

# The City Record

Official Publication of the Council of the City of Cleveland



May the Twenty-Eighth, Two Thousand and Three

**Jane L. Campbell**  
Mayor

**Frank G. Jackson**  
President of Council

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

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

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PRESORTED STANDARD  
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CLEVELAND, OHIO  
Permit No. 1372

# DIRECTORY OF CITY OFFICIALS

## CITY COUNCIL – LEGISLATIVE

President of Council – Frank G. Jackson

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

City Clerk, Clerk of Council – Valarie J. McCall, 216 City Hall, 664-2840

First Assistant Clerk – Sandra Franklin

### MAYOR – Jane L. Campbell

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

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

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

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

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

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

DEPT. OF PORT CONTROL – John C. Mok, Director  
 Cleveland Hopkins International Airport, 5300 Riverside Drive  
 Burke Lakefront Airport – Khalid Bahhur, Commissioner  
 Cleveland Hopkins International Airport – Fred Szabo, Commissioner

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

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

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

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

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

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

DEPT. OF PARKS, RECREATION & PROPERTIES – James Glending, Acting Director

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

DEPT. OF COMMUNITY DEVELOPMENT – Linda M. Hudecek, Director, 3rd Floor, City Hall  
 DIVISIONS: Administrative Services – Terrence Ross, Commissioner  
 Neighborhood Services – Louise V. Jackson, Commissioner  
 Neighborhood Development – Sharon Dumas, Commissioner

DEPT. OF BUILDING AND HOUSING – James G. Williams, Director, Room 500  
 DIVISIONS: Code Enforcement – \_\_\_\_\_, Commissioner  
 Construction Permitting – \_\_\_\_\_, Commissioner

DEPT. OF PERSONNEL AND HUMAN RESOURCES – Eduardo A. Romero, Director, Room 121

DEPT. OF ECONOMIC DEVELOPMENT – Steven Sims, Director, Room 210

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

DEPT. OF CONSUMER AFFAIRS – Kenya Taylor, Director

COMMUNITY RELATIONS BOARD – Room 11, \_\_\_\_\_, 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, Matthew Dotson.

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

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

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

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

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

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

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

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

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

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

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

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

BOARD OF EXAMINERS OF ELECTRICIANS – Samuel Montfort, Chairman; Donald Baulknigh, 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	13C
Judge Ronald B. Adrine	15A
Judge C. Ellen Connally	15C
Judge Sean C. Gallagher	12C
Judge Emanuella Groves	12B
Judge Mabel M. Jasper	14D
Judge Kathleen Ann Keough	13D
Judge Mary E. Kilbane	14C
Judge Ralph J. Perk, Jr.	14B
Judge Raymond L. Pianka (Housing Court Judge)	13B
Judge Angela R. Stokes	13A
Judge Robert J. Triozzi	14A
Judge Joseph J. Zone	12A

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

# The City Record



OFFICIAL PUBLICATION OF THE COUNCIL OF THE CITY OF CLEVELAND

Vol. 90

WEDNESDAY, MAY 28, 2003

No. 4668

## CITY COUNCIL

MONDAY, MAY 26, 2003

### The City Record

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City Clerk, Clerk of Council  
216 City Hall

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

#### MONDAY

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

#### MONDAY—Alternating

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

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

#### MONDAY

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

#### TUESDAY

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

#### TUESDAY—Alternating

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

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

#### WEDNESDAY—Alternating

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

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

#### WEDNESDAY—Alternating

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

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

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

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

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

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

### OFFICIAL PROCEEDINGS CITY COUNCIL

NO MEETING

### THE CALENDAR

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

NONE

### BOARD OF CONTROL

May 21, 2003

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, May 21, 2003, at 10:30 a.m. with Mayor Campbell presiding.

Present: Mayor Campbell, Acting Directors Horvath, Janik, Directors Konicek, Mok, Ricchiuto, Acting Directors Carroll, Smith, Ronayne, Resseger, Directors Romero, Sims and Williams.

Absent: Directors Fumich and Taylor.

Others: Myrna Branche, Commissioner, Purchases and Supplies.

Henry Guzman, Director, Office of Equal Opportunity.

On motion, the following resolutions were adopted.

#### Resolution No. 296-03.

By Director Baker.

Resolved, by the Board of Control of the City of Cleveland that the bid of Allstate Industrial, Inc., for an estimated quantity of first aid supplies, all items, for the various divisions of City government, for the period of two (2) years beginning with the date of execution of a contract, received on April 17, 2003, pursuant to the authority of Ordinance No. 420-03, passed March 31, 2003, which on the basis of the estimated quantity would amount to Thirty Five Thousand Four Hundred Sixty-Two and 50/100 Dollars (\$35,462.50), 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 Nos. 137216 & 120179 which shall be certified against such contract in the sum of One Thousand Eight Hundred and 00/100 Dollars (\$1,800).

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 that in accordance with Section 181.25(a) of the Codified Ordinances of Cleveland, Ohio 1976, the informality and irregularity of the insufficiency of the bid check submitted by Allstate Industrial Inc. in the amount of \$100.50, which is less than ten percent (10%) of the required amount under the provision of Section 181.24 C.O., is hereby waived for the reason that such waiver is in the public interest.

Yeas: Mayor Campbell, Acting Directors Horvath, Janik, Directors Konicek, Mok, Ricchiuto, Acting Directors Carroll, Smith, Ronayne, Resseger, Directors Romero, Sims and Williams.

Nays: None.

Absent: Directors Fumich and Taylor.

**Resolution No. 297-03.**

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by Creative Works, Inc., under the contract for the 2002 and 2003 Water Quality Report for the Department of Public Utilities, authorized by Ordinance No. 2373-02, passed February 10, 2003, and Board of Control Resolution No. 226-03, adopted April 23, 2003, is hereby approved:

Subcontractor	Work	Percentage
ASIST Translation Services	\$ 9,200.00	2.31%
Alice Paul Direct Mail Service	\$154,210.00	38.76%
Don Snyder Photography, Inc.	\$ 5,600.00	1.41%
Hiney Printing Company	\$119,500.00	30.03%
Island Technology LLC	\$ 4,800.00	1.21%

Yeas: Mayor Campbell, Acting Directors Horvath, Janik, Directors Konicek, Mok, Ricchiuto, Acting Directors Carroll, Smith, Ronayne, Resseger, Directors Romero, Sims and Williams.

Nays: None.

Absent: Directors Fumich and Taylor.

**Resolution No. 298-03.**

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Hughes Supply, Inc. for the following: an estimated quantity of stop cock boxes for water system maintenance, equipment, (all items), for the Division of Water, Department of Public Utilities, received on March 20, 2003, pursuant to the authority of Section 129.25 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the order quantities would amount to Fifty Six Thousand Three Hundred Eighty Five Dollars and 00/100 Cents (\$56,385.00), is hereby approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into contract for such items.

Yeas: Mayor Campbell, Acting Directors Horvath, Janik, Directors Konicek, Mok, Ricchiuto, Acting Directors Carroll, Smith, Ronayne, Resseger, Directors Romero, Sims and Williams.

Nays: None.

Absent: Directors Fumich and Taylor.

**Resolution No. 299-03.**

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Hughes Supply, Inc. for an estimated quantity of adjustable valve boxes for water system maintenance equipment (Items 1, 2, 5, and 6) for the Division of Water, Department of Public Utilities, for a period of two (2) years beginning with the date of execution of a contract, received on the 13th day of March, 2003, pursuant to the author-

ity of Section 129.25 of the Codified Ordinances of Cleveland Ohio, 1976, which on the basis of the estimated quantity would amount to Sixty Two Thousand Six Hundred Fifty Dollars and 00/100 Cents (\$62,650.00), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 135581 which shall be certified against such contract in the sum of Ten Thousand Dollars and 00/100 Cents (\$10,000.00).

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

Yeas: Mayor Campbell, Acting Directors Horvath, Janik, Directors Konicek, Mok, Ricchiuto, Acting Directors Carroll, Smith, Ronayne, Resseger, Directors Romero, Sims and Williams.

Nays: None.

Absent: Directors Fumich and Taylor.

**Resolution No. 300-03.**

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Julian Supply for an estimated quantity of adjustable valve boxes for water system maintenance equipment (Items 3 and 4) for the Division of Water, Department of Public Utilities, for a period of two (2) years beginning with the date of execution of a contract, received on the 13th day of March, 2003, pursuant to the authority of Section 129.25 of the Codified Ordinances of Cleveland Ohio, 1976, which on the basis of the estimated quantity would amount to Sixty One Thousand One Hundred Ten Dollars and 00/100 Cents (\$61,110.00) (NET 30), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition 135906 which shall be certified against such contract in the sum of Ten Thousand Dollars and 00/100 Cents (\$10,000.00).

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

Yeas: Mayor Campbell, Acting Directors Horvath, Janik, Directors Konicek, Mok, Ricchiuto, Acting Directors Carroll, Smith, Ronayne, Resseger, Directors Romero, Sims and Williams.

Nays: None.

Absent: Directors Fumich and Taylor.

**Resolution No. 301-03.**

By Director Mok.

Resolved, by the Board of Control of the City of Cleveland that the bid of Consolidated Electrical Distributors, Inc., d.b.a. Leader Electric Supply Co., Inc., for labor and materials necessary to provide electrical parts and equipment to maintain, repair and modify existing airfield, parking and terminal lighting systems, items 3, 5, through 7, 9, 11 through 14, 16 through 21, 29 through 38, 41 and 42, for the various divisions of the Department of Port Control, for a period not to exceed one year beginning with the date of execution of a contract, received on the 30th of October, 2002, pursuant to the authority of Ordinance No. 124-02, passed on March 25, 2002, which on the basis of the estimated quantity would amount to One Hundred Thirty Nine Thousand Six and 24/100 Dollars (\$139,006.24), is hereby affirmed and approved as the lowest and best bid, and the Director of Port Control is hereby requested to enter into a requirement contract for such labor and materials necessary, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 133308 which shall be certified against such contract in the sum of Forty-Five Thousand and 00/100 Dollars (\$45,000.00).

Said requirement contract shall further provide that the Contractor shall furnish the remainder of the City's requirement for such labor and materials, whether more or less than said estimated quantity, as may be ordered under subsequent requisitions separately certified against said contract and which, together with all other contracts entered into under the above ordinance, does not exceed a total of \$480,000.00.

Yeas: Mayor Campbell, Acting Directors Horvath, Janik, Directors Konicek, Mok, Ricchiuto, Acting Directors Carroll, Smith, Ronayne, Resseger, Directors Romero, Sims and Williams.

Nays: None.

Absent: Directors Fumich and Taylor.

**Resolution No. 302-03.**

By Director Mok.

Resolved, by the Board of Control of the City of Cleveland that the following bids for item nos. 10, 15, 22 through 28 received on October 30, 2002, for labor and materials necessary to maintain and repair FAA approved runway, taxiway, and airfield lighting systems, Phase II Electrical Parts, for the various divisions of the Department of Port Control, Cleveland Hopkins International Airport, pursuant to the authority of Ordinance No. 124-02, passed by the Council of the City of Cleveland on March 25, 2002, be and the same are hereby rejected.

Yeas: Mayor Campbell, Acting Directors Horvath, Janik, Directors Konicek, Mok, Ricchiuto, Acting Directors Carroll, Smith, Ronayne, Resseger, Directors Romero, Sims and Williams.

Nays: None.

Absent: Directors Fumich and Taylor.

**Resolution No. 303-03.**

By Acting Director Glending.  
 Resolved, by the Board of Control of the City of Cleveland that the bid of Hillcrest Food Service for an estimated quantity of various food items (Bid I: 1 - 22) (Bid II: 23 - 178), for the Division of Recreation, Department of Parks, Recreation and Properties, for the period three (3) months, beginning with the date of execution of a contract, received on the 17th day of April 2003, pursuant to the authority of Ordinance No. 170-03, passed March 3, 2003, which on the basis of the estimated quantity would amount to Seventy Six Thousand Six Hundred Eleven and 33/100 Dollars (\$76,611.33), is hereby affirmed and approved as the lowest and best bid, and the Director of Parks, Recreation and Properties is hereby requested to enter into requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 136634 which shall be certified against such contract in the sum of Twenty Five Thousand and 00/100 Dollars (\$25,000.00).  
 Said requirement contract shall further provide that the Contractor will furnish the remainder of the requirement for such commodities, whether more or less than said estimated quantity, as may be ordered under subsequent requisitions separately certified against said.  
 Yeas: Mayor Campbell, Acting Directors Horvath, Janik, Directors Konicek, Mok, Ricchiuto, Acting Directors Carroll, Smith, Ronayne, Resseger, Directors Romero, Sims and Williams.  
 Nays: None.  
 Absent: Directors Fumich and Taylor.

**Resolution No. 304-03.**

By Director Hudecek.  
 Whereas, pursuant to Ordinance No. 2076-76 passed October 25, 1976, the City is conducting a Land Reutilization Program in accordance with the provision of Chapter 5722 of the Ohio Revised Code; and  
 Whereas, City has acquired Permanent Parcel No. 127-02-011 under said Land Reutilization Program; and  
 Whereas, Ordinance No. 42-03 passed April 14, 2003, authorized the sale of said parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and  
 Whereas, Shear Service, Inc, has proposed to the City to purchase and develop said parcel; now, therefore,  
 Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 42-03 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 Shear Service, Inc, for the sale and development of Permanent Parcel No. 127-02-011, 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

\$10.00, and the conveyance of Permanent Parcel No. 127-07-004 to KINBESS LLC for the use in the Redevelopment of the Kinsman Road/East 80th Street/East 81st Street Project Area, said amount and the conveyance are hereby determined to be not less than the fair market value of said parcel for uses in accordance with the Land Reutilization Program.  
 Yeas: Mayor Campbell, Acting Directors Horvath, Janik, Directors Konicek, Mok, Ricchiuto, Acting Directors Carroll, Smith, Ronayne, Resseger, Directors Romero, Sims and Williams.  
 Nays: None.  
 Absent: Directors Fumich and Taylor.

**Resolution No. 305-03.**

By Director Mok.  
 Be it resolved by the Board of Control of the City of Cleveland that the bid of Blaze Building Corp., for the public improvement of demolishing, relocating and constructing certain NASA facilities in order to permit the construction of Runway 5L-23R, including base bid and Alternate No. 5 and Alternate No. 7, for the Division of Cleveland Hopkins International Airport, Department of Port Control, received on April 9, 2003, pursuant to the authority of Ordinances Nos. 2015-2000 and 1234-2000, passed May 14, 2001, and July 17, 2000, upon a unit basis for the improvement, in the aggregate amount of Seven Million One Hundred Eighty-Five Thousand, Ninety and 20/100 Dollars (\$7,185,090.20), is hereby affirmed and approved as the lowest responsible bid, and the Director of Port Control is hereby authorized to enter into a contract for said improvement with said bidder.  
 Be it further resolved that the employment of the following subcontractors of Blaze Building Corp., hereby is approved:

<u>Subcontractor(s)</u>	<u>Dollar</u>
<u>MBE/FBE%</u>	<u>Amount</u>
McTech Corp., D.B.A. Tech Ready Mix	
0.84% — MBE	\$ 60,000.00
Granger Trucking Company, Inc.	
11.69% — MBE	\$840,000.00
Cuyahoga Supply and Tool, Inc.	
0.25% — FBE	\$ 18,000.00

Yeas: Mayor Campbell, Acting Directors Horvath, Janik, Directors Konicek, Mok, Ricchiuto, Acting Directors Carroll, Smith, Ronayne, Resseger, Directors Romero, Sims and Williams.  
 Nays: None.  
 Absent: Directors Fumich and Taylor.

**Resolution No. 306-03.**

By Directors Ricchiuto, Hudecek and Konicek.  
 Be it resolved by the Board of Control of the City of Cleveland, that the bid of Fabrizi Trucking & Paving Company Inc., for the public improvement of Arbor Park Village — Phase 2 (Items 1 through 178), for the Division of Engineering and Construction, Departments of Public Service, Community Development, and Public Utilities, received on May 8, 2003, pursuant to the author-

ity of Ordinance No. 427-03, passed April 14, 2003, upon a unit basis for the improvement, in the aggregate amount of Three Million, Five Hundred Twenty-One Thousand, Two Hundred Fifty-Three and 50/100 Dollars (\$3,521,253.50), is hereby affirmed and approved as the lowest responsible bid; and the Directors of Public Service, Community Development and Public Utilities are hereby authorized to enter into contract for said improvement with said bidder.

Be it further resolved that the employment of the following subcontractors by Fabrizi Trucking & Paving Company Inc. for the aforementioned public improvement hereby is approved:

Tech Ready Mix	
5000 Crayton Avenue	
Cleveland, Ohio 44104	
MBE — 15.91% —	\$560,000.00
Friedel Trucking Company, Inc.	
5714 Archmere Avenue	
Cleveland, Ohio 44144	
FBE — 0.86% —	\$30,000.00
Julian Supply Company	
16300 Waterloo	
Cleveland, Ohio 44121	
FBE — 0.91% —	\$32,000.00

Yeas: Mayor Campbell, Acting Directors Horvath, Janik, Directors Konicek, Mok, Ricchiuto, Acting Directors Carroll, Smith, Ronayne, Resseger, Directors Romero, Sims and Williams.  
 Nays: None.  
 Absent: Directors Fumich and Taylor.  
 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

**CIVIL SERVICE NOTICE****ANNOUNCEMENTS - 2003  
6/2/03 - 6/6/03**

Announcement No.	Type Exam	Classification
167	EE	Mechanical Handyman (Non Comp)
168	EE	Real Estate Maintenance Worker (Non Comp)
169	EE	Water Plant Operator I (Non Comp)

**PROOF OF CITY RESIDENCY**

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

Lease - from rental agency.

Lease - from independent party. Must include copy of cancelled check or money order receipts for previous rent and/or security deposit, and fully executed; otherwise, it is unacceptable.

Utility bills bearing the property address **and** your name.

Post Office change of address form properly date stamped.

Official documents relating to home ownership including deed, purchase agreement, or insurance policy.

Bank statements (Within last three months).

School registration of children.

Car insurance documents.

Car registration **or** Driver's License **or** Ohio I.D. (**One only**).

Loans and credit card statements (Within last three months).

Rental contracts (e.g.: furniture, tools, car, etc.).

Current bills not listed above (Within last three months).

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

Library cards.

Voter registration cards.

Birth certificates.

Notarized letters or affidavits.

Social Security card.

Rental receipts from independent party without cancelled checks or money order receipt.

**APPROVED C.S.C MINUTES  
ANNOUNCEMENT NO. 167****MECHANICAL HANDYMAN (Non Comp)**

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of a non-competitive examination for the above mentioned classification.

**SALARY**

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$14.54 to \$16.54 per hour.

**FILING OF APPLICATION**

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. **APPLICATIONS WILL BE RECEIVED FOR ENTRANCE TO THE EXAMINATION FROM 8:30 A.M. ON MONDAY, JUNE 2, 2003 UNTIL 4:30 P.M. ON FRIDAY, JUNE 6, 2003.**

**NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M ON FRIDAY, JUNE 6, 2003.**

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

**EXAMINATION INFORMATION**

**TYPE: EXPERIENCE EVALUATION:** Applicant's grade will be determined based on Education and Experience found in Resume.

**NOTE:** Each applicant is required to submit a detailed resume of his/her education and experience at the time of filing application.

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

**DUTIES OF THE POSITION**

Under supervision, to perform miscellaneous skilled and semiskilled shop, maintenance, or construction work requiring considerable mechanical ability; and to perform related duties as required.

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

Applicant must be currently a Temporary Appointee with the City of Cleveland in this classification as of February 14, 2002.

**NOTE:** All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Applications will not be accept-

ed if copies are not submitted with application at time of filing. Civil Service Commission, will make copies for a standard fee.

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

**AN EQUAL OPPORTUNITY EMPLOYER****APPROVED C.S.C. MINUTES  
ANNOUNCEMENT NO. 168****REAL ESTATE MAINTENANCE  
WORKER (Non Comp)**

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of a non-competitive examination for the above mentioned classification.

**SALARY**

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$14.75 to \$16.75 per hour.

**FILING OF APPLICATION**

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. **APPLICATIONS WILL BE RECEIVED FOR ENTRANCE TO THE EXAMINATION FROM 8:30 A.M. ON MONDAY, JUNE 2, 2003 UNTIL FRIDAY, JUNE 6, 2003.**

**NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON FRIDAY, JUNE 6, 2003.**

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

**EXAMINATION INFORMATION**

**TYPE: EXPERIENCE EVALUATION:** Applicant's grade will be determined based on Education and Experience found in Resume.

**NOTE:** Each applicant is required to submit a detailed resume of his/her education and experience at the time of filing application.

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

**DUTIES OF THE POSITION**

Maintains properties and structures under the jurisdiction of the City of Cleveland. Supervises the work of students and other seasonal employees in maintaining said properties and structures.

**MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF**

**THE CITY OF CLEVELAND ARE AS FOLLOWS:**

Applicant must be currently a Temporary Appointee with the City of Cleveland in this classification as of February 14, 2002.

**NOTE:** All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Applications will not be accepted if copies are not submitted with application at time of filing. Civil Service Commission will make copies for a standard fee.

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

**AN EQUAL OPPORTUNITY EMPLOYER**

APPROVED C.S.C. MINUTES  
ANNOUNCEMENT NO. 169

**WATER PLANT OPERATOR I (Non Comp)**

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of a non-competitive examination for the above mentioned classification.

**SALARY**

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$15.70 to \$19.69 per hour.

**FILING OF APPLICATION**

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE RECEIVED FOR ENTRANCE TO THE EXAMINATION FROM 8:30 A.M. ON MONDAY, JUNE 2, UNTIL 4:30 P.M. FRIDAY, JUNE 6, 2003.

**NOTE:** APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON FRIDAY, JUNE 6, 2003.

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

**EXAMINATION INFORMATION**

**TYPE: EXPERIENCE EVALUATION:** Applicant's grade will be determined based on Education and Experience found in Resume.

**NOTE:** Each applicant is required to submit a detailed resume of his/her education and experience at the time of filing application.

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

**DUTIES OF THE POSITION**

Under direct supervision, assists in the operation on Water Works equipment including valves, pumps, and filters. Monitors equipment performance. Maintains records related to equipment operation. Monitors pump temperatures and oil levels. Activates and deactivates pumps based on temperature level. Monitors raw water station and clearwell operations. Checks boiler pressure. Checks chemical levels and refills chemicals as necessary. Maintains logs of chemical usage. Monitors and records filter and backwash filter operations. Checks sub-pump operations and monitors trac vac system. Performs other job-related duties as required.

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

Applicant must be currently a Temporary Appointee with the City of Cleveland in this classification as of February 14, 2002.

**NOTE:** All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Applications will not be accepted if copies are not submitted with application at time of filing. Civil Service Commission will make copies for a standard fee.

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

**AN EQUAL OPPORTUNITY EMPLOYER**

REYNALDO GALINDO,  
President

May 28, 2003

**SCHEDULE OF THE BOARD OF ZONING APPEALS**

**TUESDAY, JUNE 9, 2003**

**9:30 A.M.**

**Calendar No. 03-117:** 4467-71 West 20th Street (Ward 15)

Michelle Winland, owner, appeals to install approximately 115 linear feet of 6' high wooden fencing with a gate to the front and side yards of an 80' x 110' parcel located in an A1 One-Family District on the east side of West 20th Street at 4467-71 West 20th Street; said installation being contrary to the Fence Regulations, where a 6' high solid fence is proposed in the setback area and fences in the actual side street yard shall not exceed 4' in height and shall be at least 50% open as stated in Section 358.04(a) of the Codified Ordinances.

**Calendar No. 03-123:** 9333 Miles Avenue (Ward 2)

Allen Chapel Missionary Baptist Church, owners c/o Lucille Allen, appeal to construct an approximate

105' x 134' one-story church building with accessory parking for 95 spaces all situated on an approximate 339' x 346' irregular shaped parcel located in a Two-Family District and a General Retail Business District on the east side of East 93rd Street and on the north side of Miles Avenue at 9333 Miles Avenue; said construction being contrary to the Residential District Requirements of Section 337.03, where in a Two-Family District a church and accessory uses must be located not less than 15' from any adjoining premises in a residential district as regulated in a One-Family District, Section 337.02(e)(1) and requires Board of Zoning Appeals approval and contrary to the Off-Street Parking and Loading Requirements, where the proposed parking abuts a residential district and screening is required where the parking lot abuts a residence or a residential district as stated in Section 349.08 of the Codified Ordinances.

**Calendar No. 03-124:** 3136 Audubon Boulevard (Ward 4)

Dorothy Solomon, owner, appeals to enclose an existing 4' - 6" x 6' - 4" rear porch and construct a 15' x 20' one-story frame addition to the rear of an existing two-story house all situated on an approximate 50' x 179' parcel located in a Two-Family District on the west side of Audubon Boulevard at 3136 Audubon Boulevard; said construction being contrary to the Yards and Courts Requirements, where the proposed construction is 1' from the property line and no building shall be less than 3' from the property line as stated in Section 357.09(b)(2) of the Codified Ordinances.

**Calendar No. 03-125:** 4142-46 Lorain Avenue (Ward 14)

Harry Pallas, owner, appeals to convert 2 one-story storefront spaces into a tavern and a restaurant with patio seating all situated on a 40' x 132' parcel located in a Local Retail Business District on the north side of Lorain Avenue at 4142-4146 Lorain Avenue; said conversion being contrary to the Off-Street Parking and Loading Requirements, where no parking spaces are clearly shown on the plan and 44 parking spaces are required as stated in Section 349.04 of the Codified Ordinances.

**Calendar No. 03-126:** Appeal of Marvin Chernin, 2910 Hampton Road (Ward 4)

Marvin Chernin appeals under Chapter 76-6 of the Charter of the City of Cleveland and Section 329.03 and Section 349.08 of the Codified Ordinances, where parking shall be screened as stated by the Director of Building and Housing.

**Calendar Nos. 03-127-136:** 3606 Prospect Avenue, Lot Nos. 1-10 (Ward 5)

City of Cleveland, owner c/o Miriam Colen, appeal to construct 10 townhouse units on a 50' x 170' corner parcel located in a Semi-Industry District on the south side of Prospect Avenue on the east side of East 36th Street at 3606 Prospect Avenue; said construction being contrary to the Area Requirements of Section 355.04(a), where the maximum gross floor area permitted is 8,500 sq. ft. and 13,088 sq. ft. is pro-

posed and contrary to the Yards and Courts Requirements of Section 357.04(a), where a 7'-6" front yard setback is required and none is proposed and Section 357.08, where a 20' rear yard setback is required and 14' is proposed and where a 16' distance between buildings is proposed and 40' is required as stated in Section 357.15 of the Codified Ordinances.

EUGENE CRANFORD, JR.,  
Secretary

### REPORT OF THE BOARD OF ZONING APPEALS

TUESDAY, MAY 27, 2003

At the meeting of the Board of Zoning Appeals on Tuesday, May 27, 2003, the following appeals were heard by the Board:

The following appeals were **Approved**:

**Calendar No. 03-111:** 9709 Nelson Avenue

A. Dunham, owner, and Shirley Lovelace, tenant, appealed to construct an 8' x 14'-6" two-story room addition to the rear of a two-story frame house on a 40' x 115' parcel in a Two-Family District.

**Calendar No. 03-112:** 4901-4903 Denison Avenue

Ed Pierson appealed to construct a 10'-4" x 32' two-story room addition with garages on the first level to the rear of a two-story frame, four dwelling house on a 44' x 248' parcel in a General Retail Business District.

**Calendar No. 03-114:** 4209 West 24th Street

Susan and Robert Jackson appealed to construct an 8' x 27' open front deck and a 4' x 6' decorative pond to the front of a 1 1/2-story frame house in a Multi-Family District.

**Calendar No. 03-115:** 2935 Minnie Avenue

New Israel Missionary Baptist Church appealed to construct a parking lot for 19 cars on a 60' x 150' parcel in a Two-Family District; subject to conditions.

**Calendar No. 03-116:** 10532 St. Clair Avenue

Great Lakes CB appealed to construct a 63' x 77' one-story masonry retail use building on an 81' x 151' corner parcel in a Local Retail Business District.

**Calendar No. 03-121:** 17877 St. Clair Avenue

17877 Property Ltd. appealed to establish use of sections of a 35' x 340' two-story masonry building as a day care facility in a Semi-Industry and General Industry District; subject to conditions.

**Calendar No. 03-72:** 10737-39 Lee Avenue

Pearl Petty appealed to enclose a 9'-6" x 40'-6" open front porch of a 37'-6" x 40'-6" house in a Multi-Family District; subject to conditions.

**Calendar No. 03-35:** 6402 Lansing Avenue

Louis Sainato, owner, and Patricia Cole, tenant, appealed to change the

use of a 38' x 100' one-story building into a day care on a 40' x 140' parcel in a Local Retail Business District; subject to conditions.

The following appeal was **Denied**:

**Calendar No. 03-39:** Appeal of 1476 Davenport Ltd. Partnership, 1613-1825 Davenport Avenue

1476 Davenport Ltd. Partnership appealed from a violation notice issued by the Department of Building and Housing.

The following appeals were **Postponed**:

**Calendar No. 03-93:** 2170 East 97th Street postponed to June 16, 2003.

**Calendar No. 03-94:** 1900 East 93rd Street postponed to June 16, 2003.

**Calendar No. 03-95:** 9404 Cedar Avenue postponed to June 16, 2003.

**Calendar No. 03-96:** 2169 East 97th Street postponed to June 16, 2003.

**Calendar No. 03-97:** 2173 East 105th Street postponed to June 16, 2003.

**Calendar No. 03-113:** 2164 West 5th Street postponed to June 9, 2003.

**On Tuesday, May 27, 2003, in Executive Session:**

The following appeals were heard by the Board on Monday, May 19, 2003, and said decision was approved and adopted in Executive Session on Tuesday, May 27, 2003:

The following appeals were **Approved**:

**Calendar No. 03-104:** 4111 East 100th Street

Loretta Copeland appealed to install 324 linear feet of 6' high chain link fencing around most of the perimeter and 88' of 6' high wood fencing around the remaining portion of a 38' x 202' parcel in a Two-Family District; subject to a revised plan.

**Calendar No. 03-109:** 16501 Edgecliff Avenue

Walid M. Dardir appealed to install 4' high ornamental fencing around the front and 6' high chain link fencing around part of the rear of a 40' x 120' corner parcel in a One-Family District; subject to a revised plan.

The following appeals were **Denied**:

**Calendar No. 03-105:** Appeal of Pamela Ruff, PPN 103-23-008

Pamela Ruff appealed from the decision of the Commissioner of Park Maintenance and Properties to abate the nuisance and bill the owner regarding permanent parcel no. 103-23-008.

**Calendar No. 03-110:** Appeal of Oscar Fragozo, Hack License Suspension

Oscar Fragozo appealed from the suspension of a City of Cleveland Hack License issued April 14, 2003 by the Commissioner of Assessments and Licenses.

**Calendar No. 03-73:** 995 East 140th Street

Elnora Reeves appealed to change the use of a one-story masonry building from boat sales and service

to auto repair and sales in a Two-Family District.

The following appeal was **Dismissed**:

**Calendar No. 03-75:** 2130 East 55th Street

City Mission appealed to install 310 linear feet of 6' high chain link fencing to the east and south of an 86' x 100' corner parcel in a Semi-Industry District.

EUGENE CRANFORD, JR.,  
Secretary

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

Re: Report of the Meeting of  
May 21, 2003

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

\* \* \*

#### Docket A-4-03.

RE: Appeal of RRST Partnership, Owner of the Property located on the premises known as 2232 Rockwell Avenue from an ADJUDICATION ORDER of the Commissioner of the Department of Building and Housing, dated January 09, 2002, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

Docket A-4-03 has been WITHDRAWN at the request of the Appellant.

\* \* \*

#### Docket A-6-03.

RE: Appeal of NCL Enterprises Inc., Owner of the Two Story Frame Semi Industry Property located on the premises known as 1444 East 49th Street from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE of the Commissioner of the Department of Building and Housing, dated January 3, 2003, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

Docket A-6-03 has been WITHDRAWN at the request of the Appellant.

\* \* \*

#### Docket A-19-03.

RE: Appeal of Catholic Charities Facilities Corp., Owner of the Property located on the premises known as 1736 Superior Avenue, from an ADJUDICATION ORDER of the Commissioner of the Department of Building and Housing, dated January 27, 2003, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to grant the maximum occupancy of the facility, 150 total people, granting the required exceptions to the plumbing fixture count, noting that the adjacent fixtures can be used by the residents, and also noting that a sprinkler system will be installed in the gymna-



sium and the main north/south corridor on the first floor, the stairwell, and the north stairwell, with the provision that the fire stopping and proper rating of the firewall be inspected and adjusted as required. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Saab. Yeas: Messrs. Denk, Saunders, Saab, Bradley. Nays: None. Absent: Mr. Gallagher.

\* \* \*

**Docket A-26-03.**

RE: Appeal of 16800 West Lorain Road Inc., Owner of the One & One/half Story Masonry/Wood Property located on the premises known as 16800 Lorain Road from an ORDER TO VACATE/NOTICE OF VIOLATION — SMOKE DETECTORS/UNAUTHORIZED USE/ELEVATOR of the Commissioner of the Department of Building and Housing, dated January 28, 2003, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

No action this date on Docket A-26-03; the docket will be rescheduled for June 4, 2003.

\* \* \*

**Docket A-43-03.**

RE: Appeal of Sun America Mortgage Company, Mortgagee of the One Dwelling Unit Two & One/half Story Frame Residential Property located on the premises known as 13016 Griffin Avenue from a 30 DAY CONDEMNATION ORDER — MS of the Commissioner of the Department of Building and Housing, dated March 5, 2003, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant a one (1) month extension of time on the 30 Day Condemnation Order — MS with the provision that the grounds immediately begin to be groomed and maintained, and that the boarding be secured and be maintained during that period of time; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Saab.

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

\* \* \*

**Docket A-44-03.**

RE: Appeal of Shaker West, L.L.C., Owner of the Property located on the premises known as 12600 Shaker Boulevard, from a NOTICE OF VIOLATION — FIRE CODE of the Chief of the Division of Fire, dated March 5, 2003, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

Docket A-44-03 has been POSTPONED; to be rescheduled for June 4, 2003.

\* \* \*

**Docket A-45-03.**

RE: Appeal of First Rate Rental, LLC, Owner of the Two Dwelling Units/Two Story Frame Residential Property located on the premises known as 7805 Dearborn Avenue from a NOTICE OF VIOLATION —

ELECTRICAL of the Commissioner of the Department of Building and Housing, dated March 10, 2003, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

Docket A-45-03 has been POSTPONED; to be rescheduled for June 4, 2003.

\* \* \*

**OTHER BOARD BUSINESS:**

**Docket A-1-03.**

RE: Appeal of JoAnne Flynn, Owner of the One & One/half Story Residential Property located on the premises known as 2141 West 47th Street from a 30 DAY CONDEMNATION ORDER — MS of the Commissioner of the Department of Building and Housing, dated December 10, 2002 with an extended compliance date of January 6, 2003; this case was scheduled and heard March 12, 2003, which appellant was not present; the case was REMANDED to the Department of Building and Housing for further action; appellant states that because her youngest daughter was hospitalized the night before caused her to miss her scheduled hearing date; therefore, appellant request that the docket be reopened so that she can give testimony and be given an opportunity to get an extension of time in which to comply with the violations.

BE IT RESOLVED, a motion is in order at this time to grant an extension to the Vacate Order of no more than two (2) months; the property is REMANDED at this time to the Department of Building and Housing to ascertain the adequacy of the sanitary facilities and to provide any supervision or required action. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Saab.

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

\* \* \*

**APPROVAL OF RESOLUTIONS:**

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

- A-24-03—Cleola Vester.
- A-41-03—Cort Shoe Associates LP.
- A-50-03—Agora Promotions, Inc.

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

**APPROVAL OF MINUTES:**

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

May 7, 2003

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

EUGENE CRANFORD, JR.,  
Secretary

**PUBLIC NOTICE**

NONE

**NOTICE OF PUBLIC HEARING**

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

**Mercedes Cotner Committee Room 217  
City Hall, Cleveland, Ohio  
On Monday, June 9, 2003  
9:00 A.M.**

Notice is hereby given to all interested property owners that the Council Committee on City Planning will hold a public hearing in the Mercedes Cotner Committee Room 217, City Hall, Cleveland, Ohio, on Monday, June 9, 2003, at 2:30 P.M., to consider the following ordinances now pending in the Council:

**Ord. No. 606-03.**

By Council Member Zone.  
An ordinance to change the zoning of property south of Franklin Boulevard near West 81st Street to a Parking District (Map Change No. 2074, Sheet No. 1)

All interested persons are urged to be present or to be represented at the above time and place.

JOSEPH C. CIMPERMAN,  
Chairman  
Committee on City Planning

May 28, 2003 and June 4, 2003

**CITY OF CLEVELAND BIDS**

**For All Departments**

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

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

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

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

ply with the business enterprise code or with representations made on these forms may result in cancellation of the contract or other civil or criminal penalties."

WEDNESDAY, JUNE 4, 2003

**Digital Voice Recording**, for the Division of Police, Department of Public Safety, as authorized by Ordinance No. 2167-01, passed by the Council of the City of Cleveland, April 8, 2002.

THERE WILL BE A PRE-BID MEETING FRIDAY, MAY 30, 2003, AT 1:00 P.M., 3RD DISTRICT POLICE STATION FIRST FLOOR, 2100 PAYNE AVE. (USE BACK DOOR), CLEVELAND, OHIO.

May 21, 2003 and May 28, 2003

WEDNESDAY, JUNE 11, 2003

**Purchase of Pharmaceutical Supplies**, for the Division of Correction, Department of Public Health, as authorized by Ordinance No. 497-03, passed by the Council of the City of Cleveland, April 14, 2003.

THERE WILL BE A PRE-BID MEETING, THURSDAY, MAY 29, 2003, AT 11:00 A.M. AT THE HOUSE OF CORRECTION CONFERENCE ROOM, 4041 NORTHFIELD ROAD, HIGHLAND HILLS, OHIO 44122.

May 21, 2003 and May 28, 2003

THURSDAY, JUNE 12, 2003

**Norfolk & Southern Railroad (Noise Wall & Landscaping Various Locations)**, for Division of Engineering & Construction, Department of Public Service, as authorized by Ordinance No. 1398-2000, passed by the Council of the City of Cleveland, November 13, 2000.

THERE WILL BE A MANDATORY PRE-BID MEETING, THURSDAY, JUNE 5, 2003 AT 10:00 A.M., CITY HALL, LOCATED AT 601 LAKESIDE AVE., ROOM 514, CLEVELAND, OHIO 44114.

**The Purchase and Installation of One (1) Auto Dialer System**, for the Division of Cleveland Public Power, Department of Public Service, as authorized by Ordinance No. 1081-02, passed by the Council of the City of Cleveland, July 17, 2002.

THERE WILL BE A MANDATORY PRE-BID MEETING THURSDAY, JUNE 5, 2003 AT 11:00 A.M., CLEVELAND PUBLIC POWER, LOCATED AT 1300 LAKESIDE AVE., CLEVELAND, OHIO 44114.

May 21, 2003 and May 28, 2003

THURSDAY, JUNE 5, 2003

**Dorchester Stormwater Outlet Demolition**, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 1522-02, passed by the Council of the City of Cleveland, October 21, 2002.

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

THERE WILL BE A MANDATORY PRE-BID MEETING HELD ON MONDAY, JUNE 9, 2003 AT 10:00 A.M., DIVISION OF WATER POL-

LUTION CONTROL, 12302 KIRBY AVENUE, CLEVELAND, OHIO 44108.

May 28, 2003 and June 4, 2003

FRIDAY, JUNE 13, 2003

**The Purchase of an Atomic Absorption Spectrometer for Blood Lead Analysis**, for the Division of Environment, Department of Public Health, as authorized by Ordinance No. 548-03, passed by the Council of the City of Cleveland, April 14, 2003.

THERE WILL BE A PRE-BID MEETING, FRIDAY, JUNE 6, 2003 AT 10:00 A.M., CLEVELAND DEPARTMENT OF PUBLIC HEALTH, 1925 ST. CLAIR AVENUE, CLEVELAND, OHIO 44114.

**Summer Food Program II — Camp George L. Forbes**, for the Division of Recreation, Department of Parks, Recreation & Properties, as authorized by Ordinance No. 170-03, passed by the Council of the City of Cleveland, March 3, 2003.

THERE WILL BE A PRE-BID MEETING, THURSDAY, JUNE 5, 2003 AT 10:00 A.M., DIVISION OF RECREATION, ROOM 8, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

May 28, 2003 and June 4, 2003

#### ADOPTED RESOLUTIONS AND ORDINANCES

Res. No. 911-03.

By Council Members Dolan and Jones.

**An emergency resolution encouraging the Ohio state legislature to pass a law making .08 for blood alcohol content the standard for driving under the influence of alcohol.**

Whereas, in December, 1998, the President sought to make a .08 blood alcohol content a national standard and announced that states would receive federal transportation money when they lowered the limit to .08 for drunk-driving; and

Whereas, two years later, 30 states, including Ohio, still had not lowered their limits for drunk-driving; and

Whereas, Congress then stated that any state that does not pass a .08 law by October 1, 2003, will face a reduction in federal highway funding; and

Whereas, the State of Ohio still has not passed a law adopting .08 as the standard for drunk-driving; and

Whereas, if Ohio fails to pass such a law, it will lose 2% of its highway money in 2004; which amount will increase by 2% per year until it reaches the maximum of 8% in 2007; and

Whereas, this amounts to tens of millions of dollars potentially lost to the State of Ohio by 2007; and

Whereas arguably, passing a .08 law could save 500 lives annually; and

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

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

**Section 1.** That this Council hereby encourages the Ohio state legis-

lature to pass a law making .08 for blood alcohol content the standard for driving under the influence of alcohol.

**Section 2.** That the Clerk is hereby directed to transmit copies of this resolution to members of the Ohio state legislature.

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

Adopted May 19, 2003.

Effective May 27, 2003.

Res. No. 912-03.

By Council Members Conwell, Scott, Zone and Jones.

**An emergency resolution declaring this Council's support of the City's efforts to upgrade its traffic signal system and equipment.**

Whereas, traffic signal technology has advanced significantly in recent years; and

Whereas, these advancements include the ability to adjust signals in response to the number of vehicles on the road, the ability to link one traffic light to another, and the ability to adjust signals with a computer; and

Whereas, upgrading traffic signals and instituting new technology to monitor and control traffic signals will result in fewer traffic delays, better traffic progression, and improved air quality; and

Whereas, the City of Cleveland, Division of Traffic Engineering, is in the process of upgrading its traffic signal system and equipment; and

Whereas, the Commissioner of Traffic Engineering has indicated that the goal is to establish a city-wide traffic signal system that could be monitored and controlled from City Hall; and

Whereas, this Council is supportive of these efforts; and

Whereas, there may be federal funding available to assist the City of Cleveland in its efforts to improve its traffic signal system; and

Whereas, this Council encourages the Director of Public Service and Commissioner of Traffic Engineering to research and apply for any grants that may be available to assist the City in its efforts to upgrade its traffic signal system and equipment; and

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

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

**Section 1.** That this Council hereby declares its support of the City's efforts to upgrade its traffic signal system and equipment.

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

Adopted May 19, 2003.

Effective May 27, 2003.

**Res. No. 919-03.**  
**By Council Members Dolan, Sweeney and O'Malley.**

**An emergency resolution declaring this Council's desire, interest and commitment to work toward establishing a permanent sister city relationship with Mayo County Parish of Achill, Ireland.**

Whereas, Achill Parish, located in County Mayo, Ireland, is known for its striking beauty and is home to one of the world's finest fishing regions; and

Whereas, over 85% of the 250,000 Irish in Greater Cleveland trace their ancestral origins to the Parish of Achill; and

Whereas, many of the Mayo County Achill Parish Irish originally settled in "Irish bend", along the Cuyahoga River, south of Detroit and east of West 25th Street; and

Whereas, representatives of the City of Cleveland and Mayo County Achill Parish have expressed interest in an active exchange of culture, tourism, business and education opportunities; and

Whereas, such exchange would serve to support the development and growth of both communities, to deepen the relationship that has existed between the communities for the past 200 years, and to expand and enhance knowledge and understanding between the communities; and

Whereas, the leaders of Cleveland and the Mayo County Council, Achill Parish, have expressed an interest in working toward establishing a permanent sister city relationship between their communities; and

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

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

**Section 1.** That this Council hereby declares its desire, intent and commitment to work toward the establishment of a permanent sister city relationship with Mayo County Achill Parish, Ireland.

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

Adopted May 19, 2003.  
 Effective May 27, 2003.

**Res. No. 920-03.**  
**By Council Member Jackson.**  
**An emergency resolution fixing the summer schedule of meetings of the Council of the City of Cleveland.**

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 schedule of meetings during the summer months of the Council of the City of Cleveland is hereby fixed as follows:

July 16, 2003  
 August 13, 2003

A notice identifying the time of the meeting as well as a schedule of committee meetings, if any, to be held prior to the meeting shall be prepared by the Clerk prior to each of the above meeting dates. The Council will resume regular session at 7:00 p.m. on Monday, September 8, 2003.

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

Adopted May 19, 2003.  
 Effective May 27, 2003.

**Res. No. 921-03.**  
**By Council Members Westbrook, Zone, Cimperman, Scott, Coats, Polensek and Brady**

**An emergency resolution opposing the proposed state budget cuts to the Ohio Department of Natural Resources, affecting services for state parks including those in the Cleveland area, such as Edgewater Park, Euclid Beach Park, Wildwood Park, and Gordon Park.**

Whereas, Ohio's state parks are an important source of recreation for the majority of Ohioans and have a profound effect on Ohio's economy, with overnight visitors spending \$265 million dollars in the state parks and local communities, helping to generate \$21.9 million and \$20.8 million in state and local taxes, respectively; and

Whereas, Ohio State Parks System consistently ranks near the top of the nation's state park systems in terms of visitation, number of parks and acreage, facilities and revenues generated; and

Whereas, the Ohio House version of the state budget requires significant cuts to the budget of the Department of Natural Resources (DNR), affecting Ohio's state parks, nature preserves and the management of state and private forests; and

Whereas, among other things, the House DNR budget eliminates the Civilian Conservation Corps, a program that has provided nearly 1.9 million worth of labor for special projects and conservation work to Ohio State Parks and other department divisions; and

Whereas, the work done by the CCC now must be absorbed by the DNR's bottom line and will impact the department's ability to provide quality recreational service; and

Whereas, the House budget does not provide funding for the Division of Wildlife's central support costs, causing other divisions to absorb those costs; and

Whereas, the House budget fails to take into account normal inflationary costs; and

Whereas, taking the above into account, the DNR's budget actually declines 2.4% in 2004 and increases by 2.8% in 2005, which increase barely covers the costs of collective bargaining agreements; and

Whereas, Ohio State Parks has already been streamlining its operations in that full-time permanent

staff has been cut 17% over the past three years; 29 of 74 state parks are now operated as satellites to larger parks in the region; and only 45 state parks have an on-site park manager; and

Whereas, these latest budget cuts will likely cause additional fee increases for camping, cottages and docks, the temporary closing of some parks, significantly fewer seasonal employees, reduced educational and other programs, reduced law enforcement presence, reduced mowing, restroom cleaning, trash removal and building maintenance; and

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

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

**Section 1.** That this Council hereby opposes the proposed state budget cuts to the Ohio Department of Natural Resources, affecting services for state parks including those in the Cleveland area, such as Edgewater Park, Euclid Beach Park, Wildwood Park, and Gordon Park.

**Section 2.** That the Clerk is hereby directed to transmit certified copies of this resolution Governor Bob Taft and to the appropriate members of the state legislature.

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

Adopted May 19, 2003.  
 Effective May 27, 2003.

**Res. No. 922-03.**  
**By Council Member Johnson.**  
**An emergency resolution withdrawing objection to the renewal of D1, D2, D3 and D3A Liquor Permit at 3065 East 123rd Street and repealing Resolution No. 1427-01, objecting to said renewal.**

Whereas, this Council objected to the renewal of a D1, D2, D3 and D3A Liquor Permit to 3065 East 123rd Street by Resolution No. 1427-01 adopted by the Council on July 18, 2001; and

Whereas, this Council wishes to withdraw its objection to the above renewal and consents to said renewal based upon and pursuant to a cooperation agreement by and through City Council Representative, Kenneth L. Johnson and Marcialena Kendrick, President, Kendrick Lounge, Inc., 3065 East 123rd Street, Cleveland, Ohio 44120, Permanent Number 4580028, a copy of which is in the file for this address with the City Law Department; and

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

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

**Section 1.** That objection to the renewal of a D1, D2, D3 and D3A Liquor Permit to 3065 East 123rd Street be and the same is hereby

withdrawn and Resolution No. 1427-01, 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 May 19, 2003.

Effective May 27, 2003.

**Res. No. 923-03.**

**By Council Member Johnson.**

**An emergency resolution objecting to the transfer of ownership of a C1 and C2 Liquor Permit to 8805 Buckeye Road.**

Whereas, Council has been notified by the Department of Liquor Control of an application for the transfer of ownership of a C1 and C2 Liquor Permit from Serhan, Inc., DBA Buckeye Sunoco, 8805 Buckeye Road, Cleveland, Ohio 44104, Permanent Number 7987615 to 8805 Buckeye, Inc., DBA Buckeye Marathon, 8805 Buckeye Road, Cleveland, Ohio 44104, Permanent Number 2455390; and

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

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

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

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

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

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

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

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

**Section 1.** That Council does hereby record its objection to the transfer of ownership of a C1 and C2 Liquor Permit at 8805 Buckeye, Inc.,

DBA Buckeye Marathon, 8805 Buckeye Road, Cleveland, Ohio 44104, Permanent Number 2455390; and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted May 19, 2003.

Effective May 27, 2003.

**Res. No. 924-03.**

**By Council Member O'Malley.**

**An emergency resolution withdrawing objection to the transfer of ownership of a C1 and C2 Liquor Permit at 5741 Memphis Avenue and repealing Resolution No. 2345-02, objecting to said transfer.**

Whereas, this Council objected to the transfer of ownership of a C1 and C2 Liquor Permit to 5741 Memphis Avenue by Resolution No. 2345-02 adopted by the Council on November 25, 2002; and

Whereas, this Council wishes to withdraw its objection to the above transfer and consents to said transfer based upon and pursuant to a cooperation agreement by and through City Council Representative, Michael D. O'Malley and Applicant, Eman M. Malkeih, President of Alimahal, Inc., DBA Convenient Food Mart, #3-53, 5741 Memphis Avenue, Cleveland, Ohio 44144, Permanent Number 0121117, a copy of which is in the file for this address with the City Law Department; and

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

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

**Section 1.** That objection to the transfer of ownership of a C1 and C2 Liquor Permit to 5741 Memphis Avenue be and the same is hereby withdrawn and Resolution No. 2345-02, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate transfer thereof.

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

Adopted May 19, 2003.

Effective May 27, 2003.

**Res. No. 925-03.**

**By Council Member Pierce Scott.**  
**An emergency resolution objecting to a New C1 and C2 Liquor Permit to 7011 St. Clair Avenue.**

Whereas, Council has been notified by the Department of Liquor Control of an application for a New C1 and C2 Liquor Permit at Jacqueline Tucker & Sherry A. Frisco, DBA S & J Deli Mini Mart, 7011 St. Clair Avenue, Cleveland, Ohio 44103, Permanent Number 9085324; and

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

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

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

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

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

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

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

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

**Section 1.** That Council does hereby record its objection to a New C1 and C2 Liquor Permit at Jacqueline Tucker & Sherry A. Frisco, DBA S & J Deli Mini Mart, 7011 St. Clair Avenue, Cleveland, Ohio 44103, Permanent Number 9085324, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted May 19, 2003.

Effective May 27, 2003.

**Res. No. 926-03.****By Council Member Polensek.**

**An emergency resolution objecting to the transfer of ownership of a D2, D2X, D3 and D3A Liquor Permit to 17406 Groveside Ave., 1st Floor and Basement.**

Whereas, Council has been notified by the Department of Liquor Control of an application for the transfer of ownership of a D2, D2X, D3 and D3A Liquor Permit from 7540, Inc., DBA J CS Place, 17406 Groveside Avenue, 1st Floor and Basement, Cleveland, Ohio 44119, Permanent Number 8003622 to Thermadore LLC, DBA Thermadore, 17406 Groveside Avenue, 1st Floor and Basement, Cleveland, Ohio 44119, Permanent Number 8856301; and

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

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

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

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

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

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

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

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

**Section 1.** That Council does hereby record its objection to the transfer of ownership of a D2, D2X, D3 and D3A Liquor Permit to Thermadore LLC, DBA Thermadore, 17406 Groveside Avenue, 1st Floor and Basement, Cleveland, Ohio 44119, Permanent Number 8856301; and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

Adopted May 19, 2003.  
Effective May 27, 2003.

**Res. No. 927-03.****By Council Member Polensek.**

**An emergency resolution withdrawing objection to a New C1 Liquor Permit at 15550 Lakeshore Boulevard and repealing Resolution No. 2347-02, objecting to said permit.**

Whereas, this Council objected to a New C1 Liquor Permit to 15550 Lakeshore Boulevard by Resolution No. 2347-02 adopted by the Council on November 25, 2002; and

Whereas, this Council wishes to withdraw its objection to the above permit and consents to said permit based upon and pursuant to a cooperation agreement signed and dated April 8, 2003, by and through City Council Representative, Michael D. Polensek and Applicant, Cleveland Oil, Inc., DBA Lakeshore Citgo, 15550 Lakeshore Boulevard, Permanent Number 1547556, a copy of which is in the file for this address with the City Law Department; and

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

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

**Section 1.** That objection to a New C1 Liquor Permit to 15550 Lakeshore Boulevard be and the same is hereby withdrawn and Resolution No. 2347-02, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate New C1 thereof.

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

Adopted May 19, 2003.  
Effective May 27, 2003.

**Res. No. 928-03.****By Council Member Rybka.**

**An emergency resolution withdrawing objection to the renewal of C2 Liquor Permit at 6501 Harvard Avenue and repealing Resolution No. 335-03, objecting to said renewal.**

Whereas, this Council objected to the renewal of a C2 Liquor Permit to 6501 Harvard Avenue by Resolution No. 335-03 adopted by the Council on March 3, 2003; and

Whereas, this Council wishes to withdraw its objection to the above renewal and consents to said renewal based upon and pursuant to a cooperation agreement by and through City Council Representative, Edward W. Rybka and Applicant, Alan Silverman, President of A

G Man LLC, DBA Mor For Less, 6501 Harvard Avenue, Cleveland, Ohio 44105, Permanent Number 0003556, a copy of which is in the file for this address with the City Law Department; and

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

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

**Section 1.** That objection to the renewal of a C2 Liquor Permit to 6501 Harvard Avenue be and the same is hereby withdrawn and Resolution No. 335-03, 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 May 19, 2003.  
Effective May 27, 2003.

**Res. No. 929-03.**

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

**An emergency resolution opposing House Bill 109 which provides that a municipality collecting more than \$100 million in annual income taxes must return ten percent (10%) of the tax collected from commuters to the home towns of commuters.**

Whereas, pending House Bill 109 provides that a municipality which collects more than \$100 million in annual income taxes must return ten percent (10%) of the tax collected from commuters to the home towns of commuters; and

Whereas, Cleveland, Cincinnati, Columbus, Dayton, and Toledo are cities that would be affected by such a bill; and

Whereas, it is estimated that the City of Cleveland would lose about \$18 million a year in municipal income taxes if House Bill 109 was passed; and

Whereas, if H.B. 109 passes, affected cities may have to lay off police and fire personnel, and stop other day-to-day city services that would impact the safety, health and welfare of the citizens of such cities and the commuters who work in these cities; and

Whereas, if H.B. 109 passes, the budget of affected cities would be reduced so drastically as to cause irreversible economic downturns in the regions of those cities; 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 opposes House Bill 109 which provides

that a municipality collecting over \$100 million in annual income taxes must return ten percent (10%) of the tax collected from commuters to the home towns of commuters.

**Section 2.** That the Clerk of Council is hereby directed to transmit certified copies of this resolution to the leaders of the General Assembly of the State of Ohio and the Ohio Municipal League.

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

Adopted May 19, 2003.

Effective May 27, 2003.

**Ord. No. 377-03,**  
By Council Members Gordon,  
White and Jackson (by departmental request).

An emergency ordinance to repeal Sections 3107.01 to 3107.38, 173.18 and 173.19, 693.07, 693.08, and 693.09 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended and enacted by various ordinances relating to licensing and registration of contractors, the board of examiners, and motion picture operator's licenses to amend Sections 3131.10 and 3133.02, as enacted by Ordinance No. 1116-A-85, passed February 10, 1986; and to enact new Sections 3107.01 to 3107.14 relating to registration of contractors.

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 following Sections of the Codified Ordinances of Cleveland, Ohio, 1976:

Sections 173.18 and 173.19, as amended by Ordinance No. 2040-99, passed October 30, 2000,

Sections 3107.01 to 3107.09, as enacted by Ordinance No. 1116-A-85, passed February 10, 1986,

Section 3107.10, as amended by Ordinance No. 2393-02, passed February 10, 2003,

Section 3107.11, as amended by Ordinance No. 1831-92, passed October 5, 1992,

Sections 3107.12 to 3107.15, as enacted by Ordinance No. 1116-A-85, passed February 10, 1986,

Section 3107.16, as amended by Ordinance No. 673-91, passed May 13, 1991,

Sections 3107.17 to 3107.38, as enacted by Ordinance No. 1116-A-85, passed February 10, 1986,

Section 693.07, as amended by Ordinance No. 1252-92, passed May 17, 1993,

Section 693.08, as amended by Ordinance No. 191-70, passed June 1, 1970, and

Section 693.09, as amended by Ordinance No. 2588-80, passed June 1, 1981,

are repealed.

**Section 2.** That the Codified Ordinances of Cleveland, Ohio, 1976, are supplemented by enacting new Sec-

tions 3107.01 to 3107.14 to read as follows:

#### **CHAPTER 3107 REGISTRATION OF CONTRACTORS**

##### **Section 3107.01 Definitions**

(a) Certificate of Qualification. There are three types of Certificates of Qualification.

(1) Certificate of Qualification for Journeyman Plumbers. This Certificate shall authorize the holder to perform the installation of all plumbing work regulated by OBC or this Building Code while under the direct supervision of a registered plumbing contractor. A Certificate of Qualification for Journeyman Plumbers shall not entitle the holder to obtain a permit.

(2) Certificate of Qualification for Limited Premises Electrical Maintenance. This Certificate shall authorize the holder or persons under the holder's direct supervision to install, maintain, alter and repair electrical wiring and/or equipment on the premises specified in the Certificate. A Certificate of Qualification for Limited Premises Electrical Maintenance shall entitle the holder to obtain only a blanket electrical permit for work on the premises for which the Certificate of Qualification has been issued and shall not entitle the holder to obtain any other type of permit.

(3) Certificate of Qualification for Picture Machine Operator. This Certificate shall authorize the holder to perform the operation of picture machines as defined in Codified Ordinance Chapter 693.

(b) Limited Certificate of Registration. There are two types of Limited Certificates of Registration.

(1) Limited Certificate of Registration for Refrigeration Operator. This Certificate shall authorize the holder to perform only the operation and maintenance of a refrigeration system for which a Certificate of Operation has been issued under Chapter 3139 of this Building Code. This Limited Certificate shall not authorize the holder to perform alteration or repair of a refrigerating system.

(2) Limited Certificate of Registration for Fireplace Installers. This Certificate shall authorize the holder to perform the installation of pre-manufactured fireplaces and fireplace inserts and the installation is exempt from the requirements for licensing by the Ohio Construction Industry Examining Board.

(c) Certificate of Registration. A Certificate of Registration is issued by the Director of Building and Housing to a Contractor to evidence that a Contractor is registered with the Department of Building and Housing.

(d) Contractor. For the purposes of this chapter, Contractor means any individual, firm, co-partnership, corporation, association or other organization, or any combination of any of these, who or which by himself or itself, or by or through others, constructs, alters, repairs, adds to, subtracts from, reconstructs or remodels any building, structure or appurtenance, or who or which undertakes or offers to undertake any of these tasks, or submits a bid to do so. A subcontractor is a Contractor for the purposes of this chap-

ter. Heating, ventilating and air conditioning contractors, refrigeration contractors, electrical contractors, plumbing contractors and hydronics contractors are Contractors for purposes of this chapter.

(e) Ohio Construction Industry Examining Board. The Ohio Construction Industry Examining Board ("OCIEB") is the Board created in Chapter 4740 of the Revised Code.

##### **Section 3107.02 Certificate of Registration or Limited Certificate of Registration Required**

(a) No Contractor may perform general contracting, demolition, sewer building, plumbing, electrical, heating, ventilation, air-conditioning (HVAC) or refrigeration business in the City of Cleveland, whether that business is performed on commercial, industrial, residential or other buildings and structures unless that Contractor holds a current Certificate of Registration or Limited Certificate of Registration for the type of work to be performed.

(b) A permit required by the provisions of OBC or the Cleveland Building Code shall be issued only to a Contractor holding a valid Certificate of Registration or Limited Certificate of Registration or to a homeowner exempted from registration under this chapter and that permit may be issued to a Contractor only for work in the areas for which the Contractor holds valid Certificates.

##### **Section 3107.03 Exceptions to Required Certificate of Registration or Limited Certificate of Registration**

(a) No provision of this Building Code shall be interpreted to require that a heating, ventilating and air conditioning contractor who holds a valid Certificate of Registration for that work shall hold a Certificate of Registration as an electrical contractor in order to do any of the following electrical work incidental to the following installations, or to obtain permits to do that work, provided that the installations are made by or under the direct supervision of the registered heating, ventilating and air conditioning contractor, and in conformity with the provisions of OBC and this Building Code and rules and regulation promulgated under it, and all permits, inspections, and approvals required by OBC and this Building Code are obtained.

(1) In one, two and three family dwellings and individual townhouses, for systems requiring motors of three H.P. or less:

A. Installation of motors or other electrical equipment forming part of the system.

B. Installation of and electrical connections for controls; including thermostats, limit controls, pilot light and ignition controls, and other controls for the operation of the system.

C. Installation of electrical power service connections to motors or controls forming part of the system.

(2) In any building or structure, the replacement of electrical equipment forming part of the system with equipment of like type and capacity for the purpose of maintenance of the system, and the connection of existing electrical terminal connections to replacement equipment.

(b) A Certificate of Registration as either a general contractor or an electrical contractor shall be required to make low voltage wiring installations, as those installations are defined in the National Electric Code.

(c) No provision of OBC or this Building Code shall be interpreted to require that a heating, ventilating and air conditioning contractor who holds a valid Certificate of Registration or the holder of a valid Certificate of Registration for refrigeration contractor shall hold a Certificate of Registration as a plumbing contractor in order to install, or to obtain permits to install, any equipment forming part of heating, ventilating, air conditioning or refrigerating systems when the equipment for those systems requires no plumbing work other than a water connection or connections and a waste connection or connections discharging as an indirect waste over an open sink, floor drain or other similar open receptacle; or to install those indirect wastes; provided that the installation of that equipment, water connections, or indirect waste connections, is made by or under the direct supervision of the holder of the Certificate of Registration as a heating, ventilating or air conditioning contractor or the holder of a Certificate of refrigeration contractor operator and in conformity with the provision of OBC and this Building Code and rules promulgated under it, and all permits, inspections, and approvals required by OBC and this Building Code are obtained.

(d) The holder of a Certificate of Registration for heating, ventilation or air conditioning may install pre-manufactured fireplaces and fireplace inserts.

(e) The holder of a Certificate of Registration as a general contractor may perform electrical maintenance and incidental wiring and device installation while maintaining an elevator or conveying system.

(f) The holder of a Certificate of Registration as a general contractor may install sanitary or storm sewers up to no closer than five (5) feet from a building structure regulated by OBC or this Building Code.

#### **Section 3107.04 Homeowner's Exception**

(a) No provision of this Building Code shall be interpreted to require that the owner of a single-, two- or three-family dwelling shall be registered or certified under this chapter to personally perform work upon the premises.

(b) All work done by an owner shall be in conformity with the provisions of this Building Code and rules and regulations promulgated under it, and no work shall be done unless all permits, inspections, and approvals required by this Building Code are obtained.

(c) Any person who misrepresents any material fact in obtaining a permit under the provisions of this section shall be in violation of this Building Code and subject to the penalties provided in Section 3103.99.

#### **Section 3107.05 Public Utility Exceptions**

No provision of this Building Code shall be interpreted to require reg-

istration or certification under this chapter for officials or employees of public utility organizations to engage in the installation, alteration, repair, maintenance or utilization of any device, appliance, installation or appurtenance forming part of the equipment for generation, transmission, or distribution of any commodity or service which such public utility organization is authorized by law to furnish or provide.

#### **Section 3107.06 Applications**

(a) The applications for a Certificate of Registration, Limited Certificate of Registration or a Certificate of Qualification shall be in the form prescribed by the Director, may require documentation determined by the Director to be sufficient to show that the applicant meets the requirements for issuance of the relevant Certificate, and shall be available in the office of the Director.

(b) Every application shall state the name of the person, firm or corporation applying for registration, limited registration or certification and the name and address of the place of business or places of business of the applicant. If the applicant is a firm, co-partnership, corporation, association or any combination, the application shall contain the names and addresses of all members or officers, together with a certified copy of the corporation minutes or other certified evidence that the application has been duly authorized.

(c) Applications for Certificates of Registration, Limited Certificates of Registration or Certificates of Qualification shall be sworn to by the applicant before a notary public.

#### **Section 3107.07 Qualifications for Certificates of Registration**

(a) To obtain or renew a Certificate of Registration as a heating, ventilating or air conditioning contractor, electrical contractor, plumbing contractor, refrigeration contractor, or hydronics contractor, the applicant shall:

(1) Have a valid and unexpired license issued by the Ohio Construction Industry Examining Board as that type of contractor and present proof of that license.

(2) Present proof of the insurance required in the Ohio Revised Code.

(3) Furnish and file with the Director a bond in the penal sum of twenty-five thousand dollars (\$25,000) to be approved as to form by the Director of Law, guaranteeing full and faithful compliance by the applicant with OBC and this Building Code and with pertinent rules and regulations promulgated under it, binding the surety to correct or abate any violation of OBC or this Building Code or of pertinent rules and regulations promulgated under them whenever the applicant for registration, named as the principal on the bond, refuses, neglects or fails to correct or abate the violation within a reasonable time limit set by the Director.

(b) To obtain or renew a Certificate of Registration as a general contractor, which includes sewer builders and demolition contractors, the applicant shall:

(1) Be at least eighteen years of age.

(2) Be a United States citizen.

(3) Maintain contractor's liability insurance, including without limitation, completed operations coverage, in an amount providing for the payment of up to fifty thousand dollars (\$50,000) for one person injured, and up to one hundred thousand dollars (\$100,000) for injury to more than one person in one accident, resulting from doing the work authorized by the Certificate of Registration and up to fifty thousand dollars (\$50,000) for property damage in the course of doing the work authorized by the Certificate of Registration. The City shall be named as an additional insured. The insurance shall be issued by an insurance company duly authorized to do business and issue policies of insurance in the State of Ohio. The insurance company shall be required to give at least ten days' notice in writing to the Director before the cancellation of the policy. The applicant shall provide proof of this insurance acceptable to the Director.

(4) Furnish and file with the Director a bond in the penal sum of twenty-five thousand dollars (\$25,000) to be approved as to form by the Director of Law, guaranteeing full and faithful compliance by the applicant with OBC and this Building Code and with pertinent rules and regulations promulgated under it, binding the surety to correct or abate any violation of OBC or this Building Code or of pertinent rules and regulations promulgated under them whenever the applicant for registration, named as the principal on the bond, refuses, neglects or fails to correct or abate the violation within a reasonable time limit set by the Director. A general contractor who performs sewer building work or demolition work shall furnish and file a similar bond for each of those types of work.

(5) Not have done any of the following:

A. Been convicted of or pleaded guilty to a misdemeanor involving moral turpitude or of any felony.

B. Obtained or renewed a Certificate of Registration by fraud, misrepresentation or deception.

C. Engaged in fraud, misrepresentation or deception in the conduct of business.

D. Been convicted of repeated violations of the OBC or this Building Code or other laws or ordinances regulating building construction in the City.

E. Been issued repeated violation notices by the Director for violations of the OBC, this Building Code, the Zoning Code or the Housing Code, and failed to correct those notices in a timely fashion.

(c) When an applicant for a Certificate of Registration is a firm or corporation, at least one member of that firm or corporation, shall individually be qualified for registration under the provisions of this section.

#### **Section 3107.08 Qualifications for Limited Certificate of Registration**

(a) To obtain or renew a Limited Certificate of Registration for Refrigeration Operator or Fireplace Installer, the applicant shall:

(1) Be at least eighteen years of age.

(2) Be a United States citizen.

(3) Maintain contractor's liability insurance, including without limitation, completed operations coverage, in an amount providing for the payment of up to fifty thousand dollars (\$50,000) for one person injured, and up to one hundred thousand dollars (\$100,000) for injury to more than one person in one accident, resulting from doing the work authorized by the Certificate of Registration and up to fifty thousand dollars (\$50,000) for property damage in the course of doing the work authorized by the Certificate of Registration. The City shall be named as an additional insured. The insurance shall be issued by an insurance company duly authorized to do business and issue policies of insurance in the State of Ohio. The insurance company shall be required to give at least ten days' notice in writing to the Director before the cancellation of the policy. The applicant shall provide proof of this insurance acceptable to the Director.

(4) Furnish and file with the Director a bond in the penal sum of twenty-five thousand dollars (\$25,000) to be approved as to form by the Director of Law, guaranteeing full and faithful compliance by the applicant with OBC and this Building Code and with pertinent rules and regulations promulgated under it, binding the surety to correct or abate any violation of OBC or this Building Code or of pertinent rules and regulations promulgated under them whenever the applicant for registration, named as the principal on the bond, refuses, neglects or fails to correct or abate the violation within a reasonable time limit set by the Director.

(5) Not have done any of the following:

A. Been convicted of or pleaded guilty to a misdemeanor involving moral turpitude or of any felony.

B. Obtained or renewed a Certificate of Registration by fraud, misrepresentation or deception.

C. Engaged in fraud, misrepresentation or deception in the conduct of business.

D. Been convicted of repeated violations of the OBC or this Building Code or other laws or ordinances regulating building construction in the City.

E. Been issued repeated violation notices by the Director for violations of the OBC, this Building Code, the Zoning Code or the Housing Code, and failed to correct those notices in a timely fashion.

(6) If a Limited Certificate of Refrigeration Operator, be the owner or owner's agent of the refrigeration system and be familiar with the operation and maintenance of the refrigeration system.

(b) When an applicant for a Limited Certificate Registration is a firm or corporation, at least one member of that firm or corporation, shall individually be qualified for registration under the provisions of this section

**Section 3107.09 Revocation and Suspension of Certificates of Registration and Limited Certificates of Registration**

(a) The Director may revoke or suspend a Certificate of Registration or a Limited Certificate of Registration for any of the following reasons:

(1) The holder is convicted of a misdemeanor involving moral turpitude or a felony.

(2) The holder obtained a Certificate by fraud, misrepresentation or deception.

(3) The holder obtained a license from the Ohio Construction Industry Examining Board by fraud, misrepresentation or deception.

(4) The holder engaged in fraud, misrepresentation or deception in the conduct of business.

(5) The holder no longer holds a valid or unexpired license from the Ohio Construction Industry Examining Board in the trade for which the holder is registered.

(6) The holder no longer has a valid policy for the required insurance.

(7) The holder used its Certificate of Registration to obtain a permit for another.

(8) The holder repeatedly failed to secure permits, inspections, and approvals required by OBC or this Building Code.

(9) The holder repeatedly installed work in an unworkmanlike manner as defined in this Building Code or not in conformity with permits issued.

(10) The holder repeatedly has been notified of violations of OBC or this Building Code and, has failed or refused to promptly correct an installation or part of it.

(11) There have been repeated incidents of returned checks for insufficient funds or stop payment without just cause.

(b) No Certificate or Limited Certificate of Registration may be suspended or revoked until the Director gives notice to the registrant and holds a hearing at which the registrant may appear in person or be represented by counsel.

(c) A Certificate or Limited Certificate of Registration may be suspended for a prescribed period not to exceed six months, and the notice of suspension may require the person whose registration is suspended to correct work improperly installed or correct any other condition because of which such registration was suspended. Upon correction, the Certificate may be reinstated unless a new period of suspension is imposed for cause, or the registration is revoked.

(d) Whenever the OCIEB revokes or suspends a license of a holder of a Certificate of Registration upon which the Certificate is based, the holder shall immediately surrender his/her Certificate to the Director until which time the license is reinstated by the OCIEB.

(e) Whenever the Director revokes or suspends a Certificate or Limited Certificate of Registration, the holder shall immediately cease any work that requires the issuance of a permit, except that work that is involved with the correction of a violation of the OBC or this Building Code and that work that is already in progress.

(f) Whenever the Director recommends the suspension or revocation of a Certificate or Limited Certificate of Registration, he shall either personally serve or send notice to the registrant via registered mail detailing the reasons for the suspension or revocation, the length of the suspension, whether or when a

registrant whose Registration has been revoked may apply for reinstatement, and the date the order becomes effective. During suspension or revocation, the registrant may not obtain permits based on the revoked or suspended Certificate of Registration.

**Section 3107.10 Qualifications for Certificates of Qualification**

(a) Journeyman Plumbers. A Certificate of Qualification for Journeyman Plumber shall be granted only to persons who:

(1) Have had at least 3 years experience as a plumber's apprentice, or the equivalent thereof in training or education.

(2) Satisfactorily complete an examination as approved by the Director, which examination shall establish to the satisfaction of the Director that the applicant has a working knowledge of the ordinances and codes governing the installation of plumbing in the City and State and possesses the theoretical and technical knowledge necessary to make plumbing installations in conformity therewith. Unless modified by the Director with the approval of the Board of Building Standards and Building Appeals, the most current IPC version of "Journeyman Plumbing with Gas" exam modified to incorporate the Ohio Plumbing Code as administered by Experior Assessments, LLC of St. Paul, MN (the testing agency) shall be the accepted exam for the Certificate of Qualification for Journeyman Plumber. Applicants must pay all related fees and make all arrangements directly with the testing agency. Applicants shall furnish the original notice of approval from the testing agency to the Director as evidence of a passing score on said exam.

(3) Include in the application, a statement of schooling, training, and experience, insofar as it is pertinent to the application, specifying under experience specific jobs with dates, the length of time devoted to each job and the name of the employer or other responsible person with direct knowledge of the character and quality of the work performed by the applicant.

(b) Limited Premises Electrical Maintenance. To obtain or renew a Certificate of Qualification for Limited Premises Electrical Maintenance, the applicant shall:

(1) Satisfactorily complete an examination as approved by the Director, which examination shall establish to the satisfaction of the Director that the applicant has a working knowledge of the ordinances and codes governing electrical maintenance in the City and State and possesses the theoretical and technical knowledge necessary to perform electrical maintenance in conformity therewith. Unless modified by the Director with the approval of the Board of Building Standards and Building Appeals, the most current NEC version of "Electrical Maintenance" exam as administered by Experior Assessments, LLC of St. Paul, MN (the testing agency) shall be the accepted exam for the Certificate of Qualification for Limited Premises Electrical Maintenance. Applicants must pay all related fees and make all



arrangements directly with the testing agency. Applicants shall furnish the original notice of approval from the testing agency to the Director as evidence of a passing score on the exam.

(2) Be at least eighteen years of age.

(3) Be a United States citizen.

(4) Not have done any of the following:

A. Have been convicted of or pleaded guilty to a misdemeanor involving moral turpitude or of any felony.

B. Have obtained or renewed a Certificate of Qualification by fraud, misrepresentation or deception.

C. Have engaged in fraud, misrepresentation or deception in the conduct of business.

D. Have been convicted of repeated violations of the OBC or this Building Code or other laws or ordinances regulating building construction in the City.

E. Have been issued repeated violation notices by the Director for violations of the OBC, this Building Code, the Zoning Code or the Housing Code, and failed to correct those notices in a timely fashion.

(5) Include in the application, a statement of schooling, training, and experience, insofar as it is pertinent to the application, specifying under experience specific jobs with dates, the length of time devoted to each job, the name of the employer or other responsible person with direct knowledge of the character and quality of the work performed by the applicant.

(c) Picture Machine Operator. A Certificate of Qualification for Picture Machine Operator shall be granted only to persons who:

(1) are at least eighteen years of age.

(2) Satisfactorily complete an examination as approved by the Director, which examination shall establish to the satisfaction of the Director that the applicant has a working knowledge of the ordinances and codes governing the use and operation of picture machines in the City and State and possesses the theoretical and technical knowledge necessary to use and operate picture machines. Applicants shall pay all related fees and make all arrangements directly with the testing agency. Applicants shall furnish the original notice of approval from the testing agency to the director as evidence of a passing score on the exam.

**Section 3107.11 Suspension or Revocation of Certificates of Qualification**

(a) The Director may revoke or suspend a Certificate of Qualification for any of the following reasons:

(1) The holder obtained a Certificate by fraud, misrepresentation or deception.

(2) The holder repeatedly failed to secure permits, inspections, and approvals required by OBC or this Building Code.

(3) The holder repeatedly installed work in an unworkmanlike manner as defined in this Building Code or not in conformity with issued permits issued.

(4) The holder has been repeatedly notified of violations of OBC or this Building Code and, has failed

or refused to promptly correct an installation or part of it.

(5) As to holders of a Certificate of Qualification for Picture Machine Operator, the holder has been repeatedly notified of violations of applicable provisions of the Codified Ordinances and has failed or refused to remedy the violation, if a remedy is possible.

(b) No Certificate of Qualification may be suspended or revoked until the Director gives notice to the registrant and holds a hearing at which the certificate holder may appear in person or be represented by counsel.

(c) A Certificate of Qualification may be suspended for a prescribed period not to exceed six months, and the notice of suspension may require the person whose registration is suspended to correct work improperly installed or correct any other condition because of which such registration was suspended. Upon correction, the Certificate may be reinstated unless a new period of suspension is imposed for cause, or the Certificate is revoked.

(d) Whenever the Director recommends the suspension or revocation of a Certificate of Qualification, he shall personally serve or send notice to the Certificate holder via registered mail detailing the reasons for the suspension or revocation, the length of the suspension, whether or when a Certificate holder whose Certificate has been revoked may apply for reinstatement, and the date the order becomes effective.

**Section 3107.12 Fee Payment; Refunds and Renewals**

(a) Fees for Certificates of Registration, Limited Certificates Registration and Certificates of Qualification and renewals shall be paid to the Director upon application for a Certificate.

(b) Fees shall not be refundable.

(c) Renewal fees shall be paid during the thirty-day period immediately preceding the expiration date of the Certificate.

(d) Where a renewal fee is required, a Certificate which has lapsed because of nonpayment of the renewal fee but which is otherwise valid may be renewed during the three-month period following the expiration date upon payment of an additional fee of fifteen dollars (\$15.00) for each month late but no Certification which has lapsed more than three months shall be renewed.

(f) Fees for Certificates and renewals shall be as follows:

	Initial Fee with Accepted Application	Renewal Fee
Certificate of Qualification		
Certificates of Registration	\$150.00	\$120.00
Limited Certificate of Registration for Fireplace Installer	\$150.00	\$120.00
Limited Certificate of Registration for Refrigeration Operator	\$30.00	\$30.00

Certificates of Qualification \$80.00 \$80.00

Certificate of Qualification for Picture Machine Operator \$30.00 \$30.00

**Section 3107.13 Expiration and Renewal**

(a) Certificates and Limited Certificates of Registration. An applicant may apply for a Certificate or Limited Certificate of Registration for a one, two or three year period. The Director may issue and charge a pro-rated fee for a Certificate or Limited Certificate of Registration which is valid for an additional six months past its expiration to effect staggered registration.

(b) Certificates of Qualification. Certificates of Qualification shall be valid for a one year period.

(c) Renewal Period. Certificates shall be renewable during the thirty day period immediately preceding the expiration date. Renewal applications shall be on forms prescribed by the Director.

(d) Revoked and Suspended Certificates. No Certificate shall be renewed if it has been revoked or is currently suspended.

(e) Transfer of Certificates. Certificates are not transferable. However, with the consent of the Director, the names of new members or officers of a firm, co-partnership, corporation or association holding a Certificate of Registration or a Limited Certificate of Registration may be substituted for, or added to, those previously on record.

**Section 3107.14 Appeals**

Any revocation, suspension, or refusal to issue or renew a Certificate of Registration, Limited Certificate of Registration or Certificate of Qualification, and any other action or determination of any administrative officer or other City agency under the provisions of this chapter, may be appealed to the Board of Building Standards and Building Appeals as provided in the Charter and this Building Code.

**Section 3.** (a) Any person or Contractor who on December 31, 2002 held a valid electrical or master plumbers license issued by the City of Cleveland may apply for a Certificate of Registration renewal within the appropriate renewal period or any authorized extensions of the renewal period, allowing that person or Contractor to perform electrical or plumbing work on one, two or three family structures only in the City of Cleveland without holding a license issued by the Ohio Construction Industry Examining Board. Those persons or Contractors may further renew the Certificate of Registration without a license issued by the Ohio Construction Industry Examining Board as long as the Certificate of Registration is not revoked or allowed to lapse.

(b) Any person or Contractor who on December 31, 2002 held a valid Certificate of Registration as a heating, ventilating and air conditioning contractor issued by the City of Cleveland may apply for a Certificate of Registration renewal within the appropriate renewal period or

any authorized extensions of the renewal period, allowing that person or Contractor to perform heating, ventilating or air conditioning work on one, two or three family structures only in the City of Cleveland without holding a license issued by the Ohio Construction Industry Examining Board. Those persons or Contractors may renew the Certificate of Registration with out a license issued by the Ohio Construction Industry Examining Board as long as the Certificate of Registration is not revoked or allowed to lapse.

(c) Any person who on December 31, 2002 held a valid limited premises electrical license issued by the City of Cleveland may apply by September 30, 2003 for a Certificate of Qualification for Limited Premises Electrical Maintenance without taking any further examinations. That Certificate may be further renewed without taking further examinations.

(d) Any person who on December 31, 2002 held a valid master plumber or journeyman plumber license issued by the City of Cleveland may apply by September 30, 2003 for a Certificate of Qualification for Journeyman Plumber without taking any further examinations. That Certificate may be further renewed without further examinations.

(e) Any person who on December 31, 2002, held a valid picture machine operator's license issued by the City of Cleveland may apply by September 30, 2003 for a Certificate of Qualification for Picture Machine Operator without taking any further examinations. The certificate may be further renewed without taking further examinations.

**Section 4.** That Sections 3131.10 and 3133.02, as enacted by Ordinance No. 1116-A-85, passed February 10, 1986, and Section 693.07, as enacted by Ordinance No. 1252-92, passed May 17, 1993, are amended to read as follows:

**Section 3131.10 Name and Address of Installer to be Affixed**

Whenever a heating, ventilating or air conditioning system is installed or an existing system is replaced, by other than an owner exempted from registration and certification under the provisions of Chapter 3107, a plate or other permanent device shall be attached to the casing or the system which shall state the name, address and phone number of the installer.

**Section 3133.02 Permit Required; Exception for Minor Repairs**

(a) Except as provided in division (b) of Section 3133.01, no drainage system, plumbing system, water supply system, or part of one, shall be installed, altered, removed, replaced, or repaired without a permit from the Commissioner, except that "minor repairs", shall not require a permit.

"Minor repairs" means the repairing of an existing fixture; the replacement of faucets or valves or parts thereof with like material or material serving the same purpose; the clearance of stoppages; the stopping of leaks; the relieving of frozen pipes; and other minor replacement or repairs classified as "minor repairs" by the Commission-

er, provided no changes other than those specifically permitted are made in the piping to the fixtures or in the drainage, vent or water supply system, and provided further that the permitted clearance of stoppages can be done without the use of power driven equipment or cutting into piping or fittings, and the permitted stopping of leaks can be effected without replacement of drainage or vent piping.

Except as otherwise provided in these codified ordinances, all plumbing for which a permit is required shall be done by installers licensed or authorized to do such work under the applicable provisions of Chapter 3107.

(b) Except as provided for "minor repairs" in division (a) of this section, no fixture, device, appliance or equipment shall be connected to a plumbing system or water supply system without a permit from the Commissioner. No water-connected air conditioning equipment, water treatment equipment, water operated devices, or other water connected equipment or devices shall be installed or connected without a permit from the Commissioner.

**Section 693.07 Qualified Operators Required**

Only holders of a Certificate of Qualification, for Picture Machine Operator, as described in Codified Ordinance Chapter 3107, shall be employed or permitted to operate any picture machine unless the picture machine is used by and incidental to the purposes of any charitable, religious, benevolent or public or private educational organization. At the Cleveland Convention Center, the Convention Center Work Rules and any applicable collective bargaining agreements shall govern the use of picture machine operators, to the extent applicable.

**Section 5.** That existing Sections 3131.10 and 3133.02, as enacted by Ordinance No. 1116-A-85, passed February 10, 1986, are repealed.

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

Passed May 19, 2003.  
Effective May 27, 2003.

**Ord. No. 431-03.  
By Council Member Jackson (by departmental request).**

**An emergency ordinance authorizing the Director of Consumer Affairs to appropriate Federal HOME Program funds and enter into one or more contracts with various organizations for the purpose of providing anti-predatory lending and foreclosure prevention assistance to City residents.**

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 \$500,000 of Federal HOME program funds are appropriated for the anti-predatory lending and foreclosure prevention assistance program.

**Section 2.** That the Director of Consumer Affairs is authorized to enter into one or more contracts with various organizations to provide counseling, training, marketing, program evaluation and other services required for anti-predatory lending program and foreclosure prevention assistance program.

**Section 3.** That the cost of the contracts shall not exceed, in the aggregate, approximately \$500,000 and shall be paid from Fund Nos. 13 SF 925 and 13 SF 955, Request No. 125727.

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

Passed May 19, 2003.  
Effective May 27, 2003.

**Ord. No. 487-03.**

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

**An emergency ordinance to amend the title and Section 1 of Ordinance No. 1975-02, passed December 16, 2002, relating to a Water Supply Revolving Loan Account loan to finance Phase I-B of the Chemical Rehabilitation Project at the Baldwin Water Treatment Plant; and authorizing one or more public improvement contracts to make the improvement.**

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

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

**Section 1.** That the title and Section 1 of Ordinance No. 1975-02, passed December 16, 2002, are amended to read as follows:

An emergency ordinance authorizing the Director of Public Utilities to apply for and accept a Water Supply Revolving Loan Account loan to finance Phase I-B of the Chemical Rehabilitation Project at the Baldwin Water Treatment Plant; determining the method of making the public improvement of constructing those improvements; and authorizing the Director of Public Utilities to enter into one or more contracts for the making of the improvement.

Section 1, that the Director of Public Utilities is authorized to apply for and accept a Water Supply Revolving Loan Account ("WSRLA") loan in the approximate amount of \$31,226,800.00 to finance constructing Phase I-B improvements in conjunction with the Chemical Rehabilitation Project at the Baldwin Water Treatment Plant, including but not limited to installing chemical feed systems, piping, valves, storage tanks, chemical storage rooms, feed points, appurtenances, chemical monitoring equip-

ment, instrumentation and controls systems (the "Improvement").

**Section 2.** That the existing title and Section 1 of Ordinance No. 1975-02, passed December 16, 2002, are repealed.

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

Passed May 19, 2003.

Effective May 27, 2003.

**Ord. No. 556-03.**

**By Council Member.**

**An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on East 98th Street to Glenville Development Corporation or designee.**

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

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

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

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

**Section 1.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 109-07-043 and 109-07-044, as more fully described below, to Glenville Development Corporation or designee.

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

P. P. No. 109-07-043

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known Sublot No. 14 in Superior Park Subdivision No. 3 of part of Original One Hundred Acre Lot Nos. 376 and 377, as shown by the recorded plat in Volume 37 of Maps, Page 17 of Cuyahoga County Records and being 50 feet front on the Westerly side of East 98th Street and extending back of equal width 120 feet deep, to the Easterly line of East 98th Place, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to covenants and restrictions recorded in Volume 1309, Page 5 of Cuyahoga County Records.

P. P. No. 109-07-044

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No.

15 in B. Schatzinger's Superior Park Subdivision No. 3 of part of Original One Hundred Acre Lots Nos. 376 and 377, as shown by the recorded plat in Volume 37 of Maps, Page 17 of Cuyahoga County Records, and being 50 feet front on the Westerly side of East 98th Street, and extending back of equal width 120 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

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

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

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

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

Passed May 19, 2003.

Effective May 27, 2003.

**Ord. No. 641-03.**

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

**An emergency ordinance to amend the title and Section 1 of Ordinance No. 1974-02, passed October 28, 2002, which authorizes a contract with Systems & Computer Technology Corporation; and to amend Contract No. 60624 between the City of Cleveland and SCT, to change the name of the contractor to Indus Utility Systems, Inc., or its successors in interest as approved by the Board of Control.**

Whereas, under Ordinance No. 1974-02, passed October 28, 2002, this Council authorized the Director of Public Utilities to enter into one or more contracts with Systems & Computer Technology Corporation for technical support for the banner system for the Division of Cleveland Public Power; and

Whereas, under Ordinance No. 1855-02, passed September 16, 2002, this Council authorized the Director of Public Utilities to enter into Con-

tract No. 60624 with SCT to provide financial reports from Cleveland Public Power's banner billing system; and

Whereas, by letter dated March 27, 2003, Indus International, Inc. informed the City that it has purchased SCT Utility Systems, Inc. from Systems & Computer Technology Corporation, aka SCT and has requested consent of the City to assign Contract No. 60624 to Indus Utility Systems, Inc., a division of Indus International, Inc.;

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

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

**Section 1.** That the title and Section 1 of Ordinance No. 1974-02, passed October 28, 2002, are amended to read as follows:

An emergency ordinance authorizing the Director of Public Utilities to enter into one or more contracts with Indus Utility Systems, Inc., or its successors in interest as approved by the Board of Control, for technical support for the banner system for the Division of Cleveland Public Power, Department of Public Utilities.

**Section 1.** That the Director of Public Utilities is authorized to enter into one or more contracts with Indus Utility Systems, Inc., or its successors in interest as approved by the Board of Control, for professional services necessary to provide technical support for the banner system for the Division of Cleveland Public Power on the basis of the proposal dated September 3, 2002, in the total sum of \$774,922.84, payable from Fund No. 58 SF 001, Request No. 122429, for the Department of Public Utilities.

**Section 2.** That the existing title and Section 1 of Ordinance No. 1974-02, passed October 28, 2002, are repealed.

**Section 3.** That the Director of Public Utilities is authorized to consent to the request of Indus Utility Systems, Inc. to assign the delivery obligations of SCT under Contract No. 60624 to Indus Utility Systems, Inc., or its successors in interest as approved by the Board of Control, to provide financial reports from Cleveland Public Power's banner billing system.

**Section 4.** That the Director of Public Utilities is authorized to execute all documents and do all things necessary and appropriate to effect the consent to assignment. A copy of the assignment shall be filed in the office of the Commissioner of Accounts.

**Section 5.** That this assignment shall be prepared and approved by the Director of Law and shall contain such provisions as he deems necessary to protect and benefit the public interest.

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

Passed May 19, 2003.

Effective May 27, 2003.

**Ord. No. 683-03.**  
**By Council Members Gordon and Jackson (by departmental request).**  
**An emergency ordinance authorizing the Director of Community Development to enter into contracts with one or more non-profit agencies to operate a community garden program.**

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

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

**Section 1.** That the Director of Community Development is authorized to enter into contracts with one or more non-profit agencies to operate a community gardening program.

**Section 2.** That the cost of the contract or contracts shall not exceed \$120,000.00, and shall be paid from Fund No. 14 SF 029 Request No. 125736.

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

Passed May 19, 2003.  
 Effective May 27, 2003.

**Ord. No. 684-03.**  
**By Council Members Gordon and Jackson (by departmental request).**  
**An emergency ordinance appropriating Community Development Block Grant and NEF Administrative Cost funds for administrative expenses of the Department of Community Development.**

Whereas, the City of Cleveland has received a Community Development Block Grant, Year 29 from the United States Government; and

Whereas, City Council has designated administrative processing costs from Neighborhood Equity Funds; 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 Community Development Block Grant and NEF Administrative Cost funds in the amount of \$2,841,000 from Fund Nos. 14 SF 028, 14 SF 029, and 10 SF 808 are appropriated for the administrative expenses of the Department of Community Development under the following schedule:

Personnel	\$2,576,000
Other	265,000

**Section 2.** The Director of Community Development is authorized to expend funds listed in the above Schedule under 'Other' for the cost of activities related to the promotion of various housing events in 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.

Passed May 19, 2003.  
 Effective May 27, 2003.

**Ord. No. 686-03.**  
**By Council Members Gordon and Jackson (by departmental request).**  
**An emergency ordinance authorizing the Director of Community Development to enter into one or more contracts with Cleveland Action to Support Housing (CASH) for administrative costs to implement housing rehabilitation, new housing construction and commercial redevelopment loan programs.**

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

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

**Section 1.** That the Director of Community Development is authorized to enter into one or more contracts with Cleveland Action to Support Housing (CASH) for administrative costs to implement housing rehabilitation, new housing construction and commercial redevelopment loan programs in the City of Cleveland.

**Section 2.** That the aggregate cost of the contracts shall not exceed \$500,000.00, and shall be paid from Fund Nos. 14 SF 028 and 14 SF 029, Request No. 125734.

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

Passed May 19, 2003.  
 Effective May 27, 2003.

**Ord. No. 687-03.**  
**By Council Members Gordon and Jackson (by departmental request).**  
**An emergency ordinance appropriating CDBG and Federal HOME Program funds for the administration of the Housing Rehabilitation Programs; and authorizing the Director of Community Development to employ one or more professional consultants to provide property inspections in compliance with Section 8 Housing Quality Standards.**

Whereas, the City of Cleveland has received CDBG Year 29 and Year 2003 Federal HOME Program grants from the United States Government; 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 CDBG and Federal HOME Program funds are appro-

riated for the administration of the Housing Rehabilitation Programs.

**Section 2.** That the Director of Community Development is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to perform property inspections to comply with Section 8 Housing Quality Standards.

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

**Section 3.** That the cost of the contracts shall be paid from Fund Nos. 14 SF 029 and 13 SF 980.

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

Passed May 19, 2003.  
 Effective May 27, 2003.

**Ord. No. 688-03.**  
**By Council Members Gordon and Jackson (by departmental request).**  
**An emergency ordinance authorizing the Director of Community Development to enter into or amend contracts with various social service agencies, community development or local development corporations and private for profit entities; to enter into or amend memorandums of understanding with various City of Cleveland departments to implement the City's community development programs; and to expend funds for the operation of programs administered by the Department of Community Development.**

Whereas, the City of Cleveland has received a Community Development Block Grant, Year 29 from the United States Government; and

Whereas, the Council of the City of Cleveland has approved the Year 29 Community Development Block Grant Plan as set forth in File No. 141-03-A, pursuant to Ordinance No. 141-03, passed March 24, 2003; and

Whereas, in prior Block Grant years, the Council has approved Block Grant Plans; and

Whereas, the Block Grant Plans as approved commit funds to Neighborhood Development Activities ("NDA"), which are CDBG eligible activities proposed by the various Council members; 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 Community Development, after receiving the approval stated in Section 4 below, is authorized to enter into or amend contracts with various social service agencies, community development or local development corporations, private for profit entities, State of Ohio, Cuyahoga County, Cuyahoga Metropolitan Housing Authority, Cleveland Municipal School District, Regional Transit Authority, Northeast Ohio Regional Sewer District, Cleveland Metroparks, and such other governmental entities as defined under the Ohio Revised Code to implement activities and programs that are eligible under the Community Development Block Grant ("CDBG") Program and are consistent with the City's Community Development objectives and policies.

**Section 2.** That the Director of Community Development, after receiving the approval stated in Section 4 below, is authorized to enter into or amend memorandums of understanding with various City departments to implement activities and programs that are eligible under the CDBG Program and are consistent with the City's Community Development objectives and policies.

**Section 3.** That the Director of Community Development, after receiving the approval stated in Section 4 below, is authorized to expend NDA funds for any CDBG eligible Programs administered by the Department of Community Development including entering into contract with rehabilitation service providers, tenants, homeowners, and entities providing services necessary to process loans and grants to implement the Low Interest Loan and Grant Programs, Paint Refund Program and other programs administered by the Department of Community Development.

**Section 4.** That prior to entering into or amending those contracts or memorandums of understanding, or expending any funds, the Director of Community Development shall receive written approval from the Council member whose ward line item is to fund the activity or program, provided that the amount for such activity or program does not exceed the amount allocated for the Council member's ward pursuant to the relevant Community Development Block Grant plan.

**Section 5.** That the cost of the contracts, memorandums of understanding and expenditures for the programs administered by the Department of Community Development shall not exceed \$9,450,000.00 and shall be paid from Fund Nos. 14 SF 027, 14 SF 028, and 14 SF 029.

**Section 6.** That the Director of the Department of Community Development is authorized to enter into or amend contracts with the entities administering the NDA program that generated program income in an amount not to exceed that gen-

erated program income and to expend funds for the programs administered by the Department of Community Development that generated program income in an amount not to exceed that generated program income all to be paid from the revolving fund in Fund 14.

**Section 7.** That the City is authorized to accept promissory notes naming the City of Cleveland as payee, and mortgages, naming the City of Cleveland as mortgagee, and any other security instrument executed to evidence and secure repayment of loans made under this program.

**Section 8.** That the Director of Community Development is authorized to enter in forbearance agreements with any recipient of a validly existing loan administered by the City, and to charge and accept fees and to expend such fees to cover costs incurred in the preparation of loan documents, closing, and servicing costs. Such fees shall be deposited to and expended from Fund No. 14.

**Section 9.** That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed May 19, 2003.  
Effective May 27, 2003.

**Ord. No. 699-03.**  
**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 United States Conference of Mayors for the Cities for United Science Progress 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 Public Health is authorized to apply for and accept a grant in the approximate amount of \$100,000 and any other funds that may become available during the grant term, from the United States Conference of Mayors to conduct the Cities for United Science Progress Program; that the Director of Public Health is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes set forth in the summary for the grant contained in the file described below.

**Section 2.** That the summary for the grant, File No. 699-03-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 if the extension does not involve an increase in the dollar amount of the grant specified above.

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

Passed May 19, 2003.  
Effective May 27, 2003.

**Ord. No. 700-03.**  
**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 Alcohol & Drug Addiction Services Board of Cuyahoga County for the Mental Health & Substance Abuse Prevention 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 Public Health is authorized to apply for and accept a grant in the approximate amount of \$497,884 and any other funds that may become available during the grant term, from the Alcohol & Drug Addiction Services Board of Cuyahoga County to conduct the Mental Health & Substance Abuse Prevention Program; that the Director of Public Health is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes set forth in the summary for the grant contained in the file described below.

**Section 2.** That the summary for the grant, File No. 700-03-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 if the extension does not involve an increase in the dollar amount of the grant specified above.

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

Passed May 19, 2003.  
Effective May 27, 2003.

**Ord. No. 701-03.**  
**By Council Members Britt and Jackson (by departmental request).**  
**An emergency ordinance authorizing the Director of Public Health to lease property known as 23600 Mercantile Road, Unit J, from Mercantile Associates for a term not to exceed one year, for the public purpose of leasing space to store goods necessary for the operation of the Cleveland House of Corrections.**

Whereas, the City of Cleveland requires certain space located at 23600 Mercantile Road, Unit J, in Beachwood, Ohio, including the exclusive use of ten parking spaces, and the non-exclusive use of common parking and loading areas, for the public purpose of leasing space to store goods necessary for the operation of the Cleveland House of Corrections; and

Whereas, Mercantile Associates has proposed to lease the space to the City of Cleveland; and

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

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

**Section 1.** That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Health is authorized to lease from Mercantile Associates certain space more fully described as follows: approximately 5,400 square feet of space located at 23600 Mercantile Road, Unit J, Beachwood, Ohio, including the exclusive use of ten parking spaces, and the non-exclusive use of common parking and loading areas ("Premises").

**Section 2.** That the term of the lease shall not exceed one year.

**Section 3.** That the rent for the lease shall be a base rate of \$3,000 per month, exclusive of utilities. The City of Cleveland shall also pay 5.4% of the cost of the Common Area Maintenance expenses for 23500-23600 Mercantile Road.

**Section 4.** That the lease may authorize the City to make improvements to the lease premises under terms to be determined by the parties consistent with the public purpose or purposes of leasing space to store goods necessary for the operation of the Cleveland House of Corrections.

**Section 5.** That the lease may provide for the City's payment of appropriate utility and other operating costs of the leased premises.

**Section 6.** That the costs of the lease shall be paid from Fund No. 17 SF 684, Request No. 103583.

**Section 7.** That the lease shall be prepared by the Director of Law and shall contain such authorized terms and conditions as are required to protect the interests of the City.

**Section 8.** That the Director of Public Health and the Director of Law, and other appropriate City officials, are authorized to execute such other documents and certificates, and take such other actions as may be necessary or appropriate to effect the lease authorized by this ordinance.

**Section 9.** That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed May 19, 2003.  
Effective May 27, 2003.

**Ord. No. 789-03.**

**By Council Member Scott.**

**An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 732 East 90th Street to Cleveland Housing Network, Inc.**

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

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

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

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

**Section 1.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 108-03-012, as more fully described below, to Cleveland Housing Network, Inc.

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

P. P. No. 108-03-012

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original One Hundred Acre Lot No. 368 and bounded and described as follows:

Beginning on the Easterly line of East 88th Street at a point 100 feet Northerly (measured along the Easterly line) from its point of intersection with the Northerly line of land conveyed to Max Lees, by deed dated February 16, 1914, recorded in Volume 1566, Page 238 of Cuyahoga County Records; thence Northerly along said Easterly line of East 88th Street, 50 feet; thence Easterly on a line at right angles as said described course, 210 feet to the principal place of beginning of the lands intended to be described herein; thence Easterly along a continuation of said last described course, 97 58/100 feet to the Southwesterly line of East 90th Street (50 feet wide), thence Southeasterly along the Southwesterly line of East 90th Street, 53 57/100 feet to its point of intersection with a line drawn parallel to the Northerly line of parcel of land herein intended to be described, and distant 50 feet Southerly at right angles therefrom; thence Westerly along said lines so drawn parallel to the Northerly line of land herein intended to be described, and distant Southerly at right angles 50 feet therefrom 116 81/100 feet to a point 210 feet Easterly from the Easterly line of said East 88th Street; thence Northerly 50 feet to the place of beginning, be the same more or less, but subject to all legal highways.

**Section 3.** That all documents necessary to complete the conveyance

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

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

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

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

Passed May 19, 2003.

Effective May 27, 2003.

**Ord. No. 910-03.**

**By Council Member White.**

**An emergency ordinance authorizing the Director of Economic Development to enter into a grant agreement with Maple Leaf Metals, Inc. for providing economic opportunities and the creation of jobs for the residents of the City of Cleveland through the use of Ward 2 Neighborhood Equity Funds.**

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

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

**Section 1.** That the Director of Economic Development is authorized to enter into a grant agreement with Maple Leaf Metals, Inc for providing economic opportunities and the creation of jobs for the residents of the City of Cleveland through the use of Ward 2 Neighborhood Equity Funds.

**Section 2.** That the cost of said contract shall be in an amount not to exceed \$30,000 and shall be paid from Fund No. 10 SF 166.

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

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

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

Passed May 19, 2003.  
Effective May 27, 2003.

**Ord. No. 915-03.**  
**By Council Members Jackson and Jones.**

**An emergency ordinance authorizing the Clerk of Council to enter into contract with North East Ohio Voice and Communications for professional services necessary to provide City Council with a dictation system and authorizing the purchase of software, software user licenses, dictation equipment, and other items necessary for the operation of the dictation system.**

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 Clerk of Council is hereby authorized to enter into contract with North East Ohio Voice and Communications for professional services, including maintenance services, necessary to provide City Council with a dictation system.

**Section 2.** That the Clerk of Council is hereby authorized to enter into contract with North East Ohio Voice and Communications for the purchase of software, software user licenses, dictation equipment, and other items necessary for the operation of the dictation system.

**Section 3.** That the cost of said contract shall not exceed \$14,000.00 and shall be paid from Fund No. 01 SF 001.

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

Passed May 19, 2003.  
Effective May 27, 2003.

**Ord. No. 916-03.**  
**By Council Member Jackson.**  
**An emergency ordinance authorizing certain persons to engage in mobile peddling in Ward 5. (Anthony M. Okoro).**

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 5; 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 below to engage in peddling in the public rights of way of Ward 5: Anthony M. Okoro

**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 May 19, 2003.  
Effective May 27, 2003.

**Ord. No. 917-03.**  
**By Council Member Jackson.**  
**An emergency ordinance authorizing certain persons to engage in peddling in Ward 5. (Toni Cummings and Jacqueline Rand).**

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 5; 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 below to engage in peddling in the public rights of way of Ward 5: Toni Cummings and Jacqueline Rand on the corner of East 81st Street and Kinsman 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 May 19, 2003.  
Effective May 27, 2003.

**Ord. No. 918-03.**  
**By Council Member Lewis.**  
**An emergency ordinance to amend the Title and Section 1 of Ordinance No. 395-03, passed March 10, 2003 as amended by Ordinance No. 830-03, passed May 12, 2003, relating to the Hough Service Provider Program through the use of Ward 7 Neighborhood Equity Funds.**

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

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

**Section 1.** That the Title of Ordinance No. 395-03, passed March 10, 2003, as amended by Ordinance No. 830-03, passed May 12, 2003 is hereby amended to read as follows:

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with The Consortium For Economic Community Development For Hough/Ward 7 for the Hough Service Provider Program through the use of Ward 7 Neighborhood Equity Funds.

**Section 2.** That Section 1 of Ordinance No. 395-03, passed March 10, 2003, as amended by Ordinance No. 830-03, passed May 12, 2003 is hereby amended to read as follows:

Section 1. That the Director of Community Development is authorized to enter into an agreement with The Consortium For Economic Community Development For Hough/Ward 7 for the Hough Service Provider Program for the public purpose of providing neighborhood citizen services, safety education, crime prevention and social service agency referral programs to City of Cleveland residents through the use of Ward 7 Neighborhood Equity Funds.

**Section 3.** That the Title and existing Section 1 of Ordinance No. 395-03, passed March 10, 2003, as amended by Ordinance No. 830-03, passed May 12, 2003 is hereby repealed.

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

Passed May 19, 2003.  
Effective May 27, 2003.

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