

The City Record

Official Publication of the Council of the City of Cleveland



October the Sixth, Two Thousand and Four

Jane L. Campbell
Mayor

Frank G. Jackson
President of Council

Valarie J. McCall
City Clerk, Clerk of Council

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

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DIRECTORY OF CITY OFFICIALS

CITY COUNCIL – LEGISLATIVE

President of Council – Frank G. Jackson

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

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

MAYOR – Jane L. Campbell

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

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

DEPT. OF FINANCE – Robert H. Baker, Director, Room 104;
Frank Badalamenti, Manager, Internal Audit

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

DEPT. OF PUBLIC UTILITIES – Julius Ciaccia, Director, 1201 Lakeside Avenue

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

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

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

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

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

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

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

DEPT. OF PUBLIC SAFETY – Sanford E. Watson, Director, Room 230

DIVISIONS: Dog Pound – John Baird, Chief Dog Warden, 2690 West 7th Street
Emergency Medical Service – Edward Eckart, Commissioner, 1708 South Pointe Drive
Fire – Paul A. Stubbs, Chief, 1645 Superior Avenue
Police – Edward F. Lohn, Chief, Police Hdqtrs. Bldg., 1300 Ontario Street

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

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

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

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

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

DEPT. OF ECONOMIC DEVELOPMENT – Gregory G. Huth, Director, Room 210

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

DEPT. OF CONSUMER AFFAIRS – Kenya Taylor, Director

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

CIVIL SERVICE COMMISSION – Room 119, Reynaldo Galindo, President; Rev. Earl Preston, Vice President; Jonalyn M. Krupka, Secretary; Members: Diane M. Downing, William Morrison.

SINKING FUND COMMISSION – Jane L. Campbell, President; Council President Frank G. Jackson; Betsy Hruby, Asst. Sec'y.; Robert H. Baker, Director.

BOARD OF ZONING APPEALS – Room 516, Carol A. Johnson, Chairman; Members: Margaret Hopkins, Ozell Dobbins, Joan Shaver Washington, Christopher Carmody, _____, Secretary.

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

BOARD OF REVISION OF ASSESSMENTS – Law Director Subodh Chandra, President; Finance Director Robert H. Baker, Secretary; Council President Frank G. Jackson.

BOARD OF SIDEWALK APPEALS – Service Director Mark Ricchiuto; Law Director Subodh Chandra; Councilman Martin J. Sweeney.

BOARD OF REVIEW – (Municipal Income Tax) – Law Director Subodh Chandra; Utilities Director _____; Council President Frank G. Jackson.

CITY PLANNING COMMISSION – Room 501 – Christopher S. Ronayne, Director; Anthony J. Coyne, Chairman; David Bowen, Lillian W. Burke, Lawrence A. Lumpkin, Gloria Jean Pinkney, Rev. Sam Edward Small, Councilman Joseph Cimperman.

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

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

FAIR HOUSING BOARD – Charles See, Chair; Cindy Barber, Vice Chair; Michael Doud, Doris Honsa, Richard Lenard.

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

MORAL CLAIMS COMMISSION – Law Director Subodh Chandra; Chairman; Finance Director Robert H. Baker; Council President Frank G. Jackson; Councilman Dona Brady; Councilman Martin J. Sweeney.

BOARD OF EXAMINERS OF ELECTRICIANS – Samuel Montfort, Chairman; Donald Bauknight, Anton J. Eichmuller, J. Gilbert Steele, Raymond Ossovicki, Chief Electrical Inspector; Laszlo V. Kemes, Secretary to the Board.

BOARD OF EXAMINERS OF PLUMBERS – Joseph Gyorky, Chairman; Earl S. Bumgarner, Alfred Fowler, Jozef Valencik, Lawrence Skule, Chief Plumbing Inspector; Laszlo V. Kemes, Secretary to the Board.

CLEVELAND LANDMARKS COMMISSION – Room 519 – Paul Volpe, Chair; Ted Sande, Vice Chair; James Gibans, India Pierce Lee, Robert Madison, Randall B. Shorr, Chris Ronayne, N. Kurt Wiebusch, Council Member Joe Cimperman, Dwayne J. Simpson; Robert Keiser, Secretary.

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

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

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

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OFFICIAL PUBLICATION OF THE COUNCIL OF THE CITY OF CLEVELAND

Vol. 91

WEDNESDAY, OCTOBER 6, 2004

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CITY COUNCIL

MONDAY, OCTOBER 4, 2004

The City Record

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Address all communications to

VALARIE J. McCALL

City Clerk, Clerk of Council
216 City Hall

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL

2002-2005

MONDAY

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

MONDAY—Alternating

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

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

MONDAY

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

TUESDAY

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

TUESDAY—Alternating

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

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

WEDNESDAY—Alternating

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

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

WEDNESDAY—Alternating

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

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

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

Rules Committee: Jackson, Chairman; O'Malley, Reed, Sweeney, Westbrook.

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

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

OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio

Monday, October 4, 2004

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

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

Also present were Chief of Staff Janik, Directors Chandra, Baker, Mok, Carroll, Watson, N. Ronayne, Rush, Huth, Fumich, Taylor, Johnson, and Margreat Jackson, Legislative Affairs Liaison.

Pursuant to Ordinance No. 2926-76, prayer was offered by Reverend Jesse Harris, Pastor of Tabernacle Baptist Church, 2042 West 26th Street, located in Ward 14. Pledge of Allegiance.

MOTION

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

COMMUNICATIONS

File No. 1872-04.

From the Department of Community Development — Deadline for yearly financial transactions applications submitted to the City's Finance Department. Received.

File No. 1873-04.

From the Department of Parks, Recreation and Properties — Notice to Council of Subsidiary Agreement, Contract No. 62764 — Glenville Recreation Center Playground Improvements. Received.

File No. 1874-04.

From Levin College of Urban Affairs/CSU — Event brochures. Received.

File No. 1875-04.

From Rock and Roll Hall of Fame and Museum — Liner Notes, Fall 2004. Received.

File No. 1876-04.

From the Northeast Ohio Regional Sewer District — Big Creek Interceptor Rehabilitation, Contract BCI-3D Award of Contract, Commencement of Construction, and Public Information. Received.

File No. 1877-04.

From John Carroll University — Invitation to visit the university. Received.

File No. 1878-04.

From the Cleveland Public Library — Director's Report, September 16, 2004. Received.

File No. 1879-04.

From National Black Caucus of Local Elected Officials (NBC-LEO) — Thank you letter for NBC-LEO Annual Summer Conference and Board of Directors Meeting. Received.

File No. 1880-04.

From Cuyahoga Community College — Fall 2004 Community Events Calendar. Received.

File No. 1881-04.

From University Circle, Inc. — Newsletter, Fall 2004. Received.

**FROM DEPARTMENT OF
LIQUOR CONTROL**

File No. 1882-04.

Re: New Application — 1877625 — Czerny Miller Incorporated, 12102 Larchmere Boulevard. (Ward 6). Received.

File No. 1883-04.

Re: Transfer of Ownership Application — 26001830010 — F. S. D. Oil Company, Inc., d.b.a. East 55th Shell, 5505 St. Clair Avenue. (Ward 13). Received.

File No. 1884-04.

Re: Transfer of Ownership Application — 7739243 — Saranac Lounge, LLC., 15929 Saranac Road, first floor. (Ward 11). Received.

File No. 1885-04.

Re: Transfer of Ownership Application — Emmal Marwan Corp., d.b.a. M. & R. Food Market, 12425-27-29 Arlington Avenue. (Ward 9). Received.

File No. 1886-04.

Re: Transfer of Ownership and Location Application — 1391385 — Chang Yick, Inc., d.b.a. C. & Y. Restaurant, 2222 St. Clair Avenue northeast. (Ward 13). Received.

CONDOLENCE RESOLUTIONS

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

Res. No. 1887-04 — James Richard Brown, Sr.

Res. No. 1888-04 — Edward J. Eckart.

Res. No. 1889-04—Lemuel J. Walcott.

Res. No. 1890-04—Oscar Brown, Jr.

Res. No. 1891-04—Richard Harnk

CONGRATULATION RESOLUTIONS

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

Res. No. 1892-04 — Johnnie Lee Rhodes Holland.

Res. No. 1893-04—Judge Raymond L. Pianka.

Res. No. 1894-04—Albert Mocniak.

Res. No. 1895-04—Congresswoman Marcy Kaptur

Res. No. 1896-04—Dolores Leibold

RECOGNITION RESOLUTIONS

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

Res. No. 1897-04 — Anthem Blue Cross & Blue Shield.

Res. No. 1898-04—Baker & Hostetler LLP.

Res. No. 1899-04—Black McDonald's Owners Association.

Res. No. 1900-04—Calfee, Halter & Griswold LLP.

Res. No. 1901-04—City Architecture Inc.

Res. No. 1902-04—Cleveland City Council.

Res. No. 1903-04—Continental Airlines (MeetingWorks).

Res. No. 1904-04—Dominion East Ohio Gas Company.

Res. No. 1905-04 — Fifth Third Bank.

Res. No. 1906-04 — FirstEnergy Corporation.

Res. No. 1907-04—Greater Cleveland Convention & Visitors Bureau.

Res. No. 1908-04—Greer Consulting Services Unlimited.

Res. No. 1909-04—Industrial Inventory Solutions.

Res. No. 1910-04—Integrated Consulting Services, Ltd.

Res. No. 1911-04 — KeyBank National Association.

Res. No. 1912-04—Marous Brothers Construction.

Res. No. 1913-04—Medical Mutual of Ohio.

Res. No. 1914-04 — National City Bank.

Res. No. 1915-04 — Ozanne Construction Company, Inc.

Res. No. 1916-04 — Pernel Jones & Sons Funeral Home.

Res. No. 1917-04—Qual Choice.

Res. No. 1918-04 — Richard L. Bowen Architects.

Res. No. 1919-04 — Rock-n-Roll Hall of Fame & Museum.

Res. No. 1920-04 — RPM International Inc.

Res. No. 1921-04 — SBC Ohio (Cleveland).

Res. No. 1922-04 — SBC Ohio (Columbus).

Res. No. 1923-04—SEB-Brooks Investment Corporation.

Res. No. 1924-04 — Shore Bank Cleveland.

Res. No. 1925-04—Squire, Sanders & Dempsey LLP.

Res. No. 1926-04—The Cleveland Browns.

Res. No. 1927-04—The Cleveland Clinic Health System.

Res. No. 1928-04—The Cleveland Foundation.

Res. No. 1929-04—The Gund Foundation.

Res. No. 1930-04 — Huntington National Bank.

Res. No. 1931-04—The Ohio Municipal League.

Res. No. 1932-04 — The Project Group.

Res. No. 1933-04 — The City of Cleveland's Division of Water.

Res. No. 1934-04 — The WAVE 107.3.

Res. No. 1935-04 — Third Federal Savings & Loan.

Res. No. 1936-04 — Turner Construction Company.

Res. No. 1937-04—US Bank.

Res. No. 1938-04—Xerox Corporation.

Res. No. 1939-04—Dr. Charles Modlin, M.D.

Res. No. 1940-04—Dr. Oluranti Aladesamni, M.D.

Res. No. 1941-04—Dr. Robert Haynie, M.D.

Res. No. 1942-04—Dr. Paula Farrell, Ph.D.

Res. No. 1943-04—Ms. Pamela Marshall Holmes.

Res. No. 1944-04—Dr. Ashwini Sehgal, M.D.

Res. No. 1945-04—Ms. Rose Mary Covington.

Res. No. 1946-04—Mr. Ron Barnes.

Res. No. 1947-04—Mr. Kenneth Sisak.

Res. No. 1948-04—Ms. Peggy Price.

Res. No. 1949-04 — Ms. Maribeth Feke.

Res. No. 1950-04 — Mr. Eric L. Small.

Res. No. 1951-04—William E. Matlock, Jr.

Res. No. 1952-04—Ms. Terri Hamilton Brown.

Res. No. 1953-04—The Honorable Stephanie Tubbs Jones, Congresswoman, 11th Congressional District.

Res. No. 1954-04 — Dr. Barbara Byrd Bennett.

Res. No. 1955-04—The Honorable Michael R. White, 54th Mayor of the City of Cleveland.

Res. No. 1956-04—The Honorable Marcia L. Fudge, Mayor of the City of Warrenville Heights.

Res. No. 1957-04—The Call & Post Newspaper.

Res. No. 1958-04 — Kaleidoscope Magazine.

Res. No. 1959-04 — Greater Cleveland Regional Transit Authority.

**FIRST READING EMERGENCY
ORDINANCES REFERRED**

Ord. No. 1847-04.

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

An emergency ordinance authorizing the Director of Finance to enter into one or more leases and/or operating agreements with other governmental entities, including the Cleveland Municipal Court, for use of unused space at 205 St. Clair Avenue; and authorizing the Director of Finance to enter into one or more leases with non-governmental entities.

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 Director of Finance is authorized to enter into one or more leases and/or operating agreements with governmental entities, including the Cleveland Municipal Court, for use of unused space at 205 St. Clair Avenue which is not needed for City use.

That the leases and/or operating agreement or agreements may authorize the governmental entities to make improvements to the unused spaces at 205 St. Clair Avenue subject to the approval of appropriate City agencies and officials.

Section 2. That, notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Finance is authorized to enter into one or more leases with non-governmental entities for use of unused space at 205 St. Clair Avenue which is not needed for public use, as determined by the Board of Control.

That the lease or leases may authorize the lessee to make improvements to the unused spaces at 205 St. Clair Avenue subject to the approval of appropriate City agencies and officials.

Section 3. That in consideration of the use of proceeds from the general obligation bonds listed in File No. 1847-04-A to acquire and rehabilitate the 205 St. Clair Building, prior to execution of any lease with a non-governmental entity as authorized in Section 2 above, the Director of Finance shall obtain an opinion of nationally recognized bond counsel that the lease will not adversely affect the tax status of the bond issues listed in the file referenced above.

Section 4. That the leases or operating agreements authorized by this ordinance shall each be for a term determined by the Board of Control and at a rate determined by the Board of Control to be fair market value, which may include other valuable considerations.

Section 5. That the Director of Finance, 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 leases and operating agreements authorized by this ordinance.

Section 6. That the leases and the operating agreements shall be prepared by the Director of Law and shall contain any terms and conditions that the Director of Law deems necessary to protect and benefit the public interest.

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 Finance, Law; Committee on Finance.

Ord. No. 1848-04.

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

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Ohio Department of Health for the STD Control Grant Gonorrhea Screening 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 Public Health is authorized to apply for and accept a grant in the approximate amount of \$121,264.00, and any other funds that may become available during the grant term from the Ohio Department of Health to conduct the STD Control Grant Gonorrhea Screening Project; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in the summary for the grant contained in the file described below.

Section 2. That the summary for the grant, File No. 1848-04-A, made a part of this ordinance as if fully rewritten, is approved in all respects.

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

Section 4. That 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 Health, Finance, Law; Committees

on Health and Human Services, Finance.

Ord. No. 1849-04.

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

An emergency ordinance authorizing the purchase by one or more contracts of labor and materials necessary to install a corrugated tote storage system for the Property Section, for the Division of Police, Department of Public Safety.

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

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

Section 1. That the Director of Public Safety is authorized to make one or more written contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: labor and materials necessary to install a corrugated tote storage system for the Property Section, to be purchased by the Commissioner of Purchases and Supplies for a gross price, for the Division of Police, Department of Public Safety.

Section 2. That the cost of the contract or contracts authorized shall be paid from Fund No. 10 SF 027, Request No. 145137.

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

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

Ord. No. 1850-04.

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

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to apply for and accept a grant from the United States Department of Commerce, National Oceanic and Atmospheric Administration for the Canal Basin Park 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 Parks, Recreation and Properties is authorized to apply for and accept a grant in the amount of \$2,968,432.00, from the United States Department of Commerce, National Oceanic and Atmospheric Administration to conduct the Canal Basin Park Program; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in the letter for the grant contained in the file described below.

Section 2. That the letter for the grant, File No. 1850-04-A, made a part of this ordinance as if fully rewritten, is approved in all respects.

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

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

Ord. No. 1852-04.

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

An emergency ordinance authorizing the Director of Economic Development to enter into an amendment to the Lease Agreement with The Rockwell Company to extend the term of the lease for an additional year to operate the Downtown One-Stop Employment Connection Center located at 1701 East 13th Street.

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 amendment to the Lease Agreement with The Rockwell Company to extend the term of the lease an additional year, from September 1, 2004 to August 31, 2005, to operate the Downtown One-Stop Employment Connection Center ("Center") located at 1701 East 13th Street and to increase the amount of square foot rental from \$7.00 per square foot to \$8.00 per square foot, exclusive of utilities. That the rental costs of the amendment shall not exceed \$266,414.04 for the lease period at a rate of \$22,201.17 per month and shall be paid from Fund No. 16 SF 905, Request No. 148425.

Section 2. That the amendment to the Lease Agreement may include a provision that the City reimburse The Rockwell Company for improvements made by the Rockwell Company to the Center needed to comply with Americans with Disabilities Act renovation requirements in an amount not to exceed \$3,570.00. The Rockwell Company agrees to pay \$25,000.00 of ADA renovation requirements.

Section 3. That all other terms and conditions of the original lease shall remain the same.

Section 4. That the amendment shall be prepared by the Director of Law and shall contain terms and provisions as the Director deems necessary to protect and benefit the public interest.

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

Referred to Directors of Economic Development, Finance, Law; Committees on Community and Economic Development, Employment, Affirmative Action and Training, Finance.

Ord. No. 1853-04.
By Council Members Gordon and Jackson (by departmental request).
An emergency ordinance accepting the recommendation of the Tax Incentive Review Council regarding enterprise zone tax exemption agreements.

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

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

Section 1. That this Council accepts the recommendation of the Tax Incentive Review Council ("TIRC") dated August 31, 2004 regarding enterprise zone tax exemption agreements in effect as of December 31, 2003. A copy of the report is contained in File No. 1853-04-A.

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 Economic Development, Finance, Law; Committees on Community and Economic Development, Finance.

Ord. No. 1854-04.
By Council Members Cimperman and Jackson (by departmental request).

An emergency ordinance authorizing the Director of the City Planning Commission to enter into a Memorandum of Understanding with the Towpath Trail Partnership Committee and various leases, agreements and amendments necessary to effectuate the purpose of the Memorandum of Understanding.

Whereas, the Towpath Trail is the most important regional trail project to be completed in Cuyahoga County and is critical to the development and diversification of the greater Cleveland community; and

Whereas, the approximate fifteen miles of Towpath Trail completed to date in Cuyahoga County are part of the 101-mile trail spine being constructed along the length of the Ohio & Erie National Heritage Canalway; and

Whereas, the 101-miles of trail in the Canalway are part of the 460-mile Ohio to Erie Trail, which will connect Cincinnati, Columbus, and Cleveland; and

Whereas, the six miles of the Towpath Trail that is the subject of the proposed MOU represents the final uncompleted section of the towpath in Cuyahoga County; and

Whereas, the City, as a member of the Steering Committee created to develop the *Towpath Trail Extension: Alignment & Design Study*, participated in developing the alternatives for alignment of the Towpath Trail to be completed, and demonstrated its commitment to building the preferred alignment as identified in the *Alignment & Design Study*; and

Whereas, the City, as a member of the Towpath Trail Partnership Committee, the establishment of which

is the subject of the proposed MOU, will be involved in all phases of project implementation with primary responsibilities for (1) ownership of record for the land to be occupied by the Towpath Trail and accessory lands serving the Towpath Trail, except for lands controlled or owned by the County or land obtained by the County for the Towpath Trail and accessory lands serving the Towpath Trail, (2) making available existing public rights-of-way that are necessary for the project, (3) making available lands owned or controlled by the City that are needed for the Towpath Trail and accessory lands serving the Towpath Trail, and remaining the owner of record of such lands; (4) coordinating improvements to public rights-of-way that are directly related to the implementation of the project; (5) managing in-house legislative or administrative approvals needed for the project; (6) prioritizing completion of neighborhood connectors; and (7) future land use and alignment changes are subject to approval and adoption by the City; and

Whereas, to evidence the understanding of the members of the Towpath Trail Partnership Committee and the City with respect to the completion of the final six miles of the Towpath Trail, the parties desire to enter into a Memorandum of Understanding, various leases, purchase agreements and any other agreements necessary to effectuate the above transactions and objectives; and

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

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

Section 1. That the Director of the City Planning Commission is authorized to enter into a Memorandum of Understanding ("MOU") with the Towpath Trail Partnership Committee ("Committee") memorializing benefits and obligations contained therein. The Memorandum of Understanding shall be substantially similar to the copy placed in File No. 1854-04-A. The Director of the City Planning Commission is further authorized to enter into various agreements necessary to carry out the purposes of the MOU.

Section 2. That the MOU placed in the file identified in this ordinance and all documents and agreements necessary to complete the MOU shall be prepared by the Director of Law and shall contain, in addition to the terms and conditions stated in the MOU, such additional terms and conditions necessary to protect and benefit the City of Cleveland.

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 City Planning Commission, Finance, Law; Committees on City Planning, Finance.

Ord. No. 1855-04.
By Council Members Cimperman and Jackson (by departmental request).

An emergency ordinance authorizing the Director of City Planning to apply for and accept a grant from the Cleveland Foundation for the Connecting Cleveland 2020 Citywide Plan Program; and authorizing the Director to enter into one or more contracts with Dennis Dooley for professional services necessary to implement the grant.

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

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

Section 1. That the Director of City Planning is authorized to apply for and accept a grant in the amount of \$25,000, from the Cleveland Foundation to conduct the Connecting Cleveland 2020 Citywide Plan Program; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in the proposal for the grant contained in the file described below.

Section 2. That the proposal for the grant, File No. 1855-04-A, made a part of this ordinance as if fully rewritten, is approved in all respects.

Section 3. That the Director of City Planning is authorized to enter into one or more contracts with Dennis Dooley for professional services necessary to implement the grant as described in the file, for the Department of City Planning. The contracts or contracts shall be paid from the fund or funds which are credited the grant proceeds accepted under this ordinance.

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 City Planning Commission, Finance, Law; Committees on City Planning, Finance.

Ord. No. 1868-04.
By Council Members Dolan, Johnson and Jackson.

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter into an agreement with the Four Corners Baseball League for the maintenance of Impett Park and Davinwood Park and for the operation of the concession stand at Impett Park and Davinwood Park.

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 Chapter 181 and 183 and Section 133.24 of the Codified Ordinances of Cleveland, Ohio, 1976, the

Director of Parks, Recreation and Properties is authorized to enter into an agreement with the Four Corners Baseball League for the maintenance of Impett Park and Davinwood Park and the operation of the concession stand at Impett Park and Davinwood Park.

Section 2. That the term of the agreement shall not exceed four (4) years and the agreement shall not be construed as a conveyance of any right, title, or interest in public property, but is the grant of a privilege revocable at the will of the Director of Parks, Recreation and Properties.

Section 3. That the Director of Parks, Recreation and Properties is authorized to accept the gift of any improvements to Impett Park and Davinwood Park made by the Four Corners Baseball League.

Section 4. That the agreement authorized shall be prepared by the Director of Law and shall contain any additional terms and conditions that the Director of Law deems necessary to protect and benefit the public interest.

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

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

Ord. No. 1869-04.

By Council Members Dolan, Reed, White and Jackson.

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Section 401.151, relating to electric personal assistive mobility device.

Whereas, the Ohio Revised Code defines an electric personal assistive mobility device; and

Whereas, the Codified Ordinances of the City of Cleveland, Ohio, currently refer to, but do not define electric personal assistive mobility device; and

Whereas, passage of this ordinance will provide for a definition of an electric personal assistive mobility device that is consistent with state law; 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 Codified Ordinances of Cleveland, Ohio, 1976, are hereby supplemented by enacting new Section 401.151 to read as follows:

Section 401.151 Electric Personal Assistive Mobility Device

"Electric personal assistive mobility device" means a self-balancing two non-tandem wheeled device that is designed to transport only one person, has an electric propulsion system of an average of seven hundred fifty watts, and when ridden on

a paved level surface by an operator who weights one hundred seventy pounds has a maximum speed of less than twenty miles per hour.

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.

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

FIRST READING EMERGENCY RESOLUTION REFERRED

Res. No. 1856-04.

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

An emergency resolution declaring the intention to vacate a portion of East 43rd Place.

Whereas, this Council is satisfied that there is good cause to vacate a portion of East 43rd Place, as described; and

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

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

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

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being all that portion of East 43rd Place (40 feet wide) extending Southerly from the Southerly line of Pershing Avenue S.E. (60 feet wide) to the Northerly line of that portion of East 43rd Place vacated by Ordinance #1795-42 passed January 18, 1943.

Description approved by Greg Esber, Acting 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 EMERGENCY ORDINANCES READ IN FULL AND PASSED

Ord. No. 1851-04.

By Council Member Britt.
An emergency ordinance consenting and approving the issuance of a permit for the Juno Jog 5K Run/Walk, on October 16, 2004, scheduled by Hermes Sports and Events.

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 Juno Jog 5K Run/Walk, scheduled by Hermes Sports and Events on October 16, 2004, with the Race beginning at East 89th & Euclid, East 89 to Chester, Chester to East 90th 90th to Euclid, Euclid to East 101st, East 101st to Ansel, Ansel to MLK, MLK to Mt. Sinai Drive, Mt. Sinai Drive to East 101st, East 101st to Euclid, Euclid to East 89th and finish, 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 19. Nays 0. Read second time. Read third time in full. Passed. Yeas 19. Nays 0.

Ord. No. 1857-04.

By Council Members Britt, Pierce Scott, Lewis, Jackson and Gordon (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into all contracts and related documents with Fairfax Renaissance Development Corporation, Glenville Development Corporation, and Midtown Cleveland, for implementation of the Empowerment Zone Program, as amended; and to expend Economic Development Initiative Grant funds for the administration of the Empowerment Zone Program, as amended.

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 and execute all contracts and all necessary documents with Fairfax Renaissance Development Corporation, Glenville Development Corporation, and Midtown Cleveland or their designees, for the purpose of implementing the Empowerment Zone Program, as amended.

Section 2. That the Director of Economic Development is authorized to expend Economic Development Initiative Grant funds for administration of the Program.

Section 3. That the aggregate cost of the contracts and expenditures authorized by this ordinance shall not exceed \$660,000, and shall be paid from Fund No. 18 SF 006, Request No. 126229.

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.

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

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

Ord. No. 1858-04.

By Council Member Cimperman.
An emergency ordinance consenting and approving the issuance of a permit for The Diabetes Association of Greater Cleveland Race, on October 23, 2004, scheduled by Hermes Sports & Events.

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 Diabetes Association of Greater Cleveland Race, scheduled by Hermes Sports & Events on October 23, 2004, with the Race beginning at Terminal Loop & Ontario to Superior, Superior to West 25th, turn around and return the same route to finish, 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 19. Nays 0. Read second time. Read third time in full. Passed. Yeas 19. Nays 0.

Ord. No. 1859-04.

By Council Member Cimperman.
An emergency ordinance consenting and approving the issuance of a permit for 23rd Annual Turkey Trot, on November 25, 2004, scheduled by Hermes Sports & Events.

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 23rd Annual Turkey Trot, scheduled by Hermes Sports & Events on November 25, 2004, with the Race beginning at Lakeside and West 3rd, West 3rd to St. Clair, St. Clair to East 9th, East 9th to South Marginal, South Marginal to East 26th, East 26th to North Marginal, North Marginal to Erieside, Erieside to West 3rd, West 3rd to Lakeside, Lakeside to West 6th, West 6th to St. Clair, St. Clair to West 3rd, West 3rd to Lakeside to finish, 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 19. Nays 0. Read second time. Read third time in full. Passed. Yeas 19. Nays 0.

Ord. No. 1860-04.

By Council Member Cimperman.
An emergency ordinance consenting and approving the issuance of a permit for the Race for the Cure, on October 9, 2004, scheduled by Hermes Sports & Events.

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 Race for the Cure, scheduled by Hermes Sports & Events on October 9, 2004, with the Walk beginning at East 9th & Erieside, East 9th to Lakeside, Lakeside to East 13th, East 13th to Huron Road, Huron Road to Prospect, Prospect to East Huron, East Huron to West Huron, West Huron to West 9th, West 9th to St. Clair, St. Clair to West 3rd, West 3rd to Erieside, Erieside to finish, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordina-

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

Ord. No. 1861-04.

By Council Member Cimperman.
An emergency ordinance consenting and approving the issuance of a permit for the 13th Annual America's Walk for Diabetes, on October 2, 2004, scheduled by the American Diabetes Association.

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 13th Annual America's Walk for Diabetes, scheduled by the American Diabetes Association on October 2, 2004, with the Race beginning at Amphitheater to Canal Road, left on Canal Road to Robert Lockwood Jr. St., right on RL Jr. St. to St. Clair, right on St. Clair to Ontario, right on Ontario through Public Square to Huron, left on Huron (large intersection); rest stop 1 at Gund Arena at Huron & Ontario; Huron to East 9th, left on East 9th to Superior, left on Superior; rest stop 2 at Hyatt Regency, Superior; Superior to West 9th, right on West 9th to St. Clair, left on St. Clair to West 10th, left on West 10th to Canal Road, left on Canal Road (no road sign-by City Sign Garden Sign), to Tower City Amphitheater, right on ramp to TCA, 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 19. Nays 0. Read second time. Read third time in full. Passed. Yeas 19. Nays 0.

Ord. No. 1862-04.

By Council Member Cimperman.

An emergency ordinance consenting and approving the issuance of a permit for the Cleveland Bench Bar Halloween Run, on October 23, 2004, scheduled by Hermes Sports & Events.

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 Cleveland Bench Bar Halloween Run, scheduled by Hermes Sports & Events on October 23, 2004, with the Run beginning at Ontario & Lakeside, Lakeside to West 3rd, West 3rd to Eriesside, Eriesside across East 9th to Aviation High School, turn around and return same route, 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 19. Nays 0. Read second time. Read third time in full. Passed. Yeas 19. Nays 0.

Ord. No. 1867-04.

By Council Members Gordon and O'Malley.

An emergency ordinance authorizing the Director of Community Development to enter into grant agreement with Old Brooklyn Neighborhood Services, Inc. for their Old Brooklyn Residential Safety & Health program in order to carry out the public purpose of providing educational programming to the residents of the City of Cleveland through the use of Ward 15 and 16 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 grant agreement with Old Brooklyn Neighborhood Services, Inc. for their Old Brooklyn Residential Safety & Health program in order to carry out the public purpose of providing educational programming to the residents of the City of Cleveland through the use of Ward 15 and 16 Neighborhood Equity Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$58,000 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.

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

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

Ord. No. 1871-04.

By Council Member Johnson.

An emergency ordinance authorizing certain persons to engage in peddling in Ward 4. (Betty and Howard Lloyd, III.)

Whereas, pursuant to Section 675.08 of the Codified Ordinances of Cleveland, Ohio, 1976, (the "Codified Ordinances") the consent of Council expressed by ordinance is a prerequisite to peddling upon public rights of way outside of the Central Business District; and

Whereas, this Council has considered the requests of certain persons to engage in peddling outside of the Central Business District, and has determined that it is in the public interest to allow each of said persons to peddle in Ward 4; and

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

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

Section 1. That this Council consents, as required by, Section 675.08 of the Codified Ordinances to allow each persons named below to engage in peddling in the public rights of way of Ward 4: Betty and Howard Lloyd, III.

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

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

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

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

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

FIRST READING EMERGENCY RESOLUTIONS READ IN FULL AND ADOPTED

Res. No. 1863-04.

By Council Member Coats.

An emergency resolution joining the National League of Cities in calling for a national commitment to ensure access to the American dream and joining the National League of Cities in urging state and federal leaders to work with the City of Cleveland to develop programs and policies that will maximize access to affordable housing, strengthen public education, create opportunities to develop marketable job skills, and build inclusive communities.

Whereas, the American Dream is rooted in principles of fairness, opportunity, and a chance to succeed; and

Whereas, the leaders of America's cities and towns are on the front of service delivery and are the level of government that citizens look to first to ensure a good quality of life and a bright future; and

Whereas, the National League of Cities believes that government at all levels has a responsibility to work together to develop policies and programs that will give every American an opportunity to achieve the American dream; and

Whereas, a new National League of Cities public opinion survey shows that two-thirds of Americans believe the dream is becoming harder to achieve especially for young families and nearly three quarters believe government should actively work to help people achieve the American dream; and

Whereas, this Council is committed to working with other governmental leaders to maximize access to affordable housing, strengthen public education, create opportunities to develop marketable job skills, and build an inclusive community; 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 joins the National League of Cities in calling for a national commitment to ensure access to the American dream.

Section 2. That this Council joins the National League of Cities in urging state and federal leaders to work with the City of Cleveland to develop programs and policies that

will maximize access to affordable housing, strengthen public education, create opportunities to develop marketable job skills, and build inclusive communities.

Section 3. That the Clerk of Council is hereby directed to transmit a certified copy of this resolution to Ohio Governor Bob Taft, those members of the State of Ohio Legislature representing residents of the City of Cleveland, U.S. Senator Michael DeWine, U.S. Senator George Voinovich, Congresswoman Stephanie Tubbs Jones, Congressman Dennis Kucinich, Congressman Sherrod Brown, Congressman Steven LaTourette, and the National League of Cities.

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

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

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

Res. No. 1864-04.

By Council Member Jackson.

An emergency resolution objecting to the transfer of Liquor License of a C2 and C2X Liquor Permit at 3609 Community College Avenue.

Whereas, Council has been notified by the Department of Liquor Control of an application for a transfer of Liquor License of a C2 and C2X Liquor Permit from Curtis Hunt, DBA Right on Time Food & Beverage, 6002 Woodland Avenue, 1st floor, Cleveland, Ohio 44104, Permanent Number 4073963 to Curtis Hunt, DBA Right on Time Food & Beverage, 3609 Community College Avenue, Cleveland, Ohio 44115, Permanent Number 40739630001; 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 C2 and C2X Liquor Permit from Curtis Hunt, DBA Right on Time Food & Beverage, 6002 Woodland Avenue, 1st floor, Cleveland, Ohio 44104, Permanent Number 4073963 to Curtis Hunt, DBA Right on Time Food & Beverage, 3609 Community College Avenue, Cleveland, Ohio 44115, Permanent Number 40739630001, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

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

Res. No. 1865-04.

By Council Member Jones.

An emergency resolution withdrawing objection to the renewal of a C1, C2 and D6 Liquor Permit at 4501-5 Lee Road and repealing Resolution No. 1338-04, objecting to said renewal.

Whereas, this Council objected to a C1, C2 and D6 Liquor Permit to 4501-5 Lee Road by Resolution No. 1338-04 adopted by the Council on July 14, 2004; and

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

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

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

Section 1. That objection to a C1, C2 and D6 Liquor Permit to Wahdan Zayed, Inc., 4501-5 Lee Road, Cleveland, Ohio 44128, Permanent Number 9344292 be and the same is hereby withdrawn and Resolution No. 1338-04, containing such objection, be and the same is hereby repealed and

that this Council consents to the immediate renewal thereof.

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

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

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

Res. No. 1866-04.

By Council Member White.

An emergency resolution withdrawing objection to the transfer of ownership of a C2 and C2X Liquor Permit at 4525 Turney Road and repealing Resolution No. 1355-04, objecting to said transfer.

Whereas, this Council objected to the transfer of ownership of a C2 and C2X Liquor Permit to 4525 Turney Road by Resolution No. 1355-04 adopted by the Council on July 14, 2004; and

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

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

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

Section 1. That objection to the transfer of ownership of a C2 and C2X Liquor Permit to Hargur, Inc., DBA Turney Deli, 4525 Turney Road, Cleveland, Ohio 44105, Permanent Number 3602732 be and the same is hereby withdrawn and Resolution No. 1355-04, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate transfer thereof.

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

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

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

Res. No. 1870-04.

By Council Members O'Malley and Dolan.

An emergency resolution encouraging the Board of Trustees of the Cleveland Public Library and the Director of the Cleveland Public Library to conduct or participate in an analysis to determine the advantages and disadvantages of merging with the Cuyahoga County Public Library.

Whereas, Cleveland has the highest poverty rate in the nation and

its homeowners can least afford additional tax burdens; and

Whereas, in November of 2003, Cleveland voters approved a Cleveland Public Library tax levy that increased the property taxes on a \$100,000 home by an additional \$78.82; and

Whereas, homeowners in Cleveland owning homes valued at a \$100,000 pay \$170.00 a year in property taxes to fund the Cleveland Public Library; and

Whereas, homeowners in Cuyahoga County, without an independent library system, owning homes valued at \$100,000 pay \$36.00 a year in property taxes to fund the Cuyahoga County Public Library; and

Whereas, the Main Library of the Cleveland Public Library is located in downtown Cleveland and is utilized by both City of Cleveland homeowners and suburban homeowners; and

Whereas, during these challenging economic times, it is imperative that public entities use tax payer dollars in the most effective and efficient manner; and

Whereas, it is appropriate for the Cleveland Public Library to conduct or participate in analysis to determine the advantages and disadvantages of merging with the Cuyahoga County Public Library; and

Whereas, the Cleveland Municipal School District is seeking a significant property tax increase to fund school operations; and

Whereas, a merger of the Cleveland Public Library with the Cuyahoga County Public Library may result in a property tax savings for Cleveland homeowners and any potential savings could be used to offset the property tax increases sought by the Cleveland Municipal School District; 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. Encouraging the Board of Trustees of the Cleveland Public Library and the Director of the Cleveland Public Library to conduct or participate in an analysis to determine the advantages and disadvantages of merging with the Cuyahoga County Public Library.

Section 2. That the Clerk of Council is hereby directed to transmit a certified copy of this resolution to each member of the Cleveland Public Library Board of Trustees, the Director of the Cleveland Public Library, each member of the Cuyahoga County Public Library Board of Trustees, and the Director of the Cuyahoga County Public Library.

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 passage.

The rules were suspended. Yeas 19. Nays 0. Read second time. Read

third time in full. Adopted. Yeas 18. Nays 1.

Those voting yea: Council Members: Jackson, Brady Britt, Cimperman, Cintron Coats, Conwell, Dolan, Gordon, Johnson, Lewis, O'Malley, Polensek, Rybka, Sweeney, Westbrook, White and Zone.

Those voting nay: Council Member Reed.

Absent: Council Members Jones and Pierce Scott.

SECOND READING EMERGENCY ORDINANCES PASSED

Ord. No. 785-03.

By Council Member Lewis.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on Russell Avenue to Yolanda Gilcrease.

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

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

Ord. No. 1284-04.

By Council Member Lewis.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on East 88th Street to Ora D. Gildersleeve.

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

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

Ord. No. 1657-04.

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

An emergency ordinance to levy special assessments to construct an amenity strip in the sidewalk and emplacing tree pockets for the purpose of implanting shade trees along the public right-of-way on West 117th Street from Madison Avenue to approximately 100 feet north of Clifton Boulevard.

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

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

Ord. No. 1658-04.

By Council Member Jackson (by departmental request).

An emergency ordinance authorizing the purchase by one or more requirement contracts of industrial paper products and cloth wipers, for the various divisions of City government.

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

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

Ord. No. 1775-04.

By Council Member Pierce Scott.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on scattered sites to Glenville Homes, III L.P.

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

1. Insert new Sections 15 and 16 to read as follows:

“Section 15. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel Nos. 108-04-002, 108-04-003, 108-06-001, 108-06-004, 108-06-006, 108-06-007, 108-06-010, 108-06-011, 108-06-048, 108-06-064, 108-08-010, 108-08-011, 108-08-012, 109-18-117, 109-20-056, and 109-13-121 as more fully described below, to Glenville Homes, III L.P.

Section 16. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 108-04-002

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 11 in Talbot Winslow and Sharpe's Re-Subdivision of part of James Subdivision of part of Original One Hundred Acre Lot No. 360, as shown by the recorded plat in Volume 7 of Maps, Page 12 of Cuyahoga County Records, and being a parcel of land bounded and described as follows:

Beginning on the Easterly line of East 93rd Street (formerly Houghton Avenue) at the Southwesterly corner of said Sublot No. 11; thence Northerly along said Easterly line of East 93rd Street, 50 feet to the Northwesterly corner of said Sublot No. 11; thence Easterly along the Northerly line of said Sublot No. 11, 67 feet 9-5/8 inches; thence Southerly on a line 49 feet 8 inches to a point on the Southerly line of said Sublot No. 11, 71 feet 10 inches Easterly, measured along the Southerly line from the Southwesterly corner thereof; thence Westerly along said Southerly line of said Sublot No. 11, 71 feet 10 inches, to the place of beginning, as appears by said plat.

Subject to zoning ordinances, if any.

P. P. No. 108-04-003

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Northwesterly part of Sublot No. 10 in Talbot Winslow and Sharpe's Re-Subdivision of part of James Houghton's Subdivision of part of Original One Hundred Acre Lot No. 360, in said City, as shown by the recorded plat of said Re-Subdivision recorded in Volume 7 of Maps, Page 12 of Cuyahoga County Records, and bounded and described as follows:

Beginning in the Easterly line of East 93rd Street (formerly Houghton Avenue) at the Northwesterly corner of said Sublot; thence East along the North line of said Sublot, 71 feet and 10 inches; thence South parallel with

East line of said Sublot, 30 feet; thence West parallel with the North line of said Sublot, about 76 feet, 8-3/4 inches to the Easterly line of East 93rd Street; thence Northerly along said Easterly line of East 93rd Street, about 30 feet 4-3/4 inches to the place of beginning, be the same more or less, but subject to all legal highways.

Also subject to zoning ordinances, if any.

P. P. No. 108-06-001

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Northerly 30 feet of Sublot No. 2 in The Realty Trust Company's Gordon Farm Subdivision of part of Original One Hundred Acre Lot Nos. 360 and 368, as shown by the recorded plat in Volume 36 of Maps, Page 28 of Cuyahoga County Records, and being 30 feet front on the Easterly side of East 90th Street, and extending back of equal width 105 feet along the Southerly line of Steward Avenue, N.E., as appears by said plat, be the same more or less, but subject to all legal highways.

P. P. No. 108-06-004

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Northwesterly 46 feet from front to rear of Sublot No. 4, in the Realty Trust Company's Gordon Farm Subdivision part of Original One Hundred Acre Lot Nos. 360 and 368, as shown by the recorded plat in Volume 36 of Maps, Page 28 of Cuyahoga County Records, and being a parcel of land 46 feet front on the Northeasterly line of East 90th Street and extending back of equal width 105 feet deep, be the same more or less, but subject to all legal highways.

P. P. No. 108-06-006

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being all of Sublot No. 6 and the Southerly 4 feet of Sublot No. 5 in the Realty Trust Company's Gordon Farm Subdivision of part of Original One Hundred Acre Lot Nos. 360 and 368, as shown by the recorded plat in Volume 36 of Maps, Page 28 of Cuyahoga County Records and together forming a parcel of land having a frontage of 54 feet on the Easterly side of East 90th Street and extending back of equal width 105 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

P. P. No. 108-06-007

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 7 in the Realty Trust Company's Gordon Farm Subdivision of part of Original One Hundred Acre Lots Nos. 360 and 368, as shown by the recorded plat of said Subdivision in Volume 36 of Maps, Page 28 of the Cuyahoga County Records.

P. P. No. 108-06-010

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 10 in the Realty Trust Company's Gordon Farm Subdivision of part of

Original One Hundred Acre Lot Nos. 360 and 358, as shown by the recorded plat in Volume 36 of Maps, Page 28 of Cuyahoga County Records, and being 50 feet front on the Easterly side of East 90th Street, and extending back of equal width 105 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Easement recorded in Volume 85-5976, Page 55 of Cuyahoga County Records.

Subject to zoning ordinances, if any.

P. P. No. 108-06-011

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 11 in the Realty Trust Company's Gordon Farm Subdivision of part of Original One Hundred Acre Lot Nos. 360 and 368, as shown by the recorded plat in Volume 36 of Maps, Page 28 of Cuyahoga County Records, and being 50 feet front on the Easterly side of East 90th Street, and extending back of equal width 105 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

P. P. No. 108-06-048

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 138 in the Realty Trust Company's Gordon Farm Subdivision of part of Original One Hundred Acre Lot Nos. 360 and 368, as shown by the recorded plat in Volume 36 of Maps, Page 28 of Cuyahoga County Records and being 40 feet front on the Easterly side of East 92nd Avenue (formerly East 92nd Street) and extending back of equal width 105 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to zoning ordinances, if any.

P. P. No. 108-06-064

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio; And known as being Sublot No. 52 and the Westerly 10 feet of Sublot No. 78, in the Realty Trust Company's Gordon Farm Subdivision of part of Original One Hundred Acre Lot Nos. 360 and 368, as shown by the recorded plat in Volume 36 of Maps, Page 28 of Cuyahoga County Records, and being 40 feet front on the Northeasterly line of East 91st Street and extending back of equal width, 115 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

P. P. No. 108-08-010

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 21 in Schatzinger and Tremaine's Subdivision of part of Original One Hundred Acre Lot No. 361, as shown by the recorded plat of said Subdivision in Volume 18 of Maps, Page 7 of Cuyahoga County Records. Said Sublot No. 21 has a frontage of 40 feet on the Northwesterly side of Elk Avenue, N.E., (formerly Ethel Avenue) and extends back between parallel lines

120 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

P. P. No. 108-08-011

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 22 in Schatzinger and Tremaine's of part of Original One Hundred Acre Lot No. 361, as shown by the recorded plat in Volume 18 of Maps, Page 7 of Cuyahoga County Records, and being 40 feet front on the Northerly side of Elk Avenue, N.E., 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.

P. P. No. 108-08-012

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 23 in the Schatzinger and Tremaine's Subdivision of part of Original One Hundred Acre Lot No. 361, as shown by the recorded plat in Volume 18 of Maps, Page 7 of Cuyahoga County Records and being 40 feet front on the Northerly side of Elk Avenue, N.E., (formerly Ethel Avenue) and extending back 120 feet on the Westerly line, 119.87 feet on the Easterly line, and having a rear line of 40 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

P. P. No. 109-18-117

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Westerly 20 feet of Sublot No. 116 and the Easterly 20 feet of Sublot No. 117 in Morison and Glenn's Boulevard Park Allotment of part of Original One Hundred Acre Lot No. 378, as shown by the recorded plat in Volume 19 of Maps, Page 26 of Cuyahoga County Records, and together forming a parcel of land 40 feet front on the Northerly side of Olivet Avenue N.E., 99.55 feet deep on the Westerly line, 99.21 feet deep on the Easterly line and 40 feet wide in the rear, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

Subject to restrictions and building line recited in Volume 649, Page 570 of Cuyahoga County Records dated October 12, 1895.

P. P. No. 109-20-056

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 211 and part of Sublot Nos. 210 and 212 in John W. Taylor and Company's Douglas Park Subdivision of part of Original One Hundred Acre Lot Nos. 370 as shown by the recorded plat in Volume 22 of Maps, Page 8 of Cuyahoga County Records, and bounded and described as follows:

Beginning on the Easterly line of Parkwood Drive, N.E. (formerly Parkwood Boulevard), at a point dis-

tant 8 feet Northerly measured along said Easterly line, from the Southwesterly corner of said Sublot No. 212; thence Southerly along the Easterly line of Parkwood Drive, N.E. 62 feet; thence Easterly and parallel with the Northerly line of said Sublot No. 210, 134.65 feet to the Northwesterly corner of land conveyed to Henry and Anna Tabakin by deed dated December 14, 1926 and recorded in Volume 3390, Page 269 of Cuyahoga County Records; thence Southerly along the Westerly line of land so conveyed about 0.44 feet to the Southwesterly corner thereof; thence Easterly along the Southerly line of land so conveyed, 25.50 to the Southeasterly corner thereof; thence Northerly along the Easterly line of land so conveyed, 0.41 feet to the Northeasterly corner thereof; thence Easterly and parallel with the Northerly line of said Sublot No. 210, about 41.68 feet to the Easterly line of said Sublot No. 210; thence Northerly along the Easterly line of said Sublot Nos. 210, 211 and 212 about 62 feet to its intersection with a line drawn Easterly and parallel with the Southerly line of said Sublot No. 212, from the place of beginning, thence Westerly along said parallel line about 201.68 feet to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to zoning ordinances, if any.

P. P. No. 109-13-121

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southerly 44.5 feet of the Easterly 100 feet of Sublot No. 121 in J.W. Taylor and Company's Douglas Park Subdivision of part of Original One Hundred Acre Lot No. 370, as shown by the recorded plat in Volume 22 of Maps, Page 8 of Cuyahoga County Records and being 44.5 feet front on the Westerly side of Parkwood Drive, N.E., and extending back of equal width 100.00 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any."

2. Renumber existing Sections 15, 16, 17, and 18 to new "Section 17", "Section 18", "Section 19", and "Section 20".

Amendments agreed to.

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

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

Ord. No. 1789-04.

By Council Member Conwell.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at on scattered sites to Hough Homes, L.P.

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

1. Insert new Sections 13 and 14 to read as follows:

"Section 13. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel Nos. 106-21-007 and 106-21-124 to Hough Homes, L.P.

Section 14. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 106-21-007

Situated in the City of Cleveland, County of Cuyahoga, State of Ohio and known as being part of Original 100 Acre Lot No. 342 and also a part of Sublot No. 20 in Whitethorn Avenue N.E. Allotment of part of Original 100 Acre Lot Nos. 342 and 391 as shown by the recorded plat of said Allotment in Volume 34 of Maps, Page 30 of Cuyahoga County Records and together forming a parcel of land bounded and described as follows:

Beginning on the Northeasterly line of Addison Road, N.E. (formerly East Madison Avenue) at the most Westerly corner of land conveyed to Maria Schneider by deed dated December 8, 1910 and recorded in Volume 1301, Page 353 of Cuyahoga County Records; thence Northwesterly along said Northeasterly line of Addison Road, N.E., 66-2/100 ft. to the Southwesterly corner of land conveyed to Lena Pasnow and Joseph Pasnow by deed dated March 18, 1896 and recorded in Volume 629, Page 589 of Cuyahoga County Records; thence Easterly along the Southerly line of land so conveyed to Lena and Joseph Pasnow and along the Southerly line of land conveyed to Adelia I. Branigan by deed dated March 2, 1911 and recorded in Volume 1327, Page 243 of Cuyahoga County Records to an angle; thence Southerly along the Westerly line of land so conveyed to Adelia I. Branigan 53-45/100 ft. to the Northerly line of said Sublot No. 20; thence Easterly along the Northerly line of said Sublot No. 20 to a Northwesterly corner of land so conveyed to Maria Schneider; thence Southerly along the Westerly line of land conveyed to Maria Schneider to an angle; thence Westerly along the Northerly line of land so conveyed to Maria Schneider to the place of beginning, be the same more or less, but subject to all legal highways.

P. P. No. 106-21-124

Situated in the City of Cleveland, County of Cuyahoga, State of Ohio and known as being part of Original 100 Acre Lot No. 342, and bounded and described as follows:

Beginning on the Southerly line of Cory Avenue, nka Cory Avenue, N.E., as dedicated and shown by the recorded plat in Volume 27 of Maps, Page 24 of Cuyahoga County Records, at a point 113.54 ft. Easterly from its intersection with the Easterly line of East Madison Avenue, nka Addison Road, N.E., said point of beginning also at the Northeast corner of the parcel of land conveyed to Lena and Joseph Pasnow by Emily G. Cory and J.B. Cory, her husband, by deed dated March 18, 1896, and recorded in Vol-

ume 629, Page 589 of Cuyahoga County Records; thence Easterly along the Southerly line of said Cory Avenue, N.E., 47 ft. to the Northwest corner of a parcel of land conveyed by Emily G. Cory and J.B. Cory, her husband, to Sally A. Bissell by deed dated March 12, 1890, and recorded in Volume 462, Page 475 of Cuyahoga County Records; thence South at right angles to the South line of Cory Avenue, N.E., and along the West line of lands so conveyed to Bissell, 90.95 ft. to the Southwest corner thereof and to the Southerly line of lands owned by Emily G. Cory; thence Westerly along the Southerly line of said lands about 46.66 ft. to the Southeast corner of the lands conveyed by The Citizens Savings and Trust Company to Sarah Swaffield by deed dated September 20, 1909, and recorded in Volume 1240, Page 116 of Cuyahoga County Records; thence North at right angles with the Southerly line of said Cory's land and along the East line of the lands so conveyed to Swaffield 53.45 ft. to the Northeast corner thereof; thence West parallel with the South line of said Cory's lands and along the North line of the lands so conveyed about .34 ft. to the Southeast corner of the lands conveyed to Lena and Joseph Pasnow, as aforesaid; thence North along the East line of said lands so conveyed and at right angles to the South line of Cory Avenue, N.E. to the place of beginning, and being further known as parts of Sublots Nos. 20, 21 and 22 in E.G. Cory's Proposed Subdivision, of part of Original One Hundred Acre Lot Nos. 342 and 391, be the same more or less, but subject to all legal highways."

2. Renumber existing Sections 13, 14, 15, and 16 to new "Section 15", "Section 16", "Section 17", and "Section 18".

Amendments agreed to.

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

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

Ord. No. 1814-04.

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

An emergency ordinance to amend various sections of Ordinance No. 384-03, passed March 10, 2003, as amended, relating to compensation for various classifications.

Approved by Directors of Personnel and Human Resources, Finance, Law; Relieved of Committee on Employment, Affirmative Action and Training, Passage recommended by Committee on Finance; when amended as follows:

1. In Section 1, at amended Section 8, classification no. 219, strike the minimum amount of "9.65" and insert "9.66".

Amendment agreed to.

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

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

**SECOND READING
ORDINANCE PASSED**

Ord. No. 1525-04.

By Council Member Sweeney.
An ordinance changing the Use District of land along the west side of West 130th Street from Sprecher Avenue north to Crossburn Avenue from a General Retail Business Use District to a Local Retail Business Use District (Map Change No. 2135, Sheet No. 13)

Approved by Directors of City Planning Commission, Law; Passage recommended by Committee on City Planning.

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

**SECONDED READING EMERGENCY
RESOLUTION ADOPTED**

Res. No. 1773-04.

By Council Member Jackson (by departmental request).

An emergency resolution requesting the County Auditor to make advances during the year 2005 under Section 321.34 of the Revised Code.

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

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

MOTION

By Council Member Gordon seconded by Council Member Britt and unanimously carried that the absence of Council Members Joseph T. Jones and Sabra Pierce Scott, be and is hereby authorized.

MOTION

The Council Meeting adjourned at 7:55 p.m. to meet on Monday, October 11, 2004 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

September 29, 2004

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, September 29, 2004, at 10:35 a.m. with Director Chandra presiding.

Present: Directors Chandra, Baker, Acting Directors McGuirk, McGraw, Wasik, Director Carroll, Acting

Director Pettus, Directors Ronayne, Rush, Routen, Fumich and Acting Director Vilkas.

Absent: Mayor Campbell and Director Huth.

Others: Debra Midgett, Acting Commissioner, Purchases and Supplies.

Kathy Velkoff, Acting Director, Office of Equal Opportunity.

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

Resolution No. 549-04.

By Director Baker.

Be it resolved by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 1257-04, passed on August 11, 2004, American Fiber Systems, 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 provide professional services necessary to design, construct and install a fiber optic cable connection between the 3rd District Police Station at 2001 Payne Ave. and the Data Center at 205 St. Clair Ave.

Be it further resolved that the Director of Finance is requested to enter into a written contract with American Fiber Systems, Inc., based upon its September 20, 2004 proposal and its Statement of Work and Scope of Services dated September 20, 2004, which contract shall be prepared by the Director of Law, shall provide for furnishing of professional services as contained in the Statement of Work, for an aggregate fee not to exceed Three Hundred Sixty Seven Thousand Seven Hundred Sixty and 00/100 Dollars (\$367,760.00), which contract shall be prepared by the Director of Law and shall contain such other provisions as the Director of Law deems necessary to protect and benefit the public interest.

Be it further resolved that employment of the following Subconsultants by American Fiber Systems, Inc. under the contract authorized above is approved:

<u>Subconsultant</u>	<u>Percentage Amount</u>
McTech Corp., d.b.a. Tech Ready Mix (MBE)	8.81% \$32,400.00
Granger Trucking, Inc. (MBE)	6.2% \$22,800.00
Collinwood Shale, Brick & Supply Co. (FBE)	5% \$18,400.00

Yeas: Directors Chandra, Baker, Acting Directors McGuirk, McGraw, Wasik, Director Carroll, Acting Director Pettus, Directors Ronayne, Rush, Routen, Fumich and Acting Director Vilkas.

Nays: None.
Absent: Mayor Campbell and Director Huth.

Resolution No. 550-04.

By Director Baker.

Resolved, by the Board of Control of the City of Cleveland that the bid of Buy Right Office Products, for an

estimated quantity of dry cell batteries, item nos. 1-6, and 10-27, for the various divisions of City government, for the period up to one (1) year beginning from the date of execution of a contract, expiring on April 29, 2004, received on January 21, 2004, under the authority of Ordinance No. 2025-03, passed November 10, 2003, which on the basis of the estimated quantity would amount to Nine Thousand Three Hundred Forty-Four and 48/100 Dollars (\$9,344.48) (Net), is affirmed and, approved as the lowest and best bid, and the Director of Finance is requested to enter into a requirement contract for such goods and/or services which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 131284A which shall be certified against such contract in the sum of Five Hundred and 00/100 Dollars (\$500.00).

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

Yeas: Directors Chandra, Baker, Acting Directors McGuirk, McGraw, Wasik, Director Carroll, Acting Director Pettus, Directors Ronayne, Rush, Routen, Fumich and Acting Director Vilkas.

Nays: None.
Absent: Mayor Campbell and Director Huth.

Resolution No. 551-04.

By Director Baker.

Resolved, by the Board of Control of the City of Cleveland that all bids received on January 21, 2004, for the purchase of an estimated quantity of dry cell batteries, item nos. 7, 8, 9, and 30, for the various divisions of City government, pursuant to the authority of Ordinance No. 2025-03, passed by the Council of the City of Cleveland on a November 10, 2003 are rejected.

Yeas: Directors Chandra, Baker, Acting Directors McGuirk, McGraw, Wasik, Director Carroll, Acting Director Pettus, Directors Ronayne, Rush, Routen, Fumich and Acting Director Vilkas.

Nays: None.
Absent: Mayor Campbell and Director Huth.

Resolution No. 552-04.

By Director Baker.

Resolved, by the Board of Control of the City of Cleveland that the bid of Brom Truck, Inc. for a cab/chassis, with 16-cubic yards sewer cleaner, for the various divisions of City government, for the period of one (1) year beginning with the date of execution of a contract, received on July 21, 2004, pursuant to the authority of Ordinance No. 1169-03, passed by the Council of the City of Cleveland on July 16, 2003, which on the basis of the estimated quantity would amount to Two Hundred Seventy-Nine Thousand Nine Hundred Ninety-Eight and 00/100 Dollars (\$279,998.00) (Net), is hereby affirmed and approved as the lowest and best bid, and the Director of

Finance is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 153922 which shall be certified against such contract in the sum of Two Hundred Seventy-Nine Thousand Nine Hundred Ninety-Eight and 00/100 Dollars (\$279,998.00).

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

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, Inc. for the above mentioned purchase is hereby approved:

Johnson Driveaway
MBE — \$1,500.00 per unit — 0.54%

Yeas: Directors Chandra, Baker, Acting Directors McGuirk, McGraw, Wasik, Director Carroll, Acting Director Pettus, Directors Ronayne, Rush, Routen, Fumich and Acting Director Vilkas.

Nays: None.
Absent: Mayor Campbell and Director Huth.

Resolution No. 553-04.

By Director Ciaccia.
Be it resolved by the Board of Control of the City of Cleveland that the bid of Emerald Environmental Services, Inc. for an estimated quantity of hauling & disposing of water plant residuals (all items), for the Division of Water, Department of Public Utilities, for a period of two (2) years beginning with the later of the date of execution of a contract or receipt of a notice to proceed, received on the 6th day of August, 2004, pursuant to the authority of Ordinance No. 2314-03, passed December 15, 2003, which on the basis of the estimated quantity would amount to Five Hundred Seven Thousand Two Hundred Dollars (\$507,200.00) (10%), is affirmed and approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into a requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 148327 which shall be certified against such contract in the sum of One Hundred Thousand Dollars (\$100,000.00).

Said requirement contract shall further provide that the Contractor will furnish the remainder of the requirement for such commodities, 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 subcontractors by Emerald Environmental Services,

Inc. for the contract authorized is hereby approved:

SUBCONTRACTOR PERCENTAGE
WORK

Firstech, Inc. (MBE) .69% \$3,500.00

The Collinwood Shale,
Brick & Supply
Company 4.10% \$20,800.00

Yeas: Directors Chandra, Baker, Acting Directors McGuirk, McGraw, Wasik, Director Carroll, Acting Director Pettus, Directors Ronayne, Rush, Routen, Fumich and Acting Director Vilkas.

Nays: None.
Absent: Mayor Campbell and Director Huth.

Resolution No. 554-04.

By Director Mok.
Resolved, by the Board of Control of the City of Cleveland that the bid of Tenable Protective Services, Inc., for unarmed security guard services, for the various divisions of the Department of Port Control, for the period of one year with an option to renew for an additional one year term, beginning with the date of execution of a contract, received on the 25th day of August, 2004, pursuant to the authority of Ordinance No. 693-04, passed on May 24, 2004, which on the basis of the estimated quantity would amount to Five Hundred Two Thousand Two Hundred and 00/100 Dollars is affirmed and approved as the lowest and best bid, and the Director of Port Control is requested to enter into a requirement contract for such goods and/or services necessary, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 146385 which shall be certified against such contract in the sum of Seventy-Two Thousand Seven Hundred Fifty and 00/100 Dollars (\$72,750.00).

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

Yeas: Directors Chandra, Baker, Acting Directors McGuirk, McGraw, Wasik, Director Carroll, Acting Director Pettus, Directors Ronayne, Rush, Routen, Fumich and Acting Director Vilkas.

Nays: None.
Absent: Mayor Campbell and Director Huth.

Resolution No. 555-04.

By Director Ricchiuto.
Be it resolved by the Board of Control of the City of Cleveland that the bid of Apex Construction and Management Company, Inc., for the public improvement of waste collection site improvements, Charles V. Carr Center, base bid, all items, for the Department of Public Service, received on March 31, 2004, under the authority of Ordinance No. 833-02, passed June 3, 2002, for a gross price for the improvement in the aggregate amount of One Hundred Seventeen Thousand Four Hun-

dred Fifty and no/100 Dollars (\$117,450.00), is affirmed and approved as the lowest responsible bid, and the Director of Public Service is authorized to enter into contract for said improvement with said bidder.

Be it further resolved, by the Board of Control of the City of Cleveland that the employment of the following subcontractors by Apex Construction and Management Company, Inc., is approved:

Subcontractor Amount Percentage
MBE/FBE

Collinwood Shale
& Brick FBE \$18,000 15.33%

21st Century Concrete
Construction \$65,000 55.34%

Yeas: Directors Chandra, Baker, Acting Directors McGuirk, McGraw, Wasik, Director Carroll, Acting Director Pettus, Directors Ronayne, Rush, Routen, Fumich and Acting Director Vilkas.

Nays: None.
Absent: Mayor Campbell and Director Huth.

Resolution No. 556-04.

By Director Watson.
Be it resolved by the Board of Control of the City of Cleveland that the bid of Central States Fire Apparatus, LLC for a mass casualty unit body, for the various divisions of City government, for the period of one (1) year beginning with the date of execution of a contract, received on July 21, 2004, pursuant to the authority of Ordinance No. 206-04, passed by the Council of the City of Cleveland on February 9, 2004, which on the basis of the estimated quantity would amount to Eighty-Seven Thousand Two Hundred Twenty-Three and 00/100 Dollars (\$87,223.00) (Net), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Safety is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 153929 which shall be certified against such contract in the sum of Eighty-Seven Thousand Two Hundred Twenty-Three and 00/100 Dollars (\$87,223.00).

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

Yeas: Directors Chandra, Baker, Acting Directors McGuirk, McGraw, Wasik, Director Carroll, Acting Director Pettus, Directors Ronayne, Rush, Routen, Fumich and Acting Director Vilkas.

Nays: None.
Absent: Mayor Campbell and Director Huth.

Resolution No. 557-04.

By Director Ronayne.
Resolved by the Board of Control of the City of Cleveland that all bids received on September 9, 2004, for the citywide recreation, centers im-

provements 2004, for the Department of Parks, Recreation, and Properties, pursuant to the authority of Ordinance No. 1264-03, passed by the Council of the City of Cleveland on July 23, 2003, be and the same are hereby rejected.

Yeas: Directors Chandra, Baker, Acting Directors McGuirk, McGraw, Wasik, Director Carroll, Acting Director Pettus, Directors Ronayne, Rush, Routen, Fumich and Acting Director Vilkas.

Nays: None.

Absent: Mayor Campbell and Director Huth.

Resolution No. 558-04.

By Director Rush.

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

Whereas, under said Program, the City has acquired Permanent Parcel No. 120-11-038 located at Lakeview Road in Ward 9; and

Whereas, Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976 authorizes the Commissioner of Purchases and Supplies, when directed by the Director of Community Development and when certain specified conditions have been met, to sell Land Reutilization Program parcels to adjacent or abutting landowners; and

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

Whereas, the following conditions exist:

1. The member of Council from Ward 9 has consented to the proposed sale;

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

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

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland, with Phyliss Hill for the sale and development of Permanent Parcel No. 120-11-038 located at Lakeview Road, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcel shall be \$1.00, which amount is hereby determined to be not less than the Fair Market value of said parcel for uses in accordance with said Program.

Yeas: Directors Chandra, Baker, Acting Directors McGuirk, McGraw, Wasik, Director Carroll, Acting Director Pettus, Directors Ronayne, Rush, Routen, Fumich and Acting Director Vilkas.

Nays: None.

Absent: Mayor Campbell and Director Huth.

Resolution No. 559-04.

By Director Rush.

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

Whereas, under said Program, the City has acquired Permanent Parcel No. 138-07-030 (Southerly part) located at East 119th Street in Ward 2; and

Whereas, Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976 authorizes the Commissioner of Purchases and Supplies, when directed by the Director of Community Development and when certain specified conditions have been met, to sell Land Reutilization Program parcels to adjacent or abutting landowners; and

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

Whereas, the following conditions exist:

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

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

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

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland, with Lorette Lykes for the sale and development of Permanent Parcel No. 138-07-030 (Southerly part) located at East 119th Street, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcel shall be \$1.00, which amount is hereby determined to be not less than the Fair Market value of said parcel for uses in accordance with said Program.

Yeas: Directors Chandra, Baker, Acting Directors McGuirk, McGraw, Wasik, Director Carroll, Acting Director Pettus, Directors Ronayne, Rush, Routen, Fumich and Acting Director Vilkas.

Nays: None.

Absent: Mayor Campbell and Director Huth.

Resolution No. 560-04.

By Director Rush.

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

Whereas, under said Program, the City has acquired Permanent Parcel No. 138-07-030 (Northerly part) located at East 119th Street in Ward 2; and

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

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

Whereas, Cleveland Hartman and Hazel Hartman, abutting/adjacent landowners, have proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

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

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

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

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland, with Cleveland Hartman and Hazel Hartman for the sale and development of Permanent Parcel No. 138-07-030 (Northerly part) located at East 119th Street, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcel shall be \$1.00, which amount is hereby determined to be not less than the Fair Market value of said parcel for uses in accordance with said Program.

Yeas: Directors Chandra, Baker, Acting Directors McGuirk, McGraw, Wasik, Director Carroll, Acting Director Pettus, Directors Ronayne, Rush, Routen, Fumich and Acting Director Vilkas.

Nays: None.

Absent: Mayor Campbell and Director Huth.

Resolution No. 561-04.

By Director Rush.

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

Whereas, under said Program, the City has acquired Permanent Parcel No. 120-04-016 located at East 117th Street in Ward 9; and

Whereas, Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976 authorizes the Commissioner of Purchases and Supplies, when directed by the Director of Community Development and when certain specified conditions have been met, to sell Land Reutilization Program parcels to adjacent or abutting landowners; and

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

Whereas, the following conditions exist:

1. The member of Council from Ward 9 has consented to the proposed sale;

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

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

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland, with Rita Pritchard for the sale and development of Permanent Parcel No. 120-04-016 located at East 117th Street, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcel shall be \$1.00, which amount is hereby determined to be not less than the Fair Market value of said parcel for uses in accordance with said Program.

Yeas: Directors Chandra, Baker, Acting Directors McGuiirk, McGraw, Wasik, Director Carroll, Acting Director Pettus, Directors Ronayne, Rush, Routen, Fumich and Acting Director Vilkas.

Nays: None.

Absent: Mayor Campbell and Director Huth.

Resolution No. 562-04.

By Director Rush.

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

Whereas, under said Program, the City has acquired Permanent Parcel No. 002-30-087 (Easterly 5 feet of) and 002-30-088 (Westerly 10 feet of) located at Ellen Avenue in Ward 17; and

Whereas, Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976 authorizes the Commissioner of Purchases and Supplies, when directed by the Director of Community Development and when certain specified conditions have been met, to sell Land Reutilization Program parcels to adjacent or abutting landowners; and

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

Whereas, the following conditions exist:

1. The member of Council from Ward 17 has consented to the proposed sale;

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

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

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Offi-

cial Deed for and on behalf of the City of Cleveland, with Karen L. Pianka for the sale and development of Permanent Parcel Nos. 002-30-087 (Easterly 5 feet of) and 002-30-088 (Westerly 10 feet of) located at Ellen Avenue, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcel shall be \$1.00, which amount is hereby determined to be not less than the Fair Market value of said parcel for uses in accordance with said Program.

Yeas: Directors Chandra, Baker, Acting Directors McGuiirk, McGraw, Wasik, Director Carroll, Acting Director Pettus, Directors Ronayne, Rush, Routen, Fumich and Acting Director Vilkas.

Nays: None.

Absent: Mayor Campbell and Director Huth.

Resolution No. 563-04.

By Director Rush.

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

Whereas, City has acquired Permanent Parcel No. 105-16-001, located at East 70th Street under said Land Reutilization Program; and

Whereas, Ordinance No. 354-04 passed May 3, 2004, authorized the sale of said parcel for a consideration established by the Board of Control at not less than the Market Value; and

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

Be it resolved by the Board of Control of the City of Cleveland that that pursuant to the authorization of Ordinance No. 354-04 passed May 3, 2004, by the Cleveland City Council, the Mayor is hereby authorized to execute an official deed for and on behalf of the City of Cleveland with LLLJLTD for the sale and development of Permanent Parcel No. 105-16-001, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcel shall be \$4,000.00, which amount is hereby determined to be not less than the fair market value of said parcel for uses in accordance with the Land Reutilization Program.

Yeas: Directors Chandra, Baker, Acting Directors McGuiirk, McGraw, Wasik, Director Carroll, Acting Director Pettus, Directors Ronayne, Rush, Routen, Fumich and Acting Director Vilkas.

Nays: None.

Absent: Mayor Campbell and Director Huth.

Resolution No. 564-04.

By Director Rush.

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

Whereas, City has acquired Permanent Parcel Nos. 126-23-015, 126-23-017, 126-23-044, 126-23-046, 126-24-002

and 126-24-009, located at East 92nd Street under said Land Reutilization Program; and

Whereas, Ordinance No. 2114-02 passed April 14, 2003, authorized the sale of said parcels for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Miceli-Lagrasso Development Corporation has proposed to the City to purchase and develop said parcels; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that that pursuant to the authorization of Ordinance No. 2114-02 passed April 14, 2003, by the Cleveland City Council, the Mayor is hereby authorized to execute an official deed for and on behalf of the City of Cleveland with Miceli-Lagrasso Development Corporation for the sale and development of Permanent Parcel Nos. 126-23-015, 126-23-017, 126-23-044, 126-23-046, 126-24-002 and 126-24-009, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcels shall be \$18,000.00, which amount is hereby determined to be not less than the fair market value of said parcels for uses in accordance with the Land Reutilization Program.

Yeas: Directors Chandra, Baker, Acting Directors McGuiirk, McGraw, Wasik, Director Carroll, Acting Director Pettus, Directors Ronayne, Rush, Routen, Fumich and Acting Director Vilkas.

Nays: None.

Absent: Mayor Campbell and Director Huth.

JEFFREY B. MARKS,
Secretary

CIVIL SERVICE NOTICES

General Information

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

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

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

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

REYNALDO GALINDO,
President

SCHEDULE OF THE BOARD OF ZONING APPEALS

MONDAY, OCTOBER 18, 2004

9:30 A.M.

Calendar No. 04-220: 16920 Eldamere Avenue (Ward 1)

Laurent Berry, owner, appeals to establish a Type A day care in an existing 26' x 34' two-story dwelling, situated on a 40' x 142' lot located in an A1 One-Family District on the south side of Eldamere Avenue at 16920 Eldamere Avenue; the proposed day care is subject to the limitations of the Regulations for Residential Districts, where a day care and its uses may not be located less than 30' from an adjoining premises in a Residence District not used for a similar purpose and requires the Board of Zoning Appeals approval as stated in Sections 337.02(f)(3)(C) of the Codified Ordinances.

Calendar No. 04-221: 5702 Tillman Avenue (Ward 17)

Jack Myers-Kiousis, owner, appeals to erect a 34' x 51' two-story single family dwelling on a 68' x 132' irregular shaped lot on the north side of Tillman Avenue at 5702 Tillman Avenue; contrary to the Regulations for Yards and Courts, there is a 3' rear yard provided and 20' is required and a rear porch is a distance of 2.44' from the property line where 3' is required, as stated in Section 357.08 of the Codified Ordinances.

Calendar No. 04-223: 1378 Clearaire Road (Ward 11)

The Cleveland Municipal School District, owner c/o Marcia Conrad, agent, appeal, to erect a 53,868 s/f, two-story Kindergarten through 8th Grade school building, on acreage that is located between Clearaire Road and Larchmont Road in an A1 One-Family District on the west side of Clearaire Road at 1378 Clearaire Road; subject to Section 337.02(f)(3)A, a school located less than 30' from an adjoining residential premises in a Residence District requires the Board of Zoning Appeals approval; and Sections 357.06 and 357.14 of the Yards and Courts Regulations that require the established setback lines on Clearaire and Larchmont Roads be observed; and 21 parking spaces are provided, where Section 349.04(e) requires that there be parking at the rate of one space for each two staff members, plus one for each six seats or a total parking area equal to three times the gross floor area of the gymnasium, whichever is greater; and the gross floor area is limited to one-half of the total lot area, or 45,031 s/f, as stated in Section 355.04 of the Codified Ordinances.

Calendar No. 04-225: 16911 Euclid Avenue (Ward 10)

Roderick McClendon, owner, appeals to establish a used car sales lot as an additional use proposed to be on an approximate 55' x 220' irregular shaped lot that extends north from Euclid Avenue and fronts on the side street to the west, Urbana Road; and where an

existing dwelling house and a car repair garage are situated in zoning for a Local Retail Business District and in a Multi-Family District at the street address of 16911 Euclid Avenue; contrary to Sections 343.01 and 347.08, the additional use is not permitted in a Local Retail District nor in a Multi-Family District but first permitted in a General Retail Business District; and contrary to Section 347.11(a), a lot width of 55' is proposed where a 60' minimum lot width is required; and contrary to Sections 357.04(a) and 357.14(a)(1)(2), the display of motor vehicles within a 26' front setback along Euclid Avenue is proposed where the required distance is 15% of the lot depth and the parking and sale of motor vehicles in the 20' front setback along Urbana Road is prohibited; and the expansion of an existing nonconforming use requires the Board of Zoning Appeals approval as stated in Section 359.01(a) of the Codified Ordinances.

Calendar No. 04-224: Appeal of Anthony L. Woodard

Anthony L. Woodard appeals under Section 76-6 of the Charter of the City of Cleveland and the authority of Section 329.02(d) from the rejection of an application filed August 23, 2004 for Handgun Registration and a Handgun Owner's Identification Card by Chief Edward F. Lohn, Cleveland Division of Police, according to Section 674.04 of the Cleveland Codified Ordinances.

Calendar No. 04-171: 8211 Platt Avenue (Ward 6)

Lawrence Lane, owner, appeals to change the use from a grocery store to an office in a 40' x 40' one-story building situated on a 50' x 150' parcel located in Local Retail Business and Multi-Family Districts on the north side of Platt Avenue at 8211 Platt Avenue; contrary to Section 337.08 of the Regulations for Residential Districts, an office is not a permitted use in a Multi-Family District but first permitted in a Local Retail Business District under Section 343.01G(3), provided that personnel customarily required for the business or profession do not exceed more than five persons at any one time; and the substitution of a nonconforming use requires the Board of Zoning Appeals approval as stated in Section 359.01 of the Codified Ordinances. (Reinstated 9-13-04)

Calendar No. 04-246: Violation Notice — 5100 Pearl Road (Ward 16)

Alexander Solomon, owner, and David Lynch, attorney, appeal under the authority of Section 329.02(d) of the Cleveland Codified Ordinances from a Violation Notice issued on September 17, 2004 by the Department of Building and Housing, for failure to comply with the Sign Regulations of Section 350.04 that requires no sign or display be erected without first obtaining a permit for such use and that moving, revolving or flashing signs are prohibited as stated in Section 350.06(d) of the Cleveland Codified Ordinances.

Secretary

REPORT OF THE BOARD OF ZONING APPEALS

MONDAY, OCTOBER 4, 2004

At the meeting of the Board of Zoning Appeals on Monday, October 4, 2004, the following appeals were heard by the Board:

The following appeal was **Approved:**

Calendar No. 04-217: 3193 West 52nd Street

Ijaz Qureshi appealed to install 90 l/f of 4' high chain link fence in the front yard of dwelling house in a Two-Family District.

The following appeals were **Denied:**

Calendar No. 04-206: 2118 Broadview Road

Hikmat Dakdouk appealed to use the 10' established setback on Broadview Road to provide accessory parking for a retail sales store in a Local Retail Business District.

Calendar No. 04-140: Appeal of Mahad Mohamed Hack — License Revocation

With a Motion for Reconsideration granted, Mahad Mohamed appealed from the revocation of a City of Cleveland Hack License issued by the Commissioner of Assessments and Licenses.

Calendar No. 04-160: Appeal of North Coast Payphones/ClevePhones, Inc. North Coast Payphones/ClevePhones, Inc. appealed from an order to remove outdoor payphones from five sites identified by the Commissioner of Assessments and Licenses.

The following appeals were **Postponed:**

Calendar No. 04-210: 2118 Broadview Road postponed to November 1, 2004.

Calendar No. 04-214: 12409 Lorain Avenue postponed to November 1, 2004.

In Executive Session on October 4, 2004, the following appeals heard by the Board on September 27, 2004 were adopted and approved.

The following appeals were **Approved:**

Calendar No. 04-209: 3131 Warren Road

William J. Bett appealed to erect a 16' x 11' open porch to the front of a 25' x 25' single family dwelling in a Two-Family District; with condition for an 8' porch projection.

Calendar No. 04-211: 4925 State Road

St. John of Kronstadt Orthodox Church appealed to convert an existing one-story storage building to a new use as a church in split zoning for a Semi-Industry and a General Industry District; with conditions.

Calendar No. 04-222: 3149 West 31st Street

Carmen Rivera appealed to erect a 10' x 23' wooden wheelchair ramp to the front of a two-story one family dwelling in a Two-Family District.

In Executive Session on October 4, 2004, the following appeal heard by the Board on September 13, 2004 was adopted and approved:

The following appeal was **Approved:**

Calendar No. 04-197: 15700 Lakeshore Boulevard

Montlack Realty appealed to expand an existing nonconforming auto repair use in a Shopping Center District; subject to conditions.

In Executive Session on October 4, 2004, the following appeals heard by the Board on June 14, 2004 were adopted and approved:

The following appeals were **Approved:**

Calendar No. 04-95: 3782 East 116th Street

Joseph Nadar, owner, and Walter Goddard, prospective purchaser, appealed to establish a car wash in an existing masonry building on a 46' x 150' corner parcel in a Local Retail Business District; subject to revised plan.

Calendar No. 04-96: 3807 East 93rd Street

Walter Goddard appealed to use an existing service station on a 47' x 165' corner parcel for a used car sales lot in a General Retail Business District; subject to revised plan.

Secretary

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

NO MEETING

PUBLIC NOTICE

NOTICE

Cleveland City Council is requesting proposals from certified public accountants to perform a continuous audit of the books of accounts, records, and transactions of the City of Cleveland as required by the Charter of the City of Cleveland. The request for proposal may be viewed online at:

www.clevelandcitycouncil.org.

VALARIE J. McCALL
City Clerk, Clerk of Council

216.664.4551

vmccall@clevelandcitycouncil.org

October 6, 2004 and October 13, 2004

PUBLIC NOTICE

Consistent with the Charter of the City of Cleveland, the following public notice appeared in The Plain

Dealer on September 20, 2004 and September 27, 2004 and The Call and Post on September 23, 2004 and September 30, 2004.

Ordinance No. 846-04, passed by the Council of the City of Cleveland on August 11, 2004, authorizes the submission to the electors of the City of Cleveland on Tuesday, November 2, 2004, of a proposal to amend Sections 116 and 126 of the Charter of the City of Cleveland to read as follows:

§116 Police Force; Control by Chief

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

§126 Division into Classified and Unclassified Service

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

1. The unclassified service shall include:

- (a) All officers elected by the people.
- (b) All directors of departments.
- (c) The Clerk of Council.
- (d) The Chief of Police, four Deputy Chiefs of Police, and twelve Commanders of Police.
- (e) The members of all boards or commissions appointed by the Mayor

and of advisory boards appointed by the director of a department.

(f) The secretary to the mayor and one secretary for each director of a department.

(g) Eight (8) executive assistants to the Mayor, provided, however, that there shall be no restrictions as to their duties or assignments.

(h) Students enrolled in a recognized college or university in a course of training in preparation for an administrative or professional career in the public service and employed upon the recommendation of the official in charge of personnel administration as student aides for training purposes without limitation as to assignment or duties.

(i) School crossing guards.

(j) Members of the auxiliary police force.

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

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

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

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

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

VALARIE J. McCALL
City Clerk, Clerk of Council

October 6, 2004 and October 13, 2004

NOTICE OF PUBLIC HEARING

NONE

CITY OF CLEVELAND BIDS

For All Departments

Scaled 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."

THURSDAY, OCTOBER 14, 2004

Constructing and Installing Replacement Sewers and Rehabilitating and Repairing Sewers at Various Locations, for the Division of Water Pollution Control, Department of Public Utilities as authorized by Ordinance No. 996-03, passed by the Council of the City of Cleveland, July 16, 2003.

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, OCTOBER 8, 2004, AT 10:00 A.M., DIVISION OF WATER POLLUTION CONTROL, (RED CONFERENCE ROOM), 12302 KIRBY AVENUE, CLEVELAND, OHIO 44108.

September 29, 2004 and October 6, 2004

FRIDAY, OCTOBER 15, 2004

Service Fittings, for the Division of Water, Department of Public Utilities, as authorized by Section 129.25 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING**, THURSDAY, OCTOBER 7, 2004, AT 2:00 P.M., DIVISION OF WATER, DISTRIBUTION & MAINTENANCE, 2ND FLOOR CONFERENCE ROOM, 4600 HARVARD AVENUE, CLEVELAND, OHIO 44105.

Apparatus Intercom Equipment, for the Division of Fire, Department of Public Safety as authorized by Ordinance No. 1012-03, passed by the Council of the City of Cleveland, July 16, 2003.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING**, FRIDAY, OCTOBER 8, 2004, AT 10:00 A.M., CLEVELAND FIRE HEADQUARTERS, 1645 SUPERIOR AVENUE, CLEVELAND, OHIO 44114.

September 29, 2004 and October 6, 2004

THURSDAY, OCTOBER 21, 2004

Rehabilitating Grayton Road (between Puritas Avenue and the I-480 Bridge), for the Division of Engineering and Construction, Department of Public Service, as authorized by Ordinance No. 2334-03, passed by the Council of the City of Cleveland, February 9, 2003.

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

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING**, THURSDAY, OCTOBER 8, 2004, AT 11:00 A.M., CITY HALL, CONFERENCE ROOM 518, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

September 29, 2004 and October 6, 2004

THURSDAY, OCTOBER 21, 2004

Rehabilitating Grayton Road (between Puritas Avenue and the I-480 Bridge), for the Division of Engineering and Construction, Department of Public Service, as authorized by Ordinance No. 2334-03, passed by the Council of the City of Cleveland, February 9, 2003.

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, OCTOBER 8, 2004, AT 11:00 A.M., CITY HALL, CONFERENCE ROOM 518, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

City Wide Recreation Centers Improvements 2004 (Mayor's Warm, Safe and Dry Initiative) Re-Bid, for the Division of Architecture, Department of Public Service, as authorized by Ordinance No. 1264-03, passed by the Council of the City of Cleveland, July 16, 2003.

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

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING**, THURSDAY, OCTOBER 14, 2004, AT 2:00 P.M., CUDELL RECREATION CENTER, 1910 WEST BLVD. (AT DETROIT ROAD), CLEVELAND, OHIO 44102.

October 6, 2004 and October 13, 2004

WEDNESDAY, OCTOBER 27, 2004

Turnout Clothing, for the Division of Fire, Department of Public Safety, as authorized by Section 135.06 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING**, FRIDAY, OCTOBER 22, 2004, AT 10:00 A.M., CLEVELAND FIRE HEADQUARTERS, 1645 SUPERIOR AVENUE, CLEVELAND, OHIO 44114.

Purchase of Lubricants, for the Division of Motor Vehicles Maintenance, Department of Public Service, as authorized by Ordinance No. 763-04, passed by the Council of the City of Cleveland, May 17, 2004.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING**, TUESDAY, OCTOBER 19, 2004, AT 3:00 P.M., DIVISION OF MOTOR VEHICLE MAINTENANCE, 4150 EAST 49TH STREET, BUILDING #1, CLEVELAND, OHIO 44105.

Paper and Envelopes, for the Division of Printing and Reproduction, Department of Finance, as authorized by Ordinance No. 1256-04, passed by the Council of the City of Cleveland, August 11, 2004.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING**, TUESDAY, OCTOBER 19, 2004, AT 11:00 A.M., DIVISION OF PRINTING, 1735 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

October 6, 2004 and October 13, 2004

**ADOPTED RESOLUTIONS
AND ORDINANCES**

Res. No. 1816-04.

By Council Member Dolan.

An emergency resolution declaring the necessity and intention to appropriate property for the public use of the elimination of blight and nuisance property, located at 16800 Lorain Avenue.

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

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

Section 1. That for the public purpose of the elimination of blight and nuisance property, it is necessary to appropriate in fee simple interest and this Council declares its intent to appropriate the fee simple interest in and to the following described property located at 16800 Lorain Avenue:

Permanent Parcel Number 025-16-020
16800 Lorain Avenue

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and bounded and described as follows, to-wit: and known as being part of Original Rockport Township Section No. 13, bounded and described as follows: Beginning in the Northwesterly line of Lorain Avenue at a point 460 feet North-easterly (measured along said Northwesterly line) from the Easterly line of land conveyed to Kate Schink by deed dated October 7, 1898, and recorded in Volume 692, Page 493 of Cuyahoga County Records; thence Northeasterly along said Northwesterly line of Lorain Avenue 50 feet; thence Northwesterly on a line at right angles to said Northwesterly line of Lorain Avenue 120 feet; thence Southwesterly on a line parallel with said Northwesterly line of Lorain Avenue 50 feet; thence Southeasterly 120 feet to the place of beginning, be the same more or less, but subject to all legal highways.

Section 2. That the Director of Finance is authorized to cause written notice of the adoption of this resolution to be given to the owners, persons in possession, or having an interest of record in the above-mentioned premises. The notice shall be served according to law by a person to be designated for that purpose by the Director of Finance which return shall be made in the manner provided by law.

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

Adopted September 27, 2004.
Effective October 5, 2004.

Res. No. 1821-04.

By Council Member Gordon.

An emergency resolution urging Governor Bob Taft to provide full funding for the Clean Ohio Fund in the 2005 Capital Budget.

Whereas, in November of 2000, Ohio voters approved State Issue 1, the Clean Ohio Fund, allowing the State of Ohio to grant funds to local communities, through the sale of state bonds, for local environmental projects; and

Whereas, the Clean Ohio Fund is divided into four competitive funding programs; and

Whereas, the Clean Ohio Green Space Conservation Program helps to fund preservation of open spaces, sensitive ecological areas, and stream corridors; and

Whereas, the Clean Ohio Agricultural Easement Purchase Program supports the permanent preservation of Ohio's farmland through the purchase of development rights; and

Whereas, the Clean Ohio Trail Fund works to improve outdoor recreational opportunities for Ohioans by funding trails for outdoor pursuits; and

Whereas, the Clean Ohio Revitalization Fund supports the cleanup of polluted properties so that they can be restored to productive uses; and

Whereas, Clean Ohio projects have generated jobs in communities across the state; and

Whereas, this job creation created a positive economic impact at the local level; and

Whereas, Clean Ohio projects have generated positive civic involvement in the communities where projects have been funded; and

Whereas, continuous and full funding will ensure that the benefits promised to Ohio voters in 2000 continue; and

Whereas, continuous and full funding will enable existing projects to move forward and will allow new projects in the planning phase to proceed forward; and

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

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

Section 1. That the Council of the City of Cleveland urges Ohio Governor Bob Taft to provide full funding for the Clean Ohio Fund in the 2005 Capital Budget.

Section 2. That the Clerk of Council is hereby requested to transmit a copy of this resolution to Ohio Governor Bob Taft, those members of the State of Ohio Legislature representing residents of the City of Cleveland, and the Director of the Ohio Municipal League.

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

Adopted September 27, 2004.
Effective October 5, 2004.

Res. No. 1822-04.

By Council Member Gordon.

An emergency resolution withdrawing objection to a New C2 Liquor Permit at 4519 Bush Avenue and repealing Resolution No. 1126-04, objecting to said permit.

Whereas, this Council objected to a New C2 Liquor Permit to 4519 Bush Avenue by Resolution No. 1126-04 adopted by the Council on June 7, 2004; and

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

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

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

Section 1. That objection to a New C2 Liquor Permit to Sukhdev S. Chauhan, DBA Tower Food Mart, 4519 Bush Avenue, Cleveland, Ohio 44109, Permanent Number 14050630010, be and the same is hereby withdrawn and Resolution No. 1126-04, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate permit thereof.

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

Adopted September 27, 2004.
Effective October 5, 2004.

Res. No. 1823-04.

By Council Member Reed.

An emergency resolution objecting to a New C2 Liquor Permit at 3832 Martin Luther King Jr. Drive.

Whereas, Council has been notified by the Department of Liquor Control of an application for a New C2 Liquor Permit at Jasmin Beverage, Inc., DBA Times Square Food Mart, 3832 Martin Luther King, Jr. Drive, Cleveland, Ohio 44105, Permanent Number 4248529; and

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

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

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

Whereas, the place for which the permit is sought is so arranged or constructed that law enforcement officers or agents of the Department of Liquor Control are prevented rea-

sonable access to the establishment; and

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

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

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

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

Section 1. That Council does hereby record its objection to a New C2 Liquor Permit at Jasmin Beverage, Inc., DBA Times Square Food Mart, 3832 Martin Luther King Jr. Drive, Cleveland, Ohio 44105, Permanent Number 4248529; and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted September 27, 2004.
Effective October 5, 2004.

Res. No. 1824-04.

By Council Member Sweeney.

An emergency resolution withdrawing objection to a New C1 Liquor Permit at 13925 Puritas Avenue and repealing Resolution No. 1130-04, objecting to said permit.

Whereas, this Council objected to a New C1 Liquor Permit to 13925 Puritas Avenue by Resolution No. 1130-04 adopted by the Council on June 7, 2004; and

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

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

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

Section 1. That objection to a New C1 Liquor Permit to Metri, Inc., DBA Clark on Go, 13925 Puritas Avenue, Cleveland, Ohio 44135, Permanent Number 5870500, be and the same is hereby withdrawn and Resolution No. 1130-04, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate permit thereof.

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

Adopted September 27, 2004.
Effective October 5, 2004.

Res. No. 1826-04.

By Council Member Cimperman.

An emergency resolution withdrawing objection to the renewal of a C2 and C2X Liquor Permit at 1822-26 West 25th Street and repealing Resolution No. 1550-04, objecting to said renewal.

Whereas, this Council objected to the renewal of a C2 and C2X Liquor Permit to 1822-26 West 25th Street by Resolution No. 1550-04 adopted by the Council on August 11, 2004; and

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

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

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

Section 1. That objection to the renewal of a C2 and C2X Liquor Permit to Jay Bridge Foods, Inc., DBA Gateway Food Market, 1822-26 West 25th Street, Cleveland, Ohio 44113, Permanent Number 4255501, be and the same is hereby withdrawn and Resolution No. 1550-04, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

Adopted September 27, 2004.
Effective October 5, 2004.

Ord. No. 1817-04.

By Council Member Britt.

An emergency ordinance to amend Section 2 of Ordinance No. 1687-04, passed September 13, 2004 as it per-

tains to authorizing the Director of Community Development to enter into a grant agreement with InterAct Cleveland for the InterAct Hunger Center program.

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

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

Section 1. That Section 2 of Ordinance No. 1687-04, passed September 13, 2004 are hereby amended to reads as follows:

Section 2. That the cost of said contract shall be in an amount not to exceed \$31,638 and shall be paid from Fund No. 10 SF 166.

Section 2. That Section 2 of Ordinance No. 1687-04, passed September 13, 2004 are hereby repealed.

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

Passed September 27, 2004.
Effective October 5, 2004.

Ord. No. 1818-04.

By Council Member Jones.

An emergency ordinance to amend Section 2 of Ordinance No. 1198-04, passed June 14, 2004 as it pertains to authorizing the Director of Community Development to enter into an agreement with Amistad Development Corporation for the Lee-Harvard-Seville-Miles Community Festival.

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

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

Section 1. That Section 2 of Ordinance No. 1198-04, passed June 14, 2004 are hereby amended to reads as follows:

Section 2. That the cost of said contract shall be in an amount not to exceed \$28,500 and shall be paid from Fund No. 10 SF 166.

Section 2. That Sections 2 of Ordinance No. 1198-04, passed June 14, 2004 is hereby repealed.

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

Passed September 27, 2004.
Effective October 5, 2004.

Ord. No. 1819-04.
By Council Member Conwell.
An emergency ordinance authorizing certain persons to engage in peddling in Ward 9. (Robert Bivens)

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

Whereas, this Council has considered the requests of certain persons to engage in peddling outside of the Central Business District, and has determined that it is in the public interest to allow each of said persons to peddle in Ward 9; and

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

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

Section 1. That this Council consents, as required by, Section 675.07 of the Codified Ordinances to allow each persons named: Robert Bivens at southeast corner of Euclid Avenue and Adelbert Road.

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

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

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

Passed September 27, 2004.
Effective October 5, 2004.

Ord. No. 1825-04.
By Council Member Jackson.
An emergency ordinance authorizing the Director of Finance to participate in the Ohio Safety Incentive Program in order to entitle the City to a workers' compensation premium rebate.

Whereas, the Ohio Bureau of Workers' Compensation has notified the City of Cleveland of its eligibility to participate in the Ohio Safety Council Incentive Program (Program); and

Whereas, under the Program, the City will enroll in the local Greater Cleveland Safety Council and receive a 2% one-time workers' compensation premium rebate; and

Whereas, in order to participate in the Program, the City must submit its application to the Safety Council by September 30, 2004; and

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

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

Section 1. That the Director of Finance, on behalf of the City of Cleveland, is authorized to take all necessary steps to join and participate in the Ohio Safety Incentive Program, including enrolling the City in the local Greater Cleveland Safety Council, filing all reports, and paying the required filing fee, currently estimated at \$6,000, payable from Fund No. 01-040203-623000, Request No. 146218.

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

Passed September 27, 2004.
Effective October 5, 2004.

COUNCIL COMMITTEE MEETINGS

Monday, October 4, 2004
11:00 a.m.

Employment, Affirmative Action and Training Committee: Present in Employ: Lewis, Chair; Conwell, Vice Chair; Cintron, Coats, Reed, Polensek. *Authorized Absence:* Johnson.

Finance Committee
2:00 p.m.

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

Tuesday, October 5, 2004
9:30 a.m.

Community and Economic Development Committee: Present in CDED: Gordon, Chair; Cimperman, Vice Chair; Cintron, Coats, Lewis, Reed, Zone. *Authorized Absence:* Jones, Pierce Scott.

Legislation Committee
1:30 p.m.

Present in Legislation: White, Chair; Pierce Scott, Vice Chair; Dolan, Gordon, Rybka, Westbrook. *Authorized Absence:* Johnson.

Wednesday, October 6, 2004
10:00 a.m.

Present in Safety: Reed, Chair; Britt, Vice Chair; Brady, Cimperman, Coats, Conwell, Zone. *Authorized Absence:* Jones, White.

Public Utilities Committee
1:30 a.m.

Present in Utilities: Coats, Chair; O'Malley, Vice Chair; Brady, Polensek, Sweeney, Westbrook, Zone, Pro-Tem, Reed. *Authorized Absence:* Cintron, Jones.

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O—Ordinance; R—Resolution; F—File
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Regional Transit Authority

Greater Cleveland Regional Transit Authority — recognition (R 1959-04)..... 1916

Resolutions - Miscellaneous

American dream — national commitment — develop programs and policies (R 1863-04) 1921
 Clean Ohio Fund — Urging Governor Bob Taft — provide full funding — 2005 Capital
 Budget (R 1821-04)..... **1933**
 Cleveland Public Library — analysis — merging with the Cuyahoga County Public Library
 (R 1870-04) 1922

Rock ‘N Roll Hall of Fame Foundation

Rock and Roll Hall of Fame and Museum — Liner Notes, Fall 2004 (F 1875-04)..... 1915
 Rock-n-Roll Hall of Fame & Museum — recognition (R 1919-04) 1916

Safety Department

Corrugated tote storage system — Property Section — Division of Police (O 1849-04) 1917

Salaries

Compensation for various classifications — amend Ord. No. 384-03 (O 1814-04) 1923

Service Department

Annual America’s Walk for Diabetes, 13th — permit — American Diabetes Association
 (O 1861-04)..... 1920
 Annual Turkey Trot, 23rd — permit — Hermes Sports & Events (O 1859-04) 1920
 Cleveland Bench Bar Halloween Run — permit — Hermes Sports & Events (O 1862-04)..... 1921
 Diabetes Association of Greater Cleveland Race, The — permit — Hermes Sports & Events
 (O 1858-04)..... 1920
 E. 43rd St. — intention to vacate (R 1856-04) 1919
 Juno Jog 5K Run/Walk — permit — Hermes Sports and Events (O 1851-04) 1919
 Race for the Cure — permit — Hermes Sports & Events (O 1860-04)..... 1920

Sidewalks

W. 117th St. — levy special assessments — construct an amenity strip — sidewalk and
 emplacing tree pockets — shade trees (O 1657-04) 1923

STD Control Program

STD Control Grant Gonorrhoea Screening Project — grant — Ohio Department of Health
 (O 1848-04)..... 1917

Street Vacation

E. 43rd St. — intention to vacate (R 1856-04) 1919

United States Department of Commerce

Canal Basin Park Program — grant — U. S. Department of Commerce, National Oceanic and
 Atmospheric Administration (O 1850-04) 1917

Ward 01

Aladesamni, M.D., Dr. Oluranti — recognition (R 1940-04)..... 1916
 Amistad Development Corp. — Lee-Harvard-Seville-Miles Community Festival — amend Ord.
 No. 1198-04 (O 1818-04)..... **1934**
 Anthem Blue Cross & Blue Shield — recognition (R 1897-04) 1916
 Baker & Hostetler LLP — recognition (R 1898-04) 1916
 Barnes, Mr. Ron — recognition (R 1946-04) 1916

Black McDonald's Owners Association — recognition (R 1899-04).....	1916
Brown, Sr., James Richard — condolence (R 1887-04).....	1916
Byrd Bennett, Dr. Barbara — recognition (R 1954-04)	1916
Calfee, Halter & Griswold LLP — recognition (R 1900-04).....	1916
Call & Post Newspaper, The — recognition (R 1957-04).....	1916
City Architecture, Inc. — recognition (R 1901-04).....	1916
City of Cleveland's Division of Water — recognition (R 1933-04).....	1916
Cleveland Browns, The — recognition (R 1926-04).....	1916
Cleveland City Council — recognition (R 1902-04)	1916
Cleveland Clinic Health System, The — recognition (R 1927-04).....	1916
Cleveland Foundation, The — recognition (R 1928-04)	1916
Continental Airlines (Meeting Works) — recognition (R 1903-04)	1916
Covington, Ms. Rose Mary — recognition (R 1945-04).....	1916
Dominion East Ohio Gas Company — recognition (R 1904-04).....	1916
Eckart, Edward J. — condolence (R 1888-04)	1916
Farrell, Ph.D., Dr. Paula — recognition (R 1942-04)	1916
Feke, Ms. Maribeth — recognition (R 1949-04)	1916
Fifth Third Bank — recognition (R 1905-04).....	1916
FirstEnergy Corporation — recognition (R 1906-04)	1916
Fudge, The Honorable Marcia L., Mayor of the City of Warrensville Heights — recognition (R 1956-04)	1916
Greater Cleveland Convention & Visitors Bureau — recognition (R 1907-04)	1916
Greater Cleveland Regional Transit Authority — recognition (R 1959-04).....	1916
Greer Consulting Services Unlimited — recognition (R 1908-04)	1916
Gund Foundation, The — recognition (R 1929-04)	1916
Hamilton Brown, Ms. Terri — recognition (R 1952-04).....	1916
Haynie, M.D., Dr. Robert — recognition (R 1941-04)	1916
Huntington National Bank — recognition (R 1930-04)	1916
Industrial Inventory Solutions — recognition (R 1909-04)	1916
Integrated Consulting Services, Ltd. — recognition (R 1910-04)	1916
Kaleidoscope Magazine — recognition (R 1958-04).....	1916
KeyBank National Association — recognition (R 1911-04).....	1916
Lee Rd., 4501-05 — objection — withdraw — liquor permit (Ward 1) (R 1865-04)	1922
Marous Brothers Construction — recognition (R 1912-04)	1916
Marshall Holmes, Ms. Pamela — recognition (R 1943-04)	1916
Matlock, Jr., William E. — recognition (R 1951-04).....	1916
Medical Mutual of Ohio — recognition (R 1913-04)	1916
Modlin, M.D., Dr. Charles — recognition (R 1939-04).....	1916
National City Bank — recognition (R 1914-04)	1916
Ohio Municipal League, The — recognition (R 1931-04).....	1916
Ozanne Construction Company, Inc. — recognition (R 1915-04)	1916
Pernel Jones & Sons Funeral Home — recognition (R 1916-04).....	1916
Pianka, Judge Raymond L. — congratulation (R 1893-04).....	1916
Price, Ms. Peggy — recognition (R 1948-04).....	1916
Project Group, The — recognition (R 1932-04)	1916
Qual Choice — recognition (R 1917-04)	1916
Richard L. Bowen Architects — recognition (R 1918-04)	1916
Rock-n-Roll Hall of Fame & Museum — recognition (R 1919-04)	1916
RPM International, Inc. — recognition (R 1920-04)	1916
SBC Ohio (Cleveland) — recognition (R 1921-04).....	1916
SBC Ohio (Columbus) — recognition (R 1922-04)	1916
SBK- Brooks Investment Corporation — recognition (R 1923-04).....	1916
Sehgal, M.D., Dr. Ashwini — recognition (R 1944-04)	1916
Shore Bank Cleveland — recognition (R 1924-04).....	1916
Sislak, Mr. Kenneth — recognition (R 1947-04).....	1916
Small, Mr. Eric L. — recognition (R 1950-04).....	1916
Squire, Sanders & Dempsey LLP — recognition (R 1925-04).....	1916
Third Federal Savings & Loan — recognition (R 1935-04)	1916
Tubbs-Jones, The Honorable Stephanie, Congresswoman 11th Congressional District — recognition (R 1953-04)	1916
Turner Construction Company — recognition (R 1936-04)	1916
US Bank— recognition (R 1937-04)	1916
WAVE 107.3, The — recognition (R 1934-04).....	1916
White, The Honorable Michael R., 54th Mayor of the City of Cleveland — recognition (R 1955-04)	1916
Xerox Corporation — recognition (R 1938-04)	1916

Ward 02

Brown, Jr., Oscar — condolence (R 1890-04)..... 1916
 Eckart, Edward J. — condolence (R 1888-04) 1916
 Pianka, Judge Raymond L. — congratulation (R 1893-04)..... 1916
 Turney Rd., 4525 — objection — withdraw — liquor permit (R 1866-04)..... 1922

Ward 03

Aladesamni, M.D., Dr. Oluranti — recognition (R 1940-04)..... 1916
 Anthem Blue Cross & Blue Shield — recognition (R 1897-04) 1916
 Baker & Hostetler LLP — recognition (R 1898-04) 1916
 Barnes, Mr. Ron — recognition (R 1946-04) 1916
 Black McDonald’s Owners Association — recognition (R 1899-04)..... 1916
 Byrd Bennett, Dr. Barbara — recognition (R 1954-04) 1916
 Calfee, Halter & Griswold LLP — recognition (R 1900-04)..... 1916
 Call & Post Newspaper, The — recognition (R 1957-04)..... 1916
 City Architecture, Inc. — recognition (R 1901-04)..... 1916
 City of Cleveland’s Division of Water — recognition (R 1933-04)..... 1916
 Cleveland Browns, The — recognition (R 1926-04)..... 1916
 Cleveland City Council — recognition (R 1902-04) 1916
 Cleveland Clinic Health System, The — recognition (R 1927-04)..... 1916
 Cleveland Foundation, The — recognition (R 1928-04) 1916
 Continental Airlines (Meeting Works) — recognition (R 1903-04) 1916
 Covington, Ms. Rose Mary — recognition (R 1945-04)..... 1916
 Dominion East Ohio Gas Company — recognition (R 1904-04)..... 1916
 Eckart, Edward J. — condolence (R 1888-04) 1916
 Farrell, Ph.D., Dr. Paula — recognition (R 1942-04) 1916
 Feke, Ms. Maribeth — recognition (R 1949-04) 1916
 Fifth Third Bank — recognition (R 1905-04)..... 1916
 FirstEnergy Corporation — recognition (R 1906-04) 1916
 Fudge, The Honorable Marcia L., Mayor of the City of Warrensville Heights — recognition
 (R 1956-04) 1916
 Greater Cleveland Convention & Visitors Bureau — recognition (R 1907-04) 1916
 Greater Cleveland Regional Transit Authority — recognition (R 1959-04)..... 1916
 Greer Consulting Services Unlimited — recognition (R 1908-04) 1916
 Gund Foundation, The — recognition (R 1929-04) 1916
 Hamilton Brown, Ms. Terri — recognition (R 1952-04)..... 1916
 Haynie, M.D., Dr. Robert — recognition (R 1941-04) 1916
 Huntington National Bank — recognition (R 1930-04) 1916
 Industrial Inventory Solutions — recognition (R 1909-04) 1916
 Integrated Consulting Services, Ltd. — recognition (R 1910-04) 1916
 Kaleidoscope Magazine — recognition (R 1958-04)..... 1916
 KeyBank National Association — recognition (R 1911-04)..... 1916
 Marous Brothers Construction — recognition (R 1912-04) 1916
 Marshall Holmes, Ms. Pamela — recognition (R 1943-04) 1916
 Martin Luther King Jr. Dr., 3832 — objection — liquor permit (Ward 3) (R 1823-04)..... **1933**
 Matlock, Jr., William E. — recognition (R 1951-04)..... 1916
 Medical Mutual of Ohio — recognition (R 1913-04) 1916
 Modlin, M.D., Dr. Charles — recognition (R 1939-04)..... 1916
 National City Bank — recognition (R 1914-04) 1916
 Ohio Municipal League, The — recognition (R 1931-04)..... 1916
 Ozanne Construction Company, Inc. — recognition (R 1915-04) 1916
 Pernel Jones & Sons Funeral Home — recognition (R 1916-04)..... 1916
 Pianka, Judge Raymond L. — congratulation (R 1893-04)..... 1916
 Price, Ms. Peggy — recognition (R 1948-04)..... 1916
 Project Group, The — recognition (R 1932-04) 1916
 Qual Choice — recognition (R 1917-04) 1916
 Richard L. Bowen Architects — recognition (R 1918-04) 1916
 Rock-n-Roll Hall of Fame & Museum — recognition (R 1919-04) 1916
 RPM International, Inc. — recognition (R 1920-04) 1916
 SBC Ohio (Cleveland) — recognition (R 1921-04)..... 1916
 SBC Ohio (Columbus) — recognition (R 1922-04) 1916
 SBK- Brooks Investment Corporation — recognition (R 1923-04)..... 1916
 Sehgal, M.D., Dr. Ashwini — recognition (R 1944-04) 1916
 Shore Bank Cleveland — recognition (R 1924-04)..... 1916
 Sislak, Mr. Kenneth — recognition (R 1947-04)..... 1916
 Small, Mr. Eric L. — recognition (R 1950-04)..... 1916
 Squire, Sanders & Dempsey LLP — recognition (R 1925-04)..... 1916

Third Federal Savings & Loan — recognition (R 1935-04)	1916
Tubbs-Jones, The Honorable Stephanie, Congresswoman 11th Congressional District — recognition (R 1953-04)	1916
US Bank— recognition (R 1937-04)	1916
WAVE 107.3, The — recognition (R 1934-04)	1916
White, The Honorable Michael R., 54th Mayor of the City of Cleveland — recognition (R 1955-04)	1916
Xerox Corporation — recognition (R 1938-04)	1916

Ward 06

Aladesamni, M.D., Dr. Oluranti — recognition (R 1940-04)	1916
Anthem Blue Cross & Blue Shield — recognition (R 1897-04)	1916
Baker & Hostetler LLP — recognition (R 1898-04)	1916
Barnes, Mr. Ron — recognition (R 1946-04)	1916
Black McDonald's Owners Association — recognition (R 1899-04)	1916
Byrd Bennett, Dr. Barbara — recognition (R 1954-04)	1916
Calfee, Halter & Griswold LLP — recognition (R 1900-04)	1916
Call & Post Newspaper, The — recognition (R 1957-04)	1916
City Architecture, Inc. — recognition (R 1901-04)	1916
City of Cleveland's Division of Water — recognition (R 1933-04)	1916
Cleveland Browns, The — recognition (R 1926-04)	1916
Cleveland City Council — recognition (R 1902-04)	1916
Cleveland Clinic Health System, The — recognition (R 1927-04)	1916
Cleveland Foundation, The — recognition (R 1928-04)	1916
Continental Airlines (Meeting Works) — recognition (R 1903-04)	1916
Covington, Ms. Rose Mary — recognition (R 1945-04)	1916
Dominion East Ohio Gas Company — recognition (R 1904-04)	1916
Eckart, Edward J. — condolence (R 1888-04)	1916
Farrell, Ph.D., Dr. Paula — recognition (R 1942-04)	1916
Feke, Ms. Maribeth — recognition (R 1949-04)	1916
Fifth Third Bank — recognition (R 1905-04)	1916
FirstEnergy Corporation — recognition (R 1906-04)	1916
Fudge, The Honorable Marcia L., Mayor of the City of Warrensville Heights — recognition (R 1956-04)	1916
Greater Cleveland Convention & Visitors Bureau — recognition (R 1907-04)	1916
Greater Cleveland Regional Transit Authority — recognition (R 1959-04)	1916
Greer Consulting Services Unlimited — recognition (R 1908-04)	1916
Gund Foundation, The — recognition (R 1929-04)	1916
Hamilton Brown, Ms. Terri — recognition (R 1952-04)	1916
Haynie, M.D., Dr. Robert — recognition (R 1941-04)	1916
Huntington National Bank — recognition (R 1930-04)	1916
Industrial Inventory Solutions — recognition (R 1909-04)	1916
Integrated Consulting Services, Ltd. — recognition (R 1910-04)	1916
Interact Cleveland — InterAct Hunger Center program — grant agreement — amend Ord. No. 1687-04 (O 1817-04)	1934
Juno Jog 5K Run/Walk — permit — Hermes Sports and Events (O 1851-04)	1919
Kaleidoscope Magazine — recognition (R 1958-04)	1916
KeyBank National Association — recognition (R 1911-04)	1916
Larchmere Blvd., 12102 — new — liquor permit (Ward 6) (F 1882-04)	1916
Marous Brothers Construction — recognition (R 1912-04)	1916
Marshall Holmes, Ms. Pamela — recognition (R 1943-04)	1916
Matlock, Jr., William E. — recognition (R 1951-04)	1916
Medical Mutual of Ohio — recognition (R 1913-04)	1916
Modlin, M.D., Dr. Charles — recognition (R 1939-04)	1916
National City Bank — recognition (R 1914-04)	1916
Ohio Municipal League, The — recognition (R 1931-04)	1916
Ozanne Construction Company, Inc. — recognition (R 1915-04)	1916
Pernel Jones & Sons Funeral Home — recognition (R 1916-04)	1916
Pianka, Judge Raymond L. — congratulation (R 1893-04)	1916
Price, Ms. Peggy — recognition (R 1948-04)	1916
Project Group, The — recognition (R 1932-04)	1916
Qual Choice — recognition (R 1917-04)	1916
Richard L. Bowen Architects — recognition (R 1918-04)	1916
Rock-n-Roll Hall of Fame & Museum — recognition (R 1919-04)	1916
RPM International, Inc. — recognition (R 1920-04)	1916
SBC Ohio (Cleveland) — recognition (R 1921-04)	1916
SBC Ohio (Columbus) — recognition (R 1922-04)	1916
SBK- Brooks Investment Corporation — recognition (R 1923-04)	1916

Sehgal, M.D., Dr. Ashwini — recognition (R 1944-04) 1916
 Shore Bank Cleveland — recognition (R 1924-04)..... 1916
 Sislak, Mr. Kenneth — recognition (R 1947-04)..... 1916
 Small, Mr. Eric L. — recognition (R 1950-04)..... 1916
 Squire, Sanders & Dempsey LLP — recognition (R 1925-04)..... 1916
 Third Federal Savings & Loan — recognition (R 1935-04) 1916
 Tubbs-Jones, The Honorable Stephanie, Congresswoman 11th Congressional District —
 recognition (R 1953-04) 1916
 Turner Construction Company — recognition (R 1936-04) 1916
 US Bank— recognition (R 1937-04) 1916
 Walcott, Lamuel J. — condolence (R 1889-04)..... 1916
 WAVE 107.3, The — recognition (R 1934-04) 1916
 White, The Honorable Michael R., 54th Mayor of the City of Cleveland — recognition
 (R 1955-04) 1916
 Xerox Corporation — recognition (R 1938-04) 1916

Ward 07

E. 88th St. — Land Reutilization Program — Ora D. Gildersleeve (O 1284-04)..... 1923
 Eckart, Edward J. — condolence (R 1888-04) 1916
 Pianka, Judge Raymond L. — congratulation (R 1893-04)..... 1916
 Russell Ave. — Land Reutilization Program — Yolanda Gilcrease (O 785-03)..... 1923

Ward 08

Aladesamni, M.D., Dr. Oluranti — recognition (R 1940-04)..... 1916
 Anthem Blue Cross & Blue Shield — recognition (R 1897-04) 1916
 Baker & Hostetler LLP — recognition (R 1898-04) 1916
 Barnes, Mr. Ron — recognition (R 1946-04) 1916
 Black McDonald's Owners Association — recognition (R 1899-04)..... 1916
 Byrd Bennett, Dr. Barbara — recognition (R 1954-04) 1916
 Calfee, Halter & Griswold LLP — recognition (R 1900-04)..... 1916
 Call & Post Newspaper, The — recognition (R 1957-04)..... 1916
 City Architecture, Inc. — recognition (R 1901-04)..... 1916
 City of Cleveland's Division of Water — recognition (R 1933-04)..... 1916
 Cleveland Browns, The — recognition (R 1926-04)..... 1916
 Cleveland City Council — recognition (R 1902-04) 1916
 Cleveland Clinic Health System, The — recognition (R 1927-04)..... 1916
 Cleveland Foundation, The — recognition (R 1928-04) 1916
 Continental Airlines (Meeting Works) — recognition (R 1903-04) 1916
 Covington, Ms. Rose Mary — recognition (R 1945-04)..... 1916
 Dominion East Ohio Gas Company — recognition (R 1904-04)..... 1916
 Eckart, Edward J. — condolence (R 1888-04) 1916
 Farrell, Ph.D., Dr. Paula — recognition (R 1942-04) 1916
 Feke, Ms. Maribeth — recognition (R 1949-04) 1916
 Fifth Third Bank — recognition (R 1905-04)..... 1916
 FirstEnergy Corporation — recognition (R 1906-04) 1916
 Fudge, The Honorable Marcia L., Mayor of the City of Warrensville Heights — recognition
 (R 1956-04) 1916
 Glenville Homes, III L.P. — Land Reutilization Program — scattered sites (O 1775-04) 1923
 Greater Cleveland Convention & Visitors Bureau — recognition (R 1907-04) 1916
 Greater Cleveland Regional Transit Authority — recognition (R 1959-04)..... 1916
 Greer Consulting Services Unlimited — recognition (R 1908-04) 1916
 Gund Foundation, The — recognition (R 1929-04) 1916
 Hamilton Brown, Ms. Terri — recognition (R 1952-04)..... 1916
 Haynie, M.D., Dr. Robert — recognition (R 1941-04) 1916
 Holland, Johnnie Lee Rhode — congratulation (R 1892-04)..... 1916
 Huntington National Bank — recognition (R 1930-04) 1916
 Industrial Inventory Solutions — recognition (R 1909-04) 1916
 Integrated Consulting Services, Ltd. — recognition (R 1910-04) 1916
 Kaleidoscope Magazine — recognition (R 1958-04)..... 1916
 KeyBank National Association — recognition (R 1911-04)..... 1916
 Marous Brothers Construction — recognition (R 1912-04) 1916
 Marshall Holmes, Ms. Pamela — recognition (R 1943-04) 1916
 Matlock, Jr., William E. — recognition (R 1951-04)..... 1916
 Medical Mutual of Ohio — recognition (R 1913-04) 1916
 Modlin, M.D., Dr. Charles — recognition (R 1939-04)..... 1916
 National City Bank — recognition (R 1914-04) 1916
 Ohio Municipal League, The — recognition (R 1931-04)..... 1916

Ozanne Construction Company, Inc. — recognition (R 1915-04)	1916
Pernel Jones & Sons Funeral Home — recognition (R 1916-04).....	1916
Pianka, Judge Raymond L. — congratulation (R 1893-04).....	1916
Price, Ms. Peggy — recognition (R 1948-04).....	1916
Project Group, The — recognition (R 1932-04)	1916
Qual Choice — recognition (R 1917-04)	1916
Richard L. Bowen Architects — recognition (R 1918-04)	1916
Rock-n-Roll Hall of Fame & Museum — recognition (R 1919-04)	1916
RPM International, Inc. — recognition (R 1920-04)	1916
SBC Ohio (Cleveland) — recognition (R 1921-04).....	1916
SBC Ohio (Columbus) — recognition (R 1922-04).....	1916
SBK- Brooks Investment Corporation — recognition (R 1923-04).....	1916
Sehgal, M.D., Dr. Ashwini — recognition (R 1944-04)	1916
Shore Bank Cleveland — recognition (R 1924-04).....	1916
Sislak, Mr. Kenneth — recognition (R 1947-04).....	1916
Small, Mr. Eric L. — recognition (R 1950-04).....	1916
Squire, Sanders & Dempsey LLP — recognition (R 1925-04).....	1916
Third Federal Savings & Loan — recognition (R 1935-04)	1916
Tubbs-Jones, The Honorable Stephanie, Congresswoman 11th Congressional District — recognition (R 1953-04)	1916
Turner Construction Company — recognition (R 1936-04)	1916
US Bank— recognition (R 1937-04)	1916
WAVE 107.3, The — recognition (R 1934-04)	1916
White, The Honorable Michael R., 54th Mayor of the City of Cleveland — recognition (R 1955-04)	1916
Xerox Corporation — recognition (R 1938-04)	1916

Ward 09

Aladesamni, M.D., Dr. Oluranti — recognition (R 1940-04).....	1916
Anthem Blue Cross & Blue Shield — recognition (R 1897-04)	1916
Arlington Ave., 12425-27-29 — transfer — liquor permit (F 1885-04).....	1916
Baker & Hostetler LLP — recognition (R 1898-04)	1916
Barnes, Mr. Ron — recognition (R 1946-04)	1916
Bivens, Robert — peddling (Ward 9) (O 1819-04).....	1934
Black McDonald's Owners Association — recognition (R 1899-04).....	1916
Byrd Bennett, Dr. Barbara — recognition (R 1954-04)	1916
Calfee, Halter & Griswold LLP — recognition (R 1900-04).....	1916
Call & Post Newspaper, The — recognition (R 1957-04).....	1916
City Architecture, Inc. — recognition (R 1901-04).....	1916
City of Cleveland's Division of Water — recognition (R 1933-04).....	1916
Cleveland Browns, The — recognition (R 1926-04).....	1916
Cleveland City Council — recognition (R 1902-04)	1916
Cleveland Clinic Health System, The — recognition (R 1927-04).....	1916
Cleveland Foundation, The — recognition (R 1928-04)	1916
Continental Airlines (Meeting Works) — recognition (R 1903-04)	1916
Covington, Ms. Rose Mary — recognition (R 1945-04).....	1916
Dominion East Ohio Gas Company — recognition (R 1904-04).....	1916
Eckart, Edward J. — condolence (R 1888-04)	1916
Farrell, Ph.D., Dr. Paula — recognition (R 1942-04)	1916
Feke, Ms. Maribeth — recognition (R 1949-04)	1916
Fifth Third Bank — recognition (R 1905-04).....	1916
FirstEnergy Corporation — recognition (R 1906-04)	1916
Fudge, The Honorable Marcia L., Mayor of the City of Warrensville Heights — recognition (R 1956-04)	1916
Greater Cleveland Convention & Visitors Bureau — recognition (R 1907-04)	1916
Greater Cleveland Regional Transit Authority — recognition (R 1959-04).....	1916
Greer Consulting Services Unlimited — recognition (R 1908-04)	1916
Gund Foundation, The — recognition (R 1929-04)	1916
Hamilton Brown, Ms. Terri — recognition (R 1952-04).....	1916
Haynie, M.D., Dr. Robert — recognition (R 1941-04)	1916
Hough Homes, L.P. — Land Reutilization Program — scattered sites (O 1789-04).....	1923
Huntington National Bank — recognition (R 1930-04)	1916
Industrial Inventory Solutions — recognition (R 1909-04)	1916
Integrated Consulting Services, Ltd. — recognition (R 1910-04)	1916
Kaleidoscope Magazine — recognition (R 1958-04).....	1916
KeyBank National Association — recognition (R 1911-04).....	1916
Marous Brothers Construction — recognition (R 1912-04)	1916
Marshall Holmes, Ms. Pamela — recognition (R 1943-04)	1916

Matlock, Jr., William E. — recognition (R 1951-04)..... 1916
 Medical Mutual of Ohio — recognition (R 1913-04) 1916
 Modlin, M.D., Dr. Charles — recognition (R 1939-04)..... 1916
 National City Bank — recognition (R 1914-04) 1916
 Ohio Municipal League, The — recognition (R 1931-04)..... 1916
 Ozanne Construction Company, Inc. — recognition (R 1915-04) 1916
 Pernel Jones & Sons Funeral Home — recognition (R 1916-04)..... 1916
 Pianka, Judge Raymond L. — congratulation (R 1893-04)..... 1916
 Price, Ms. Peggy — recognition (R 1948-04)..... 1916
 Project Group, The — recognition (R 1932-04) 1916
 Qual Choice — recognition (R 1917-04) 1916
 Richard L. Bowen Architects — recognition (R 1918-04) 1916
 Rock-n-Roll Hall of Fame & Museum — recognition (R 1919-04) 1916
 RPM International, Inc. — recognition (R 1920-04) 1916
 SBC Ohio (Cleveland) — recognition (R 1921-04) 1916
 SBC Ohio (Columbus) — recognition (R 1922-04) 1916
 SBK- Brooks Investment Corporation — recognition (R 1923-04)..... 1916
 Sehgal, M.D., Dr. Ashwini — recognition (R 1944-04) 1916
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 Sislak, Mr. Kenneth — recognition (R 1947-04)..... 1916
 Small, Mr. Eric L. — recognition (R 1950-04)..... 1916
 Squire, Sanders & Dempsey LLP — recognition (R 1925-04)..... 1916
 Third Federal Savings & Loan — recognition (R 1935-04) 1916
 Tubbs-Jones, The Honorable Stephanie, Congresswoman 11th Congressional District —
 recognition (R 1953-04) 1916
 Turner Construction Company — recognition (R 1936-04) 1916
 US Bank— recognition (R 1937-04) 1916
 WAVE 107.3, The — recognition (R 1934-04) 1916
 White, The Honorable Michael R., 54th Mayor of the City of Cleveland — recognition
 (R 1955-04) 1916
 Xerox Corporation — recognition (R 1938-04) 1916

Ward 10

Aladesamni, M.D., Dr. Oluranti — recognition (R 1940-04)..... 1916
 Anthem Blue Cross & Blue Shield — recognition (R 1897-04) 1916
 Baker & Hostetler LLP — recognition (R 1898-04) 1916
 Barnes, Mr. Ron — recognition (R 1946-04) 1916
 Black McDonald's Owners Association — recognition (R 1899-04)..... 1916
 Byrd Bennett, Dr. Barbara — recognition (R 1954-04) 1916
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 Eckart, Edward J. — condolence (R 1888-04) 1916
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 (R 1956-04) 1916
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 Integrated Consulting Services, Ltd. — recognition (R 1910-04) 1916
 Kaleidoscope Magazine (R 1958-04)..... 1916
 Marous Brothers Construction (R 1912-04)..... 1916

Marshall Holmes, Ms. Pamela (R 1943-04).....	1916
Matlock, Jr., William E. (R 1951-04).....	1916
Modlin, M.D., Dr. Charles (R 1939-04).....	1916
National City Bank (R 1914-04).....	1916
Ozanne Construction Company, Inc. (R 1915-04).....	1916
Pernel Jones & Sons Funeral Home — recognition (R 1916-04).....	1916
Pianka, Judge Raymond L. — congratulation (R 1893-04).....	1916
Price, Ms. Peggy — recognition (R 1948-04).....	1916
Project Group, The — recognition (R 1932-04).....	1916
Qual Choice — recognition (R 1917-04).....	1916
Richard L. Bowen Architects — recognition (R 1918-04).....	1916
Rock-n-Roll Hall of Fame & Museum — recognition (R 1919-04).....	1916
RPM International, Inc. — recognition (R 1920-04).....	1916
SBC Ohio (Cleveland) — recognition (R 1921-04).....	1916
SBC Ohio (Columbus) — recognition (R 1922-04).....	1916
SBK- Brooks Investment Corporation — recognition (R 1923-04).....	1916
Sehgal, M.D., Dr. Ashwini — recognition (R 1944-04).....	1916
Shore Bank Cleveland — recognition (R 1924-04).....	1916
Sislak, Mr. Kenneth — recognition (R 1947-04).....	1916
Small, Mr. Eric L. — recognition (R 1950-04).....	1916
Squire, Sanders & Dempsey LLP — recognition (R 1925-04).....	1916
Third Federal Savings & Loan — recognition (R 1935-04).....	1916
Tubbs-Jones, The Honorable Stephanie, Congresswoman 11th Congressional District — recognition (R 1953-04).....	1916
Turner Construction Company — recognition (R 1936-04).....	1916
US Bank— recognition (R 1937-04).....	1916
WAVE 107.3, The — recognition (R 1934-04).....	1916
White, The Honorable Michael R., 54th Mayor of the City of Cleveland — recognition (R 1955-04).....	1916
Xerox Corporation — recognition (R 1938-04).....	1916

Ward 11

Eckart, Edward J. — condolence (R 1888-04).....	1916
Pianka, Judge Raymond L. — congratulation (R 1893-04).....	1916
Saranac Rd., 15929 — transfer — liquor permit (F 1884-04).....	1916

Ward 12

Eckart, Edward J. — condolence (R 1888-04).....	1916
Kaptur, Congresswoman Marcy — congratulation (R 1895-04).....	1916
Leibold, Dolores — congratulation (R 1896-04).....	1916
Mocniak, Albert — congratulation (R 1894-04).....	1916
Pianka, Judge Raymond L. — congratulation (R 1893-04).....	1916

Ward 13

Annual America's Walk for Diabetes, 13th — permit — American Diabetes Association (O 1861-04).....	1920
Annual Turkey Trot, 23rd — permit — Hermes Sports & Events (O 1859-04).....	1920
Cleveland Bench Bar Halloween Run — permit — Hermes Sports & Events (O 1862-04).....	1921
Diabetes Association of Greater Cleveland Race, The — permit — Hermes Sports & Events (O 1858-04).....	1920
Eckart, Edward J. — condolence (R 1888-04).....	1916
Pianka, Judge Raymond L. — congratulation (R 1893-04).....	1916
Race for the Cure — permit — Hermes Sports & Events (O 1860-04).....	1920
St. Clair Ave., 2222 — transfer — liquor permit (F 1886-04).....	1916
St. Clair Ave., 5505 — transfer — liquor permit (F 1883-04).....	1916
W. 25th St., 1822-26 — objection — withdraw — liquor permit (R 1826-04).....	1934

Ward 14

Eckart, Edward J. — condolence (R 1888-04).....	1916
Pianka, Judge Raymond L. — congratulation (R 1893-04).....	1916

Ward 15

Bush Ave., 4519 — objection — withdraw — liquor permit (R 1822-04).....	1933
Eckart, Edward J. — condolence (R 1888-04).....	1916

Old Brooklyn Neighborhood Services, Inc. — grant agreement — Old Brooklyn Residential Safety & Health program — Ward 15 & 16 NEF (O 1867-04).....	1921
Pianka, Judge Raymond L. — congratulation (R 1893-04).....	1916

Ward 16

Eckart, Edward J. — condolence (R 1888-04)	1916
Old Brooklyn Neighborhood Services, Inc. — grant agreement — Old Brooklyn Residential Safety & Health program — Ward 15 & 16 NEF (O 1867-04).....	1921
Pianka, Judge Raymond L. — congratulation (R 1893-04).....	1916

Ward 17

Aladesamni, M.D., Dr. Oluranti — recognition (R 1940-04).....	1916
Anthem Blue Cross & Blue Shield — recognition (R 1897-04)	1916
Baker & Hostetler LLP — recognition (R 1898-04)	1916
Barnes, Mr. Ron — recognition (R 1946-04)	1916
Black McDonald's Owners Association — recognition (R 1899-04).....	1916
Byrd Bennett, Dr. Barbara — recognition (R 1954-04)	1916
Calfee, Halter & Griswold LLP — recognition (R 1900-04).....	1916
Call & Post Newspaper, The — recognition (R 1957-04).....	1916
City Architecture, Inc. — recognition (R 1901-04).....	1916
City of Cleveland's Division of Water — recognition (R 1933-04).....	1916
Cleveland Browns, The — recognition (R 1926-04).....	1916
Cleveland City Council — recognition (R 1902-04)	1916
Cleveland Clinic Health System, The — recognition (R 1927-04).....	1916
Cleveland Foundation, The — recognition (R 1928-04)	1916
Continental Airlines (Meeting Works) — recognition (R 1903-04)	1916
Covington, Ms. Rose Mary — recognition (R 1945-04).....	1916
Dominion East Ohio Gas Company — recognition (R 1904-04).....	1916
Eckart, Edward J. — condolence (R 1888-04)	1916
Farrell, Ph.D., Dr. Paula — recognition (R 1942-04)	1916
Feke, Ms. Maribeth — recognition (R 1949-04)	1916
Fifth Third Bank — recognition (R 1905-04).....	1916
FirstEnergy Corporation — recognition (R 1906-04)	1916
Fudge, The Honorable Marcia L., Mayor of the City of Warrensville Heights — recognition (R 1956-04)	1916
Greater Cleveland Convention & Visitors Bureau — recognition (R 1907-04)	1916
Greater Cleveland Regional Transit Authority — recognition (R 1959-04).....	1916
Greer Consulting Services Unlimited — recognition (R 1908-04)	1916
Gund Foundation, The — recognition (R 1929-04)	1916
Hamilton Brown, Ms. Terri — recognition (R 1952-04).....	1916
Haynie, M.D., Dr. Robert — recognition (R 1941-04)	1916
Huntington National Bank — recognition (R 1930-04)	1916
Industrial Inventory Solutions — recognition (R 1909-04)	1916
Integrated Consulting Services, Ltd. — recognition (R 1910-04)	1916
Kaleidoscope Magazine — recognition (R 1958-04).....	1916
KeyBank National Association — recognition (R 1911-04).....	1916
Marous Brothers Construction — recognition (R 1912-04)	1916
Marshall Holmes, Ms. Pamela — recognition (R 1943-04)	1916
Matlock, Jr., William E. — recognition (R 1951-04).....	1916
Medical Mutual of Ohio — recognition (R 1913-04)	1916
Modlin, M.D., Dr. Charles — recognition (R 1939-04).....	1916
National City Bank — recognition (R 1914-04)	1916
Ohio Municipal League, The — recognition (R 1931-04).....	1916
Ozanne Construction Company, Inc. — recognition (R 1915-04)	1916
Pernel Jones & Sons Funeral Home — recognition (R 1916-04).....	1916
Pianka, Judge Raymond L. — congratulation (R 1893-04).....	1916
Price, Ms. Peggy — recognition (R 1948-04).....	1916
Project Group, The — recognition (R 1932-04)	1916
Qual Choice — recognition (R 1917-04)	1916
Richard L. Bowen Architects — recognition (R 1918-04)	1916
Rock-n-Roll Hall of Fame & Museum — recognition (R 1919-04)	1916
RPM International, Inc. — recognition (R 1920-04)	1916
SBC Ohio (Cleveland) — recognition (R 1921-04)	1916
SBC Ohio (Columbus) — recognition (R 1922-04).....	1916
SBK- Brooks Investment Corporation — recognition (R 1923-04).....	1916
Sehgal, M.D., Dr. Ashwini — recognition (R 1944-04)	1916
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Sislak, Mr. Kenneth — recognition (R 1947-04).....	1916
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US Bank— recognition (R 1937-04)	1916
WAVE 107.3, The — recognition (R 1934-04).....	1916
White, The Honorable Michael R., 54th Mayor of the City of Cleveland — recognition (R 1955-04)	1916
Xerox Corporation — recognition (R 1938-04)	1916

Ward 18

Eckart, Edward J. — condolence (R 1888-04)	1916
Pianka, Judge Raymond L. — congratulation (R 1893-04).....	1916
W. 117th St. — levy special assessments — construct an amenity strip — sidewalk and emplacing tree pockets — shade trees (O 1657-04)	1923

Ward 19

Eckart, Edward J. — condolence (R 1888-04)	1916
Pianka, Judge Raymond L. — congratulation (R 1893-04).....	1916

Ward 20

Eckart, Edward J. — condolence (R 1888-04)	1916
Pianka, Judge Raymond L. — congratulation (R 1893-04).....	1916
Puritas Ave., 13925 — objection — withdraw — liquor permit (R 1824-04).....	1934
W. 130th St. (west side) — from Sprecher Ave. to Crossburn Ave. change the zoning — Local Retail Business Use District (O 1525-04)	1926

Ward 21

Eckart, Edward J. — condolence (R 1888-04)	1916
Harnk, Richard — condolence (R 1891-04)	1916
Lorain Ave., 16800 — appropriate property — elimination of blight and nuisance (R 1816-04)	1933
Pianka, Judge Raymond L. — congratulation (R 1893-04).....	1916

Water Division

City of Cleveland's Division of Water — recognition (R 1933-04).....	1916
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Zoning

W. 130th St. (west side) — from Sprecher Ave. to Crossburn Ave. change the zoning — Local Retail Business Use District (O 1525-04)	1926
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