

The City Record

Official Publication of the Council of the City of Cleveland



May the Tenth, Two Thousand and Six

Frank G. Jackson
Mayor

Martin J. Sweeney
President of Council

Emily Lipovan
City Clerk, Clerk of Council

Ward	Name
1	Nina Turner
2	Robert J. White
3	Zachary Reed
4	Kenneth L. Johnson
5	Phyllis E. Cleveland
6	Patricia J. Britt
7	Fannie M. Lewis
8	Sabra Pierce Scott
9	Kevin Conwell
10	Roosevelt Coats
11	Michael D. Polensek
12	Anthony Brancatelli
13	Joe Cimperman
14	Joseph Santiago
15	Brian J. Cummins
16	Kevin J. Kelley
17	Matthew Zone
18	Jay Westbrook
19	Dona Brady
20	Martin J. Sweeney
21	Michael A. Dolan

The City Record is available online at
www.clevelandcitycouncil.org

Containing	PAGE
City Council	3
The Calendar	15
Board of Control	15
Civil Service	16
Board of Zoning Appeals	16
Board of Building Standards and Building Appeals	17
Public Notice	17
Public Hearings	18
City of Cleveland Bids	18
Adopted Resolutions and Ordinances	20
Committee Meetings	26
Index	26

DIRECTORY OF CITY OFFICIALS

CITY COUNCIL – LEGISLATIVE

President of Council – Martin J. Sweeney

Ward	Name	Residence	
1	Nina Turner.....	16204 Sunny Glen Avenue	44128
2	Robert J. White	9703 Cardwell Avenue	44105
3	Zachary Reed	3734 East 149th Street	44120
4	Kenneth L. Johnson.....	2948 Hampton Road	44120
5	Phyllis E. Cleveland.....	2369 East 36th Street	44105
6	Patricia J. Britt.....	12402 Britton Drive	44120
7	Fannie M. Lewis.....	7416 Star Avenue	44103
8	Sabra Pierce Scott.....	1136 East 98th Street	44108
9	Kevin Conwell.....	10647 Ashbury Avenue	44106
10	Roosevelt Coats.....	1775 Cliffview Road	44112
11	Michael D. Polensek.....	17855 Brian Avenue	44119
12	Anthony Brancatelli.....	6924 Ottawa Road	44105
13	Joe Cimperman.....	3053 West 12th Street	44113
14	Joseph Santiago.....	3169 West 14th Street	44109
15	Brian J. Cummins.....	3104 Mapledale Avenue	44109
16	Kevin J. Kelley.....	6608 Woodhaven Avenue	44144
17	Matthew Zone.....	1228 West 69th Street	44102
18	Jay Westbrook.....	1278 West 103rd Street	44102
19	Dona Brady.....	1272 West Boulevard	44102
20	Martin J. Sweeney.....	3632 West 133rd Street	44111
21	Michael A. Dolan.....	16519 West Park Road	44111

City Clerk, Clerk of Council – Emily Lipovan, 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
 Valarie J. McCall, Executive Assistant to the Mayor, Chief of Government Affairs
 Tracy Y. Martin, Executive Assistant to the Mayor, Chief of Education
 Maureen Harper, Executive Assistant to the Mayor, Chief of Communications
 Michael A. House, Executive Assistant to the Mayor, Press Secretary
 Debra Linn Talley, Director, Office of Equal Opportunity

DEPT. OF LAW – Robert J. Triozzi, Director, Richard F. Horvath, Chief Counsel, Rm. 106
 Karen E. Martinez, 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 – Algeron Walker, 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 – Julius Ciaccia, Interim Director, 1201 Lakeside Avenue

DIVISIONS – 1201 Lakeside Avenue
 Cleveland Public Power – James F. Majer, Commissioner
 Street Lighting Bureau – _____, Acting Chief
 Utilities Fiscal Control – Dennis Nichols, Commissioner
 Water – John Christopher Nielson, Commissioner
 Water Pollution Control – Ollie Shaw, Commissioner

DEPT. OF PORT CONTROL – John Mok, Interim 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 – Randall E. DeVaul, Commissioner, Room 518
 Motor Vehicle Maintenance, Daniel A. Novak, Commissioner, Harvard Yards
 Streets – Randell T. Scott, Commissioner, Room 25
 Traffic Engineering – Robert Mavec, Commissioner, 4150 East 49th Street, Building #1
 Waste Collection and Disposal – Ron Owens, Commissioner, 5600 Carnegie Avenue

DEPT. OF PUBLIC HEALTH – Matt Carroll, Interim Director, Mural Building, 1925 St. Clair Ave.

DIVISIONS: Air Quality – Richard L. Nemeth, Commissioner
 Correction – Robert Tasky, Commissioner, Cleveland House of Corrections, 4041 Northfield Rd.
 Environment – Willie Bess, Commissioner, Mural Building, 1925 St. Clair Ave.
 Health – Anjou Parekh, Commissioner, Mural Building, 1925 St. Clair Ave.

DEPT. OF PUBLIC SAFETY – Martin Flask, Director, Room 230

DIVISIONS: Dog Pound – John Baird, Chief Dog Warden, 2690 West 7th Street
 Emergency Medical Service – Edward Eckart, Commissioner, 1708 South Pointe Drive
 Fire – Paul A. Stubbs, Chief, 1645 Superior Avenue
 Police – 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 – _____, 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, Interim Director, Room 500
 DIVISIONS: Code Enforcement – Tyrone L. Johnson, Commissioner
 Construction Permitting – Timothy R. Wolosz, Commissioner

DEPT. OF PERSONNEL AND HUMAN RESOURCES – Trudy Hutchinson, Director, Room 121

DEPT. OF ECONOMIC DEVELOPMENT – _____, Director, Room 210

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

DEPT. OF CONSUMER AFFAIRS – Angel Guzman, 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 Joe Santiago, 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; _____, 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 _____, Secretary; Council President Martin J. Sweeney.

BOARD OF SIDEWALK APPEALS – Service Director _____, 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 Bowen, Lillian Kuri, Lawrence A. Lumpkin, Gloria Jean Pinkney, Rev. Sam Edward Small, Council Member Joe Cimperman.

FAIR CAMPAIGN FINANCE COMMISSION – Chris Warren, C. Ellen Connally, Hillary S. Taylor.

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; _____, Vice Chair; Daniel Conway, Doris Honsa, Lisa Camacho.

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; Councilman Nina Turner.

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

CLEVELAND LANDMARKS COMMISSION – Room 519 – India Pierce Lee, Chair; Laura M. Noble, Vice Chair; Robert Brown, Thomas Coffey, Jennifer Coleman, Lee, Michael Rastatter, Jr., John Torres, Ari Maron, N. Kurt Wiebusch, Council Member Joe Cimperman, Robert Jackimowicz; Robert Keiser, Secretary.

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

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

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

The City Record



OFFICIAL PUBLICATION OF THE COUNCIL OF THE CITY OF CLEVELAND

Vol. 93

WEDNESDAY, MAY 10, 2006

No. 4822

CITY COUNCIL

MONDAY, MAY 8, 2006

The City Record

Published weekly by the City Clerk,
Clerk of Council under authority
of the Charter of the
City of Cleveland
The City Record is available
online at

www.clevelandcitycouncil.org

Address all communications to

EMILY LIPOVAN

City Clerk, Clerk of Council
216 City Hall

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 2006-2009

MONDAY—Alternating

9:30 A.M. — **Public Parks, Property & Recreation Committee:** Johnson, Chair; White, Vice Chair; Brancatelli, Cummins, Kelley, Polensek, Turner.

9:30 A.M. — **Health & Human Services Committee:** Britt, Chair; Cleveland, Vice Chair; Conwell, Kelley, Reed, Santiago, Westbrook.

11:00 A.M. — **Public Service Committee:** Brady, Chair; Turner, Vice Chair; Cleveland, Cummins, Johnson, Polensek, Reed, Santiago, White.

11:00 A.M. — **Legislation Committee:** Cleveland, Chair; Dolan, Vice Chair; Cimperman, Lewis, Pierce Scott, Reed, White.

MONDAY

2:00 P.M. — **Finance Committee:** Sweeney, Chair; Cimperman, Vice Chair; Brady, Brancatelli, Britt, Coats, Conwell, Pierce Scott, Westbrook, White, Zone.

TUESDAY

9:30 A.M. — **Community and Economic Development Committee:** Pierce Scott, Chair; Brancatelli, Vice Chair; Brady, Cimperman, Cummins, Coats, Lewis, Westbrook, Zone.

1:30 P.M. — **Employment, Affirmative Action & Training Committee:** Lewis, Chair; Santiago, Vice Chair; Brancatelli, Coats, Conwell, Johnson, Turner.

WEDNESDAY—Alternating

10:00 A.M. — **Aviation & Transportation Committee:** Kelley, Chair; Westbrook, Vice Chair; Brancatelli, Britt, Cleveland, Dolan, Turner.

10:00 A.M. — **Public Safety Committee:** Conwell, Chair; Brady, Vice Chair; Britt, Coats, Cummins, Kelley, Polensek, Santiago, Turner.

WEDNESDAY—Alternating

1:30 P.M. — **Public Utilities Committee:** Zone, Chair; Reed, Vice Chair; Cleveland, Cummins, Dolan, Kelley, Polensek, Santiago, Westbrook.

1:30 P.M. — **City Planning Committee:** Cimperman, Chair; Westbrook, Vice Chair; Conwell, Dolan, Lewis, Reed, Zone.

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

Rules Committee: Sweeney, Chair; Cleveland, Kelley, Pierce Scott, Polensek.

Personnel and Operations Committee: Sweeney, Chair; Britt, Kelley, Pierce Scott, Santiago, Westbrook, White.

Mayor's Appointment Committee: Coats, Chair; Pierce Scott, Kelley, Sweeney, Westbrook.

OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio
Monday, May 8, 2006

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

Council Members present: Brady, Brancatelli, Britt, Cimperman, Cleveland, Coats, Conwell, Cummins, Dolan, Johnson, Kelley, Lewis, Polensek, Santiago, Pierce Scott, Sweeney, Turner, Westbrook, White and Zone.

Also present were Mayor Frank G. Jackson, Ken Silliman, Chief of Staff; Darnell Brown, Chief Operating Officer; Valarie J. McCall, Chief of Government Affairs; Maureen Harper, Chief of Communications; Michael A. House, Press Secretary; Debra Linn Talley, Director of Equal Opportunity; Directors Triozzi, Dumas, Wasik, Flask, Cox, Rush, Hutchinson, Fumich, Brown, Griffin, Interim Directors Ciaccia, Carroll and Rybka.

Pursuant to Ordinance No. 2926-76, prayer was offered by Dr. Kenneth W. Chalker of First United Meth-

odist Church, 3000 Euclid Avenue in Ward 13. Pledge of Allegiance.

MOTION

On the motion of Council Member Britt, the reading of the minutes of the last meeting were dispensed with and the journal approved. Seconded by Council Member Cimperman.

FROM DEPARTMENT OF LIQUOR CONTROL

File No. 841-06.

Re: New Application — 0251590 — ARR Minute Market, Inc., d.b.a. ARR Minute Market, Inc. 13302 St. Clair Avenue. (Ward 10). Received.

File No. 842-06

Re: New Application — 3958802 — Hong Kong Trading Center, Inc., d.b.a. Baby Grand Restaurant & Lounge, 3400 St. Clair Avenue. (Ward 13). Received.

File No. 843-06.

Re: New Application — 7184725 — Yana Quraan, d.b.a. Sam's Food Market & Deli, 9827-31 Denison Avenue. (Ward 18). Received.

File No. 844-06.

Re: Transfer of Ownership Application — 1354144 — Cendant Hotel Management, Inc., d.b.a. Wyndham Playhouse Square Hotel, 1260 Euclid Avenue. (Ward 13). Received.

File No. 845-06.

Re: Transfer of Ownership Application — 4896321 — Krupa 7, Inc., d.b.a. Snack Box Food Mart, 4920 Memphis Avenue. (Ward 15). Received.

File No. 846-06.

Re: Transfer of Ownership and Location Application — 9115407 — LLC, d.b.a. Bocca, 2221 Professor Avenue. (Ward 13). Received.

File No. 847-06.

Re: Transfer of Ownership and Location Application — 2296200 — DPG Lounge LLC, 18414-16 St. Clair Avenue. (Ward 10). Received.

CONDOLENCE RESOLUTIONS

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

Res. No. 848-06—Donald Copes.

Res. No. 849-06 — Florrie Mae Thompson.

Res. No. 850-06—Robert Green.

Res. No. 851-06—Julia M. Rudolph.

CONGRATULATION RESOLUTIONS

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

Res. No. 852-06—Zion Chapel Missionary Baptist Church.

Res. No. 853-06—Ed & Janet Morrow.

RECOGNITION RESOLUTIONS

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

Res. No. 854-06 — Columbia Pictures/"Spider-Man 3".

Res. No. 855-06—Northern District of Ohio's Violent Fugitive Task Force.

Res. No. 856-06—Dick Russ.

Res. No. 857-06—33rd Annual National EMS Week.

FIRST READING EMERGENCY ORDINANCES REFERRED**Ord. No. 818-06.**

By Council Member Sweeney (by departmental request).

An emergency ordinance authorizing the purchase by one or more contracts of one on-line check generation, fold and seal system, including hardware and software, installation, programming set up and training, and maintenance, materials, and supplies for a two year period, with three options to renew for additional one-year periods, for the Division of Treasury, Department of Finance.

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

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

Section 1. That the Director of Finance is authorized to make one or more written contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: one (1) on-line check generation, fold and seal system, including hardware and software, installation, programming set up and training, and maintenance, materials, and supplies for a two year period, with three options to renew for additional one-year periods, to be purchased by the Commissioner of Purchases and Supplies for a gross price, for the Division of Treasury, Department of Finance.

Section 2. That the cost of the contract or contracts authorized shall be paid from Fund No. 11 SF 006, Request No. 118762.

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

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

Ord. No. 819-06.

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

An emergency ordinance authorizing the Director of Public Utilities to enter into one or more contracts with Datamatic, Ltd. for professional services necessary to provide maintenance and repair of meter reading, collections, investigations and meter maintenance systems, including hardware and software-support based, for the Division of Water, Department of Public Utilities.

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

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

Section 1. That the Director of Public Utilities is authorized to enter into one or more contracts with Datamatic, Ltd. for professional services necessary to provide maintenance and repair of meter reading, collections, investigations and meter maintenance systems, including hardware and software-support based, in the total sum of \$149,061.00 for a one year period, with the option of picking up an additional year, for the Division of Water, Department of Public Utilities. The contracts or contracts shall be paid from Fund Nos. 52 SF 001, Request No. 161567.

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

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

Ord. No. 820-06.

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

An emergency ordinance authorizing the Director of Public Utilities to enter into one or more contracts with ESRI for professional services necessary to perform maintenance on Citywide GIS software.

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

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

Section 1. That the Director of Public Utilities is authorized to enter into one or more contracts with ESRI for professional services necessary to perform maintenance on Citywide GIS software on the basis of its proposal dated February 10, 2006, in the total sum not to exceed \$181,878.35, for the various divisions of City government. The contract or contracts shall be paid from Fund No. 52 SF 001, Request No. 161598.

Section 2. That this ordinance is declared to be an emergency measure and, provided it receives the

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

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

Ord. No. 821-06.

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

An emergency ordinance authorizing the purchase by one or more requirement contracts for carpet, tile, including installation, if necessary, for the various divisions of the Department of Public Utilities.

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

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

Section 1. That the Director of Public Utilities is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one or two years of the necessary items of carpet, tile, including installation if necessary, for the various divisions of the Department of Public Utilities, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies on a unit basis. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term. The Director of Public Utilities is authorized to enter into one or more contracts with a term of two years instead of one year when there is a financial advantage to the City. For purposes of this ordinance, a financial advantage shall be determined by the Director of Public Utilities by comparing the bids received for both terms.

Section 2. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director of Finance. (RL 157842)

Section 3. That under Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative agreements using state procedures. The Director of Public Utilities may sign all documents with the State of Ohio

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

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

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

Ord. No. 822-06.

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

An emergency ordinance authorizing the Director of Port Control to enter into a Lease Agreement with Southwest Airlines Co. to lease cargo space at Cleveland Hopkins International Airport, for the Department of Port Control, for a period of five years, with one option to renew for an additional five years.

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

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

Section 1. That the Director of Port Control is authorized to enter into a Lease Agreement ("Lease") with Southwest Airlines Co. ("Lessee") for use and occupancy of approximately 6,400 square feet of cargo space at Cleveland Hopkins International Airport ("Leased Premises"), and more fully described in the map placed in File No. 822-06-A. The term of the Lease shall be for a five-year period, with one option to renew for an additional five years, commencing July 1, 2006, with rent payments to begin October 1, 2006, or the first day of beneficial occupancy after construction build-out is complete, whichever first occurs. For use of the Leased Premises, Lessee shall pay the City \$46,400 per year, payable in monthly installments on the first day of each month of the Lease, which is equal to \$7.25 per square foot.

Section 2. That the Lease authorized shall be prepared by the Director of Law.

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

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

Ord. No. 823-06.

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

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Section 133.322 relating to rental of Collinwood Athletic Complex.

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 Codified Ordinances of Cleveland, Ohio, 1976, are supplemented by enacting new Section 133.322 to read as follows:

Section 133.322 Rental of Collinwood Athletic Complex

(a) The Director of Parks, Recreation and Properties, or his designee, may rent the Collinwood Athletic Complex for sporting or athletic events, when available, as long as a permit is secured under Section 133.03 and the fees specified in this section are paid.

(b) The Director, or his designee, shall assess and collect the following fees and charges for the rental of the Collinwood Athletic Complex:

(1) Collinwood Athletic Complex rental \$2,000.00

(2) If lights are required during any portion of the sporting or athletic event, an additional \$100 per hour will be charged at the time the permit is issued. The City will bill for any additional lighting costs not collected at the time the permit was issued.

(3) Rental of the complex is based on a five-hour period. The City will bill for any additional labor costs for use beyond a five-hour period if those costs were not collected at the time the permit was issued.

(c) In cases where private security services are determined to be necessary by the Director, or his designee, it is the responsibility of the party renting the complex to provide the services, using a security service approved by the Director, or his designee.

(d) Any party renting the complex will be required to provide \$1 million liability and property damage insurance naming the City of Cleveland as an additional insured.

(e) Any party renting the complex will be required to provide emergency medical personnel and for any athletic competition.

(f) All proceeds from gate collections will go to the party renting the facility.

(g) All concessions will be operated by the City of Cleveland or its designated vendor.

(h) The Director shall deposit the fees and charges collected for the rental of the complex into the fund or funds designated to pay the costs of the general operation of the complex, the equipment and maintenance costs associated with maintaining the complex, and for improvements to the complex. The funds collected may be used for

and are appropriated for these purposes.

(i) After securing the necessary permit under Section 133.03 of these codified ordinances, the Director, or his designee, may allow the Cleveland Muny Football League and the Cleveland Municipal School District to rent the Collinwood Athletic Complex for all games, scrimmages, or practices, without being assessed the fees and charges specified in division (b) of this section.

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

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

Ord. No. 824-06.

By Council Members Coats, Pierce Scott, Johnson and Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Community Development and other Directors of City Departments to enter into contract with various agencies to provide social service programs, authorizing the Director of Community Development to enter into Memoranda of Understanding with the various Directors of City Departments, and authorizing the Director of Parks, Recreation and Properties to lease space from the Greater New Calvary Baptist Church to provide facilities for recreation activities.

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

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

Section 1. That the Director of Community Development is authorized to enter into or amend contracts with various agencies to provide social service programs.

Section 2. That the Director of Community Relations is authorized to enter into or amend contracts with various non-profit agencies to provide youth at risk programs.

Section 3. That, notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, and as amended, the Director of Parks, Recreation and Properties is authorized to lease from the Greater New Calvary Baptist Church, a gym located at 822 East 150th Street, Cleveland, Ohio, for a period of one year.

Section 4. That the rent for the lease shall be \$9,900 per year; that the lease may provide for the City to pay for the installation and operating cost of utility services to the leased premises; that the lease shall

be for the purpose of providing a facility for recreation activities; and that the lease shall be prepared by the Director of Law.

Section 5. That the Director of Community Development is authorized to enter into Memoranda of Understandings with the Directors of Community Relations and Parks, Recreation and Properties for the purposes described in this ordinance.

Section 6. That the total cost of the contracts authorized by this ordinance shall not exceed \$2,100,000.00 and shall be paid from Fund Nos. 14 SF 032, Request No. 149534.

Section 7. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

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

Ord. No. 825-06.

By Council Members Pierce Scott and Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Community Development to enter into or amend contracts with various agencies to provide housing, commercial, industrial and real estate development activities.

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

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

Section 1. That the Director of Community Development is authorized to enter into or amend contracts with various agencies to provide housing, commercial, industrial and real estate development activities.

Section 2. That the cost of the contracts authorized in this ordinance shall not exceed \$2,114,000.00, and shall be paid from Fund No. 14 SF 032, Request No. 149532.

Section 3. That the Director of Community Development is authorized to accept program income and use this and other program income to finance additional housing, commercial, industrial and real estate development activities, and the program income is appropriated for those purposes.

Section 4. That the Director of Community Development is authorized to enter into or amend contracts with the agencies administering the housing, commercial, industrial and real estate activities that generated program income in an amount not to exceed that generated program income and to be paid from the revolving fund in Fund 14.

Section 5. That the Director of Community Development is authorized to enter into or amend contracts with for-profit or non-profit organizations serving as the fiscal agent for the various agencies to provide housing, commercial, industrial, and real estate development activities.

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.

Referred to Directors of Community Development, Finance, Law; Committees on Community and Economic Development, Finance

Ord. No. 826-06.

By Council Members Pierce Scott and Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Community Development to enter into one or more contracts with CDBG-eligible agencies to implement the Cityworks Program.

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

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

Section 1. That the Director of Community Development is authorized to enter into one or more contracts with various CDBG-eligible agencies to implement the Cityworks Program.

Section 2. That the aggregate cost of the contracts authorized in this ordinance shall not exceed \$150,000.00, and any prior years CDBG Cityworks program balances, and shall be paid from Fund Nos. 14 SF 032, Request No. 149533.

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

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

Ord. No. 827-06.

By Council Members White, Pierce Scott, Cimperman and Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to apply for and accept a Clean Ohio grant from the State of Ohio Department of Development for the VAP Phase II assessment of property located at 3828 East 91st Street and associated parcels; and authorizing the Director to enter into one or more contracts with Garland Industries, Inc. to implement the project.

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

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

Section 1. That the Director of Economic Development is authorized to apply for and accept a Clean Ohio grant in an amount up to \$300,000, from the State of Ohio Department of Development for the VAP Phase II assessment of property located at 3828 East 91st Street and associated parcels, to be used to implement the project as described in the executive summary below; 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 executive summary for the grant contained in the file described below.

Section 2. That the executive summary for the grant, File No. 827-06-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 Economic Development is authorized to enter into one or more contracts with Garland Industries, Inc. to implement the project.

Section 4. That the contract or contracts authorized by this ordinance shall be prepared by the Director of Law.

Section 5. That the cost of the contract or contracts authorized will be paid from the fund or sub-funds that are credited the proceeds of the grant accepted under this ordinance.

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.

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

FIRST READING EMERGENCY RESOLUTIONS REFERRED

Res. No. 828-06.

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

An emergency resolution declaring the intent to vacate a portion of Starkweather Ave., and portions of West 7th Street.

Whereas, this Council is satisfied that there is good cause to vacate a portion of Starkweather Ave. and portions of West 7th Street, as described; and

Whereas, this resolution constitutes an emergency measure provid-

ing for the usual daily operation of a municipal department; now, therefore,

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

Section 1. That this Council declares its intent to vacate a portion of the following described real property:

A portion of Starkweather Ave. Commencing at a stone with a drill hole found within a monument box at the intersection of West 7th Street and Mary Avenue S.W. vacated by City Ordinance #706-39;

Thence South 37° 29' 21" East along the centerline of West 7th Street, 28.07 feet to a point;

Thence leaving said centerline, South 52° 30' 39" West, 35.00 feet to the True Point of Beginning for the parcel herein described;

Thence South 37° 29' 21" East, 51.56 feet to a point;

Thence, along the arc of a curve which deflects to the right, 26.21 feet to the existing southerly right-of-way line of Starkweather Avenue S.W., said curve having a radius of 164.64 feet, a central angle of 09° 07' 18", and a chord of 26.18 feet which bears South 32° 57' 07" East;

Thence along said southerly right-of-way line, along the arc of a curve which deflects to the left, 21.71 feet to a point, said curve having a radius of 43.30 feet, a central angle of 28° 43' 38", and a chord of 21.48 feet which bears North 77° 22' 24" West;

Thence South 88° 15' 47" West continuing along said southerly right-of-way line, 132.82 feet to a point;

Thence leaving said right-of-way line, along the arc of a curve which deflects to the left, 91.12 feet to a point, said curve having a radius of 246.00 feet, a central angle of 21° 13' 18", and a chord of 90.60 feet which bears North 63° 00' 14" East;

Thence North 52° 23' 35" East, 34.56 feet to the point of beginning, containing within said bounds 0.0910 acres.

Portions of West 7th Street

Area 1

The easterly 14.50 feet of West 7th Street from 9.50 feet north of the northerly line of Mary Avenue S.W. as vacated by City Ordinance

#706-39 to 9.50 feet south of the southerly line of Marquardt Avenue S.W.

Area 2

The westerly 14.50 feet of West 7th Street from the northerly line of Starkweather Avenue S.W. to 10.00 feet south of the southerly line of University Court.

Area 3

Commencing at a stone with a drill hole found within a monument box at the intersection of West 7th Street and Mary Avenue S.W. vacated by City Ordinance #706-39;

Thence South 37° 29' 21" East along the centerline of West 7th Street, 42.43 feet to a point;

Thence leaving said centerline, North 52° 30' 39" East, 35.00 feet to the easterly right-of-way line of West 7th Street and the True Point of Beginning for the parcel herein described;

Thence North 52° 23' 35" East leaving said right-of-way line, 14.50 feet to a point;

Thence South 37° 29' 21" East, 28.37 feet to a point;

Thence South 11° 01' 55" East, 34.94 feet to said easterly right-of-way line;

Thence, along the arc of a curve which deflects to the left along said right-of-way line, 22.48 feet to a point, said curve having a radius of 231.67 feet, a central angle of 05° 33' 36", and a chord of 22.47 feet which bears North 34° 46' 05" West;

Thence North 37° 29' 21" West continuing along said right-of-way line, 37.17 feet to the point of beginning, containing within said bounds 0.0144 acres.

Legal Description approved by Greg Esber, Section Chief, Plats, Surveys and House Numbering Section.

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

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

Res. No. 829-06.

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

An emergency resolution declaring the intent to vacate a portion of West 5th Street and a portion of Houston Avenue S.W.

Whereas, this Council is satisfied that there is good cause to vacate a portion of Houston Avenue S.W. and a portion of West 5th Street; now, therefore,

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

Section 1. That this Council declares its intent to vacate a portion of the following described real property:

A portion West 5th Street Vacation

Being all that portion of West 5th Street (40' wide) and its Westerly turnout extending Southerly from the Southerly line of Marquardt Avenue S.W. (33' wide) to the Northerly limited access line of the Interstate 480 Freeway.

A portion Houston Avenue S.W.

Vacation

Being all that portion of Houston Avenue S.W. (40' wide) and its turnouts extending Easterly from the Easterly line of West 5th Street to a point which is 105 feet from the centerline of West 5th Street as shown in Volume 134, Page 36 of Cuyahoga County Map Records.

Legal Description approved by Greg Esber, Section Chief, Plats, Surveys and House Numbering Section.

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

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

FIRST READING ORDINANCE REFERRED

Ord. No. 830-06.

By Council Member Brady.

An ordinance to change the zoning of lands on the north and south sides of Lorain Avenue from West 103rd Street to West 115th Street to Local Retail Business and Residence Office; and to change the zoning of property fronting on West 106th Street to Two Family, a 'B' Area District and a '1' Height District as shown on the attached map (Map Change No. 2181; Sheet No. 2).

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

Section 1. That the Use District of lands bounded and described as follows:

Beginning in the centerline of West 103rd Street and its intersection with Lorain Avenue;

Thence northerly along the centerline of West 103rd Street to its intersection with the easterly prolongation of the southerly line of Sublot No. 6 in the Longview Subdivision as shown on the recorded plat in Volume 16 of Maps; Page 26 of Cuyahoga County Records;

Thence westerly along said easterly prolongation and southerly line and along its westerly prolongation to its intersection with the centerline of West 104th Place;

Thence southerly along said centerline to its intersection with the centerline of Algona Avenue N.W.;

Thence westerly along said centerline of Algona Avenue and its westerly prolongation to its intersection with the centerline of West 104th Street;

Thence southerly along said centerline of West 104th Street and its southerly prolongation to its intersection with the centerline of Lorain Avenue;

Thence southwestwesterly along said centerline of Lorain Avenue to its intersection with the centerline of West 110th Street;

Thence northerly along said centerline of West 110th Street to its intersection with the easterly prolongation of the southerly line of Sublot No. 6 in the Lorain Heights Subdivision as shown on the recorded plat in Volume 55 of Maps, Page 13 of Cuyahoga County Records;

Thence westerly along said easterly prolongation and southerly line to its intersection with the easterly line of Sublot No. 110 in said Lorain Heights Subdivision;

Thence southerly along said easterly line; continuing along the easterly line of Sublot Numbers 111, 112, 113 and its southerly prolongation to its intersection with the northerly line of Sublot No. 114 in said subdivision;

Thence westerly along said northerly line and along its westerly prolongation to its intersection with the centerline of West 111th Street;

Thence southerly along said centerline of West 111th Street to its intersection with the easterly prolongation of the northerly line of Sublot No. 117 in said Lorain Heights Subdivision;

Thence westerly along said easterly prolongation and northerly line, continuing along the northerly line of Sublot Numbers 118 and 119 to its intersection with the westerly line of said Sublot No. 119;

Thence southerly along said westerly line and southerly prolongation to its intersection with the centerline of Lorain Avenue;

Thence westerly along said centerline of Lorain Avenue to its intersection with the southerly prolongation of the easterly line of Sublot No. 360 in the Lorain Heights Number 2 Subdivision as shown on the recorded plat in Volume 57 of Maps, Page 22 of Cuyahoga County Records;

Thence northerly along said southerly prolongation and easterly line to its intersection with the northerly line thereof;

Thence westerly along said northerly line and along its westerly prolongation to its intersection with the centerline of West 114th Street;

Thence southerly along said centerline of West 114th Street to its intersection with the easterly prolongation of the northerly line of Sublot No. 361 in the Conger-Helper Realty Company's Re-Subdivision as shown on the recorded plat in Volume 58 of Maps, Page 38 of Cuyahoga County Records;

Thence westerly along said easterly prolongation and northerly line and continuing westerly along the westerly line of Sublot Numbers 362 and 363 to its intersection with the easterly line of Sublot No. 491 in said Re-Subdivision;

Thence southerly along said easterly line to its intersection with the southerly line of said Sublot No. 491;

Thence westerly along said southerly line and its westerly prolongation to its intersection with the centerline of West 115th Street;

Thence southerly along said centerline of West 115th Street to its intersection with the centerline of Lorain Avenue;

Thence easterly along said centerline of Lorain Avenue to its intersection with the northerly prolongation of the westerly line of Sublot No. 36 in the Bosworth Heights Subdivision as shown on the recorded plat in Volume 31 of Maps, Page 2 of Cuyahoga County Records;

Thence southerly along said northerly prolongation and westerly line to its intersection with the northerly line of Sublot No. 37 in said Subdivision;

Thence easterly along said northerly line and continuing along its easterly prolongation to its intersection with the centerline of West 111th Street;

Thence northerly along said centerline to its intersection with the westerly prolongation of the Northerly line of Sublot No. 30 in said Subdivision;

Thence easterly along said prolongation and northerly line to its intersection with the westerly line of Sublot No. 4 in said Subdivision;

Thence northerly along said westerly line to its intersection with the northerly line of said Sublot No. 4;

Thence easterly along said northerly line and along its easterly prolongation to its intersection with the centerline of West 110th Street;

Thence northerly along said centerline to its intersection with the westerly prolongation of the southerly line of Sublot No. 1024 in the Lorain Street and Denison Avenue Land Company Subdivision as shown on the recorded plat in Volume 31, Page 3 of Cuyahoga County Records;

Thence easterly along said prolongation of said southerly line and continuing along its easterly prolongation to its intersection with the northerly prolongation of the easterly line of Sublot No. 978;

Thence northerly along said prolongation to its intersection with the westerly prolongation of the centerline of Joan Avenue;

Thence easterly along said westerly prolongation of said centerline to its intersect with the southerly prolongation of the easterly line of Sublot No. 1028 in the Lorain Street & Denison Avenue Land Company Subdivision as shown on the recorded plat in Volume 31 of Maps, Page 3 of Cuyahoga County Records;

Thence northerly along said prolongation and easterly line to its intersection with the easterly prolongation of the southerly line of Sublot No. 1031 in said Subdivision;

Thence northeasterly along said southerly line and along its easterly prolongation continuing along the southerly lines of Sublot Numbers 1032, 1033, 1034 to its intersection with the southerly prolongation of the westerly line of Sublot No. 1044 in the Lorain Highlands Re-Subdivision as shown on the recorded plat in Volume 47 of Maps, Page 23 of Cuyahoga County Records;

Thence northerly along said prolongation of said westerly line and continuing along its northerly prolongation to its intersection with the centerline of Lorain Avenue;

Thence easterly along said centerline to its intersection with the northerly prolongation of the easterly line of Sublot No. 1640 in the Lorain Street & Denison Avenue Land Company's Re-Subdivision as shown on the recorded plat in Volume 34 of Maps, Page 23 of Cuyahoga County Records;

Thence southerly along said prolongation and easterly line to its intersection with the southerly line of Sublot No. 1639 in said Subdivision;

Thence northeasterly along said southerly line and along the easterly prolongation continuing along the southerly line of Sublot Numbers 1638, 1637, 1636, 1635, 1634, 1633, 1632 to its intersection with the easterly line of said Sublot No. 1632;

Thence northerly along said easterly line and its northerly prolongation to its intersection with the centerline of Lorain Avenue;

Thence easterly along said centerline to its intersection with the centerline of West 103rd Street and the principal place of beginning,

and as shaded on the attached map is changed to a Local Retail Business District.

Section 2. That the Use District of lands bounded and described as follows:

Beginning in the centerline of Lorain Avenue and its intersection with the centerline of West 112th Street;

Thence southwesterly along said centerline of Lorain Avenue to its intersection with the southerly prolongation of the westerly line of Sublot No. 359 in the Lorain Heights Number Two Subdivision as shown on the recorded plat in Volume 57 of Maps, Page 22 of Cuyahoga County Records;

Thence northerly along said prolongation and westerly line to its intersection with the southerly line of Sublot No. 359 in said Subdivision;

Thence easterly along said southerly line to its intersection with the westerly line of Sublot No. 363 in said Subdivision;

Thence northerly along said westerly line to its intersection with the southerly line of Sublot No. 239 in the Lorain Heights Subdivision as shown on the recorded plat in Volume 55 of Maps, Page 13 of Cuyahoga County Records;

Thence easterly along said southerly line and along its easterly prolongation to its intersection with the centerline of West 112th Street;

Thence northerly along said centerline to its intersection with the westerly prolongation of the southerly line of Sublot No. 232 in said Subdivision;

Thence easterly along said prolongation of said southerly line to its intersection with the westerly line of Sublot No. 119 in said Subdivision;

Thence southerly along said westerly line and its southerly prolongation to its intersection with the centerline of Lorain Avenue;

Thence southwesterly along said centerline of Lorain Avenue to its intersection with the centerline of West 112th Street and the principal place of beginning,

and as shaded on the attached map is changed to a Residence Office District.

Section 3. That the Use, Area and Height Districts of lands bounded and described as follows:

Beginning in the centerline West 106th Street and its intersection with the centerline of Rusk Court;

Thence northerly along said centerline of West 106th Street to its intersection with the westerly prolongation of the northerly line of Sublot No. 286 in the Longview Subdivision as shown on the recorded plat in Volume 16 of Maps, Page 26 of Cuyahoga County Records;

Thence easterly along said prolongation and northerly line to and continuing along its easterly prolongation to its intersection with the centerline of West 106th Place;

Thence southerly along said centerline to its intersection with the centerline of Rusk Court;

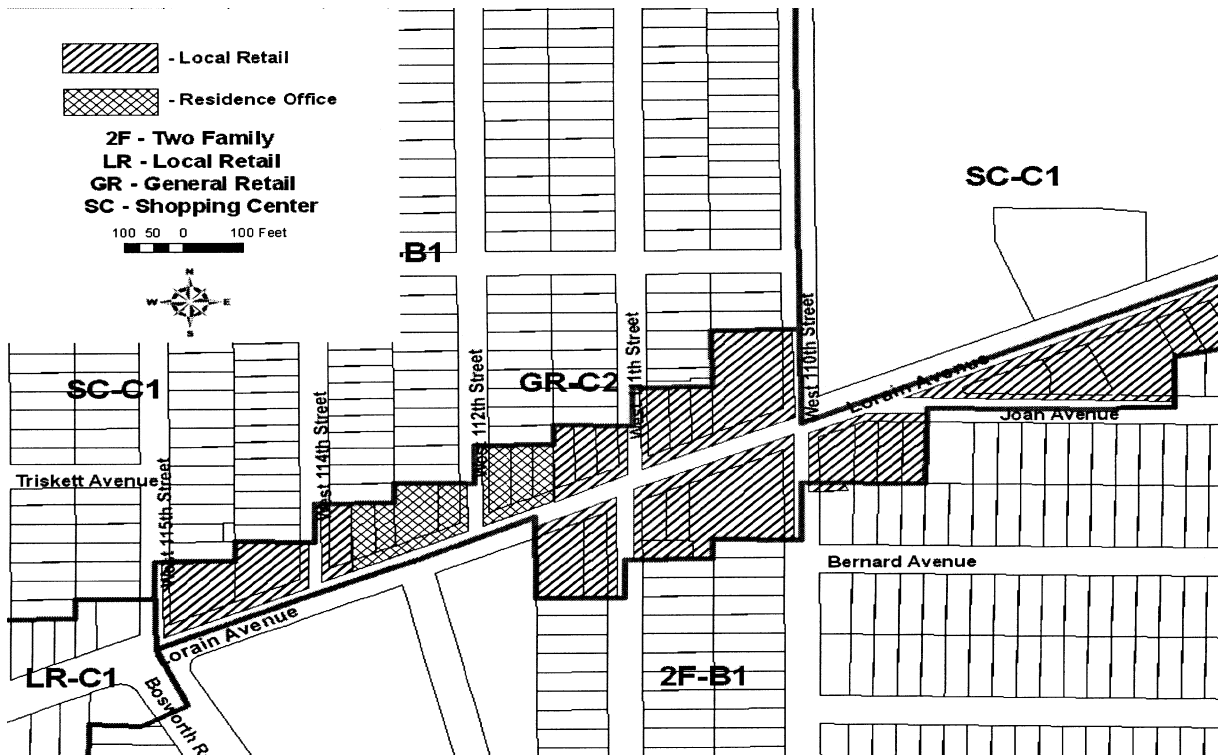
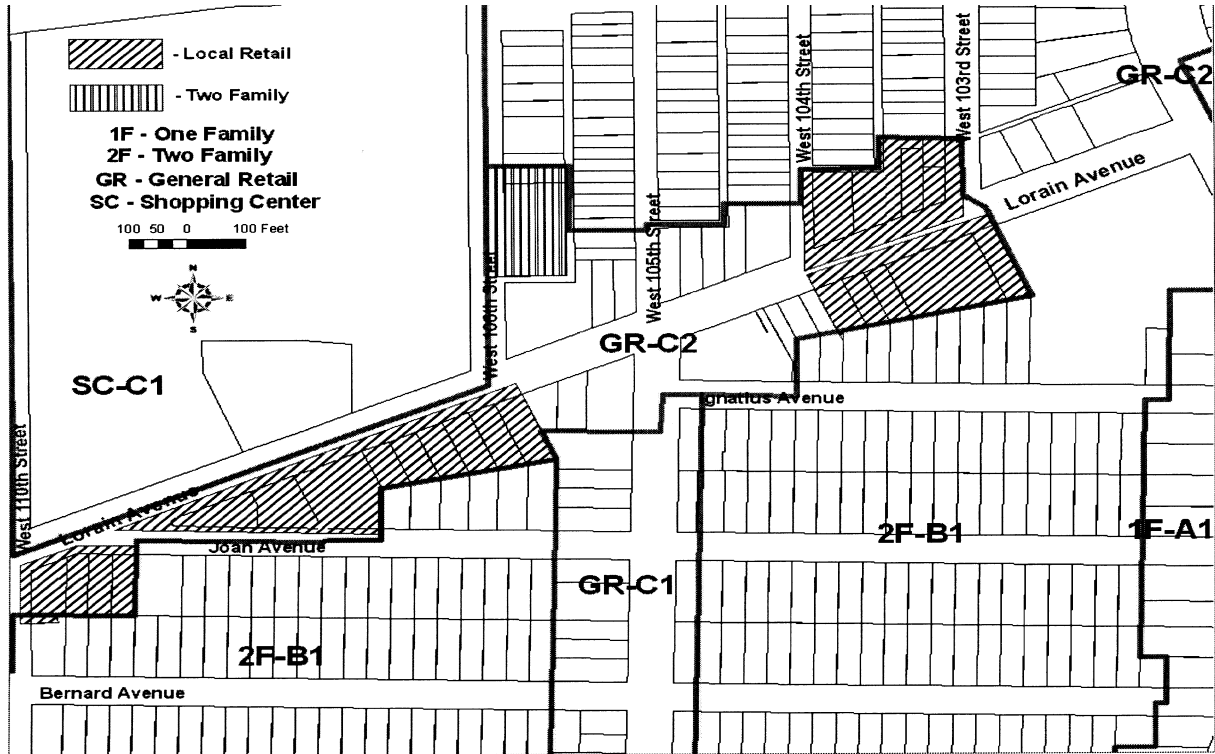
Thence westerly along said centerline of Rusk Court to its intersection with the centerline of West 106th Street and the principal place of beginning,

and as shaded on the attached map is changed to a Two Family Residential District, a 'B' Area District and a 'I' Height District.

Section 4. That the changed designation of lands described in Sections 1 through 5 shall be identified as Map Change No. 2181, Sheet No. 2 and shall be made upon the Building Zone Maps of the City of Cleveland on file in

the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for this purpose by the City Planning Commission.

Section 5. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.



Referred to Directors of City Planning Commission and Law; Committee on City Planning.

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

Ord. No. 831-06.

By Council Members White, Brancatelli, Brady, Cimperman and Sweeney (by departmental request).

An emergency ordinance giving consent of the City of Cleveland to the Board of Cuyahoga County Commissioners for the repair of the Warner Road Bridge No. 250 over Mill Creek; authorizing the Director of Public Service to enter into any relative agreement; and to apply for and accept an allocation of County Motor Vehicle License Tax Funds for the improvement.

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

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

Section 1. That it is declared to be in the public interest that the consent of the City of Cleveland is given to the Board of County Commissioners (the "County") to construct the following improvement under plans, specifications, and estimates approved by the County: repair of the Warner Road Bridge No. 250 over Mill Creek (the "Improvement").

Section 2. That the City proposes to cooperate with the County in the cost of the Improvement to the extent of funds received by an allocation from the County Motor Vehicle License Tax Fund; and by applying to the Board of County Commissioners to use the License Tax Fund for the Improvement.

Section 3. That the Director of Public Service is authorized to enter into one or more agreements with the County necessary to complete the planning and construction of the Improvement, which agreements shall contain terms and conditions that the Director of Law determines shall best protect the public interest.

Section 4. That on completion of the Improvement, the City will:

(a) Keep the affected highway open to traffic at all times;

(b) Maintain the Improvement according to the provisions of the statutes relating thereto and make ample financial and other provisions for the maintenance;

(c) Maintain the right-of-way and keep it free of obstruction in a manner satisfactory to the County and hold the right-of-way inviolate for public highway purposes and permit no signs, posters, billboards, roadside stands, or other private installations within the limits of the right-of-way;

(d) Place and maintain all traffic control devices under the Ohio Manual of Uniform Traffic Control Devices under the provisions of Section 4511.11 and related sections of the Revised Code;

(e) Prohibit all parking within the limits of the roadway which is a part of the Improvement under Section 4511.66 of the Revised Code, unless otherwise controlled by City ordinance or resolution; and

(f) Follow and maintain post-construction Best Management Practices as outlined in the Municipal Storm Water Permit that is filed with the Ohio Environmental Protection Agency.

Section 5. (a) That all existing streets and public rights-of-way within the City that are necessary

for the Improvement shall be made available.

(b) That in the event any additional right-of-way is required for the Improvement the County will arrange for its acquisition.

(c) That the County shall continue to maintain the structural elements of any bridge (defined as a structure with a span of twenty (20) feet or greater) within the limits of the Improvement under applicable sections of the Revised Code.

(d) That the street within the limits of the Improvement is designated a through highway within the meaning of division (F) of Section 4511.07 of the Revised Code.

(e) That arrangements have been or will be made with and agreements obtained from all utility companies whose lines or structures will be affected by the Improvement. That the companies have agreed to make any and all necessary rearrangements in such manner as to be clear of any construction called for by the plans for the Improvement. That the companies have agreed to make necessary rearrangements immediately after notification by the City.

(f) That the City, at its own expense, shall make all rearrangements of water mains, service lines, fire hydrants, valve boxes, sanitary sewers, or other City-owned utilities and appurtenances which do not comply with the provisions of ODOT Directive No. 28-A, whether inside or outside the corporate limits of the City, as may be necessary to conform to the Improvement.

(g) That the County will participate in the costs of alterations of governmentally-owned utility facilities which come within the provisions of ODOT Directive No. 28-A to the same extent that it participates in the other costs of the Improvement, provided that such participation will not extend to additions or betterments of existing facilities.

(h) That the construction, reconstruction, and rearrangement of all utilities shall be done in a manner as not to interfere unduly with the operations of the contractor or contractors constructing the Improvement, and all backfilling of trenches made necessary by utility rearrangement shall be performed under the provisions of the ODOT Construction and Material Specifications.

(i) To the extent allowed by law, that the City agrees that the County shall be saved harmless from any and all damages or claims arising from or growing out of the certification or obligations made or agreed to in divisions 5(a), 5(e), 5(f) and 5(h) of this section.

(j) If applicable, that stop signs affecting the movement of traffic on any street or highway within the limits of the Improvement shall be removed and no stop signs will be erected except at intersections with another through highway where traffic does not warrant the installation of a traffic control signal but where the warrants for a "Four-Way Stop" as provided in the aforesaid manual are met.

(k) That no rule or regulation may be enacted restricting the use of the Improvement or structure by any class of vehicle or vehicle load permitted by the Revised Code to use a public highway. Any existing rule or regulation so restricting road usage is rescinded.

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

Section 7. That the Director of Public Service is authorized to enter into an agreement with the County concerning the financing of the Improvement, which agreement shall contain without limitation terms substantially similar to the following:

(a) That the County will arrange for the preparation of construction plans and specifications for the Improvement, including necessary engineering reports, under current Cuyahoga County standards for construction of County roads and bridges.

(b) That the County will arrange for the supervision and administration of the construction contract.

(c) That if, by ordinance of this Council, the City requests the County, to include in the Improvement the construction of sanitary sewers, water lines, sewers for drainage of the area surrounding the Improvement, sidewalks, alternate bid items or other items that are in addition to those now existing in the plans for the Improvement and not provided for elsewhere in the agreement, the County will do so, provided that the construction of the additional items are approved by the County and the City, and provided further that the City agrees to pay or cause to be paid the cost of the additional construction and of preliminary and design engineering, but the City shall not be responsible for the cost of supervision of the additional construction.

(d) That the City agrees to participate with the County in the cost of the Improvement by an allocation from the County Motor Vehicle License Tax Fund to pay the County portion of the Improvement.

Section 8. That the Director of Public Service is authorized to apply to the County for an allocation from the County Motor Vehicle License Tax Fund to pay the County portion of the Improvement, and to enter into one or more agreements with the County as are necessary to finance the Improvement.

Section 9. That the Director of Public Service is authorized to apply to the County for approval to use County Motor Vehicle License Tax funds to pay for the Improvement, to accept the funds and to file all papers and execute all documents necessary to receive the funds; and that the funds are appropriated for the purposes described in this ordinance.

Section 10. That the Clerk of Council is authorized and directed to transmit to the County three (3) certified copies of this ordinance immediately on its taking effect, and it shall become the basis for proceeding with the Improvement.

Section 11. 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, City Planning Commission, Finance, Law; Committees on Public Service, City Planning, Finance.

Ord. No. 832-06.**By Council Member Britt.**

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the Murray Hill Arts Association to stretch banners on Mayfield Road between Radom and Fairview & Murray Hill Road between Mayfield and Cornell, for the period from May 22, 2006 to June 7, 2006, inclusive, publicizing the Murray Hill Art Walk.

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 Murray Hill Arts Association to install, maintain and remove banners on Mayfield Road between Radom and Fairview & Murray Hill Road between Mayfield and Cornell for the period from May 22, 2006 to June 7, 2006, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

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

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

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

Ord. No. 833-06.**By Council Member Cimperman.**

An emergency ordinance consenting and approving the issuance of a permit for the 1st Annual Strides for Change Walk, on June 4, 2006, hosted by Mothers Against Drunk Driving Northeastern Affiliate.

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 1st Annual Strides for Change Walk, hosted by Mothers Against Drunk Driving

Northeastern Affiliate on June 4, 2006, 1st Route starting at Jacobs Field, head north on East 9th, left on Erieside, left on Superior, right on Ontario, ending up back at Jacobs Field, 2.8 miles; 2nd Route starting at Jacobs Field, head south on East 9th, right on Carnegie, right on Broadway/Ontario, right on Eagle, ending up back at Jacobs Field; provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

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

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

Ord. No. 834-06.**By Council Member Lewis.**

An emergency ordinance consenting and approving the issuance of a permit for the New Day in Hough Walk, Race and Parade, on May 13, 2006, sponsored by the New Day in Hough Committee.

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 New Day in Hough Walk, Race and Parade on May 13, 2006, assembling at Thurgood Marshall Recreation Center, go west on Hough Avenue to E. 79th to Lexington, west on Lexington to E. 66th, south on E. 66th to Hough, east on Hough to Thurgood Marshall, and the Parade route also assembling at Thurgood Marshall Recreation Center, from Thurgood Marshall, west on Hough Avenue to E. 71st, north on E. 71st, to Linwood, east on Linwood to E. 79th, south on E. 79th to Hough, east on Hough to Thurgood Marshall, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully

indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

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

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

Ord. No. 835-06.**By Council Member Lewis.**

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the New Day in Hough Committee to stretch banners at the southeast and northeast corners of East 55th & Superior, Ansel & Hough and East 55th & Chester for the period from May 8, 2006 to May 14, 2006, inclusive, publicizing the New Day in Hough.

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 New Day in Hough Committee to install, maintain and remove banners at the southeast and northeast corners of East 55th & Superior, Ansel & Hough and East 55th & Chester for the period from May 8, 2006 to May 14, 2006, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

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

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

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

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

Res. No. 836-06.

By Council Member Brancatelli.

An emergency resolution withdrawing objection to the renewal of a C2 and C2X Liquor Permit at 7527 Union Avenue, and repealing Resolution no. 1376-05, objecting to said renewal.

Whereas, this Council objected to a C2 and C2X Liquor Permit to Marwha Corporation by Resolution No. 1376-05 adopted by the Council on July 13, 2005; and

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

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

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

Section 1. That objection to a C2 and C2X Liquor Permit to Marwha Corporation, DBA Union Supermarket, 7527 Union Avenue, Cleveland, Ohio 44105, Permanent Number 5597519 be and the same is hereby withdrawn and Resolution No. 1376-05, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

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

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

Res. No. 837-06.

By Council Member Coats.

An emergency resolution objecting to a New C1 Liquor Permit at 13612 Coit Avenue.

Whereas, Council has been notified by the Department of Liquor Control of an application for a New C1 Liquor Permit at Lakesha Wynette Porch, DBA Ms. Kee Kees Beverage & Deli, 13612 Coit Avenue, Cleveland, Ohio 44110, Permanent Number 7027172; and

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

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

Whereas, the place for which the permit is sought has not conformed to the building, safety or health

requirements of the governing body of this County or City; and

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

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

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

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

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

Section 1. That Council does hereby record its objection to a New C1 Liquor Permit at Lakesha Wynette Porch, DBA Ms. Kee Kees Beverage & Deli, 13612 Coit Avenue, Cleveland, Ohio 44110, Permanent Number 7027172 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

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

Res. No. 838-06.

By Council Member Coats.

An emergency resolution objecting to the transfer of ownership of a D1, D2, D3 and D3A Liquor Permit to 18029 Euclid Avenue.

Whereas, Council has been notified by the Department of Liquor Control of an application for the transfer of ownership of a D1, D2, D3 and D3A Liquor Permit from JRH, Inc., DBA Johnny & Co., 18029 Euclid Avenue, Cleveland, Ohio 44112, Permanent Number 4403791 to Johnny & Co. Bar and Grille, LLC, 18029 Euclid Avenue, Cleveland, Ohio 44112, Permanent Number 4307201; 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 D1, D2, D3 and D3A Liquor Permit from JRH, Inc., DBA Johnny & Co., 18029 Euclid Avenue, Cleveland, Ohio 44112, Permanent Number 4403791 to Johnny & Co. Bar and Grille, LLC, 18029 Euclid Avenue, Cleveland, Ohio 44112, Permanent Number 4307201; and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

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

Res. No. 839-06.**By Council Member Coats.****An emergency resolution objecting to the transfer of Liquor License of a D5 Liquor Permit to 18414-16 St. Clair Avenue.**

Whereas, Council has been notified by the Department of Liquor Control of an application for a transfer of Liquor License of a D5 Liquor Permit from AMF Bowling Centers, Inc., DBA AMF Carousel Lanes, 3545 Ridge Road, Cleveland, Ohio 44102, Permanent Number 01733100060 to DPG Lounge, LLC, 18414-16 St. Clair Avenue, Cleveland, Ohio 44110, Permanent Number 2296200; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to a transfer of Liquor License of a D5 Liquor Permit from AMF Bowling Centers, Inc., DBA AMF Carousel Lanes, 3545 Ridge Road, Cleveland, Ohio 44102, Permanent Number 01733100060 to DPG Lounge, LLC, 18414-16 St. Clair Avenue, Cleveland, Ohio 44110, Permanent Number 2296200, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

Section 3. That this resolution is hereby declared to be an emergency measure and provided it receives the

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

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

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

Res. No. 840-06.**By Council Member Polensek.****An emergency resolution objecting to the transfer of ownership of a D1, D2, D3 and D3A Liquor Permit to 787-91 East 185th Street, 1st floor and basement.**

Whereas, Council has been notified by the Department of Liquor Control of an application for the transfer of ownership of a D1, D2, D3 and D3A Liquor Permit from 791 Tavern, Inc., 787-91 East 185th Street, 1st floor and basement, Cleveland, Ohio 44119, Permanent Number 8003612 to E185791 Tavern, Inc., 787-91 East 185th Street, 1st floor and basement, Cleveland, Ohio 44119, Permanent Number 2528548; 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 D1, D2, D3 and D3A Liquor Permit from 791 Tavern, Inc., 787-91 East 185th Street, 1st floor and basement, Cleveland, Ohio 44119, Permanent Number 8003612 to E185791 Tavern, Inc., 787-91 East

185th Street, 1st floor and basement, Cleveland, Ohio 44119, Permanent Number 2528548; and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

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

SECOND READING EMERGENCY ORDINANCES PASSED**Ord. No. 498-06.**

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

An emergency ordinance authorizing the Director of Public Service to enter into one or more requirement contracts without competitive bidding with Ace Equipment Sales, Inc. for New Way packer body parts, including labor if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service.

Approved by Directors of Public Service, Finance, Law; Passage recommended by Committees on Public Service, Finance.

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

Ord. No. 499-06.

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

An emergency ordinance authorizing the Director of Public Service to enter into one or more requirement contracts without competitive bidding with Spartan Motors Chassis, Inc. for Spartan chassis and fire apparatus parts, including labor if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service.

Approved by Directors of Public Service, Finance, Law; Passage recommended by Committees on Public Service, Finance.

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

Ord. No. 500-06.

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

An emergency ordinance authorizing the purchase by one or more requirement contracts of various industrial shop equipment and supplies, for Division of Motor Vehicle Maintenance, Department of Public Service.

Approved by Directors of Public Service, Finance, Law; Passage recommended by Committees on Public Service, Finance.

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

Ord. No. 607-06.

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

An emergency ordinance authorizing the Director of Public Utilities to enter into a competitive response water service agreement with Portage County; and authorizing the Director of Finance to enter into an economic development agreement or agreements for the purpose of mitigating economic impacts to Cleveland's General Fund relating to the City's extension of water service to the City of Aurora and other areas within Portage County.

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

1. In Section 2, at the end, strike the period and add the following: "**under this ordinance, according to terms set forth on the term sheet and placed in File No. 607-06-A.**".

2. In Section 4, at the end, strike the period and add the following: "**under this ordinance, according to terms set forth in the above mentioned file.**".

3. Insert new Section 4a to read as follows:

"That the file mentioned above shall be 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. That the Director of Public Utilities or Finance, as appropriate, shall provide the Council with a copy of any executed agreement entered under this ordinance."

4. Insert new Section 11 to read as follows:

"Section 11. That if the agreements authorized by this ordinance are not fully executed within six months of the date this ordinance passes, then the authority granted by the ordinance to enter into the agreements expires."

5. Renumber existing Section 11 to new **"Section 12"**.

Amendments agreed to.

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

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

Ord. No. 617-06.

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

An emergency ordinance authorizing a request to the Ohio Board of Building Standards to certify the City of Cleveland to enforce the Residential Building Code of Ohio for One, Two, and Three-Family Dwellings; to repeal Sections 3121.01 and 3121.02 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 2370-01, passed May 13, 2002; to supplement the codified

ordinances by enacting new Section 3121.01; to rename Chapter 3121 to the "Residential Building Code of Ohio for One, Two, and Three-Family Dwellings"; to amend Section 3105.25 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1020-04, passed August 17, 2004, relating to the schedule of permit fees.

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

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

Council President Sweeney read the following letter.

COMMUNICATION

File No 858-06.

May 6, 2006

Dear Cleveland City Council Member:

As you are aware, the foreclosure rate in Cuyahoga County is on the increase. I have scheduled a meeting to address community concerns regarding foreclosures with Judges, City Leaders, Ward Leaders and Mayors. The meeting will be held:

**Tuesday, May 16, 2006
5:30 p.m.**

**Garfield Heights Civic Center
5407 Turney Road
Garfield Heights, Ohio**

I am aware of the high priority that has been placed on the improvement of the foreclosure process by the Cuyahoga County Common Pleas Court and that significant changes have been made to help streamline and make the process more efficient.

This meeting will provide all officials with an opportunity to voice concerns as well as exchange information pertinent to this important county issue. I urge all of our Cleveland Council Members to make every effort to attend this very important meeting.

Sincerely,

Jimmy Dimora
Cuyahoga County Commissioner and
Chairman — Cuyahoga County
Democratic Party

Received.

Council Member Zachary Reed was unexcused from the Council meeting.

MOTION

The Council Meeting adjourned at 7:42 p.m. to meet Monday, May 15, 2006 at 7:00 p.m. in the Council Chambers.



City Clerk, Clerk of Council

THE CALENDAR

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

NONE

BOARD OF CONTROL

May 3, 2006

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, May 3, 2006, at 10:30 a.m. with Mayor Jackson presiding.

Present: Mayor Jackson, Directors Triozzi, Dumas, Interim Director Ciaccia, Acting Director McGraw, Director Wasik, Interim Director Carroll, Directors Flask, Cox, Rush, Hutchinson, Acting Director Pesti, Directors Fumich, Guzman and Interim Director Rybka.

Absent: None.

Others: Jim Hardy, Commissioner, Purchases and Supplies.

Debra Linn Talley, Commissioner, Office of Equal Opportunity.

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

Resolution No. 156-06.

By Director Dumas.

Be it resolved by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 69-04, passed by the Council of the City of Cleveland on January 12, 2004, MCPc, Inc. is selected from a list of firms determined after a full and complete canvass by the Director of Finance as the firm to be employed by contract to perform professional services to acquire licenses for Infotel Select software and the VoIP view interface, and for installation, training, rate table updates, maintenance and support for a term of two years, with three options, exercisable in writing by the Director of Finance, to renew for additional one-year terms.

Be it further resolved that the Director of Finance is authorized to enter into contract with MCPc, Inc., based upon its proposal dated February 10, 2006, which contract shall be prepared by the Director of Law, shall provide for the furnishing of professional services as provided in the proposal, for an aggregate fee of \$21,754, and shall contain such additional provisions as the Director of Law deems necessary to protect and benefit the public interest.

Yeas: Mayor Jackson, Directors Triozzi, Dumas, Interim Director Ciaccia, Acting Director McGraw, Director Wasik, Interim Director Carroll, Directors Flask, Cox, Rush, Hutchinson, Acting Director Pesti, Directors Fumich, Guzman and Interim Director Rybka.

Nays: None.

Absent: None.

Resolution No. 157-06.

By Interim Director Mok.

Be it resolved by the Board of Control of the City of Cleveland, that under Ordinance No. 8-05 passed by Cleveland City Council on Janu-

ary 31, 2005, the firm of Vocon Design, Inc. is selected upon the nomination of the Director of Port Control, as the firm to be employed for the purpose of providing marketing and advertising consulting for the various divisions of the Department of Port Control, based on its proposal, submitted on March 8, 2006, for an amount not to exceed \$144,000.00.

Be it further resolved that the contract shall be prepared by the Director of Law and shall contain such additional provisions as the Director of Law deems necessary to protect and benefit the public interest.

Be it further resolved that the employment of the following subconsultant by Vocon Design, Inc. is approved:

<u>SUB-CONSULTANT</u>	<u>MBE/FBE AMOUNT</u>
G. Stephen, Inc.	18.75% MBE \$27,000.00

Yeas: Mayor Jackson, Directors Triozzi, Dumas, Interim Director Ciaccia, Acting Director McGraw, Director Wasik, Interim Director Carroll, Directors Flask, Cox, Rush, Hutchinson, Acting Director Pesti, Directors Fumich, Guzman and Interim Director Rybka.
Nays: None.
Absent: None.

Resolution No. 158-06.

By Director Wasik.
Be it resolved, by the Board of Control of the City of Cleveland that the bid of Valley Sterling Truck Sales for an estimated quantity of cab/chassis with small refuse packer (primary), for the various divisions of City government, for the period of one year beginning with the date of execution of a contract, received on January 12, 2006, under the authority of Ordinance No. 829-05, passed by the Council of the City of Cleveland on May 9, 2005, which on the basis of the estimated quantity would amount to \$269,286.00 (Net-30), is affirmed and approved as the lowest and best bid, and the Director of Public Service is requested to enter into a requirement contract for the goods and/or services, which shall provide for the immediate purchase as the initial amount of the contract of the following:

Requisition No. 161653 which shall be certified against the contract in the sum of \$269,286.00.
The requirement contract shall further provide that the Contractor shall furnish the remainder of the City's requirements for the goods and/or services, whether more or less than the estimated quantity, as may be ordered under subsequent requisitions separately certified against the contract.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractor by Valley Sterling Truck Sales for the above-mentioned purchase is hereby approved:

Waste Removal Equipment, Inc.
\$36,055.00 per unit — 40.17%

Yeas: Mayor Jackson, Directors Triozzi, Dumas, Interim Director Ciaccia, Acting Director McGraw,

Director Wasik, Interim Director Carroll, Directors Flask, Cox, Rush, Hutchinson, Acting Director Pesti, Directors Fumich, Guzman and Interim Director Rybka.
Nays: None.
Absent: None.

JEFFREY B. MARKS,
Secretary

CIVIL SERVICE NOTICES

General Information

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

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

SCHEDULE OF THE BOARD OF ZONING APPEALS

MONDAY, MAY 22, 2006

9:30 A.M.

Calendar No. 06-65: 1230 Broadway Avenue (Ward 13)

The Norfolk Southern Corporation, owner, and Parking Endeavors, LLC, prospective lessee c/o Jason Modlik, appeal to establish use for a temporary parking lot to be situated on an acreage parcel located in a General Industry District on the south side of Broadway Avenue at 1230 Broadway Avenue; as proposed the temporary parking lot is contrary to Section 325.03 that requires parking spaces to be at least 180 square feet and Section 349.07(a) requires that accessory off-street parking spaces, driveways and maneuvering areas be properly graded for drainage so that all water is drained within the lot providing such parking spaces, surfaced with concrete, asphaltic concrete, asphalt or similar surfacing material, maintained in good condition and free of debris and trash; and a 6' wide frontage landscaped strip is required along Broadway Avenue according to the provisions of Section 352.11 of the Codified Ordinances.

Calendar No. 06-70: Appeal of Frank B. Smith, 8106 Cedar Avenue (Ward 6)

Frank B. Smith appeals under Section 76-6(b) of the Charter of the City of Cleveland and Section 329.02(d) of the Cleveland Codified Ordinances from a Notice of Violation issued March 29, 2006 by the Department of Building and Housing, for illegal use of the premises located at 8106 Cedar Avenue and failure to comply with the Zoning Code and the provisions of Section 327.02(d) of the Codified Ordinances.

Calendar No. 06-72: 4266 Martin Luther King Jr. Blvd. (Ward 2)

Michael and Patricia Green, owners, appeal to enclose an existing 8' x 24' wooden front porch of a single family dwelling, situated on a 40' x 145' parcel located in a Two-Family District on the west side of Martin Luther King Jr. Boulevard at 4266 Martin Luther King Jr. Boulevard; subject to the Requirements for Yards and Courts, the enclosed porch may not project more than 4' as stated in Section 357.13(b)(4) of the Codified Ordinances.

Calendar No. 06-73: 3857 West 31st Street (Ward 15)

Reba Hicks, owner, appeals to install approximately 57 linear feet of 4' tall chain link fence across the front yard and along the front yard setback of a single family dwelling, situated on a 33' x 131' parcel located in a Two-Family District on the east side of West 31st Street at 3857 West 31st Street; subject to the requirements of the Fence Regulations and Section 358.04(a), in residential districts only ornamental fences shall be installed in actual front yards and shall be considered ornamental if the fence is composed of wrought iron-style pickets, wood pickets, wood split rails or other materials of a decorative nature, as stated in Section 358.02(d) of the Codified Ordinances.

Secretary

REPORT OF THE BOARD OF ZONING APPEALS

MONDAY, MAY 8, 2006

At the meeting of the Board of Zoning Appeals on Monday, May 8, 2006, the following appeals were heard by the Board:

The following appeals were **Approved:**

Calendar No. 06-62: 2517 Jay Avenue Gormark Developers, Inc. appealed to construct an addition and change the use from a hotel to apartments and townhomes, proposed for an existing three-story building in a General Retail Business District.

Calendar No. 06-63: 801 College Avenue

John Krohe appealed to erect an 8' x 17' frame deck to the front of a single family dwelling in a Two-Family District.

Calendar No. 06-64: 16210 Lorain Avenue

The West Park Community School appealed to construct a two-story addition adjacent to an existing three-story school and to place temporary modular classrooms on an irregular shaped parcel in split zoning between General Retail Business and One Family Districts.

The following appeal was **Denied:**

Calendar No. 06-46: 6402 Lansing Avenue

Louis Sainato, owner, and Patricia Cole, tenant, appealed to expand an existing day care business to include the second floor of an existing one and two story building in a Local Retail Business District.

The following appeal was **Withdrawn:**

Calendar No. 06-61: 3249 East 143rd Street

Rashiqa Abukhalil appealed to change the use of an existing non-conforming dwelling units and store to the use as a store and no dwelling units in a Two-Family District.

The following appeal was **Dismissed:**

Calendar No. 06-51: 17610 Milburn Avenue

Romulo Glean appealed to enclose an existing 6' x 27' front porch of a single family dwelling in a One-Family District.

The following appeals were **Postponed:**

None.

In Executive Session on May 8, 2006, the following appeals heard by the Board on May 1, 2006 were adopted and approved.

The following appeal was **Approved:**

Calendar No. 06-57: 14008 Glendale Avenue

Marilyn Moore appealed to erect a 3' x 71' metal wheelchair ramp at the front of a one family dwelling in an A1 One-Family District.

Calendar No. 06-58: 16920 East Park Drive

Ross and Jennifer Steinberg appealed to erect an 11' x 23' frame deck at the front of a one family dwelling in an A1 One Family District.

The following appeal was **Denied:**

Calendar No. 06-59: 9903 Raymond Avenue

Nokita Sparks appealed to expand a two family dwelling to include a day care for 12 children in a B1 Two-Family District.

The following appeal heard by the Board on April 24, 2006 was adopted and approved.

The following appeal was **Approved:**

Calendar No. 06-22: 1082 East 105th Street

Maher Ali appealed to add a gas station to an existing retail center in a Local Retail Business District; with conditions.

The following appeal heard by the Board on April 24, 2006 was **Withdrawn** by the appellant:

Calendar No. 06-56: 17102 Puritas Avenue

Terry Hengoed appealed to erect a 24' x 24' one-story frame accessory garage in an A1 One-Family District.

Secretary

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

Re: Report of the Meeting of May 3, 2006

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-27-06.

RE: Appeal of Trust Properties, LLC C/O Michael Boukzam, Owner of the Property located on the premises known as 3044 West 104th Street from a LIMITATION ON THE PERMIT of the Director of the Department of Building and Housing, dated March 24, 2006, 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 six (6) months in which to complete abatement of the violations; and to require a progress report from the Appellant to be issued to the City within three (3) months for continued extensions; 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, Gallagher, Saab, Bradley. Nays: None.

* * *

Docket A-31-06.

RE: Appeal of Marilyn Moore, Owner of the Residential Property located on the premises known as 14008 Glendale Avenue from a NOTICE OF NONCONFORMANCE, of the Director of the Department of Building and Housing, dated April 6, 2002, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

Docket A-31-06 has been POSTPONED; to be rescheduled for May 17, 2006.

Docket A-33-06.

RE: Appeal of AHNB, LLC, Owner of the Property located on the premises known as 10548 St. Clair Avenue from SUPPLEMENTARY CONDITIONS, of the Director of the Department of Building and Housing, dated February 22, 22006, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC). Docket A-33-06 has been POSTPONED; to be rescheduled for May 17, 2006.

* * *

Docket A-36-06.

RE: Appeal of Preferred Builders of Solon, Inc., Owner of the Four Story Masonry Property located on the premises known as 8602-28 Wade Park Avenue from a NOTICE OF VIOLATION — NO PERMIT/NO INSPECTION of the Director of the Department of Building and Housing, dated March 17, 2006, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

The Board will extend the docket and wait to hear from the Appellant in six (6) weeks to let the Board know whether the Appellant wants to open or close the docket at that time.

* * *

APPROVAL OF RESOLUTIONS:

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

A-62-02—Jacobs Investment Management.

A-18-06—Ian Abrams.

A-21-06—Neil T. Clough.

A-35-06—Playhouse Square Investors Ltd.

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

* * *

APPROVAL OF MINUTES:

Separate motions were entered by Mr. Gallagher and seconded by Mr. Bradley 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):

April 19, 2006

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

* * *

Secretary

PUBLIC NOTICE

NONE

NOTICE OF PUBLIC HEARING

**Notice of Public Hearing
By the Council Committee
On City Planning**

**Mercedes Cotner
Committee Room 217
City Hall, Cleveland, Ohio
On Thursday, May 11, 2006
1:00 p.m.**

Notice is hereby given to all interested property owners that the Council Committee on City Planning will hold a public hearing in the Mercedes Cotner Committee Room 217, City Hall, Cleveland, Ohio, on Thursday, May 11, 2006, at 1:00 p.m., to consider the following ordinances now pending in the Council:

Ord. No. 199-06.

By Council Member Cimperman.
An ordinance changing the Use District of property on the southwest corner of St. Clair Avenue and Old River Road (West 11th Street) as shaded on the attached map from a General Industry Use District to a General Retail Use District (Map Change No. 2174, Sheet 1).

Ord. No. 200-06.

By Council Member Santiago.
An ordinance changing the Use and Area Districts of properties located on the southeast corner of Fulton Road and Meyer Avenue from a Two Family Residential District, a 'B' Area District to an RA2 Townhouse District (Map Change No. 2173, Sheet No. 2).

Ord. No. 707-06.

By Council Member Cimperman.
An ordinance to change the zoning of parcels on the north side Detroit Avenue between West 29th Street and West 45th Street from a Two Family Residential District to an Open Space and Recreation District (Map Change No. 2179; Sheet No. 1).

Ord. No. 718-06.

By Council Member Brady.
An ordinance to change the zoning of lands on the east and west sides of West 117th Street from Governor Avenue to Bellaire Road as shown on the attached maps (Map Change No. 2180 Sheet No. 2 and 12).

Joseph C. Cimperman
Chairman
Committee on City Planning

May 3, 2006 and May 10, 2006

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."

FRIDAY, MAY 19, 2006

St. Clair Avenue Resurfacing (from East 55th Street to East 72nd Street), for the Division of Engineering and Construction, Department of Public Service, as authorized by Ordinance No. 193-06, passed by the Council of the City of Cleveland, March 20, 2006.

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

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** FRIDAY, MAY 12, 2006 AT 10:00 A.M., CITY HALL, CONFERENCE ROOM 518, CLEVELAND, OHIO 44114.

May 3, 2006 and May 10, 2006

THURSDAY, MAY 25, 2006

House of Corrections Sprinkler Heads Replacement Project, for the Division of Architecture, Department of Public Service, as authorized by Ordinance No. 2145-03, passed by the Council of the City of Cleveland, February 9, 2004.

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

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** TUESDAY, MAY 16, 2006 AT 2:00 P.M., HOUSE OF CORRECTIONS

(VISITOR'S ROOM), LOCATED IN THE LAST BUILDING OFF OF MILL CREEK BLVD., OFF OF GREEN ROAD, HIGHLAND HILLS, OHIO 44122.

May 3, 2006 and May 10, 2006

WEDNESDAY, MAY 31, 2006

Medium Duty Ranges, for the Division of Fire, Department of Public Safety, as authorized by Ordinance No. 3-04, passed by the Council of the City of Cleveland, February 9, 2004.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** FRIDAY, MAY 12, 2006 AT 11:00 A.M., CLEVELAND FIRE HEAD-QUARTERS, BASEMENT CONFERENCE ROOM, 1645 SUPERIOR AVENUE, CLEVELAND, OHIO 44114.

Board Up — Group 1, for the Department of Building and Housing, as authorized by Ordinance No. 653-05, passed by the Council of the City of Cleveland, May 9, 2005.

THERE WILL BE A **MANDATORY PRE-BID MEETING**, WEDNESDAY, MAY 17, 2006 AT 10:00 A.M., CITY HALL, CONFERENCE ROOM, 509, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

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

Board Up — Group 2, for the Department of Building and Housing, as authorized by Ordinance No. 653-05, passed by the Council of the City of Cleveland, May 9, 2005.

THERE WILL BE A **MANDATORY PRE-BID MEETING**, WEDNESDAY, MAY 17, 2006 AT 10:00 A.M., CITY HALL, CONFERENCE ROOM, 509, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

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

May 3, 2006 and May 10, 2006

THURSDAY, JUNE 1, 2006

Board Up — Group 3, for the Department of Building and Housing, as authorized by Ordinance No. 653-05, passed by the Council of the City of Cleveland, May 9, 2005.

THERE WILL BE A **MANDATORY PRE-BID MEETING**, WEDNESDAY, MAY 17, 2006 AT 10:00 A.M., CITY HALL, CONFERENCE ROOM, 509, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

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

Board Up — Group 4 and Emergency Service, for the Department of Building and Housing, as authorized by Ordinance No. 653-05, passed by the Council of the City of Cleveland, May 9, 2005.

THERE WILL BE A **MANDATORY PRE-BID MEETING**, WEDNESDAY, MAY 17, 2006 AT 10:00 A.M.,

CITY HALL, CONFERENCE ROOM, 509, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.
THE CITY WILL NOT CONSIDER THE BID OF ANYONE WHO DOES NOT ATTEND A MANDATORY PRE-BID CONFERENCE.

May 3, 2006 and May 10, 2006

FRIDAY, JUNE 16, 2006

Purchase of Hauling and Disposing of Water Plant Residuals, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 2232-05, passed by the Council of the City of Cleveland, January 23, 2006.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING, FRIDAY, MAY 19, 2006 AT 2:30 P.M., DIVISION OF WATER, 1201 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

May 3, 2006 and May 10, 2006

FRIDAY, MAY 26, 2006

Herschel Court Sewer Replacement, for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Ordinance No. 272-05, passed by the Council of the City of Cleveland, June 6, 2005.

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

THERE WILL BE A MANDATORY PRE-BID MEETING, FRIDAY, MAY 19, 2006 AT 11:00 A.M., DIVISION OF WATER POLLUTION CONTROL, 12302 KIRBY AVENUE, CLEVELAND, OHIO 44108. THE CITY WILL NOT CONSIDER THE BID OF ANYONE WHO DOES NOT ATTEND A MANDATORY PRE-BID CONFERENCE.

May 10, 2006 and May 17, 2006

WEDNESDAY, MAY 31, 2006

Unarmed Security Services, for the Various Divisions, Department of Port Control, as authorized by Ordinance No. 299-06, passed by the Council of the City of Cleveland, March 27, 2006.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING, FRIDAY, MAY 19, 2006 AT 10:00 A.M., CLEVELAND HOPKINS INTERNATIONAL AIRPORT'S RECEIVING BUILDING, 19451 FIVE POINTS ROAD, CLEVELAND, OHIO 44135.

Armed Security Services, for the Division of Recreation, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 456-06, passed by the Council of the City of Cleveland, April 3, 2006.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING THURSDAY, MAY 18, 2006 AT 2:00 P.M., DIVISION OF RECRE-

ATION, ROOM 8, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

May 10, 2006 and May 17, 2006

THURSDAY, JUNE 1, 2006

Collection, Pick-Up and Disposal of Waste Oil (Sale of Waste Oil), for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Section 181.19 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING THURSDAY, MAY 25, 2006 AT 2:00 P.M., DIVISION OF MOTOR VEHICLE MAINTENANCE, 4150 EAST 49TH STREET, BUILDING #1, CLEVELAND, OHIO 44105.

May 10, 2006 and May 17, 2006

FRIDAY, JUNE 2, 2006

Demolition of St. Michael's Main Hospital Building, for the Division of Property Management, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 2152-03, passed by the Council of the City of Cleveland, January 5, 2004.

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

THERE WILL BE A MANDATORY PRE-BID MEETING, FRIDAY, MAY 19, 2006 AT 10:00 A.M., CITY HALL, ROOM 509, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

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

Demolition of St. Michael's Nursing School, for the Division of Property Management, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 2152-03, passed by the Council of the City of Cleveland, January 5, 2004.

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

THERE WILL BE A MANDATORY PRE-BID MEETING, FRIDAY, MAY 19, 2006 AT 10:00 A.M., CITY HALL, ROOM 509, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

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

May 10, 2006 and May 17, 2006

WEDNESDAY, JUNE 7, 2006

Trinity Building Demolition and Remediation, for the Department of Economic Development, as authorized by Ordinance No. 23-06, passed by the Council of the City of Cleveland, November 17, 2005.

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

THERE WILL BE A MANDATORY PRE-BID MEETING, MONDAY, MAY 22, 2006 AT 10:00 A.M., OFFICE OF CUDELL IMPROVEMENTS, 11650 DETROIT AVENUE, CLEVELAND, OHIO 44114.

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

May 10, 2006 and May 17, 2006

WEDNESDAY, JUNE 14, 2006

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

THERE WILL BE A MANDATORY PRE-BID MEETING, WEDNESDAY, MAY 24, 2006 AT 10:00 A.M., CLEVELAND PUBLIC POWER, 1300 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

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

May 10, 2006 and May 17, 2006

FRIDAY, JUNE 16, 2006

Runway 6R-24L Uncoupling WBS No. E-210.3.1 (Re-Bid), for the Department of Port Control, as authorized by Ordinance No. 462-05, passed by the Council of the City of Cleveland, May 9, 2005.

THERE WILL BE A REFUNDABLE FEE FOR PLANS/SPECIFICATIONS IN THE AMOUNT OF ONE HUNDRED FIFTY DOLLARS (\$150.00) IN THE FORM OF A CASHIER'S CHECK AND/OR MONEY ORDER.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING, THURSDAY, MAY 18, 2006 AT 10:00 A.M., CLEVELAND HOPKINS INTERNATIONAL AIRPORT'S PASSENGER TERMINAL, 5300 RIVERSIDE DRIVE, CLEVELAND, OHIO 44135.

Labor and Materials to Maintain/Repair Various Material Handling Equipment: Industrial Trucks, Sweepers and Scrubbers, Aerial Lifts, Tractors and Appurtenances, for the Various Divisions, Department of Public Utilities, as authorized by Ordinance No. 1027-05, passed by the Council of the City of Cleveland, July 13, 2005.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING THURSDAY, MAY 25, 2006 AT 2:00 P.M., CARL B. STOKES PUBLIC UTILITIES BUILDING, 1201 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

May 10, 2006 and May 17, 2006

**ADOPTED RESOLUTIONS
AND ORDINANCES**

Res. No. 618-06.
By Council Members Cimperman, Pierce Scott and Sweeney (by departmental request).

An emergency resolution supporting 13th Street Co., Ltd's application to the County of Cuyahoga for a County Brownfield Redevelopment Fund grant, in Ward 13.

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 this Council supports the 13th Street Co., Ltd's application to the County of Cuyahoga for a County Brownfield Redevelopment Fund grant to be used for abatement and renovation of property located at 1802 East 13th Street in Ward 13.

Section 2. That the Clerk of Council is directed to send copies of this resolution to the Board of Cuyahoga County Commissioners.

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 May 1, 2006.

Effective May 5, 2006.

Res. No. 793-06.
By Council Member Brady.
An emergency resolution withdrawing objections to the transfer of ownership and renewals of a D5 and D6 Liquor Permit at 11120 & 24 Lorain Avenue, 1st floor only and 11118 Lorain Avenue, 1st floor rear, and repealing Resolution Nos. 2213-04, 1541-04 and 1321-05, objecting to said transfer and renewals.

Whereas, this Council objected to the transfer of ownership of a D5 and D6 Liquor Permit to 11120 & 24 Lorain Avenue, 1st floor only and 11118 Lorain Avenue, 1st floor rear, by Resolution No. 2213-04 adopted by the Council on November 15, 2004; and to the renewals by Resolution No. 1541-04 adopted by the Council on August 11, 2004; and Resolution No. 1321-05 adopted by the Council on July 13, 2005; and

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

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

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

Section 1. That objections to a D5 and D6 Liquor Permit to 10410 Lorain Avenue, Inc., DBA Bar 112,

11120 & 24 Lorain Avenue, 1st floor only and 11118 Lorain Avenue, 1st floor rear, Cleveland, Ohio 44111, Permanent Numbers 7679172 and 8843651 be and the same is hereby withdrawn and Resolution Nos. 2213-04, 1541-04 and 1321-05, containing such objections, be and the same is hereby repealed and that this Council consents to the immediate transfer and renewals 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 May 1, 2006.

Effective May 5, 2006.

Res. No. 794-06.
By Council Member Britt.
An emergency resolution objecting to a New C1 Liquor Permit at 2131 East 79th Street.

Whereas, Council has been notified by the Department of Liquor Control of an application for a New C1 Liquor Permit at I & I Food, Inc., 2131 East 79th Street, Cleveland, Ohio 44103, Permanent Number 4125278; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to a New C1

Liquor Permit at I & I Food, Inc., 2131 East 79th Street, Cleveland, Ohio 44103, Permanent Number 4125278; 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 May 1, 2006.

Effective May 5, 2006.

Res. No. 795-06.
By Council Member Johnson.
An emergency resolution withdrawing objection to a New C2 Liquor Permit at 10017 Sophia Avenue, and repealing Resolution No. 334-06, objecting to said permit.

Whereas, this Council objected to a New C2 Liquor Permit to 10017 Sophia Avenue by Resolution No. 334-06 adopted by the Council on February 27, 2006; and

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

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

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

Section 1. That objection to a New C2 Liquor Permit to Hayfa, Inc., DBA Sophia Food Market, 10017 Sophia Avenue, Cleveland, Ohio 44104, Permanent Number 3693704, be and the same is hereby withdrawn and Resolution No. 334-06, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate permit thereof.

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

Adopted May 1, 2006.

Effective May 5, 2006.

Res. No. 796-06.
By Council Member Johnson.
An emergency resolution withdrawing objection to a New C2 Liquor Permit at 9400 Buckeye Road, and repealing Resolution No. 383-06, objecting to said permit.

Whereas, this Council objected to a New C2 Liquor Permit to 9400 Buckeye Road by Resolution No. 383-06 adopted by the Council on February 27, 2006; and

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

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

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

Section 1. That objection to a New C2 Liquor Permit to Paulette D. Stewart, DBA Ttampas Mini Mart, 9400 Buckeye Road, Cleveland, Ohio 44104, Permanent Number 84651870005, be and the same is hereby withdrawn and Resolution No. 383-06, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate permit thereof.

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

Adopted May 1, 2006.

Effective May 5, 2006.

Res. No. 797-06.

By Council Member Polensek.

An emergency resolution withdrawing objection to the transfer of ownership of a D1, D2, D3 and D3A Liquor Permit at 779-83 East 185th Street, and repealing Resolution No. 335-06, objecting to said transfer.

Whereas, this Council objected to the transfer of ownership of a D1, D2, D3 and D3A Liquor Permit to Rogmoore, Inc., DBA Harland Pub, 779-83 East 185th Street, Cleveland, Ohio 44119, Permanent No. 7483542, by Resolution No. 335-06 adopted by the Council on February 27, 2006; and

Whereas, this Council wishes to withdraw its objection to the above transfer and consents to said transfer based upon and pursuant to a cooperation agreement between Michael D. Polensek and Applicant, David A. Rogers, President of Rogmoore, Inc.; and

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

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

Section 1. That objection to a D1, D2, D3 and D3A Liquor Permit to Rogmoore, Inc., DBA Harland Pub, 779-83 East 185th Street, Cleveland, Ohio 44119, Permanent Number 7483542, be and the same is hereby withdrawn and Resolution No. 335-06, 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 May 1, 2006.

Effective May 5, 2006.

Res. No. 800-06.

By Council Member Polensek.

An emergency resolution objecting to the transfer of ownership of a D5 and D6 Liquor Permit to 15914 St. Clair Avenue, 1st floor and basement.

Whereas, Council has been notified by the Department of Liquor Control of an application for the transfer of ownership of a D5 and D6 Liquor Permit from One Fifty Nine Peaches, Inc., DBA Peaches, 15914 St. Clair Avenue, 1st floor and basement, Cleveland, Ohio 44110, Permanent Number 6548367 to 1-2-3 Richmond, Inc., 15914 St. Clair Avenue, 1st floor and basement, Cleveland, Ohio 44110, Permanent Number 6549209; 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 transfer of ownership of a D5 and D6 Liquor Permit from One Fifty Nine Peaches, Inc., DBA Peaches, 15914 St. Clair

Avenue, 1st floor and basement, Cleveland, Ohio 44110, Permanent Number 6548367 to 1-2-3 Richmond, Inc., 15914 St. Clair Avenue, 1st floor and basement, Cleveland, Ohio 44110, Permanent Number 6549209; 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 May 1, 2006.

Effective May 5, 2006.

Res. No. 801-06.

By Council Members Zone, Sweeney, Britt, Brady, Cimperman, Pierce Scott, Coats, Conwell, Brancatelli and Polensek.

An emergency resolution in support of the Clean Beaches Council and National Clean Beaches Week, June 29 through July 5, 2006.

Whereas, June 29, 2006 begins the 3rd annual National Clean Beaches Week celebrating four themes important to beachgoers: travel/leisure; healthy seafood/dining; recreation and environment; and

Whereas, the Clean Beaches Council (CBC) will be a partner in events around the country, including a national beach cleanup on July 5, 2006; and

Whereas, CBC wants organizations, agencies, states and cities to host an event that emphasizes one or more of the four themes; and

Whereas, these events can include: beach cleanups, litter prevention campaigns, dune planting/habitat protection, beautification of beaches, seafood festivals and coastal recreation competitions/activities; and

Whereas, last year, CBC expanded National Clean Beaches Week to reach coastal mayors and governors, resulting in over 40 mayors, including those in Los Angeles, Chicago and New York, and 20 governors issuing proclamations in support and recognition of the week; and

Whereas, last year 23 members of Congress sponsored a House Resolution celebrating National Clean Beaches Week; and

Whereas, this Council recognizes the importance of increasing public awareness and volunteer participation in beach sustainability; and

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

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

Section 1. That this Council hereby supports the Clean Beaches Council and National Clean Beaches Week, June 29 through July 5, 2006.

Section 2. That the Clerk of Council is hereby directed to transmit copies of this resolution to Governor Bob Taft, all state and federal legislators from the State of Ohio, and to the Clean Beaches Council.

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 May 1, 2006.

Effective May 5, 2006.

Ord. No. 1835-05.

By Council Member Jackson.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on East 49th Street to Scott Bibb.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 123-31-045, as more fully described below, to Scott Bibb.

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

P. P. No. 123-31-045

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 87 in Barkwill and Jackson's Subdivision, of part of Original 100 Acre Lot No. 320, as shown by the recorded plat in Volume 7 of Maps, Page 7 of Cuyahoga County Records, and being 40 feet front on the Easterly side of East 49th Street, and extending back of equal width 120 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

Section 3. That all documents necessary to complete the conveyance

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

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

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

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

Passed May 1, 2006.

Effective May 5, 2006.

Ord. No. 2075-05.

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

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to employ one or more professional consultants to provide services necessary to manage the Gateway East and Gateway North Garages.

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

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

Section 1. That the Director of Parks, Recreation and Properties is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to manage the Gateway East and Gateway North Garages for a period not to exceed five years, which may include an option or options to renew exercisable by the Director, provided that each contract or contracts authorized by this ordinance shall expire not later than 2010.

The selection of the consultants for the services shall be made by the Board of Control on the nomination of the Director of Parks, Recreation and Properties from a list of qualified consultants avail-

able for employment as may be determined after a full and complete canvass by the Director of Parks, Recreation and Properties 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 Parks, Recreation and Properties, and certified by the Director of Finance.

Section 2. That the cost of contract or contracts authorized shall be paid from the fund or funds to which are credited the fees collected from the operation of the Gateway East and Gateway North Garages.

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 May 1, 2006.

Effective May 5, 2006.

Ord. No. 300-06.

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

An emergency ordinance determining the method of making the public improvement of constructing maintenance yard wash-out pits; and authorizing the Director of Port Control to enter into one or more public improvement contracts for the making of the improvement.

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

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

Section 1. That, under Section 167 of the Charter of the City of Cleveland, this Council determines to make the public improvement of constructing maintenance yard wash-out pits, for the Division of Cleveland Hopkins International Airport, Department of Port Control, 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 Port Control is authorized to enter into one or more contracts for the making of the public improvement with the lowest responsible bidder or bidders after competitive bidding on a unit basis for the improvement, provided, however, that each separate trade and each distinct component part of the improvement may be treated as a separate improvement, and each, or any combination, of the trades or components may be the subject of a separate contract on a unit basis.

Section 3. That the cost of the improvement authorized shall be paid from Fund Nos. 60 SF 001, 60 SF 104, 60 SF 105, 60 SF 106, passenger facility charges, and the fund or funds to which are credited the proceeds from the sale of any airport revenue bonds, federal grants, state grants, and local

grants issued for this purpose, Request No. 150588.

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 May 1, 2006.
Effective May 5, 2006.

Ord. No. 374-06.
By Council Members Turner, Pierce Scott and Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into an amendment to the Enterprise Zone Agreement with Avenir Properties, LLC for tax abatement for certain real property as an incentive to assist with the company's development of a new manufacturing and distribution facility located at the Ashland Oil property located at East 146th Street and Velma Avenue to add the Gebauer Company.

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

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

Section 1. That the Director of Economic Development is authorized to enter an amendment to the Enterprise Zone Agreement with Avenir Properties, LLC for tax abatement for certain real property as an incentive to assist with the company's development of a new manufacturing and distribution facility located at the Ashland Oil property located at East 146th Street and Velma Avenue to include that the Gebauer Company receive a like-term tax abatement for certain tangible personal property as an incentive for the same facility at the same location.

All other terms and conditions contained in the original Enterprise Zone Agreement shall remain the same.

Section 2. That the amendment will be prepared by the Director of Law.

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 May 1, 2006.
Effective May 5, 2006.

Ord. No. 501-06.
By Council Members Brady and Sweeney (by departmental request).

An emergency ordinance authorizing the purchase by one or more requirement contracts of various vehicle and equipment parts, repairs, or services, including labor

when necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service.

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

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

Section 1. That the Director of Public Service is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one or two years of the necessary items of various vehicle and equipment parts, including lubricants, fluids, paints, tires, batteries, remanufactured transmissions, and other necessary parts; repairs; or services, including labor when necessary, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Division of Motor Vehicle Maintenance, Department of Public Service. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term. The Director of Public Service is authorized to enter into one or more contracts with a term of two years instead of one year when there is a financial advantage to the City. For purposes of this ordinance, a financial advantage shall be determined by the Director of Public Service by comparing the bids received for both terms.

Section 2. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director of Finance. (RL 154350)

Section 3. That under Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative agreements using state procedures. The Director of Public Service may sign all documents with the State of Ohio or any of its political subdivisions that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process.

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

Passed May 1, 2006.
Effective May 5, 2006.

Ord. No. 565-06.
By Council Members Cimperman, Kelley and Sweeney (by departmental request).

An emergency ordinance authorizing the Directors of City Planning and Port Control to lease certain property to Lake Shore Electric Railway, for a term of eighteen months, with one option to renew for an additional six-month period, for the purpose of storage and a temporary museum for a historic trolley collection and associated equipment.

Whereas, the City of Cleveland owns certain property known as the Dock 32 Warehouse which is suitable for lease by another party; and

Whereas, Lake Shore Electric Railway has proposed to lease the property from the City; and

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

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

Section 1. That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Directors of City Planning and Port Control are authorized to lease to Lake Shore Electric Railway ("Lessee"), certain property which is suitable for lease and operation by another party for the public purpose of storage and a temporary museum for a historic trolley collection and associated equipment for the term of the lease: approximately 50,000 square feet located at the east end of the Dock 32 Warehouse including four office spaces upstairs and the office space downstairs.

Section 2. That the term of the lease authorized by this ordinance shall not exceed eighteen months, with one option to renew exercisable by the City, for an additional six-month period.

Section 3. That the property described above shall be leased at a rental of \$1.00 for the entire length of the term with one additional \$1.00 for any approved extension, (and other valuable considerations), which is determined to be fair market value.

Section 4. That the lease may authorize the Lessee to make improvements to the leased premises subject to the approval of appropriate City agencies and officials.

Section 5. That the lease shall be prepared by the Director of Law and shall contain any terms and conditions as are required to protect the interests of the City. The lease shall include a provision specifying that the Lessee is responsible for maintenance of the leased premises, to include keeping the premises clean and tidy and disposing of trash.

Section 6. That the Directors of City Planning and Port Control, the Director of Law, and other appropriate City officials are authorized to execute any other documents and certificates, and take any other actions which may be necessary or appropriate to effect the lease authorized by this ordinance.

Section 7. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all

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

Passed May 1, 2006.
Effective May 5, 2006.

**Ord. No. 566-06.
By Council Members Reed, Zone, Westbrook, Dolan, Brady, Cimperman and Sweeney (by departmental request).**

An emergency ordinance approving the reports of the assessment equalization boards on objections concerning estimated assessments to relay and repair sidewalks, driveway aprons, and curbs (including adjustments of castings and landscaping, if necessary) encroaching upon the public right-of-way to relay and repair sidewalks, driveway aprons and curbs (including adjustments of castings and landscaping, if necessary) encroaching upon the public right-of-way on East 154th Street from Kinsman Road to Bartlett Avenue, West 54th Street from Lorain Avenue to Bridge Avenue, West 84th Street from Clark Avenue to Denison Avenue, and Tuttle Avenue from West Park Avenue to Munn Road; determining to proceed with the improvements; and adopting the equalized assessments.

Whereas, four assessment equalization boards appointed by Resolution No. 320-06, adopted February 27, 2006, to hear and determine all objections concerning the estimated assessments for improvement of East 154th Street from Kinsman Road to Bartlett Avenue, West 54th Street from Lorain Avenue to Bridge Avenue, West 84th Street from Clark Avenue to Denison Avenue, and Tuttle Avenue from West Park Avenue to Munn Road by relaying and repairing sidewalks, driveway

aprons, and curbs (including adjustments of castings and landscaping, if necessary) encroaching upon the public right-of-way or otherwise improving the right-of-way in accordance with Resolution No. 1290-05, adopted July 13, 2005, has filed its reports with this Council as to its determination of such objections; and

Whereas, this Council deems said reports proper in all respects; 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 reports of the assessment equalization boards, appointed by Resolution No. 320-06, adopted February 27, 2006, and contained in File No. 514-06, is approved.

Section 2. That the assessments as equalized by the boards and recommended by it in its reports are approved, and the assessments are directed to be filed in the Office of the Clerk of this Council.

Section 3. That it is determined to proceed to improve East 154th Street from Kinsman Road to Bartlett Avenue, West 54th Street from Lorain Avenue to Bridge Avenue, West 84th Street from Clark Avenue to Denison Avenue, and Tuttle Avenue from West Park Avenue to Munn Road by relaying and repairing sidewalks, driveway aprons, and curbs (including adjustments of castings and landscaping, if necessary) encroaching upon the public right-of-way or otherwise improving the right-of-way in accordance with Resolution No. 1290-05, adopted July 13, 2005 (the "Resolution of Necessity").

Section 4. That the Improvements shall be performed under the provisions of the Resolution of Necessity, and with the plans, specifications, and profiles approved and filed in

the office of the Clerk of Council and in accordance with the estimates as equalized.

Section 5. That the estimated assessments for the Improvements, as equalized by the Assessment Equalization Board, filed in the office of the Clerk of City Council are adopted.

Section 6. That it is further determined that the portion of the cost of the Improvements to be assessed against benefited property shall be assessed in the amount, manner and number of installments as provided for in the Resolution of Necessity.

Section 7. That no claims for damages resulting from the Improvements have been filed.

Section 8. That the cost of the Improvements shall be paid, prior to the collection of assessments, from Fund Nos. 20 SF 364, 20 SF 373, 20 SF 380, 20 SF 383, 20 SF 394, 20 SF 500, 20 SF 506, 10 SF 034, and 10 SF 166. This Council determines that the City expects to levy assessments in 2006 for the Improvements, and that the City further expects and intends to use proceeds of the assessments to reimburse Fund No. 10 SF 034 the moneys expended under this Ordinance.

Section 9. That the Clerk of this Council is directed to deliver a certified copy of this ordinance to the County Auditor within fifteen (15) days after the passage of this ordinance as required by Section 319.61 of the Revised Code.

Section 10. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed May 1, 2006.
Effective May 5, 2006.

**Ord. No. 646-06.
By Council Member Sweeney (by departmental request).**

An emergency ordinance authorizing the Director of Finance to pay as Moral Claims the sum opposite the name of the claimant.

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

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

Section 1. That the Director of Finance is authorized to pay as Moral Claims the sum opposite the name of the following claimant and charged against the fund number opposite the name of the claimant:

<u>Claimant:</u>	<u>Claim No.</u>	<u>Amount</u>	<u>Division</u>	<u>Fund</u>
Public Safety Department - Police				
Gonzalez, Petra	11818	\$ 3,700.00	Police	01-600202-672000

Section 2. That the authority of the Director of Finance to pay the amounts in this ordinance is conditioned on a City-approved written acceptance by the claimant of the City's offer to pay this claim within six months from the effective date of this ordinance.

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 May 1, 2006.
Effective May 5, 2006.

Ord. No. 647-06.
By Council Member Sweeney (by departmental request).

An emergency ordinance authorizing the purchase by one or more requirement contracts of scanning services, for the Division of Taxation, Department of Finance, for a period of one year with three one year options to renew.

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

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

Section 1. That the Director of Finance is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements of the necessary items of scanning/imaging services, imaging software, associated licenses, installation, training and maintenance for a period of one year with three one year options to renew, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Division of Taxation, Department of Finance. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director of Finance. (RL 127080)

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 May 1, 2006.
 Effective May 5, 2006.

Ord. No. 734-06.
By Council Member Sweeney (by departmental request).

An emergency ordinance authorizing the purchase by one or more requirement contracts of uniform clothing for security bailiffs, for the Department of Finance, on behalf of the Cleveland Municipal Court.

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

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

Section 1. That the Director of Finance, on behalf of the Cleveland Municipal Court, is authorized to make one or more written requirement contracts under the Charter

and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for a one year period of the necessary items of uniform clothing for security bailiffs for Cleveland Municipal Court, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Department of Finance, on behalf of the Cleveland Municipal Court. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director of Finance. (RL 146288)

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 May 1, 2006.
 Effective May 5, 2006.

Ord. No. 798-06.
By Council Member Coats.

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with the Substance of Life Enterprises, Incorporated for the Education through the Arts Program through the use of Ward 10 Neighborhood Equity Funds.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with the Substance of Life Enterprises, Incorporated for the Education through the Arts Program for the public purpose of providing educational classes on cultural art and history to Cleveland public school students through the use of Ward 10 Neighborhood Equity Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$8,880 and shall be paid from Fund No. 10 SF 166.

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

Section 4. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of

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

Passed May 1, 2006.
 Effective May 5, 2006.

Ord. No. 799-06.
By Council Member Zone.

An emergency ordinance authorizing the Director of Economic Development to enter into an agreement with Detroit Shoreway Community Development Organization for the Community Retail Assessment Market Study through the use of Ward 17 Neighborhood Equity Funds.

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

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

Section 1. That the Director of Economic Development is authorized to enter into an agreement with Detroit Shoreway Community Development Organization for the Community Retail Assessment Market Study for the public purpose of increasing retail economic development opportunities in the commercial corridors of the City of Cleveland through the use of Ward 17 Neighborhood Equity Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$15,000 and shall be paid from Fund No. 10 SF 166.

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

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

Passed May 1, 2006.
 Effective May 5, 2006.

Ord. No. 802-06.
By Council Members Westbrook, Sweeney and Zone.

An emergency ordinance authorizing the Director of Public Safety to enter into an agreement with the Cleveland Police Auxiliary A9 Base for safety education and crime prevention support through the use of Wards 18, 20 and 17 Neighborhood Equity Funds.

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

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

Section 1. That the Director of Public Safety is authorized to enter into an agreement with the Cleveland Police Auxiliary A9 Base for safety education and crime prevention support for the public purpose of providing educational classes on crime prevention and safety support services to

Cleveland residents through the use of Ward(s) 18, 20 and 17 Neighborhood Equity Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$4,000 and shall be paid from Fund No. 10 SF 166.

Section 3. That the Director of Law shall prepare and approve said contract and that the contract shall contain such terms and provisions

as he deems necessary to protect the City's interest.

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

from and after the earliest period allowed by law.

Passed May 1, 2006.
Effective May 5, 2006.

**COUNCIL COMMITTEE
MEETINGS**

NO MEETINGS

Index

O—Ordinance; R—Resolution; F—File
Bold figures—Final Publication; D—Defeated; R—Reprint; T—Tabled; V—Vetoed;
Bold type in sections indicates amendments

Agreements

Portage County — City of Aurora — water service agreement (O 607-06)..... 873

Banners

Murray Hill Arts Association — Murray Hill Art Walk (O 832-06) 870
New Day in Hough Committee — New Day in Hough (O 835-06)..... 870

Board of Building Standards and Building Appeals

Colgate Avenue, 6711, (Ward 17) — Neil T. Clough, owner — appeal adopted on 5/3/06
(Doc. A-21-06) 875
East 55th Street, 3018, (Ward 5) — Ian Abrams, owner — appeal adopted on 5/3/06
(Doc. A-18-06) 875
Euclid Avenue, 1375, (Ward 13) — AHNB, LLC, owner — appeal adopted on 5/3/06
(Doc. A-35-06) 875
Glendale Avenue, 14008, (Ward 1) — appeal postponed to 05/17/06 on 5/3/06
(Doc. A-31-06) 875
St. Clair Avenue, 10548, (Ward 8) — AHNB, LLC, owner — appeal postponed to 05/17/06 on
5/3/06 (Doc. A-33-06) 875
Sycamore Street, 2000, (Ward 13) — Jacobs Investment Management Co., Inc., owner — appeal
adopted on 5/3/06 (Doc. A-62-02) 875
Wadw Park Avenue, 8602-28, (Ward 7) — appeal postponed for a later date on
5/3/036 (Doc. A-36-06) 875
West 104th Street, 3044, (Ward 18) — Trust Properties, LLC c/o Michael Boukzam, owner —
appeal resolved on 5/3/06 (Doc. A-27-06) 875

Board of Control — Finance Department

Infotel Select software and VoIP view interface — contract per Ord. 69-04 to MCPc, Inc.
(BOC Res. 156-06) 873

Board of Control — Port Control Department

Marketing and advertising consulting — contract per Ord. 8-05 to Vocon Design, Inc.
(BOC Res. 157-06) 873

Board of Control — Professional Service Contracts

Infotel Select software and VoIP view interface — contract per Ord. 69-04 to MCPc, Inc. —
Dept. of Finance (BOC Res. 156-06)..... 873
Marketing and advertising consulting — contract per Ord. 8-05 to Vocon Design, Inc. —
Dept. of Port Control (BOC Res. 157-06) 873

Board of Control — Public Service Department

Cab / chassis with small refuse packer — contract per Ord. 829-05 to Valley Sterling
Truck Sales (BOC Res. 158-06)..... 874

Board of Control — Requirement Contracts

Cab / chassis with small refuse packer — contract per Ord. 829-05
to Valley Sterling Truck Sales — Dept. of Public Service (BOC
Res. 158-06) 874

Board of Zoning Appeals — Report

2517 Jay Avenue, 2517, (Ward 13) — Gormark Developers Inc., owner, and Matt Solomon,
agent, — appeal heard on 5/8/06 (Cal. 06-62) 874
College Avenue, 801, (Ward 13) — John Krohe owner, — appeal heard on 5/8/06
(Cal. 06-63)..... 874
East 105th Street, 1082-98, (Ward 8) — City of Cleveland Landbank, owner and Maher Ali,
prospective purchaser — appeal granted and adopted on 4/24/2006
(Cal. 06-22)..... 875
East 143rd Street, 3249, (Ward 4) — Rashiqa Abukhalil, owner, — appeal withdrawn on
5/8/06 (Cal. 06-61)..... 875
East Park Drive, 16920, (Ward 11) — Ross and Jennifer Steinberg, owners — appeal granted
and adopted on 5/8/2006 (Cal. 06-58)..... 875
Glendale Avenue, 14008, (Ward 1) — Marilyn Moore, owner — appeal granted and adopted on
5/8/2006 (Cal. 06-57)..... 875
Lansing Avenue, 6402, (Ward 12) — Louis Sainato, owner and Patricia Cole, tenant appeal
denied and adopted on 5/8/2006 (Cal. 06-46) 875
Lorain Avenue, 16210, (Ward 21) — The West park Community School, owner, and
Constellation Communtiy School c/o Gerald Preseren, agent — appeal heard on 5/8/06
(Cal. 06-64)..... 875
Milburn Avenue, 17610, (Ward 21) — Romulo Glean, owner — appeal dismissed on
5/8/2006 (Cal. 06-51)..... 875
Puritas Avenue, 17102, (Ward 21) — Terry Hengoed, owner, — appeal withdrawn on 4/24/2006
(Cal. 06-56)..... 875
Raymond Avenue, 9903, (Ward 5) — Nikita Sparks, owners — appeal denied and adopted
on 5/8/2006 (Cal. 06-59) 875

Board of Zoning Appeals — Schedule

Broadway Avenue, 1230, (Ward 13) — The Norfolk Southern Corporation, owner, and Parking
Endeavors, LLC, prospective lessee c/o Jason Modik — appeal to be heard on 5/22/2006
(Cal. 06-65)..... 874
Cedar Avenue, 8106, (Ward 6) — Frank B. Smith, owner, — appeal to be heard on 5/22/2006
(Cal. 06-70)..... 874
Martin Luther King Jr. Blvd., 4266, (Ward 2) — Michael and patricia Green, owner, —
appeal to be heard on 5/22/2006 (Cal. 06-72) 874
West 31st Street, 3857, (Ward 15) — Reba Hicks, owner, — appeal to be heard on 5/22/2006
(Cal. 06-73)..... 874

Bridges

Warner Road Bridge No. 250 — repair — giving consent — Board of Cuyahoga County
Commissioners — allocation of County Motor Vehicle License Tax Funds
(O 831-06) 869

Building and Housing Department

Residential Building Code of Ohio for One, Two and Three-Family Dwellings — request Ohio
Board of Building Standards — certify the City to enforce — repeal Sects. 3121.01
& 3121.02 — new Sec. 3121.01 — rename Chapter 3121 — amend Sect. 3105.25
(O 617-06) 873

Building Code

Residential Building Code of Ohio for One, Two and Three-Family Dwellings — request Ohio
Board of Building Standards — certify the City to enforce — repeal Sects. 3121.01
& 3121.02 — new Sec. 3121.01 — rename Chapter 3121 — amend Sect. 3105.25
(O 617-06) 873

City of Cleveland Bids

Board up — Group 1 — Department of Building and Housing — per Ord. 653-05 — bid due May 31, 2006 (advertised 5/3/2006 and 5/10/2006)	876
Board up — Group 2 — Department of Building and Housing — per Ord. 653-05 — bid due May 31, 2006 (advertised 5/3/2006 and 5/10/2006)	876
Board up — Group 3 — Department of Building and Housing — per Ord. 653-05 — bid due June 1, 2006 (advertised 5/3/2006 and 5/10/2006)	876
Board up — Group 4 and Emergency Service — Department of Building and Housing — per Ord. 653-05 — bid due June 1, 2006 (advertised 5/3/2006 and 5/10/2006)	876
Hauling and disposal of water plant residuals — Department of Public Utilities — Division of Water — per Ord. 2232-05 — bid due June 16, 2006 (advertised 5/3/2006 and 5/10/2006)	877
Herschel Court sewer replacement — Department of Public Utilities — Division of Water Pollution Control — per Ord. 272-05 — bid due May 26, 2006 (advertised 5/10/2006 and 5/17/2006)	877
House of Corrections sprinkler heads replacement project — Department of Public Service — Division of Architecture — per Ord. 2145-03 — bid due May 25, 2006 (advertised 5/3/2006 and 5/10/2006)	876
Material handling equipment (industrial trucks, sweepers, scrubbers, aerial lifts, tractors) maintenance and repair — Department of Public Utilities — per Ord. 1027-05 — bid due June 16, 2006 (advertised 5/10/2006 and 5/17/2006)	877
Ranges, medium duty — Department of Public Safety — Division of Fire — per Ord. 3-04 — bid due May 31, 2006 (advertised 5/3/2006 and 5/10/2006)	876
Runway 6R-24L uncoupling WBS No. E-210.3.1 (re-bid) — Department of Port Control — Division of Cleveland Hopkins International Airport — per Ord. 462-05 — bid due June 16, 2006 (advertised 5/10/2006 and 5/17/2006)	877
Security guard services (unarmed) — Department of Port Control — per Ord. 299-06 — bid due May 31, 2006 (advertised 5/10/2006 and 5/17/2006)	877
Security services (armed) — Department of Parks, Recreation and Properties — Division of Recreation — per Ord. 456-06 — bid due May 31, 2006 (advertised 5/10/2006 and 5/17/2006)	877
St. Clair Avenue resurfacing (E. 55th St. to E. 72nd St.) — Department of Public Service — Division of Engineering and Construction — per Ord. 193-06 — bid due May 19, 2006 (advertised 5/3/2006 and 5/10/2006)	876
St. Michael's Hospital main building demolition — Department of Parks, Recreation and Properties — Division of Property Management — per Ord. 2152-03 — bid due June 2, 2006 (advertised 5/10/2006 and 5/17/2006)	877
St. Michael's Hospital nursing school demolition — Department of Parks, Recreation and Properties — Division of Property Management — per Ord. 2152-03 — bid due June 2, 2006 (advertised 5/10/2006 and 5/17/2006)	877
Transformers, 13.8 kv — Department of Public Utilities — Division of Cleveland Public Power — per Ord. 1630-92 — bid due June 14, 2006 (advertised 5/10/2006 and 5/17/2006)	877
Trinity Building demolition and environmental remediation — Department of Economic Development — per Ord. 23-06 — bid due June 7, 2006 (advertised 5/10/2006 and 5/17/2006)	877
Waste oil, collection, pick-up and sale of — Department of Public Service — Division of Motor Vehicle Maintenance — per C.O. Sec. 181.19 — bid due June 1, 2006 (advertised 5/10/2006 and 5/17/2006)	877

City Planning Commission

Detroit Ave. (north btwn W. 29th & W. 45th Sts.) — change zoning — Open Space District (O 707-06)	876
Fulton Rd. & Meyer Ave. — changing the Use and Area Districts — RA2 Townhouse District (O 200-06)	876
Lake Shore Electric Railway — lease property — storage and temporary museum for a historic trolley collection — City Planning and Port Control (O 565-06)	881
Lorain Ave (W. 103rd St. to W. 115th St.) — change the zoning — Local Retail Business and Residence Office — & property fronting W. 106th St. — Two Family, a 'B' Area District and a 'I' Height District (O 830-06)	865
St. Clair Ave. & Old River Rd. (southwest corner) (W. 11th St.) — changing the Use District — General Retail Use District (O 199-06)	876
W. 117th St. (east & west side from Governor Ave. to Bellaire Rd.) — change zoning (O 718-06)	876

Cleveland Hopkins International Airport

Southwest Airlines Co. — Lease Agreement — cargo space (O 822-06) 863

Cleveland Municipal Court

Uniform clothing for security bailiffs — purchase (O 734-06) 883

Codified Ordinances

Collinwood Athletic Complex — rental — new Section 133.322 (O 823-06) 863
 Residential Building Code of Ohio for One, Two and Three-Family Dwellings — request Ohio
 Board of Building Standards — certify the City to enforce — repeal Sects. 3121.01
 & 3121.02 — new Sec. 3121.01 — rename Chapter 3121 — amend Sect. 3105.25
 (O 617-06) 873

Communications

Dimora, Jimmy, Cuyahoga County Commissioner — invitation — meeting regarding foreclosure
 (F 858-06) 873

Community Development

13th Street Co., Ltd — application — support — County Brownfield Redevelopment Fund grant —
 Ward 13 (R 618-06) 878
 Cityworks Program — contracts — CDBG-eligible agencies (O 826-06) 864
 E. 49th St. — Land Reutilization Program — Scott Bibb (O 1835-05) 880
 Greater New Calvary Baptist Church — lease space — recreation activities — social service
 programs — contract — various agencies (O 824-06) 863
 Housing, commercial, industrial and real estate development activities — contracts —
 various agencies (O 825-06) 864
 Substance of Life Enterprises, Inc. — agreement — Education through Arts Program — Ward
 10 NEF (O 798-06) 883

Community Relations Board

Greater New Calvary Baptist Church — lease space — recreation activities — social service
 programs — contract — various agencies (O 824-06) 863

Condolences

Copes, Donald (R 848-06) 861
 Green, Robert (R 850-06) 861
 Rudolph, Julia M. (R 851-06) 861
 Thompson, Florrie Mae (R 849-06) 861

Congratulations

Morrow, Ed & Janet (R 853-06) 862
 Zion Chapel Missionary Baptist Church (R 852-06) 862

Contracts

Citywide GIS software — maintenance — ESRI — Public Utilities (O 820-06) 862
 Cityworks Program — CDBG-eligible agencies — Community Development
 (O 826-06) 864
 Greater New Calvary Baptist Church — lease space — recreation activities — social service
 programs — various agencies (O 824-06) 863
 Housing, commercial, industrial and real estate development activities — contracts —
 various agencies — Community Development (O 825-06) 864
 Meter reading, collections, investigations and meter maintenance systems —
 Datamatic, Ltd. — Division of Water (O 819-06) 862
 VAP Phase II assessment — 3828 E. 91st St. — Clean Ohio grant — State of Ohio
 Department of Development — Garland Industries, Inc. — contracts
 (O 827-06) 864

County Commissioners

Dimora, Jimmy, Cuyahoga County Commissioner — invitation — meeting regarding foreclosure
(F 858-06) 873

Cuyahoga County

13th Street Co., Ltd — application — support — County Brownfield Redevelopment Fund grant —
Ward 13 (R 618-06) 878
Warner Road Bridge No. 250 — repair — giving consent — Board of Cuyahoga County
Commissioners — allocation of County Motor Vehicle License Tax Funds
(O 831-06) 869

Cuyahoga County Board of Commissioners

Warner Road Bridge No. 250 — repair — giving consent — Board of Cuyahoga County
Commissioners — allocation of County Motor Vehicle License Tax Funds
(O 831-06) 869

Detroit Shoreway Community Development Organization

Community Retail Assessment market Study — agreement — - Ward 17 NEF
(O 799-06) 883

Economic Development Department

Avenir Properties, LLC — Enterprise Zone Agreement — amendment — (Gebauer Company)
new manufacturing and distribution facility — Ashland Oil property
(O 374-06) 881
Detroit Shoreway Community Development Organization — agreement — Community Retail
Assessment market Study — Ward 17 NEF (O 799-06) 883
VAP Phase II assessment — 3828 E. 91st St. — Clean Ohio grant — State of Ohio Department
of Development — Garland Industries, Inc. — contracts (O 827-06) 864

Enterprise Zone Agreement

Avenir Properties, LLC — amendment — (Gebauer Company) new manufacturing and distribution
facility — Ashland Oil property (O 374-06) 881

Finance Department

Moral Claims — payment (O 646-06) 882
On-line check generation, fold and seal system — purchase — Division of
Treasury (O 818-06) 862
Scanning services — purchase — Division of Taxation (O 647-06) 883
Uniform clothing for security bailiffs — purchase — Cleveland Municipal Court
(O 734-06) 883

Grants

VAP Phase II assessment — 3828 E. 91st St. — Clean Ohio grant — State of Ohio Department
of Development — Garland Industries, Inc. — contracts (O 827-06) 864

Land Reutilization Program

E. 49th St. — Scott Bibb (O 1835-05) 880

Lease Agreement

Southwest Airlines Co. — cargo space — Cleveland Hopkins International Airport
(O 822-06) 863

Leases

Lake Shore Electric Railway — lease property — storage and temporary museum for a
historic trolley collection — City Planning and Port Control (O 565-06) 881

Liquor Permits

Buckeye Rd., 9400 — objection — withdraw (Ward 4) (R 796-06)..... 878
 Coit Ave., 13612 — objection (Ward 10) (R 837-06)..... 871
 Denison Ave., 9827-31 — new (Ward 18) (F 843-06) 861
 E. 185th St., 779-83 — objection — withdraw (Ward 11) (R 797-06) 879
 E. 185th St., 787-91 — objection (Ward 11) (R 840-06)..... 872
 E. 79th St., 2131 — objection (Ward 6) (R 794-06) 878
 Euclid Ave., 1260 — transfer (Ward 13) (F 844-06) 861
 Euclid Ave., 18029 — objection (Ward 10) (R 838-06) 871
 Lorain Ave., 11120 & 24 & Lorain Ave., 11118 — objection — withdraw (Ward 19)
 (R 793-06) 878
 Memphis Ave., 4920 — transfer (Ward 15) (F 845-06) 861
 Professor Ave., 2221 — transfer (Ward 13) (F 846-06)..... 861
 Sophia Ave., 10017 — objection — withdraw (Ward 4) (R 795-06)..... 878
 St. Clair Ave., 13302 — new (Ward 10) (F 841-06) 861
 St. Clair Ave., 15914 — objection — (Ward 11) (R 800-06) 879
 St. Clair Ave., 18414-16 — objection (Ward 10) (R 839-06)..... 872
 St. Clair Ave., 18414-16 — transfer (Ward 10) (F 847-06) 861
 St. Clair Ave., 3400 — new (Ward 13) (F 842-06)..... 861
 Union Ave., 7527 — objection — withdraw (Ward 12) (R 836-06) 871

Memoranda of Understanding

Greater New Calvary Baptist Church — lease space — recreation activities — social service
 programs — contract — various agencies (O 824-06) 863

Moral Claims

Payment (O 646-06)..... 882

Motor Vehicle Maintenance Division (MVM)

Industrial shop equipment and supplies — purchase (O 500-06) 872
 New Way packer body parts — Ace Equipment Sales, Inc. (O 498-06) 872
 Spartan chassis and fire apparatus parts — Spartan Motors Chassis, Inc.
 (O 499-06) 872
 Vehicle and equipment parts, repairs, or services — purchase (O 501-06)..... 881

Museums

Lake Shore Electric Railway — lease property — storage and temporary museum for a
 historic trolley collection — City Planning and Port Control (O 565-06) 881

Neighborhood Equity Funds

Cleveland Police Auxiliary A9 Base — agreement — safety education and crime prevention
 support — Wards 18, 20, and 17 (O 802-06) 883
 Detroit Shoreway Community Development Organization — agreement — Community Retail
 Assessment market Study — Ward 17 (O 799-06) 883
 Substance of Life Enterprises, Inc. — agreement — Education through Arts Program — Ward
 10 (O 798-06)..... 883

Parks, Recreation and Properties Department

Collinwood Athletic Complex — rental — new Section 133.322 (O 823-06) 863
 Gateway East and Gateway North Garages — professional consultants — manage
 (O 2075-05) 880
 Greater New Calvary Baptist Church — lease space — recreation activities — social service
 programs — contract — various agencies (O 824-06) 863

Permits

Mothers Against Drunk Driving Northeastern Affiliate — 1st Annual Strides for Change Walk
 (O 833-06) 870
 New Day in Hough Walk, Race and Parade — New Day in Hough Committee
 (O 834-06) 870

Port Control Department

Lake Shore Electric Railway — lease property — storage and temporary museum for a historic trolley collection — City Planning and Port Control (O 565-06)	881
Maintenance yard wash-out pits — public improvement (O 300-06)	880
Southwest Airlines Co. — Lease Agreement — cargo space — Cleveland Hopkins International Airport (O 822-06)	863

Public Hearings (Notices)

Detroit Ave. (north btwn W. 29th & W. 45th Sts.) — change zoning — Open Space District (O 707-06)	876
Fulton Rd. & Meyer Ave. — changing the Use and Area Districts — RA2 Townhouse District (O 200-06)	876
St. Clair Ave. & Old River Rd. (southwest corner) (W. 11th St.) — changing the Use District — General Retail Use District (O 199-06)	876
W. 117th St. (east & west side from Governor Ave. to Bellaire Rd.) — change zoning (O 718-06)	876

Recognition

33rd Annual National EMS Week (R 857-06)	862
Columbia Pictures/"Spider-Man" (R 854-06)	862
Northern District of Ohio's Violent Fugitive Task Force (R 855-06)	862
Russ, Dick (R 856-06)	862

Resolutions — Miscellaneous

Clean Beaches Council and National Clean Beaches Week (June 29th — July 5th, 2006 — Council's support (R 801-06)	879
---	-----

Safety Department

Cleveland Police Auxiliary A9 Base — agreement — safety education and crime prevention support — Wards 18, 20, and 17 NEF (O 802-06)	883
---	-----

Service Department

E. 154th S., W. 54th St., W. 84th St., Tuttle Ave. — assessment equalization boards — approving the reports — objections concerning estimated assessments — sidewalks, driveway aprons, and curbs (O 566-06)	882
Industrial shop equipment and supplies — purchase — Division of Motor Vehicle Maintenance (O 500-06)	872
Mothers Against Drunk Driving Northeastern Affiliate — permit — 1st Annual Strides for Change Walk (O 833-06)	870
Murray Hill Arts Association — banners — Murray Hill Art Walk (O 832-06)	870
New Day in Hough Committee — banners — New Day in Hough (O 835-06)	870
New Day in Hough Walk, Race and Parade — permit — New Day in Hough Committee (O 834-06)	870
New Way packer body parts — Ace Equipment Sales, Inc. — Division of Motor Vehicle Maintenance (O 498-06)	872
Spartan chassis and fire apparatus parts — Spartan Motors Chassis, Inc. — Division of Motor Vehicle Maintenance (O 499-06)	872
Starkweather Ave. — W. 7th St. — intent to vacate (R 828-06)	864
Vehicle and equipment parts, repairs, or services — purchase — Division of Motor Vehicle Maintenance (O 501-06)	881
W. 5th St. — Houston Ave., S.W. — intent to vacate (R 829-06)	865
Warner Road Bridge No. 250 — repair — giving consent — Board of Cuyahoga County Commissioners — allocation of County Motor Vehicle License Tax Funds (O 831-06)	869

Sidewalks

E. 154th S., W. 54th St., W. 84th St., Tuttle Ave. — assessment equalization boards — approving the reports — objections concerning estimated assessments — sidewalks, driveway aprons, and curbs (O 566-06)..... 882

Sidewalks Division

E. 154th S., W. 54th St., W. 84th St., Tuttle Ave. — assessment equalization boards — approving the reports — objections concerning estimated assessments — sidewalks, driveway aprons, and curbs (O 566-06)..... 882

Street Vacation

Starkweather Ave. — W. 7th St. — intent to vacate (R 828-06) 864
 W. 5th St. — Houston Ave., S.W. — intent to vacate (R 829-06) 865

Taxation Division

Scanning services — purchase (O 647-06) 883

Utilities Department

Carpet, tile, including installation — purchase (O 821-06) 862
 Citywide GIS software — maintenance — contracts — ESRI (O 820-06) 862
 Meter reading, collections, investigations and meter maintenance systems — contracts — Datamatic, Ltd. — Division of Water (O 819-06)..... 862
 Portage County — City of Aurora — water service agreement (O 607-06)..... 873

Ward 01

Avenir Properties, LLC — Enterprise Zone Agreement — amendment — (Gebauer Company) new manufacturing and distribution facility — Ashland Oil property (O 374-06) 881
 Zion Chapel Missionary Baptist Church — congratulation (R 852-06) 862

Ward 02

Green, Robert — condolence (R 850-06) 861
 Rudolph, Julia M. — condolence (R 851-06) 861
 VAP Phase II assessment — 3828 E. 91st St. — Clean Ohio grant — State of Ohio Department of Development — Garland Industries, Inc. — contracts (O 827-06)..... 864

Ward 03

E. 154th S., W. 54th St., W. 84th St., Tuttle Ave. — assessment equalization boards - approving the reports — objections concerning estimated assessments — sidewalks, driveway aprons, and curbs (O 566-06)..... 882

Ward 04

Buckeye Rd., 9400 — objection — withdraw (R 796-06)..... 878
 Sophia Ave., 10017 — objection — withdraw (R 795-06) 878

Ward 05

E. 49th St. — Land Reutilization Program — Scott Bibb (O 1835-05) 880

Ward 06

Copes, Donald — condolence (R 848-06) 861
 E. 79th St., 2131 — objection — liquor permit (R 794-06) 878
 Murray Hill Arts Association — banners — Murray Hill Art Walk (O 832-06) 870
 Thompson, Florrie Mae — condolence (R 849-06)..... 861

Ward 07

New Day in Hough Committee — banners — New Day in Hough (O 835-06)..... 870
 New Day in Hough Walk, Race and Parade — permit — New Day in Hough Committee (O 834-06) 870

Ward 10

Coit Ave., 13612 — objection — liquor permit (R 837-06)	871
Euclid Ave., 18029 — objection — liquor permit (R 838-06)	871
Greater New Calvary Baptist Church — lease space — recreation activities — social service programs — contract — various agencies (O 824-06)	863
St. Clair Ave., 13302 — new — liquor permit (F 841-06)	861
St. Clair Ave., 18414-16 — objection — liquor permit (R 839-06)	872
St. Clair Ave., 18414-16 — transfer — liquor permit (F 847-06)	861
Substance of Life Enterprises, Inc. — agreement — Education through Arts Program — NEF (O 798-06)	883

Ward 11

E. 185th St., 779-83 — objection — withdraw (R 797-06)	879
E. 185th St., 787-91 — objection — liquor permit (R 840-06)	872
Morrow, Ed & Janet — congratulation (R 853-06)	862
St. Clair Ave., 15914 — objection (R 800-06)	879

Ward 12

Union Ave., 7527 — objection — withdraw — liquor permit (R 836-06)	871
--	-----

Ward 13

13th Street Co., Ltd — application — support — County Brownfield Redevelopment Fund grant (R 618-06)	878
Detroit Ave. (north btwn W. 29th & W. 45th Sts.) — change zoning — Open Space District (O 707-06)	876
Euclid Ave., 1260 — transfer — liquor permit (F 844-06)	861
Gateway East and Gateway North Garages — professional consultants — manage (O 2075-05)	880
Mothers Against Drunk Driving Northeastern Affiliate — permit — 1st Annual Strides for Change Walk (O 833-06)	870
Professor Ave., 2221 — transfer — liquor permit (F 846-06)	861
St. Clair Ave. & Old River Rd. (southwest corner) (W. 11th St.) — changing the Use District — General Retail Use District (O 199-06)	876
St. Clair Ave., 3400 — new — liquor permit (F 842-06)	861
Starkweather Ave. — W. 7th St. — intent to vacate (R 828-06)	864
W. 5th St. — Houston Ave., S.W. — intent to vacate (R 829-06)	865

Ward 14

Fulton Rd. & Meyer Ave. — changing the Use and Area Districts — RA2 Townhouse District (O 200-06)	876
--	-----

Ward 15

Memphis Ave., 4920 — transfer — liquor permit (F 845-06)	861
--	-----

Ward 17

Cleveland Police Auxiliary A9 Base — agreement — safety education and crime prevention support — Wards 18, 20, and 17 NEF (O 802-06)	883
Detroit Shoreway Community Development Organization — agreement — Community Retail Assessment market Study — NEF (O 799-06)	883
E. 154th S., W. 54th St., W. 84th St., Tuttle Ave. — assessment equalization boards — approving the reports — objections concerning estimated assessments — sidewalks, driveway aprons, and curbs (O 566-06)	882

Ward 18

Cleveland Police Auxiliary A9 Base — agreement — safety education and crime prevention support — Wards 18, 20, and 17 NEF (O 802-06)	883
Denison Ave., 9827-31 — new — liquor permit (Ward 18) (F 843-06)	861
E. 154th S., W. 54th St., W. 84th St., Tuttle Ave. — assessment equalization boards — approving the reports — objections concerning estimated assessments — sidewalks, driveway aprons, and curbs (O 566-06)	882

Ward 19

Lorain Ave (W. 103rd St. to W. 115th St.) — change the zoning — Local Retail Business and Residence Office — & property fronting W. 106th St. — Two Family, a 'B' Area District and a 'I' Height District (O 830-06) 865

Lorain Ave., 11120 & 24 & Lorain Ave., 11118 — objection — withdraw (R 793-06)..... 878

W. 117th St. (east & west side from Governor Ave. to Bellaire Rd.) — change zoning (O 718-06) 876

Ward 20

33rd Annual National EMS Week — recognition (R 857-06)..... 862

Cleveland Police Auxiliary A9 Base — agreement — safety education and crime prevention support — Wards 18, 20, and 17 NEF (O 802-06) 883

Columbia Pictures/"Spider-Man" — recognition (R 854-06) 862

Northern District of Ohio's Violent Fugitive Task Force — recognition (R 855-06) 862

Russ, Dick — recognition (R 856-06)..... 862

Ward 21

E. 154th S., W. 54th St., W. 84th St., Tuttle Ave. — assessment equalization boards — approving the reports — objections concerning estimated assessments — sidewalks, driveway aprons, and curbs (O 566-06)..... 882

Water Division

Meter reading, collections, investigations and meter maintenance systems — contracts - Datamatic, Ltd. (O 819-06) 862

Portage County — City of Aurora — water service agreement (O 607-06)..... 873

Zoning

Detroit Ave. (north btwn W. 29th & W. 45th Sts.) — change zoning — Open Space District (O 707-06) 876

Fulton Rd. & Meyer Ave. — changing the Use and Area Districts — RA2 Townhouse District (O 200-06) 876

Lorain Ave (W. 103rd St. to W. 115th St.) — change the zoning — Local Retail Business and Residence Office — & property fronting W. 106th St. — Two Family, a 'B' Area District and a 'I' Height District (O 830-06) 865

St. Clair Ave. & Old River Rd. (southwest corner) (W. 11th St.) — changing the Use District — General Retail Use District (O 199-06) 876

W. 117th St. (east & west side from Governor Ave. to Bellaire Rd.) — change zoning (O 718-06) 876