; 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 D2, D2X, D3 and D3A Liquor Permit to Rowley Inn, 1104 Rowley Avenue, 1st floor and basement, Cleveland, Ohio 44109, Permanent Number 6985049 and the same is hereby withdrawn and Resolution No. 1059-10, 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 19. Nays 0. Read second time. Read third time in full. Adopted. Yeas 19. Nays 0.

Res. No. 1264-10.

By Council Member Kelley.
An emergency resolution withdrawing objection to the transfer of liquor license of a C1, C2 and D6 Liquor Permit at 4702 Memphis Avenue and repealing Resolution No. 840-10, objecting to said transfer.

Whereas, this Council objected to the transfer of liquor license of a C1, C2 and D6 Liquor Permit to Badah Enterprise, Inc., DBA Gasway #2, 4702 Memphis Avenue, Cleveland, Ohio 44144, Permanent

No. 03701920001, adopted by the Council on June 7, 2010; and

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

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

Be it resolved by the Council of the City of Cleveland

Section 1. That objection to a C1, C2 and D6 Liquor Permit to Badah Enterprise, Inc., DBA Gasway #2, 4702 Memphis Avenue, Cleveland, Ohio 44144, Permanent Number 03701920001 be and the same is hereby withdrawn and Resolution No. 840-10, 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.

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

The rules were suspended. Yeas 19. Nays 0. Read second time. Read third time in full. Adopted. Yeas 19. Nays 0.

Res. No. 1265-10.

By Council Member Westbrook.
An emergency resolution objecting to the transfer of ownership of a C1 and C2 Liquor Permit to 3691 West 105th Street.

Whereas, Council has been notified by the Department of Liquor Control of an application for the transfer of ownership of a C1 and C2 Liquor Permit from Layaa, Inc., DBA Star Value, 3691 West 105th Street, Cleveland, Ohio 44111, Permanent Number 50687700005 to Sranan, LLC, 3691 West 105th Street, Cleveland, Ohio 44111, Permanent Number 8457477; and

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

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

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

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

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

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

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

Be it resolved by the Council of the City of Cleveland

Section 1. That Council does hereby record its objection to the transfer of ownership of a C1 and C2 Liquor Permit from Layaa, Inc., DBA Star Value, 3691 West 105th Street, Cleveland, Ohio 44111, Permanent Number 50687700005 to Sranan, LLC, 3691 West 105th Street, Cleveland, Ohio 44111, Permanent Number 8457477; 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 19. Nays 0. Read second time. Read third time in full. Adopted. Yeas 19. Nays 0.

Res. No. 1266-10.

By Council Member Zone.

An emergency resolution objecting to a New C1 Liquor Permit at 5110 Clark Avenue.

Whereas, Council has been notified by the Department of Liquor Control of an application for a New C1 Liquor Permit at Clark Petroleum, LLC, 5110 Clark Avenue, Cleveland, Ohio 44102, Permanent Number 15255190005; 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 requirement of the governing body of this County or City; and

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

Whereas, the place for which the permit is sought is so located with respect to the neighborhood that it substantially interferes with public

decency, sobriety, peace or good order; and

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

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

Be it resolved by the Council of the City of Cleveland

Section 1. That Council does hereby record its objection to a New C1 Liquor Permit at Clark Petroleum, LLC, 5110 Clark Avenue, Cleveland, Ohio 44102, Permanent Number 15255190005; 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 19. Nays 0. Read second time. Read third time in full. Adopted. Yeas 19. Nays 0.

Res. No. 1267-10.

By Council Member Zone.

An emergency resolution objecting to the transfer of ownership of a C1 and C2 Liquor Permit to 5110 Clark Avenue.

Whereas, Council has been notified by the Department of Liquor Control of an application for the transfer of ownership of a C1 and C2 Liquor Permit from Zaben, Inc., 5110 Clark Avenue, Cleveland, Ohio 44102, Permanent Number 98723320005 to Clark Petroleum, LLC, 5110 Clark Avenue, Cleveland, Ohio 44102, Permanent Number 1525519; 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 rea-

sonable access to the establishment; and

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

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

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

Be it resolved by the Council of the City of Cleveland

Section 1. That Council does hereby record its objection to the transfer of ownership of a C1 and C2 Liquor Permit from Zaben, Inc., 5110 Clark Avenue, Cleveland, Ohio 44102, Permanent Number 98723320005 to Clark Petroleum, LLC, 5110 Clark Avenue, Cleveland, Ohio 44102, Permanent Number 1525519; 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 19. Nays 0. Read second time. Read third time in full. Adopted. Yeas 19. Nays 0.

SECOND READING EMERGENCY ORDINANCES PASSED

Ord. No. 837-10.

By Council Members Brancatelli and Pruitt.

An emergency ordinance to amend Section 187.01 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance Number 77-08, passed February 4, 2008, relating to the definition of contract to exclude loans under \$100,000 for storefront renovation.

Disapproved by Director of Office of Equal Opportunity; Contents noted by Director of Finance; Approved by Director of Law; Passage recommended by Committees on Employment, Affirmative Action and Training, Legislation, Finance when amended, as follows:

1. In the title, lines 4 and 5, strike "Ordinance Number 77-08, passed February 4, 2008," and insert "**Ordinance No. 1260-08, passed November 30, 2009,**" and in line 6, strike "\$100,000" and insert "\$50,000".

2. In Section 1, line 2, strike "Ordinance Number 77-08, passed February 4, 2008," and insert "**Ordinance No. 1260-08, passed November 30, 2009.**"

3. In Section 1, strike amended Section 187.01(l)(6) in its entirety and insert:

"(6) **Grant by concession agreement of a specific permission, privilege, or license under sections 183.04, 183.041, and 184.044 of the Codified Ordinances.**

"**Contract**" shall include a binding agreement, funded or benefited by the City, between a party to a Contract and a third party, but shall exclude contracts with other public entities, except as provided in Section 187.09. For purposes of MBE and FBE utilization, "Contract" shall only include the specific types and categories of Contracts and Contractors identified in a disparity study or otherwise as the subject of past or present discrimination as provided in Section 187.2S. "Contract" shall exclude loans and grants under \$50,000 for storefront renovation. The exclusion of loans and grants under \$50,000 for storefront renovation shall expire and have no further force and effect on January 1, 2012, unless changed by further legislation of this Council".

4. In Section 1, at amended Section 187.01(r), line 2, after "sexual orientation," insert "**gender identity or expression.**"

5. In Section 1, at amended Section 187.01, insert new division "(x)" to read as follows:

"(x) **Gender identity or expression**" means the gender-related identity, external presentation of gender identity through appearance, or mannerism or other gender-related characteristics of an individual, regardless of the individual's designated sex at birth,"; and reletter existing division (x) to "(y)", existing division (y) to "(z)", existing division (z) to "(aa)", existing division (aa) to "(bb)", existing division (bb) to "(cc)", existing division (cc) to "(dd)", existing division (dd) to "(ee)", existing division (ee) to "(ff)", insert new division (gg) to read as follows:

"(gg) **Sexual Orientation**" means a person's actual or perceived homosexuality, bisexuality, or heterosexuality, by orientation or practice,"; reletter existing division (ff) to "(hh)", and existing division (gg) to "(ii)".

6. Insert new Section 2 to read as follows:

"**Section 2. That existing Section 187.01 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1260-08, passed November 30, 2009, is repealed.**"

7. Renumber existing Section 2 to new "**Section 3**".

Amendments agreed to.
The rules were suspended. Yeas 19. Nays 0. Read second time. Read third time in full. Passed. Yeas 19. 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. 1046-10.

By Council Member Pruitt.
An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 4798 East 178th Street to Theoderus Bennett.

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 19. Nays 0. Read second time. Read third time in full. Passed. Yeas 19. Nays 0.

Ord. No. 1074-10.

By Council Member Pruitt.
An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 16320-22 Telfair Avenue to Barry K. Dowdell.

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 19. Nays 0. Read second time. Read third time in full. Passed. Yeas 19. Nays 0.

Ord. No. 1180-10.

By Council Member Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Finance to exercise the second option to renew Contract No. 68392 with Dell, Inc. to provide computer hardware and software for the various divisions of City government.

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

The rules were suspended. Yeas 19. Nays 0. Read second time. Read third time in full. Passed. Yeas 19. Nays 0.

Ord. No. 1181-10.

By Council Member Sweeney (by departmental request).

An emergency ordinance to amend Section 3 of Ordinance No. 1384-09, passed October 5, 2009, as amended by Ordinance No. 894-10, passed July 14, 2010, relating to designating the City of Cleveland as a recovery zone for the purpose of issuing recovery zone economic development bonds or recovery zone facility bonds and allocating the City's recovery zone facility bonds volume cap limitation to finance a portion of the costs of constructing the Flats East Development Project.

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

The rules were suspended. Yeas 19. Nays 0. Read second time. Read third time in full. Passed. Yeas 19. Nays 0.

Ord. No. 1182-10.

By Council Member Sweeney (by departmental request).

An emergency ordinance authorizing the purchase by one or more requirement contracts of ready mix concrete, for the various divisions of City government, for a period of one year, with a one-year option to renew, exercisable by the Director of Finance.

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

The rules were suspended. Yeas 19. Nays 0. Read second time. Read third time in full. Passed. Yeas 19. Nays 0.

SECOND READING EMERGENCY RESOLUTIONS ADOPTED

Res. No. 1078-10.

By Council Members Polensek, Brancatelli, Cleveland and Sweeney (by departmental request).

An emergency resolution approving the City's participation in and formation of the City of Cleveland-First Suburbs Development Council Advanced Energy Special Improvement District; authorizing the execution and delivery of a Petition and approving the Petition, Articles of Incorporation, and Initial Plan of the City of Cleveland-First Suburbs Development Council Advanced Energy Special Improvement District; and declaring an emergency.

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

1. In Section 4, line 7, strike "6616 Grovewood Ave" and insert "**16166 Grovewood Ave**"; and in line 9, strike "113-18-011" and insert "**113-18-014**".

Amendment agreed to.

The rules were suspended. Yeas 19. Nays 0. Read second time. Read third time in full. Adopted. Yeas 19. Nays 0.

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

LAI D ON THE TABLE

Ord. No. 1075-10.

By Council Member K. Johnson.
An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 2913 East 117th Street to Cleveland Housing Network, Inc.

Without objection, Ordinance No. 1075-10 was relieved of further consideration of all committees and laid on the table pursuant to Rules of Council.

The rules were suspended. Yeas 19. Nays 0. Ordinance 1075-10 Laid on the Table.

MOTION

The Council Meeting adjourned at 8:00 p.m. to meet on Monday, September 27, 2010 at 7:00 p.m. in the Council Chambers.



Patricia J. Britt
City Clerk, Clerk of Council

THE CALENDAR

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

NONE

BOARD OF CONTROL

September 15, 2010

The regular meeting of the Board of Control convened in the Mayor's

office on Wednesday, September 15, 2010, at 10:30 a.m. with Director Triozzi presiding.

Present: Directors Triozzi, Dumas, Smith, Wasik, Carroll, Flask, Acting Director Thompson, Director Rush, Acting Director West, Directors Nichols, Fumich, Interim Director Mahoney and Director Rybka.
Absent: Mayor Jackson and Director Withers.

Others: James Hardy, Commissioner, Purchases and Supplies.
Natoya Walker, Director, Office of Equal Opportunity.

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

Resolution No. 389-10.

By Director Withers.
Be it resolved by the Board of Control of the City of Cleveland that the bid of Interstate Safety & Service Co, Inc. for an estimated quantity of disposal of catch basin debris, for the Division of Water Pollution Control, Department of Public Utilities, for a period of two years starting upon the execution of the contract, received on June 16, 2010, under the authority of Section 129.29 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to \$429,600.00 (Net 30 days), is affirmed and approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into a requirement contract for the goods and/or services, which contract shall provide for the initial order, the cost of which shall be certified to the contract in an amount not less than \$100,000.00.

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

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractor for the above-mentioned requirement is approved:

SUBCONTRACTOR CSB/MBE/FBE WORK

S.B. Morabito Trucking CSB
\$65,000.00 (15.130%)

Yeas: None.
Nays: Directors Triozzi, Dumas, Smith, Wasik, Carroll, Flask, Acting Director Thompson, Director Rush, Acting Director West, Directors Nichols, Fumich, Interim Director Mahoney and Director Rybka.
Absent: Mayor Jackson and Director Withers.

Resolution No. 390-10.

By Director Withers.
Be it resolved by the Board of Control of the City of Cleveland that the employment of the following sub-consultant by Hatch Mott McDonald under Contract No. 66305 for Design Engineering Services for the Morgan Pretreatment and Residuals Project, for the Division of Water, Department of Public Utilities, is approved:

<u>Sub-consultant</u>	<u>Work Percentage</u>
CTL Engineering, Inc.	\$50,000.00 1.557%

Yeas: Directors Triozzi, Dumas, Smith, Wasik, Carroll, Flask, Acting Director Thompson, Director Rush, Acting Director West, Directors Nichols, Fumich, Interim Director Mahoney and Director Rybka.
Nays: None.
Absent: Mayor Jackson and Director Withers.

Resolution No. 391-10.

By Director Withers.
Be it resolved by the Board of Control of the City of Cleveland that the bid of General Chemical Performance Products LLC for an estimated quantity of liquid alum and alum blend coagulants, bid item 1, for the Division of Water, Department of Public Utilities, for a period of one year starting upon the later of the execution of a contract or the day following expiration of the currently effective contract for the goods or services, received on July 9, 2010 under the authority of Section 129.24 of the Codified Ordinances of Cleveland Ohio, 1976, which on the basis of the estimated quantity would amount to \$1,055,624.00 is affirmed and approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into a requirement contract for the goods and/or services, which contract shall provide for an initial order, the cost of which shall be certified to the contract in an amount not less than \$200,000.00.

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

Yeas: Directors Triozzi, Dumas, Smith, Wasik, Carroll, Flask, Acting Director Thompson, Director Rush, Acting Director West, Directors Nichols, Fumich, Interim Director Mahoney and Director Rybka.
Nays: None.
Absent: Mayor Jackson and Director Withers.

Resolution No. 392-10.

By Director Withers.
Be it resolved by the Board of Control of the City of Cleveland that the bid of Delta Chemical Corporation for an estimated quantity of liquid alum and alum blend coagulants, bid item 2, for the Division of Water, Department of Public Utilities, for a period of one year starting upon the later of the execution of a contract or the day following expiration of the currently effective contract for the goods or services, received on July 9, 2010 under the authority of Section 129.24 of the Codified Ordinances of Cleveland Ohio, 1976, which on the basis of the estimated quantity would amount to \$839,100.00 (0%, Net 30 Days), is affirmed and approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into a requirement contract for the goods and/or services, which contract shall provide for an initial order, the cost of which shall be certified to the contract in an amount not less than \$200,000.00.

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

orders separately certified to the contract.

Yeas: Directors Triozzi, Dumas, Smith, Wasik, Carroll, Flask, Acting Director Thompson, Director Rush, Acting Director West, Directors Nichols, Fumich, Interim Director Mahoney and Director Rybka.
Nays: None.
Absent: Mayor Jackson and Director Withers.

Resolution No. 393-10.

By Director Smith.
Be it resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractor by Kokosing Construction Company, Inc., under City Contract No. 69639 for the public improvement of renovating and upgrading the runway safety area for Runway 10-28 at Cleveland Hopkins International Airport for the Department of Port Control, authorized by Ordinance No. 539-09, passed by the Council of the City of Cleveland on June 1, 2009, and Board of Control Resolution No. 382-09, adopted September 23, 2009, is approved.

<u>Subcontractor</u>	<u>DBE Percentage</u>	<u>Amount</u>
Independence Excavating, Inc.	8.76%	Non-DBE \$46,099.95

Yeas: Directors Triozzi, Dumas, Smith, Wasik, Carroll, Flask, Acting Director Thompson, Director Rush, Acting Director West, Directors Nichols, Fumich, Interim Director Mahoney and Director Rybka.
Nays: None.
Absent: Mayor Jackson and Director Withers.

Resolution No. 394-10.

By Director Smith.
Be it resolved by the Board of Control of the City of Cleveland that, under the authority of Ordinance No. 1404-07, passed by the Council of the City of Cleveland on November 12, 2007, Adacel Systems, Inc. ("Consultant"), is selected upon the nomination of the Director of Port Control from a list of qualified persons or firms determined after a full and complete canvass by the Director of Port Control as the firm of consultants available to be employed by contract to supplement the regularly employed staff of the several departments of the City to provide professional services necessary to provide an airfield driver training simulator system designed to teach Federal Aviation Regulation Part 139 flight-line driving skills, for the Department of Port Control, for a period of two years, with two one-year options to renew.

Be it further resolved that the Director of Port Control is authorized to enter into a written contract with Adacel Systems, Inc. for the above-mentioned services, based upon its proposal dated June 16, 2010, which contract shall be prepared by the Director of Law, shall provide that the compensation to Adacel Systems, Inc. for the services authorized shall not exceed \$193,683.00 and shall contain such other provisions as the Director of Law deems necessary to protect and benefit the public interest.

Yeas: Directors Triozzi, Dumas, Smith, Wasik, Carroll, Flask, Acting Director Thompson, Director Rush, Acting Director West, Directors Nichols, Fumich, Interim Director Mahoney and Director Rybka.

Nays: None.
Absent: Mayor Jackson and Director Withers.

Resolution No. 395-10.

By Director Smith.
Be it resolved by the Board of Control of the City of Cleveland that the bid of Town Center Construction, LLC, for the public improvement of rehabilitating the second floor office area in the Passenger Terminal Building at Cleveland Hopkins International Airport, including upgrading of all mechanical and electrical equipment and installations, base bid items plus 10% contingency, for the Department of Port Control, received on June 18, 2010 under the authority of Ordinance No. 359-05, passed May 2, 2005, upon a unit basis for the improvement, in the aggregate amount of \$3,627,800.00 is affirmed and approved as the lowest responsible bid, and the Director of Port Control is authorized to enter into a contract for the improvement with the bidder.

Be it further resolved by the Board of Control of the City of Cleveland that employment of the following subcontractors by Town Center Construction, LLC, is approved:

<u>Subcontractor</u>	<u>CSB/MBE/FBE%</u>	<u>Amount</u>
Gateway Electric, Inc.	14.63% MBE	\$531,000.00
MAC Mechanical Corporation	0% CSB/FBE	\$ 44,342.00
E.B.P., Inc. d/b/a Epic Steel Co.	0% MBE	\$122,600.00
Bidar Construction Company	0% MBE/CSB	\$ 42,206.00
Western Reserve Interiors, Inc.	0% FBE	\$225,000.00
Cleveland Cement Contractors, Inc.	0.51% Non CSB/MBE/FBE	\$ 18,700.00
Warren Roofing & Insulating	2.62% Non CSB/MBE/FBE	\$ 95,200.00
ARJ, Inc.	6.95% Non CSB/MBE/FBE	\$252,380.00
Harmon, Inc.	14.27% Non CSB/MBE/FBE	\$517,814.00
Kilgore Carpet	1.66% Non CSB/MBE/FBE	\$ 60,335.00
John Prochazka Plumbing & Heating, Inc.	2.06% Non CSB/MBE/FBE	\$ 75,000.00
Roth Brothers, Inc.	16.16% Non CSB/MBE/FBE	\$586,600.00

Yeas: Directors Triozzi, Dumas, Smith, Wasik, Carroll, Flask, Acting Director Thompson, Director Rush, Acting Director West, Directors Nichols, Fumich, Interim Director Mahoney and Director Rybka.
Nays: None.
Absent: Mayor Jackson and Director Withers.

Resolution No. 396-10.

By Director Rush.
Whereas, under the authority of Ordinance No. 2076-76 passed October 25, 1976, the City is conducting a Land Reutilization Program according to the provisions of Chapter 5722 of the Ohio Revised Code; and

Whereas, Section 183.024, Codified Ordinances of Cleveland, Ohio, 1976, authorizes the Commissioner of Purchases and Supplies to acquire certain properties owned by the Department of Housing and Urban Development (HUD) and Fannie Mae, each for a price determined as Fair Market Value, as part of the Land Reutilization Program; and

Whereas, under the authority of Section 183.024, the City has acquired Permanent Parcel No. 130-08-104 located at 3343 East 130 from HUD; Permanent Parcel No. 137-07-086 located at 3635 East 118 from HUD; Permanent Parcel No. 134-03-039 located at 4070 East 78 from HUD; Permanent Parcel No. 132-14-072 located at 6519 Gertrude from HUD; Permanent Parcel No. 132-25-178 located at 4073 East 68 from HUD; Permanent Parcel No. 132-14-047 located at 6610 Fullerton from HUD; Permanent Parcel No. 133-19-074 located at 7208 Worley from HUD; Permanent Parcel No. 005-18-070 located at 2015 West 103 from HUD; Permanent Parcel No. 019-16-098 located at 12700 Matherson from HUD; Permanent Parcel No. 019-13-112 located at 12812 Brookfield from HUD; Permanent Parcel No. 020-09-102 located at 12817 Longmead from HUD; Permanent Parcel No. 020-09-096 located at 12733 Longmead from HUD; Permanent Parcel No. 022-08-053 located at 3802 West 135 from HUD; Permanent Parcel No. 023-13-010 located at 13436 Puritas from HUD; and

Whereas, Cuyahoga County Land Reutilization Corporation has proposed to the City to purchase the property for rehabilitation and/or redevelopment; and

Whereas, Section 183.024 authorizes the Commissioner of Purchases and Supplies, when directed by the Director of Community Development, and with the prior written consent of the Council member(s) in whose ward the property acquired from HUD or Fannie Mae to be sold is located, to convey the property to purchasers for the public purpose of rehabilitation and/or resale for consideration established by the Board of Control at not less than fair market value; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that under the authority of Section 183.024, Codified Ordinances of Cleveland, Ohio, 1976, the consideration for the sale of Permanent Parcel Nos. 130-08-104, 137-07-086, 134-03-039, 132-14-072, 132-25-178, 132-14-047, 133-19-074, 005-18-070, 019-16-098, 019-13-112, 020-09-102, 020-09-096, 022-08-053, and 023-13-010 together to Cuyahoga County Land Reutilization Corporation is established as \$1.00, which amount is determined to be not less than fair market value taking into account such terms and conditions, restrictions and covenants as are deemed necessary or appropriate.

Yeas: Directors Triozzi, Dumas, Smith, Wasik, Carroll, Flask, Acting Director Thompson, Director Rush, Acting Director West, Directors Nichols, Fumich, Interim Director Mahoney and Director Rybka.
Nays: None.
Absent: Mayor Jackson and Director Withers.

Resolution No. 397-10.

By Director Rush.
Whereas, under Ordinance No. 2076-76 passed October 25, 1976, the City is conducting a Land Reutilization Program ("Program") according to the provisions of Chapter 5722 of the Ohio Revised Code; and

Whereas, under the Program, the City has acquired Permanent Parcel No. 116-09-010 located at 15311 Holmes Avenue in Ward 11; 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, Reverend Richard G. Lennon, Bishop of Diocese of Cleveland, abutting/adjacent landowner, has proposed to the City to purchase and develop the parcel for additional parking; and

Whereas, the following conditions exist:

1. The member of Council from Ward 11 has consented to the proposed sale;
2. The parcel is either less than 4,800 square feet or less than 40 feet frontage;
3. The proposed purchaser of the parcel is neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that under 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 requested to execute an Official Deed for and on behalf of the City of Cleveland, with Reverend Richard G. Lennon, Bishop of Diocese of Cleveland for the sale and development of Permanent Parcel No. 116-09-010 located at 15311 Holmes Avenue, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

Be it further resolved that the consideration for said parcel shall be \$100.00, which amount is determined to be not less than the Fair Market value of said parcel for uses according to the Program.

Yeas: Directors Triozzi, Dumas, Smith, Wasik, Carroll, Flask, Acting Director Thompson, Director Rush, Acting Director West, Directors Nichols, Fumich, Interim Director Mahoney and Director Rybka.

Nays: None.
Absent: Mayor Jackson and Director Withers.

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 stated in the examination announcement.

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

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

REYNALDO GALINDO,
President

CIVIL SERVICE NOTICE

**ANNOUNCEMENTS — 2010
9/24/2010 — 9/30/2010**

Annou- cement No.	Exam Method	Classi- fication	Exam Type
63	WR	Customer Service Representative	Open

PROOF OF CITY RESIDENCY

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

- Lease - from rental agency.
- Lease - from independent party. Must include copy of cancelled check or money order receipts for previous rent and/or security deposit, and fully executed; otherwise, it is unacceptable.
- Utility bills bearing the property address **and** your name.
- Post Office change of address form properly date stamped.
- Official documents relating to home ownership including deed, purchase agreement, or insurance policy.
- Bank statements (Within last three months).
- School registration of children.
- Car insurance documents.
- Car registration **or** Driver's License **or** Ohio I.D. (**One only**).
- Loans and credit card statements (Within last three months).
- Rental contracts (e.g.: furniture, tools, car, etc.).
- Current bills not listed above (Within last three months).

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

- Library cards.
- Voter registration cards.
- Birth certificates.
- Notarized letters or affidavits.
- Social Security card.
- Rental receipts from independent party without cancelled checks or money order receipt.

**APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 63**

CUSTOMER SERVICE REPRESENTATIVE (OPEN)

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

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$10.03 - \$17.16 per hour.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. **APPLICATIONS WILL BE AVAILABLE FOR PICK UP IN THE CIVIL SERVICE OFFICE TO APPLY TO TAKE THE CIVIL SERVICE EXAMINATION ON THE FOLLOWING DATES FROM 8:30 A.M. ON FRIDAY, SEPTEMBER 24, 2010 UNTIL 4:30 P.M. ON THURSDAY, SEPTEMBER 30, 2010.**

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON THURSDAY, SEPTEMBER 30, 2010.

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

EXAMINATION INFORMATION

TYPE: WRITTEN EXAMINATION

NOTE: THOSE APPLICANTS WHO APPLIED FOR THE MOST RECENT CUSTOMER SERVICE REPRESENTATIVE TEST WILL ALSO BE EXEMPTED FROM THE FILING FEE.

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

DUTIES OF THE POSITION

Under supervision, assists a high volume of utility customers concerning inquiries, concerns, or complaints regarding their accounts, equipment, and services by walk-in or telephone in accordance with established guidelines and procedures. Receives information regarding customer's circumstances. Uses computer software and hardware, reference manuals, federal/county/municipal records,

intranet/internet sites, training sessions, etc. to investigate address, branch, and meter information as well as customer usage, account, and bill payment history. Assesses resulting information to determine theft of services or possible causes for high or low meter readings. Calculates specific charges and makes billing adjustments as necessary. Evaluates customer eligibility for billing and service programs, bill extensions, and extended payment arrangements and determines if supervisory approval is needed for such. Explains policies and procedures as well as billing process. Answers simple billing questions. Informs customers of possible reasons for high or low bills and the steps necessary to resolve problems. Advises them of service programs and special billings available. Completes necessary forms, documents, or letters to establish new accounts, establish or terminate service, request repairs, issue permits, and initiate account adjustments. Enters information into utility records. Processes service requests and applications for various permits. Refers customers to appropriate offices or agencies. Follows up with customer if necessary. Performs other job-related duties as required. Follows all operations and safety policies and safe work practices. Attends and participates in operations and safety training classes and demonstrates competence (demonstration of competence may be determined by exam.) Wears and properly utilizes safety equipment in accordance with Divisional policy at all times.

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

A High School Diploma or GED is required. One year of full time paid experience in a call center with an emphasis in customer service, billing, and/or service complaints OR two years of general customer service experience in a high-volume business environment is required. Experience in a utility call center is preferred. (Substitution: National Professional Certification in Customer Service may substitute for 6 months of experience lacking). Must possess basic level knowledge of the internet and MS Office (Word, Excel, Outlook, etc.) in a Windows-based environment. The ability to speak a second language is preferred.

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

NOTE: Applications must be returned in person. All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing.

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

NOTE: Those persons who are residents of the City of Cleveland for at least one year and who received passing Scores shall have ten (10) additional points added to their grades. A copy of acceptable proofs of residency is included with each application.

AN EQUAL OPPORTUNITY EMPLOYER

REYNALDO GALINDO,
President

September 22, 2010

**SCHEDULE OF THE BOARD
OF ZONING APPEALS**

MONDAY, OCTOBER 4, 2010

9:30 A.M.

Calendar No. 10-154: 4702 Memphis Avenue (Ward 13)
Badah Holdings LLC, owner, Ennan and Essam Abdallah appeal for an addition, expansion, of use as a store to include a drive through and a gas station on a corner parcel in a Local Retail Business District; subject to the limitations of Section 343.16 only the remodeling of an existing store is permitted, a service station being first permitted in a General Retail Business District according to Sections 343.11(b)(2)(I)5; and no structure, including a pump island may be built less than 20 feet from the property line adjacent to the public right of way and a proposed pump canopy is 6.5 feet from the sidewalk, contrary to Section 343.15(b)(2); and service from a drive through lane of a store that abuts a residence use shall be prohibited from 11:00 P.M. to 6:00 A.M. daily, as stated in Sections 347.16(g)(6) of the Cleveland Codified Ordinances.

Calendar No. 10-159: 4323 State Road (Ward 13)
Zoran Milosavljevic, owner, appeals for an expansion of use to include a woodworking shop in a one-story concrete block storage building, located at the rear of an existing two-story 4 dwelling units building on a 42' x 120' parcel in a General Retail Business District; subject to the limitations of Section 343.11 the proposed expansion is not permitted and first allowed in a Semi-Industry District, pursuant to Sections 345.03(c)(29) and one additional off street parking space is required for the woodworking shop in accordance with Section 349.04(j) of the Cleveland Codified Ordinances.

Calendar No. 10-160: 4834 Broadview Road (Ward 13)
Lisa Jafari, owner, appeals to erect a 7' x 7' double faced, wooden, identification ground sign in the front yard of a two-story day care building on a 40' x 110' parcel in a Multi-Family District; contrary to Section 350.13, the identification ground sign is 49 square feet, exceeding the maximum 40 square feet allowed, and setback a distance of 5 feet contrary to a required setback distance of 35 feet.

Calendar No. 10-161: Appeal of JAG Drywall LLC

JAG Drywall LLC appeals under the authority of Section 187.20(c) of the Codified Ordinances of Cleveland, Ohio, 1976, from a denied appeal of a denied application for certification as a bona fide Cleveland Small Business in the Cleveland Area Business Program by the Office of Equal Opportunity, for failure to comply with

Section 187.01, Chapter 187 of the Cleveland Codified Ordinances, and as stated in correspondence to appellant JAG Drywall LLC, dated April 22, 2010 and August 10, 2010.

Calendar No. 10-162: 2141 Broadview Road (Ward 3)

Joe Coreno, owner, and Joe Phillips, lessee, appeal to establish use for an electronic sweepstakes amusement parlor in a portion of one-story space located in a Local Retail Business District, not permitted and subject to Section 343.11(b)(2)(L) first permitted in a General Retail Business District and the location for the proposed use abuts residential districts, contrary to Section 347.12(a)(1) of the Cleveland Zoning Code that requires it to be a distance of at least 500 feet from a residence district.

Calendar No. 10-163: 4931 State Road (Ward 13)

Ioannis Vasilakis, owner, and Moises Quintana, tenant, appeal for a change of use from motor vehicle repair to motor vehicle major repair, audio sound system installation, in a one-story building on a 41.67' x 105.64' corner parcel in a General Retail Business District; subject to the limitations of Section 343.11, motor vehicle major repair is not permitted and first permitted in a Semi-Industry District, provided that it is not less than 100 feet from a residence district and the substitution of a nonconforming use requires the Board of Zoning Appeals approval in accordance with the provisions in Section 359.01(a) of the Cleveland Codified Ordinances.

Calendar No. 10-175: 5100 Pearl Road (Ward 13)

Alex Solomon, owner, appeals to establish use as "haunted house" amusement in an existing mercantile building located in a General Retail Business District and subject to the regulations in Section 347.12(a)(2), such use may not be established within 500 feet of another such use and the proposed amusement and recreation use is within 500 feet of at least two (2) other amusement uses, Saddle Ridge Night Club and Play to Win Caf e.

Secretary

**REPORT OF THE BOARD
OF ZONING APPEALS**

MONDAY, SEPTEMBER 20, 2010

At the meeting of the Board of Zoning Appeals on Monday, September 20, 2010, the following appeals were heard by the Board.

The following appeals were **Approved:**

Calendar No. 10-147: 4472 West 134th Street

Valarie Burrell appealed to erect an L-shaped wheelchair ramp in the

front yard of a dwelling in a One-Family District.

Calendar No. 10-153: 10701 Shaker Boulevard

Springfield Investment Properties LLC appealed to install 1,056 linear feet of ornamental steel fence 6 feet high in a General Retail Business District; subject to condition.

Calendar No. 10-130: 18200 Lorain Avenue

Fairview Hospital appealed to construct a parking lot on consolidated parcels located in Multi-Family and One-Family Districts.

Calendar No. 10-134: 10660 Carnegie Avenue

Tudor Arms Hotel, LLC appealed to expand a parking lot on consolidated parcels in a General Retail Business District.

The following appeals were **Withdrawn:**

Calendar No. 10-87: 4925 Lee Road

Burjinder Dhanoa, owner and Ronald Murray, tenant appealed to change use of a service station to a motor vehicle repair garage in a Local Retail Business District.

Calendar No. 10-121: 3166 West 11th Street

Brian Jones, owner, and Steve Siedlecki, agent, appealed to change use from a dwelling house to a retail store/gift shop in a Two-Family District.

The following appeal scheduled for September 27, 2010 was **Postponed:**

Calendar No. 10-149: 2410 Scranton Road postponed to November 8, 2010.

The following appeals were **Postponed:**

Calendar No. 10-150: 15225 Ohio Avenue postponed to October 12, 2010.

Calendar No. 10-151: 14905 Naples Avenue postponed to October 12, 2010.

Calendar No. 10-152: 14509 Naples Avenue postponed to October 12, 2010.

The following appeals heard by the Board on September 13, 2010 were adopted and approved on September 20, 2010.

The following appeals were **Approved:**

Calendar No. 10-141: 12800 Brookpark Road

12800 Brookpark II, LLC appealed to erect a 672 square foot electronic changeable copy, freeway interchange sign 75 feet high on an acreage parcel in a General Industry District; subject to conditions.

Calendar No. 10-144: 18235 Euclid Avenue

18235 Euclid LLC, owner, and Sherie Horton, tenant, appealed to establish use for an electronic sweepstakes amusement parlor in an existing retail space in a Shopping Center District.

Secretary

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

Re: Report of the Meeting of
September 15, 2010

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

* * *

Docket A-132-10.

RE: Appeal of Bruce E. Belcher, Owner of Two Dwelling Units Two-Family Residence Two & One-half Story Garage—Detached; Wood Frame Property located on the premises known as 3340 East 125th Street from a 30 DAY CONDEMNATION ORDER—MAIN STRUCTURE & GARAGE, dated March 12, 2010 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant three (3) months in which to complete abatement of the exterior violations, noting the intent to start immediately, and additional time as determined between himself and the inspector to complete the interior. The property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Sullivan.

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

* * *

Docket A-133-10.

RE: Appeal of Cuyahoga Lakefront Land LLC, Owner of PKLT Parking Lot Property located on the premises known as 600 Front Avenue from a NOTICE OF VIOLATION—EXTERIOR MAINTENANCE, dated March 16, 2010 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant ninety (90) days in which to obtain permits, contracts, and complete work, noting that weather will preclude additional time in any case. The property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Saab.

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

* * *

Docket A-137-10.

RE: Appeal of Thor Real Estate, Owner of Two Dwelling Units Two-Family Residence Two & One-half Story Frame Property located on the premises known as 2990 East 125th Street from a CONDEMNATION

ORDER—MAIN STRUCTURE, dated March 30, 2010 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

Docket A-137-10 has been POSTPONED; to be rescheduled for September 29, 2010.

* * *

Docket A-138-10.

RE: Appeal of Thor Real Estate, Owner of Two Dwelling Units Two-Family Residence Two & One-half Story Frame Property located on the premises known as 13906 Coit Road from a NOTICE OF VIOLATION—INTERIOR/EXTERIOR MAINTENANCE, dated December 14, 2009 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

Docket A-138-10 has been POSTPONED; to be rescheduled for September 29, 2010.

* * *

Docket A-140-10.

RE: Appeal of Eridanus Group LLC, Owner of Residential Property located on the premises known as 17 Brookfield Avenue from a LIMITATION ON THE PERMITS, dated April 16, 2010 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to require vacation of the premises within two (2) weeks from today's date (09/15/10), and to grant the Appellant thirty (30) days in which to abate the violations. Failure to vacate the property or begin substantial remodeling of the property within two (2) weeks from today's date will REMAND the property immediately to the Department of Building and Housing for further action. The property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Sullivan and seconded by Mr. Bradley.

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

* * *

Docket A-141-10.

RE: Appeal of John Claude Tanner, Owner of the One Dwelling Unit Single-family Residence Two Story Frame Property located on the premises known as 4160 East 102nd Street from a NOTICE OF VIOLATION—EXTERIOR MAINTENANCE, dated January 11, 2010 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant until October 01, 2010 in which to complete abatement of the violations. The property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Saunders.

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

* * *

Docket A-142-10.

RE: Appeal of Barbara Cody, Owner of One Dwelling Unit Single-Family Residence Two Story Frame Property located on the premises known as 12913 Kadel Avenue from a NOTICE OF VIOLATION—EXTERIOR MAINTENANCE, dated April 07, 2010 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

Docket A-142-10 has been WITHDRAWN at the request of the Appellant.

* * *

Docket A-143-10.

RE: Appeal of James Jugl, Owner of Residential Property located on the premises known as 9416 Raymond Avenue from a LIMITATION ON THE PERMIT, dated March 19, 2010 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to DENY the Appellant's request for additional time and to REMAND the property at 9416 Raymond Avenue to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Bradley.

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

* * *

Docket A-145-10.

RE: Appeal of Ethel P. Carrington, Owner of Two Dwelling Units Two-Family Residence Two & One-half Story Frame Property located on the premises known as 12515 Forest Avenue from a CONDEMNATION ORDER—MAIN STRUCTURE, dated March 16, 2010 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant thirty (30) days in which to submit a plan of action to the City for the disposition of the property. The property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Bradley.

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

* * *

Docket A-148-10.

RE: Appeal of Khaliah Fisher-Grace, Owner of Two Dwelling Units Two-Family Residence Two Story Masonry Property located on the premises known as 18103 Harvard Avenue from a NOTICE OF VIOLATION—EXTERIOR MAINTENANCE, dated December 17, 2009 of

the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant sixty (60) days in which to obtain all permits and complete abatement of all violations. The property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Sullivan.

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

* * *

Docket A-149-10.

RE: Appeal of Estate of Barbara L. Shucofsky, Owner of VL Vacant Lot Property located on the premises known as 4211 Franklin Boulevard from a NOTICE OF VIOLATION—EXTERIOR MAINTENANCE, dated March 26, 2010 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant until October 01, 2010 in which to complete abatement of the violations. The property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Sullivan.

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

* * *

Docket A-151-10.

RE: Appeal of Sybil Weems, Owner of Two Dwelling Units Two-Family Residence Two & One/half Story Masonry Walls/Wood Floors Property located on the premises known as 1454 Ansel Road from a CONDEMNATION ORDER, dated March 29, 2010 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

Docket A-151-10 has been WITHDRAWN at the request of the Appellant.

* * *

Docket A-152-10.

RE: Appeal of William Lakish & Tara Glazier, Owner of One Dwelling Unit Single-Family Residence One & One/half Story Property located on the premises known as 9344 Gaylord Avenue from a NOTICE OF VIOLATION—EXTERIOR MAINTENANCE, dated November 24, 2009 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant thirty (30) days in which to submit a plan of action to the City for disposition of the property. The property is REMANDED at this time to the Department of Building and Housing for supervision and

any required further action. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Sullivan.

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

* * *

Docket A-172-10.

RE: Appeal of Thor Real Estate, Owner of Two Dwelling Units Two-Family Residence Two & One/half Story Frame Property located on the premises known as 15106 Ohio Avenue from a CONDEMNATION ORDER—MAIN STRUCTURE & GARAGE, dated February 26, 2010 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

Docket A-172-10 has been POSTPONED; to be rescheduled for September 29, 2010.

* * *

Docket A-183-10.

RE: Appeal of Majid Tabibzadeh, Owner of Two Dwelling Units Two-Family Residence Two & One/half Story Frame Property located on the premises known as 3127 West 88th Street from a CONDEMNATION ORDER—MAIN STRUCTURE, dated November 12, 2009 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to find that the CONDEMNATION ORDER was properly issued and that based on the testimony presented, the appeal for additional time is DENIED. The property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Bradley.

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

* * *

Docket A-321-10.

RE: Appeal of Playhouse Square Foundation, Owner of Property located on the premises known as 1407 Euclid Avenue from an ADJUDICATION ORDER, dated July 16, 2010 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the variance and permit the lot to remain without consolidation, but requiring easements to be recorded for utility maintenance; to grant the variance to the requirement for a firewall at the property line in the arcade; to grant the variance and permit the deluge curtains to be rated as acceptable fire protection with closely spaced deluge type or water wash type sprinklers, noting that the doors are to remain self-closing doors and not be prompted open; and to post the heights of the overhead corridor adequately for protection of traffic. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Bradley.

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

Docket A-322-10.

RE: Appeal of Utilities Construction & Supply, Owner of Shed Property located on the premises known as 16569 St. Clair Avenue from a NOTICE OF VIOLATION—UNAUTHORIZED/ILLEGAL USE, dated March 03, 2010 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to find that the Violation Notice was properly issued and to grant the Appellant twelve (12) months in which to abate the violations, ceasing use of the business and that no additional materials be brought to the site; and to require that the storm water be maintained and properly channeled. The property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Saab and seconded by Mr. Bradley.

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

* * *

Docket A-338-10.

RE: Appeal of Clear Channel Outdoor, Owner of the Property located on the premises known as 1500 Superior Avenue from an ADJUDICATION ORDER, dated April 28, 2010 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the variance required to use the material submitted, upon review by the City that the material is equivalent and non-combustion supported; and to grant the variance to the requirement of the 1,100 square feet and allow the sign to be installed at 2,775 square feet, noting that the positive aspect of the sign is that it is to be mounted up against a masonry wall with no openings in the wall behind the sign. The variance is granted to this sign or its equivalent replacement sign in the future, if it is equivalent in construction and performance in installation and features. Motion so in order. Motioned by Mr. Sullivan and seconded by Mr. Bradley.

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

* * *

Docket A-340-10.

RE: Appeal of Rodney Coleman, Owner of Property located on the premises known as 2250 East 105th Street from an ADJUDICATION ORDER, dated July 27, 2010 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the variances required and permit the buildings to remain without protection of the walls adjacent to the property line, noting that the buildings are not opposite each other and no hazard is presented by the maintenance of that condition. Motion so in order. Motioned by Mr. Saab and seconded by Mr. Bradley.

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

* * *

Docket A-359-10.

RE: Appeal of City of Cleveland C/O Parks, Recreation & Properties, Owner of Property located on the premises known as 6619 Baxter Avenue from an ADJUDICATION ORDER, dated August 13, 2010 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the variance required to permit compliance by reposting the capacity of the stadium to allow numerical compliance with the ADA requirements. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Bradley.

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

* * *

Docket A-364-10.

RE: Appeal of Buckeye Area Development Corp., Owner of Property located on the premises known as 11710 Buckeye Road from an ADJUDICATION ORDER, dated September 09, 2010 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the variances required and permit the sign of approximately 400 square feet of wood construction to be installed over a masonry noncombustible wall with no openings for a period of approximately one (1) year. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Bradley.

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

* * *

AMENDED RESOLUTIONS:

Docket A-127-10 — James J. Marconi/Osvaldo Camargo - 2214 Denison Avenue:

FROM:..to REMAND the property at 2214 Denison Avenue to the Department of Building and Housing for supervision and any required further action, noting that the zoning code issues on the Violation Notice supersede the building code issues and must be addressed by the Appellant...

TO:..to grant the Appellant thirty (30) days in which to obtain the required permits and abate the violations. The property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action....

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

* * *

Docket A-290-10 — Roland Sarai - 10917 Dale Avenue:

FROM:..to find that the Stop Work Order was properly issued and that permits must be obtained. The variance is granted to permit the structure to be built 2 ft. 8 inches from the property line with the fire-rated wall and allowing the windows to be in that wall, including the driveway next door....

TO:..to find that the Stop Work Order was properly issued and that permits must be obtained. The variance is granted to permit the structure to be built 2 ft. 8 inches from the property line allowing the windows to be in that wall, including the driveway next door....

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

* * *

APPROVAL OF RESOLUTIONS:

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

- A-120-10 — Old Landmark Christian Ministries.
- A-125-10 — Helmut Eppich.
- A-126-10 — Helmut Eppich.
- A-127-10 — James J. Marconi (AMENDED).
- A-130-10 — Thomas Soldonia.
- A-131-10 — David Johnson.
- A-134-10 — Dionne Carmichael.
- A-135-10 — Shirley Jones.
- A-273-10 — Helmut Eppich.
- A-274-10 — Helmut Eppich.
- A-290-10 — Roland Sarai (AMENDED).
- A-300-10 — William I. Ripcho.
- A-310-10 — William I. Ripcho.
- A-313-10 — GCRTA.
- A-353-10 — Bill Braun.

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

* * *

APPROVAL OF MINUTES:

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

September 1, 2010

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

* * *

JOSEPH F. DENK
Chairman

PUBLIC NOTICE

NONE

NOTICE OF PUBLIC HEARING

NONE

1487

CITY OF CLEVELAND BIDS

For All Departments

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

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

187.10 Negotiated contracts; Notice required in Advertisement for Bids.

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

WEDNESDAY, OCTOBER 6, 2010

File No. 148-2010 — Criminal and Civil Filing System, for the Cleveland Municipal Court, Department of Finance, as authorized by Section 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A MANDATORY PRE-BID MEETING THURSDAY, SEPTEMBER 23, 2010 AT 11:00 A.M. CLEVELAND MUNICIPAL CLERK OF COURTS, JUSTICE CENTER, 1200 ONTARIO STREET, LEVEL TWO, CLEVELAND, OHIO 44113.

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

File No. 149-2010 — Automotive and Truck Parts and Service, for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Section 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING FRIDAY, SEPTEMBER 24, 2010 AT 11:00 A.M. WATER POLLUTION

CONTROL, 12302 KIRBY AVENUE, WPC RED CONFERENCE ROOM, CLEVELAND, OHIO 44108.

September 15, 2010 and September 22, 2010

FRIDAY, OCTOBER 8, 2010

File No. 147-2010 — Toner Ink Supplies, for the Various Divisions of City Government, Department of Finance, as authorized by Ordinance No. 867-10, passed by the Council of the City of Cleveland, August 18, 2010.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING WEDNESDAY, SEPTEMBER 29, 2010 AT 10:00 A.M. CLEVELAND CITY HALL, THE DIVISION OF PURCHASES AND SUPPLIES, ROOM 128, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

File No. 151-2010 — Ballistic Vests and Carriers, for the Division of Police, Department of Public Safety, as authorized by Section 135.06 of the Codified Ordinances of Cleveland, Ohio 1976.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING FRIDAY, SEPTEMBER 24, 2010 AT 10:00 A.M. LOCATED AT THE JUSTICE CENTER, IN THE POLICE ACADEMY, 7TH FLOOR, 1300 ONTARIO STREET CLEVELAND, OHIO 44113.

File No. 152-2010 — Ammunition, for the Division of Police, Department of Public Safety, as authorized by Section 135.06 of the Codified Ordinances of Cleveland, Ohio 1976.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING MONDAY, SEPTEMBER 27, 2010 AT 10:00 A.M. LOCATED AT THE CLEVELAND POLICE OUTDOOR RANGE, 3700 WEST 58TH STREET, CLEVELAND, OHIO 44102.

September 15, 2010 and September 22, 2010

THURSDAY, OCTOBER 14, 2010

File No. 150-2010 — Messenger Services, for the Various Divisions of City Government, Department of Finance, as authorized by Section 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING TUESDAY, OCTOBER 5, 2010 AT 2:30 P.M. THE CITY OF CLEVELAND, DIVISION OF PURCHASES AND SUPPLIES, ROOM 128, CLEVELAND, OHIO 44114.

September 15, 2010, September 22, 2010 and September 29, 2010

ADOPTED RESOLUTIONS AND ORDINANCES

Res. No. 1196-10.
By Council Members Mitchell, Miller, Cleveland, and Sweeney (by departmental request).
An emergency resolution declaring the necessity and intention to appropriate a temporary construe-

tion easement for public use in connection with the replacement of East 93rd Street, including the East 93rd Street bridge.

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 for the public purpose of requiring a temporary construction easement to be used in connection with replacing East 93rd Street, including the East 93rd Street bridge, it is necessary to appropriate, and this Council declares its intent to appropriate, the temporary construction easement in and at the following location:

PARCEL 2-T
CUY-EAST 93RD STREET
TEMPORARY EASEMENT FOR
THE PURPOSE OF
PERFORMING THE WORK
NECESSARY FOR THE
REHABILITATION OF THE EAST
93RD STREET BRIDGE
OVER GCRTA AND NORFOLK
SOUTHERN RAILROADS
FOR 24 MONTHS FROM THE
DATE OF ENTRY BY THE
CITY OF CLEVELAND,
CUYAHOGA COUNTY, OHIO

Being a parcel of land situated in the City of Cleveland, County of Cuyahoga, State of Ohio, and being a part of Original 100 Acre Lot No. 416 more definitely described as follows:

Commencing at the intersection of the centerline of right of way of East 93rd Street and the centerline of Nevada Avenue; said point being at East 93rd Street centerline Station 3+27.18;

Thence North 00° 25' 04" West in the centerline of East 93rd Street, 203.23 feet to a point;

Thence South 89° 34' 56" West, 30.00 feet to a point 30.00 feet Left of Station 5+30.41; said point being the point of beginning for the easement herein described;

Thence South 89° 36' 32" West, 7.12 feet to a point 37.12 feet Left of Station 5+30.42;

Thence North 00° 23' 28" West, 41.99 feet to a point 37.10 feet Left of Station 5+72.41;

Thence North 89° 22' 10" East, 3.19 feet to a point 33.91 feet Left of Station 5+72.42;

Thence North 00° 32' 22" West, 62.84 feet to a point 34.05 feet Left of Station 6+35.26;

Thence South 89° 40' 32" West, 110.82 feet to a point 144.87 feet Left of Station 6+35.44;

Thence North 55° 25' 12" East, 102.66 feet to a point 59.92 feet Left of Station 6+93.09;

Thence South 34° 34' 48" East, 53.28 feet to a point 30.00 feet Left of Station 6+49.00;

Thence South 00° 25' 04" East in the westerly right of way line of East 93rd Street, 118.59 feet to the point of beginning;

Containing within said bounds 4073 sq. ft. or 0.0935 acre of land as calculated and described in April, 2010 by David L. Elwell, Professional Surveyor No. 6333, of KS Associates, Inc.

Basis of bearings: City of Cleveland C.R.G.S. monumentation.

Grantor claims title by Instrument No. 200810090144 of Cuyahoga County Land Records.

Section 2. That the Director of Finance is authorized to cause written notice of the adoption of this resolution to be given to the owners, persons in possession, or having an interest of record in the above-

mentioned premises. The notice shall be served according to law by a person to be designated for that purpose by the Director of Finance which return shall be made in the manner provided by law.

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

Adopted September 13, 2010.

Effective September 16, 2010.

Res. No. 1208-10.

By Council Member Cimperman.
An emergency resolution withdrawing objection to the transfer of ownership of a D5 and D6 Liquor Permit at 2121-23 East 2nd Street, 1st floor only, and repealing Resolution No. 671-10, objecting to said transfer.

Whereas, this Council objected to the transfer of ownership of a D5 and D6 Liquor Permit to PJ MAG Enterprises, Inc., DBA Cleats Gateway, 2121-23 East 2nd Street, 1st floor only, Cleveland, Ohio 44115, Permanent No. 5755530 by Resolution No. 671-10 adopted by the Council on May 17, 2010; and

Whereas, this Council wishes to withdraw its objection to the above transfer and consents to said transfer; 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 transfer of ownership of a D5 and D6 Liquor Permit to PJ MAG Enterprises, Inc., DBA Cleats Gateway, 2121-23 East 2nd Street, 1st floor only, Cleveland, Ohio 44115, Permanent No. 5755530, be and the same is hereby withdrawn and Resolution No. 671-10, 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 13, 2010.

Effective September 16, 2010.

Res. No. 1209-10.

By Council Member Polensek.
An emergency resolution objecting to the transfer of ownership of a C1 and C2 Liquor Permit to 383 East 156th Street.

Whereas, Council has been notified by the Department of Liquor Control of an application for the transfer of ownership of a C1 and C2 Liquor Permit from John Dimmian, 383 East 156th Street, Cleveland, Ohio 44110, Permanent Number 2175712 to Cleveland A-1 Market, Inc., DBA Neighbor's Choice, 383 East 156th Street, Cleveland, Ohio 44110, Permanent Number 1544337; and

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

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

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

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

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

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

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

Be it resolved by the Council of the City of Cleveland

Section 1. That Council does hereby record its objection to the transfer of ownership of a C1 and C2 Liquor Permit from John Dimmian, 383 East 156th Street, Cleveland, Ohio 44110, Permanent Number 2175712 to Cleveland A-1 Market, Inc., DBA Neighbor's Choice, 383 East 156th Street, Cleveland, Ohio 44110, Permanent Number 1544337; and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted September 13, 2010.

Effective September 16, 2010.

Ord. No. 879-10.

By Council Members Brancatelli, Miller, Cleveland and Sweeney (by departmental request).

An emergency ordinance to appropriate a standard highway easement for the public purpose of improving the turning radius at the intersection of Broadway and Harvard Avenues.

Whereas, the Council of the City of Cleveland, by Resolution No. 510-10, adopted June 7, 2010, declared the necessity and intention of appropriating a standard highway easement described in this ordinance for the public purpose of improving the turning radius at the intersection of Broadway and Harvard Avenues; and

Whereas, notice of the adoption of this resolution has been served on the persons in possession or having an interest in the property; and

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

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

Section 1. That for the public purpose of improving the turning radius at the intersection of Broadway and Harvard Avenues, the following described standard highway easement is appropriated:

Project No. 08066
HIGHWAY EASEMENT 1
BROADWAY AVENUE &
HARVARD AVENUE
Page One of One

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, Being known as part of Sublot No. 13, in the Woodbridge & Others Subdivision as recorded in Volume 8, Page 30 of Cuyahoga County Plat Records and more definitely described as follows:

Commencing at the intersection of the centerline of Broadway Avenue and the centerline of Harvard Avenue;

Thence South 89° 45' 36" West in the centerline of Harvard Avenue, a distance of 65.99 feet to a point;

Thence North 00° 14' 24" West, a distance of 30.00 feet to the intersection point of the northerly right-of-way line of Harvard Avenue and the southwesterly right-of-way line of Broadway Avenue; said point is the principal place of beginning;

Thence South 89° 45' 36" West in the northerly right-of-way line of Harvard Avenue, a distance of 132.85 feet to a point in the northerly right-of-way line of Harvard Place;

Thence North 41° 20' 40" West in the northeasterly right-of-way line of Harvard Place, a distance of 1.00 foot to a point;

Thence easterly in the arc of a curve which deflects to the left, a distance of 71.12 feet to a point of compound curvature; said curve has a radius of 173.50 feet, a central angle of 23° 29' 05" and a chord of 70.62 feet which bears North 75° 40' 32" East;

Thence in the arc of a curve which deflects to the left, a distance of 37.26 feet to a point of compound curvature; said curve has a radius of 23.50 feet, a central angle of 90° 50' 25" and a chord of 33.48 feet which bears North 18° 30' 47" East;

Thence in the arc of a curve which deflects to the left, a distance of 15.96 feet to a point; said curve has a radius of 118.50 feet, a central angle of 07° 42' 53" and a chord of 15.94 feet which bears North 30° 45' 52" West;

Thence North 48° 39' 20" East, a distance of 5.31 feet to a point in the southwesterly right-of-way line of Broadway Avenue;

Thence South 41° 20' 40" East in the southwesterly right-of-way line of Broadway Avenue, a distance of 88.74 feet to the principal place of beginning;

Enclosing a parcel containing 2422 square feet or 0.0556 acre of land as surveyed by KS Associates, Inc., Engineers and Surveyors, in October of 2009 by David L. Elwell, Registered Surveyor No. 6333.

The bearings cited in the above description are based on C.R.G.S. monumentation.

Section 2. That the Director of Law is directed to apply to a court of competent jurisdiction to have a jury impaneled to make inquiry into and assess the compensation to be paid for the easement described above.

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

Passed September 13, 2010.

Effective September 16, 2010.

Ord. No. 880-10.

By Council Members Cleveland, Mitchell, Miller and Sweeney (by departmental request).

An emergency ordinance to appropriate a temporary easement and property for the public purpose of widening a public road in connection with extending Bessemer Avenue, located near the southeast corner of East 88th Street and St. Catherine Avenue.

Whereas, the Council of the City of Cleveland, by Resolution No. 725-10, adopted June 7, 2010, declared the necessity and intention of appropriating the fee simple property interests and a temporary easement described in this ordinance for the public purpose of widening a public road in connection with extending Bessemer Avenue, located near the southeast corner of East 88th Street and St. Catherine Avenue; and

Whereas, notice of the adoption of this resolution has been served on the persons in possession or having an interest in the property; and

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

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

Section 1. That for the public purpose of widening a public road in connection with extending Bessemer Avenue, located near the southeast corner of East 88th Street and St. Catherine Avenue, the following temporary easement is appropriated:

TEMPORARY
EASEMENT PARCEL
TO BE CONVEYED TO THE CITY
OF CLEVELAND
PARCEL 13-T

Situated in the City of Cleveland, County of Cuyahoga, State of Ohio and being part of Original 100 Acre Lot No. 440, also being part of Sub Lot 8 and Sub Lot 9 in the E. F. Collins Subdivision as recorded in Map Volume 3, Page 21 of Cuyahoga County Records and being more particularly described as follows:

Commencing in the centerline of Right of Way of East 89th Street at its intersection with the prolongation of the southerly Right of Way of St. Catherine Avenue at an iron

pin, being in the centerline of Right of Way of East 89th Street at 20.00 feet right of centerline of Right of Way of St. Catherine Avenue at Station 92 + 45.96;

Thence South 89 degrees 15 minutes 13 seconds West a distance of 20.00 feet along the prolongation of the southerly Right of Way of St. Catherine Avenue to a point in the westerly Right of Way of East 89th Street and the northeasterly corner of Sub Lot 8 in said E.F. Collins Subdivision, being 20.00 feet right of centerline of Right of Way of St. Catherine Avenue at Station 92 + 25.96;

Thence continuing South 89 degrees 15 minutes 13 seconds West a distance of 186.38 feet along the southerly Right of Way of St. Catherine Avenue and northerly line of said Sub Lot 8 to a point in the easterly line of Sub Lot 9 of said E.F. Collins Subdivision, being 20.00 feet right of centerline of Right of Way of St. Catherine Avenue at Station 90 + 39.58, the northeasterly corner of said Sub Lot 9, the northwesterly corner of Sub Lot 8, Grantor's northwesterly corner and the TRUE POINT OF BEGINNING.

Thence North 89 degrees 15 minutes 13 seconds East a distance of 10.96 feet along Grantor's northerly line, the northerly line of said Sub Lot 8 and the southerly Right of Way of St. Catherine Avenue to a point 20.00 feet right of centerline of Right of Way of St. Catherine Avenue at Station 90 + 50.54;

Thence South 00 degrees 09 minutes 35 seconds West a distance of 23.79 feet to a point 47.00 feet right of centerline of Right of Way of East 88th Street at Station 29 + 98.00;

Thence South 89 degrees 15 minutes 13 seconds West a distance of 7.96 feet to a point 39.05 feet right of centerline of Right of Way of East 88th Street at Station 29 + 98.49;

Thence South 00 degrees 09 minutes 35 seconds West a distance of 114.17 feet to a point 29.44 feet right of centerline of Right of Way of East 88th Street at Station 28 + 83.44;

Thence South 07 degrees 28 minutes 55 seconds East a distance of 52.86 feet to a point in Grantor's southerly line and the southerly line of said Sub Lot 8 being 29.00 feet right of centerline of Right of Way of East 88th Street at Station 28 + 29.56;

Thence South 89 degrees 15 minutes 35 seconds West a distance of 3.03 feet along Grantor's southerly line, the southerly line of said Sub Lot 8 and the northerly line of Sub Lot 7 of said E.F. Collins Subdivision to a point in a proposed Right of Way being 26.00 feet right of centerline of Right of Way of East 88th Street at Station 28 + 29.97;

Thence North 08 degrees 35 minutes 30 seconds West a distance of 18.82 feet along said proposed Right of Way to a point of curvature 26.00 feet right of centerline of Right of Way of East 88th Street at Station 28 + 48.79;

Thence along said proposed Right of Way, northwesterly; 34.10 feet along the arc of a curve deflecting to the right, having a radius of 974.00 feet, a central angle of 02 degrees 00 minutes 22 seconds, a chord bearing of North 07 degrees 35 minutes 19 seconds West and a chord length of 34.10 feet to a point in Grantor's westerly line being 26.00 feet right of centerline of Right of Way of East 88th Street at Station 28 + 83.80;

Thence North 89 degrees 16 minutes 01 seconds East a distance of 0.46 feet along Grantor's westerly line to a point 26.46 feet right of centerline of Right of Way of East 88th Street at Station 28 + 83.76;

Thence North 00 degrees 09 minutes 35 seconds East a distance of 137.96 feet along Grantor's westerly line and the westerly line of said Sub Lot 8 to a point in Grantor's northerly line, the southerly Right of Way of St. Catherine Avenue and the TRUE POINT OF BEGINNING.

The above described area contains 783 square feet (0.018 acres), more or less, which is part of the Cuyahoga County Auditor's Permanent Parcel Numbers 127-14-025 and 127-14-027 and contains 180 square feet (0.004 acres), more or less in Auditor's Parcel number 127-14-025 and 603 square feet (0.014 acres), more or less in Auditor's Parcel number 127-14-027.

Grantor claims title by instrument(s) of record in Volume 15415, Page 241, and AFN No. 199903290594 Cuyahoga County Recorder's Office.

Bearings based on the Cleveland Regional Geodetic Survey (GRGS) Coordinate System using O.M. 0033, O.M. 0038, O.M. 0195, O.M. 0223, O.M. 0372, and O.M. 0510.

The stations referred to herein are from the centerline of Right of Way as found on the plans known as "Bessemer Avenue Extension Phase IIA" on file with Cuyahoga County.

This description was prepared and reviewed on October 6, 2009 under the supervision of Charles H. Murphy, Registered Professional Surveyor No. 6950.

This description is based on a field survey conducted by DLZ Ohio, Inc., under the direction of Charles H. Murphy, P.S., Ohio Registered Surveyor No. 6950 in November of 2007.

DLZ Ohio, Inc.

Section 2. That for the public purpose of widening a public road in connection with extending Bessemer Avenue, located near the southeast corner of East 88th Street and St. Catherine Avenue, the following described fee simple interests are appropriated:

TO BE CONVEYED TO THE CITY OF CLEVELAND PARCEL 13 -WD

Situated in the City of Cleveland, County of Cuyahoga, State of Ohio and being part of Original 100 Acre Lot No. 440, also being part of Sub Lot 8 and Sub Lot 9 in the E. F. Collins Subdivision as recorded in Map Volume 3, Page 21 of Cuyahoga County Records and being more particularly described as follows:

Commencing in the centerline of Right of Way of East 89th Street at its intersection with the prolongation of the southerly Right of Way of St. Catherine Avenue at an iron pin, being in the centerline of Right of Way of East 89th Street at 20.00 feet right of centerline of Right of Way of St. Catherine Avenue at Station 92 + 45.96;

Thence South 89 degrees 15 minutes 13 seconds West a distance of 20.00 feet along the prolongation of the southerly Right of Way of St. Catherine Avenue to a point in the westerly Right of Way of East 89th Street and the northeasterly corner of Sub Lot 8 in said E.F. Collins Subdivision, being 20.00 feet right of centerline of Right of Way of St. Catherine Avenue at Station 92 + 25.96;

Thence continuing South 89 degrees 15 minutes 13 seconds West a distance of 186.38 feet along the southerly Right of Way of St. Catherine Avenue and northerly line of said Sub Lot 8 to a point in the easterly line of Sub Lot 9 of said E.F. Collins Subdivision, being 20.00 feet right of centerline of Right of Way of St. Catherine Avenue at Station 90 + 39.58, the northeasterly corner of said Sub Lot 9, the northwesterly corner of Sub Lot 8 and Grantor's northwesterly corner;

Thence South 00 degrees 09 minutes 35 seconds West a distance of 137.96 feet along Grantor's westerly line and the westerly line of said Sub Lot 8 to a point 26.46 feet right of centerline of Right of Way of East 88th Street at Station 28 + 83.76;

Thence South 89 degrees 16 minutes 01 seconds West a distance of 0.46 feet along Grantor's westerly line to a point of curvature in a proposed Right of Way 26.00 feet right of centerline of Right of Way of East 88th Street at Station 28 + 83.80 and the TRUE POINT OF BEGINNING.

Thence along said proposed Right of Way, southeasterly; 34.10 feet along the arc of a curve deflecting to the left, having a radius of 974.00 feet, a central angle of 02 degrees 00 minutes 22 seconds, a chord bearing of South 07 degrees 35 minutes 19 seconds East and a chord length of 34.10 feet to a point of tangency in said proposed Right of Way being 26.00 feet right of centerline of Right of Way of East 88th Street at Station 28 + 48.79;

Thence South 08 degrees 35 minutes 30 seconds East a distance of 18.82 feet along said proposed Right of Way to a point in Grantor's southerly line and the southerly line of said Sub Lot 8, being 26.00 feet right of centerline of Right of Way of East 88th Street at Station 28 + 29.97;

Thence South 89 degrees 15 minutes 35 seconds West a distance of 15.23 feet along Grantor's southerly line, the southerly line of said Sub Lots 8 and 9 and the northerly line of Sub Lots 7 and 6 of said E.F. Collins Subdivision, to a point in the easterly Right of Way of East 88th Street and Grantor's southwesterly corner being 10.91 feet right of centerline of Right of Way of East 88th Street at Station 28 + 32.05;

Thence North 04 degrees 15 minutes 39 seconds West a distance of 52.60 feet along Grantor's westerly line and the easterly Right of Way of East 88th Street to a point therein, said point being the southwest corner of land conveyed to the City of Cleveland Land Reutilization Program as recorded in Volume 15290, Page 37 of Cuyahoga County Records, and being 14.24 feet right of centerline of Right of Way of East 88th Street at Station 28 + 85.03;

Thence North 89 degrees 16 minutes 01 seconds East a distance of 11.82 feet along Grantor's westerly line and the southerly line of land so conveyed to a point in said proposed Right of Way and the TRUE POINT OF BEGINNING.

The above described area contains 701 square feet (0.016 acres), more or less, of which the present road occupies 0 square feet (0.000 acres), more or less, which is part of the Cuyahoga County Auditor's Permanent Parcel Number 127-14-025 resulting in a net take of 701 square feet (0.016 acres), more or less.

Grantor claims title by instrument(s) of record in Volume 15415,

Page 241, and AFN No. 199903290594 Cuyahoga County Recorder's Office.

Bearings based on the Cleveland Regional Geodetic Survey (GRGS) Coordinate System using O.M. 0033, O.M. 0038, O.M. 0195, O.M. 0223, O.M. 0372, and O.M. 0510.

The stations referred to herein are from the centerline of Right of Way as found on the plans known as "Bessemer Avenue Extension Phase IIA" on file with Cuyahoga County.

This description was prepared and reviewed on October 6, 2009 under the supervision of Charles H. Murphy, Registered Professional Surveyor No. 6950.

This description is based on a field survey conducted by DLZ Ohio, Inc., under the direction of Charles H. Murphy, P.S., Ohio Registered Surveyor No. 6950 in November of 2007.

DLZ Ohio, Inc.

Section 3. That the Director of Law is directed to apply to a court of competent jurisdiction to have a jury impaneled to make inquiry into and assess the compensation to be paid for the fee simple interests and easement described above.

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

Passed September 13, 2010.

Effective September 16, 2010.

Ord. No. 1033-10.

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

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Ohio Commission on Minority Health for the 2011 Minority Health Program; and authorizing the Director to enter into one or more contracts with agencies, entities, or individuals to implement the grant.

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

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

Section 1. That the Director of Public Health is authorized to apply for and accept a grant in the approximate amount of \$75,000, and any other funds that may become available during the grant term from the Ohio Commission on Minority Health to conduct the 2011 Minority Health Program; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in the summary for the grant contained in the file described below.

Section 2. That the summary for the grant, File No. 1033-10-A, made a part of this ordinance as if fully rewritten, as presented to the Finance Committee of this Council at the public hearing on this legislation, is approved in all respects and shall not be changed without additional legislative authority.

Section 3. That the Director of Public Health shall have the authority to extend the term of the grant during the grant term.

Section 4. That the Director of Public Health shall deposit the grant accepted under this ordinance into a fund or funds designated by the Director of Finance to implement the program as described in the file and appropriated for that purpose.

Section 5. That the Director of Public Health is authorized to enter into one or more contracts with agencies, entities, or individuals to implement the grant as described in the file.

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

Passed September 13, 2010.

Effective September 16, 2010.

Ord. No. 1187-10.

By Council Members Westbrook, Brancatelli, Cleveland and Sweeney (by departmental request).

An emergency ordinance determining the method of making the public improvement of stabilizing the former Fifth Church of Christ building located at 11623 Lake Avenue; and authorizing the Director of Community Development to enter into one or more public improvement contracts for the making of the improvement; and authorizing the director to employ one or more professional consultants necessary to perform architectural services, and to perform environmental assessment and remediation services.

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

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

Section 1. That, under Section 167 of the Charter of the City of Cleveland, this Council determines to make the public improvement of stabilizing the former Fifth Church of Christ building located at 11623 Lake Avenue, including but not limited to, replacing the roof and deck, making structural, masonry, electrical, and plumbing improvements, and asbestos removal ("Improvement"), for the Department of Community Development, by one or more contracts duly let to the lowest responsible bidder or bidders after competitive bidding on a unit basis for the Improvement.

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

Section 3. That the Director of Community Development is authorized to apply and pay for permits, licenses, or other authorizations required by any regulatory agency

or public authority to permit performance of the work authorized by this ordinance.

Section 4. That the Director of Community Development is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional architectural services necessary to implement the Improvement.

Section 5. That the Director of Community Development is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional various environmental assessment and remediation services to the building, including but not limited to asbestos removal, necessary to implement the Improvement.

Section 6. The selection of the consultants for the professional services listed in this ordinance shall be made by the Board of Control on the nomination of the Director of Community Development from a list of qualified consultants available for employment as may be determined after a full and complete canvass by the Director of Community Development for the purpose of compiling a list. The compensation to be paid for the services shall be fixed by the Board of Control. The contract or contracts authorized shall be prepared by the Director of Law, approved by the Director of Community Development, and certified by the Director of Finance.

Section 7. That the cost of the contracts authorized shall be paid from Fund Nos. 20 SF 381, 20 SF 391, 20 SF 503, 20 SF 509, 20 SF 517, 20 SF 524, 20 SF 532, and 20 SF 533, Request No. RQS 8006 RL 2010-167.

Section 8. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed September 13, 2010.

Effective September 16, 2010.

Ord. No. 1195-10.

By Council Member Conwell.

An emergency ordinance authorizing the issuance of a Temporary Sidewalk Occupancy Permit to Ada Reid to engage in peddling at 11901 Durant Avenue.

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

Whereas, this Council has considered the request of to engage in peddling to Anita Lillard outside of the Central Business District, and has determined that it is in the public interest to allow Anita Lillard peddle in Ward 9; and

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

a municipal department; now, therefore,

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

Section 1. That this Council consents, as required by, Section 675.07 of the Codified Ordinances to allow to Ada Reid to engage in mobile peddling in the public rights of way of Ward 9 at Church 11901 Durant Avenue (Patrick Henry Football Field).

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

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

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

Passed September 13, 2010.

Effective September 16, 2010.

Ord. No. 1204-10.

By Council Member Conwell.

An emergency ordinance authorizing the Director of the Department of Economic Development to enter into an agreement with Green's Barber Shop for exterior building renovations through the use of Ward 9 Neighborhood Capital 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 the Department of Economic Development be authorized to enter into an agreement with Green's Barber Shop, located at 12424 Superior Avenue, Cleveland, Ohio for exterior building renovations for the public purpose of promoting economic development and new job creation in the city of Cleveland through the use of Ward 9 Neighborhood Capital Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$4,161 and shall be paid from Fund No. 10 SF 177.

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 13, 2010.

Effective September 16, 2010.

Ord. No. 1205-10.

By Council Member Pruitt.

An emergency ordinance authorizing the Director of the Department of Community Development to enter

into an agreement with the Harvard Community Service Center for an Senior Citizen Home Caregiver Program through the use of Ward 1 Neighborhood Capital 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 the Department of Community Development be authorized to enter into an agreement effective August 14, 2010 with the Harvard Community Service Center for the Senior Citizen Home Caregiver Program for the public purpose of providing assistance and support to the elderly population that is residing in the city of Cleveland through the use of Ward 1 Neighborhood Capital Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$12,600 and shall be paid from Fund No. 10 SF 177.

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 13, 2010.

Effective September 16, 2010.

Ord. No. 1206-10.

By Council Members Sweeney, Pruitt and Conwell.

An emergency ordinance amending the Title and Section 1 of Ordinance No. 936-10 passed July 14, 2010 as it pertains to the African American Music Association, Inc for the Basketball Education and Recreation Program through the use of Wards 18, 1 and 9 Neighborhood Equity Funds.

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

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

Section 1. That the Title and Section 1 of Ordinance No. 936-10 passed July 14, 2010 is hereby amended to read as follows:

An emergency ordinance authorizing the Director of the Public Health Department to enter into agreement with the African American Music Association, Inc, for a Health Education and Healthy Exercise Program through the use of Ward(s) 18, 1 and 9 Neighborhood Equity Funds.

Section 1. That the Director of the Public Health Department is authorized to enter into an agreement with the African American Music Association, Inc, effective September 20, 2010 for the Health Education and Healthy Exercise Program for the public purpose of providing health education and healthy recreational activities for city of Cleveland youth through the use of Wards 18, 1 and 9 Neighborhood Equity Funds.

Section 2. That the Title and Section 1 of Ordinance No. 936-10 passed July 14, 2010 are hereby repealed.

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

Passed September 13, 2010.

Effective September 16, 2010.

Ord. No. 1207-10.

By Council Member Cimperman.

An emergency ordinance consenting and approving the issuance of a permit for the 33rd Annual "Walk of Hope", on October 2, 2010, sponsored by the Catholic Charities Disability Services and Ministries.

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

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

Section 1. That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of the 33rd Annual "Walk for Hope," sponsored by the Catholic Charities Disability Services and Ministries, on October 2, 2010, leave OLA/St. Joseph Center parking lot on Kenilworth; head east on Kenilworth to W. 11th Street; turn right on W. 11th to Starkweather; turn right on Starkweather to W. 14th Street; turn right on W. 14th to Kenilworth; turn right on Kenilworth to W. 11th; turn left onto W. 11th and walk to University Road; turn right on to University and walk to W. 10th Street; turn right on to W. 10th and walk to stop sign; veer left on to Professor Avenue—staying on the right hand side of the street and walk to Jefferson; turn right on to Jefferson and walk to Starkweather—cross W. 14th to the west side of W. 14th; turn right on to W. 14th Street—cross Kenilworth and return to OLA/St. Joseph Center on the left, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

Passed September 13, 2010.

Effective September 16, 2010.

COUNCIL COMMITTEE MEETINGS

Monday September 13, 2010 9:00 a.m.

Health and Human Services Committee: Present: Cimperman, Chair; J. Johnson, Vice Chair; Conwell, Keane, Kelley, Zone. *Authorized Absence:* Reed. Pro tempore: Sweeney.

2:00 p.m.

Finance Committee: Present: Sweeney, Chair; Kelley, Vice Chair; Brady, Brancatelli, Cleveland, Keane, Mitchell, Polensek, Pruitt, Westbrook. *Authorized Absence:* Miller.

Tuesday September 14, 2010 9:30 a.m.

Community and Economic Development Committee, Public Safety Committee, Legislation Committee, & City Planning Committee: Present in CDED: Brancatelli, Chair; Dow, Vice Chair; Cummins, J. Johnson, Pruitt, Westbrook, Zone. *Authorized Absence:* Cimperman, Miller.

Present in Safety: Conwell, Chair; Polensek, Vice Chair; Brady, Cleveland, Cummins, Dow, Mitchell, Zone. *Authorized Absence:* Miller.

Present in Legislation: Mitchell, Chair; Brancatelli, Cleveland, Sweeney. *Authorized Absence:* K. Johnson, Vice Chair, Cimperman, Reed.

Present in Planning: Cleveland, Chair; Westbrook, Vice Chair; Brady, Conwell, Dow, Keane, Zone.

Wednesday, September 15, 2010 1:30 p.m.

City Planning Committee: Present in Planning: Cleveland, Chair; Westbrook, Vice Chair; Conwell, Dow, Keane. *Authorized Absence:* Brady, Zone. Pro tempore: Brancatelli.

Monday September 20, 2010 9:30 a.m.

Public Parks, Property and Recreation Committee: Present: K. Johnson, Chair; Conwell, Vice Chair; Brancatelli, Cimperman, Dow, Polensek, Reed.

2:00 p.m.

Legislation Committee & Finance Committee: Present in Legislation:

Mitchell, Chair; Brancatelli, Cimperman, Cleveland, Reed, Sweeney. *Authorized Absence:* K. Johnson, Vice Chair.

Present in Finance: Sweeney, Chair; Kelley, Vice Chair; Brady, Brancatelli, Cleveland, Keane, Miller, Mitchell, Polensek, Pruitt, Westbrook.

Finance Committee: Present: Sweeney, Chair; Kelley, Vice Chair; Brady, Brancatelli, Cleveland, Keane, Miller, Mitchell, Polensek, Pruitt, Westbrook.

Tuesday September 21, 2010 9:30 a.m.

Community and Economic Development Committee: Present: Brancatelli, Chair; Dow, Vice Chair; Cummins, J. Johnson, Pruitt, Westbrook, Zone. *Authorized Absence:* Cimperman, Miller.

Wednesday, September 22, 2010 10:00 a.m.

Public Safety Committee: Present: Conwell, Chair; Polensek, Vice Chair; Brady, Cleveland, Cummins, Dow, Miller, Zone. *Authorized Absence:* Mitchell. Pro tempore: Brancatelli, J. Johnson.

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O—Ordinance; R—Resolution; F—File
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