

# The City Record

Official Publication of the Council of the City of Cleveland



July the Twenty-Eighth, Two Thousand and Four

**Jane L. Campbell**  
Mayor

**Frank G. Jackson**  
President of Council

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

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

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[www.clevelandcitycouncil.org](http://www.clevelandcitycouncil.org)

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# DIRECTORY OF CITY OFFICIALS

## CITY COUNCIL – LEGISLATIVE

President of Council – Frank G. Jackson

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

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

### MAYOR – Jane L. Campbell

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

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

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

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

DEPT. OF PUBLIC UTILITIES – 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 – Ollie Shaw, Commissioner

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

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

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

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

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

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

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

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

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

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

DEPT. OF COMMUNITY DEVELOPMENT – Daryl Rush, Director, 3rd Floor, City Hall

DIVISIONS: Administrative Services – Terrence Ross, Commissioner  
Neighborhood Services – Louise V. Jackson, Commissioner  
Neighborhood Development – Joseph A. Sidoti, Commissioner

DEPT. OF BUILDING AND HOUSING – James G. Williams, Director, Room 500

DIVISIONS: Code Enforcement – Tyrone L. Johnson, Commissioner  
Construction Permitting – Timothy R. Wolosz, Commissioner

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

DEPT. OF ECONOMIC DEVELOPMENT – \_\_\_\_\_, Director, Room 210

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

DEPT. OF CONSUMER AFFAIRS – Kenya Taylor, Director

COMMUNITY RELATIONS BOARD – Room 111, Jeffrey D. Johnson, Director; Mayor Jane

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

CIVIL SERVICE COMMISSION – Room 119, Reynaldo Galindo, President; Rev. Earl

Preston, Vice President; Jonalyn M. Krupka, Secretary; Members: Diane M. Downing, William Morrison.

SINKING FUND COMMISSION – Jane L. Campbell, President; Council President Frank

G. Jackson; Betsy Hruby, Asst. Sec'y.; Robert H. Baker, Director.

BOARD OF ZONING APPEALS – Room 516, Carol A. Johnson, Chairman; Members;

Margaret Hopkins, Ozell Dobbins, Joan Shaver Washington, Christopher Carmody, \_\_\_\_\_, Secretary.

BOARD OF BUILDING STANDARDS AND BUILDING APPEALS – Room 516, J. F. Denk,

Chairman; James Williams, Arthur Saunders, Alternate Members – D. Cox, P. Frank, E. P. O'Brien, Richard Pace, J.S. Sullivan.

BOARD OF REVISION OF ASSESSMENTS – Law Director Subodh Chandra, President;

Finance Director Robert H. Baker, Secretary; Council President Frank G. Jackson.

BOARD OF SIDEWALK APPEALS – Service Director Mark Ricchiuto; Law Director

Subodh Chandra; Councilman Martin J. Sweeney.

BOARD OF REVIEW – (Municipal Income Tax) – Law Director Subodh Chandra; Utilities

Director 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 Leohr, Mark McDermott, Marcia Nolan, David Perkowski, Joan Shaver Washington, Keith Sutton, Council Member Merle Gordon.

FAIR HOUSING BOARD – Charles See, Chair; Cindy Barber, Vice Chair; Michael Doud,

Doris Honsa, Richard Lenard.

CLEVELAND BOXING AND WRESTLING COMMISSION – Robert Jones, Chairman;

Clint Martin, Mark Rivera.

MORAL CLAIMS COMMISSION – Law Director Subodh Chandra; Chairman; Finance

Director Robert H. Baker; Council President Frank G. Jackson; Councilman Dona Brady; Councilman Martin J. Sweeney.

BOARD OF EXAMINERS OF ELECTRICIANS – Samuel Montfort, Chairman; Donald

Baulknight, Anton J. Eichmuller, J. Gilbert Steele, Raymond Ossovicki, Chief Electrical Inspector; Laszlo V. Kemes, Secretary to the Board.

BOARD OF EXAMINERS OF PLUMBERS – Joseph Gyorky, Chairman; Earl S. Bumgarner,

Alfred Fowler, Jozef Valencik, Lawrence Skule, Chief Plumbing Inspector; Laszlo V. Kemes, Secretary to the Board.

CLEVELAND LANDMARKS COMMISSION – Room 519 – Paul Volpe, Chair; Ted Sande,

Vice Chair; James Gibans, India Pierce Lee, Robert Madison, Randall B. Shorr, Chris Ronayne, N. Kurt Wiebusch, Council Member Joe Cimperman, Dwayne J. Simpson; Robert Keiser, Secretary.

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

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

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

# The City Record



OFFICIAL PUBLICATION OF THE COUNCIL OF THE CITY OF CLEVELAND

Vol. 91

WEDNESDAY, JULY 28, 2004

No. 4729

## CITY COUNCIL

MONDAY, JULY 26, 2004

### The City Record

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Address all communications to

**VALARIE J. McCALL**

City Clerk, Clerk of Council  
216 City Hall

### PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL

2002-2005

#### MONDAY

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

#### MONDAY—Alternating

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

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

#### MONDAY

2:00 P.M. — **Finance Committee:** Jackson, Chairman; Sweeney, Vice Chairman; Brady, Britt, Coats, Gordon, O'Malley, Reed, 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 measure will be on its final passage at the next meeting:

#### ORDINANCE

##### Ord. No. 946-04.

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

An emergency ordinance to amend Sections 9 and 10 of Ordinance No. 817-03, passed October 6, 2003, relating to the Director of the City Planning Commission entering into a Memorandum of Understanding with the Cleveland Cuyahoga County Port Authority and various leases, agreements, and amendments necessary to effectuate the purpose of the Memorandum of Understanding.

#### BOARD OF CONTROL

July 21, 2004

The special meeting of the Board of Control convened in the Mayor's office on Wednesday, July 21, 2004, at 10:30 a.m. with Mayor Campbell presiding.

Present: Mayor Campbell, Directors Chandra, Baker, Acting Director McGuirk, Directors Mok, Ricchiuto, Carroll, Acting Director Pettus, Directors Ronayne, Rush, Acting Directors Brown, Huth, Directors Fumich, Taylor and Williams.

Absent: None.

Others: Myrna Branche, Commissioner, Purchases and Supplies.

Collette Appolito, Director, Office of Equal Opportunity.

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

##### Resolution No. 425-04.

By Director Baker.

Resolved by the Board of Control of the City of Cleveland, that pursuant to Section 101 of the Charter, Section 181.19 of the Codified Ordinances of Cleveland, Ohio 1976, and Resolution No. 921-52, adopted by the Board of Control on November 26, 1952 the report of the Commissioner of Purchases and Supplies for the sale of scrap, personal property, and by-products during the month of June, 2004 in the amount of \$19,518.55, hereto attached and made a part hereof, is hereby received, approved and ordered filed.

Yeas: Mayor Campbell, Directors Chandra, Baker, Acting Director McGuirk, Directors Mok, Ricchiuto, Carroll, Acting Director Pettus, Directors Ronayne, Rush, Acting Directors Brown, Huth, Directors Fumich, Taylor and Williams.

Nays: None.

Absent: None.

##### Resolution No. 426-04.

By Director Baker.

Be it resolved by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 2152-02, passed on December 9, 2002, SBC Global Services, Inc. is selected from a list of firms determined after a full and complete canvass by the Director of Finance, as the firm to be employed by contract to provide professional services necessary to assess, plan, design, and manage the implementation of a Data and Voice Infrastructure network technology solution for various facilities of the Division of Water.

Be it further resolved that the Director of Finance is requested to enter into a written contract with SBC Global Services, Inc., based upon its March 17, 2003 proposal and its Statement of Work and Scope of Services dated July 15, 2004, for all of the General Fund departments, enterprise departments, and the Cleveland City Council Ward offices, and excluding the Division of Water and 205 St. Clair, which contract shall be prepared by the Director of Law, shall provide for furnishing of professional services as contained in the Statement of Work, for an aggregate fee not to exceed Nine Hundred Fifty Seven Thousand Four Hundred Seventy and 20/100 Dollars (\$957,470.20), and shall contain such other provisions as the Director of Law deems necessary to protect and benefit the public interest.

Be it further resolved that employment of the following Subconsultants by SBC Global Services, Inc. under the contract authorized above is approved:

| <u>Subconsultant</u>               | <u>Percentage</u> | <u>Amount</u> |
|------------------------------------|-------------------|---------------|
| Mid-America Consulting Group (MBE) | 8.5%              | \$81,837.00   |
| ICNS (FBE)                         | 39.4%             | \$376,995.28  |

Yeas: Mayor Campbell, Directors Chandra, Baker, Acting Director McGuirk, Directors Mok, Ricchiuto, Carroll, Acting Director Pettus, Directors Ronayne, Rush, Acting Director Brown, Huth, Directors Fumich, Taylor and Williams.

Nays: None.  
Absent: None.

#### **Resolution No. 427-04.**

By Director Konicek.

Whereas, Board of Control Resolution No. 541-02, adopted August 21, 2002, under authority of Ordinance No. 1414-99, passed by the Cleveland City Council on December 13, 1999, approved CH2M Hill, Inc. as the firm to be employed by contract to provide professional security consulting services for the divisions of the Department of Public Utilities, and approved Ralph Tyler Companies, P.E., P.S., Ltd. (MBE), and MCGix (MBE) among others, as sub-consultants; and

Whereas, CH2M Hill has determined to terminate its subcontract for services with MCGix due to MCGix's non-compliance with certain terms of the subcontract; and

Whereas, CH2M Hill has requested, and the Director of the Office of Equal Opportunity has granted, approval to employ Ralph Tyler Companies as a substitute MBE for the subcontract services not completed by MCGix; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that Resolution No. 541-02, adopted August 21, 2002, approving CH2M Hill, Inc. as the firm to be employed by contract to provide professional security consulting services for the divisions of the Department of Public Utilities is amended by increasing the amount of sub-consultant services by Ralph Tyler Companies, P.E., P.S., Ltd. (MBE) from

\$187,649.00 (9.5%) to \$240,473.00 (11.85%), and by decreasing the amount of sub-consultant services by MCGix (MBE) from \$72,262.00 (3.66%) to \$19,438.00 (.9%).

Be it further resolved that all other provisions of Resolution No. 541-02 not expressly amended above shall remain unchanged and in full force and effect.

Yeas: Mayor Campbell, Directors Chandra, Baker, Acting Director McGuirk, Directors Mok, Ricchiuto, Carroll, Acting Director Pettus, Directors Ronayne, Rush, Acting Director Brown, Directors Fumich, Taylor and Williams.

Nays: None.  
Absent: Director Huth.

#### **Resolution No. 428-04.**

By Director Konicek.

Be it resolved, by the Board of Control of the City of Cleveland that all bids received on June 18, 2004 for an estimated quantity of labor and materials necessary to repair or replace fire hydrants & appurtenances: Area A-City of Cleveland corporate limits (all items) for the Division of Water, Department of Public Utilities, pursuant to the authority of Ordinance No. 1002-03, passed June 10, 2003, are hereby rejected.

Yeas: Mayor Campbell, Directors Chandra, Baker, Acting Director McGuirk, Directors Mok, Ricchiuto, Carroll, Acting Director Pettus, Directors Ronayne, Rush, Acting Director Brown, Directors Fumich, Taylor and Williams.

Nays: None.  
Absent: Director Huth.

#### **Resolution No. 429-04.**

By Director Mok.

Be it resolved by the Board of Control of the City of Cleveland that, under the authority of Ordinance No. 618-04, passed by the Council of the City of Cleveland on May 24, 2004, the firm of Innovata, LLC ("Consultant"), is hereby selected upon the nomination of the Director of Port Control from a list of qualified persons or firms determined after a full and complete canvass by the Director of Port Control as the firm of consultants available to be employed by contract to supplement the regularly employed staff of the several departments of the City to provide professional services necessary for internet web link development and internet PDF downloadable services of airline schedules for the various divisions of the Department of Port Control.

Be it further resolved that the Director of Port Control is authorized to enter into a written contract with Innovata, LLC based upon its May 10, 2004 proposal, for a term of one year with two one-year options to renew, exercisable by the Director of Port Control, which contract shall be prepared by the Director of Law, shall provide for rendering professional services as stated in the proposal, for a fee not exceeding \$18,000.00 annually, and shall contain such other provisions as the Director of Law deems necessary to protect and benefit the public interest.

Yeas: Mayor Campbell, Directors Chandra, Baker, Acting Director McGuirk, Directors Mok, Ricchiuto, Carroll, Acting Director Pettus,

Directors Ronayne, Rush, Acting Director Brown, Directors Fumich, Taylor and Williams.

Nays: None.  
Absent: Director Huth.

#### **Resolution No. 430-04.**

By Director Ronayne.

Whereas, by Resolution No. 161-91, adopted on March 20, 1991, as amended by Resolution 36-99, adopted January 20, 1999, and by Resolution No. 169-02, adopted April 3, 2002, under the authority of Section 133.031 of the Codified Ordinances of Cleveland Ohio 1976, this Board of Control established the rental rates for special event and recovery of costs for the provision of additional municipal services required to serve special events; and

Whereas, this Board of Control desires to further amend Resolution No. 161-91; and now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that Resolution No. 161-91, adopted March 20, 1991, as amended by Resolution No. 36-99, adopted January 20, 1999, and by Resolution No. 169-02, adopted April 3, 2002, is hereby further amended as follows:

1. At the end of Section 2, Event Classification, insert the following: "International Special Event" (Class "F") means a special event sponsored or produced by a nonprofit organization that is in conjunction with an international sporting event which has not less than a total of 3,000 athletes from not less than 50 countries competing in a variety of sports."

2. In Section 3, Rent delete "All persons or entities sponsoring special events governed by Section 133.031 and located wholly or partially on property which is owned, leased or maintained by the City of Cleveland, except all persons or entities sponsoring or producing a City-Supported Special Event, shall pay daily property rent as follows:" and substitute therefor "All persons or entities sponsoring special events governed by Section 133.031 and located wholly or partially on property which is owned, leased, or maintained by the City of Cleveland, except all persons or entities sponsoring or producing a City-Supported Special Event or a International Special Event, shall pay daily property rent as follows:";

3. In Section 3, Rent, delete "Sales refers to sale of food, beverages, novelties, or any other items offered for general sale to the public" and substitute therefor "Sales refers to sale of food, beverages, novelties, or any other items offered for general sale to the public where the sponsor or producer of the special event receives some or all of the proceeds from the sale of the items".

Yeas: Mayor Campbell, Directors Chandra, Baker, Acting Director McGuirk, Directors Mok, Ricchiuto, Carroll, Acting Director Pettus, Directors Ronayne, Rush, Acting Directors Brown, Huth, Directors Fumich, Taylor and Williams.

Nays: None.  
Absent: None.

#### **Resolution No. 431-04.**

By Director Rush.

Whereas, pursuant to the authority of Ordinance No. 1207-04, passed by the Council of the City of Cleveland on June 14, 2004, the Director of Com-

munity Development is authorized to enter into contracts with various individuals and/or families for assistance in the financing of housing being acquired in the City of Cleveland in order to improve the economic and general well-being of the people of the City of Cleveland; and

Whereas, the City has established a Housing Advisory Board to review the City's comprehensive affordable housing strategy and various housing assistance programs; and

Whereas, the Housing Advisory Board has reviewed and approved the proposed mortgage loan and/or grant assistance to the home buyers program; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authority of Ordinance No. 1207-04, passed by the Council of the City of Cleveland on June 14, 2004, this Board of Control hereby approves the amount of the Mortgage Loan to Deanna Burns, 3603 East 65th Street, Cleveland, Ohio 44105, of Ten Thousand Dollars (\$10,000.00).

Yeas: Mayor Campbell, Directors Chandra, Baker, Acting Director McGuirk, Directors Mok, Ricchiuto, Carroll, Acting Director Pettus, Directors Ronayne, Rush, Acting Directors Brown, Huth, Directors Fumich, Taylor and Williams.

Nays: None.

Absent: None.

**Resolution No. 432-04.**

By Director Rush.

Whereas, pursuant to the authority of Ordinance No. 1207-04, passed by the Council of the City of Cleveland on June 14, 2004, the Director of Community Development is authorized to enter into contracts with various individuals and/or families for assistance in the financing of housing being acquired in the City of Cleveland in order to improve the economic and general well-being of the people of the City of Cleveland; and

Whereas, the City has established a Housing Advisory Board to review the City's comprehensive affordable housing strategy and various housing assistance programs; and

Whereas, the Housing Advisory Board has reviewed and approved the proposed mortgage loan and/or grant assistance to the home buyers program; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authority of Ordinance No. 1207-04, passed by the Council of the City of Cleveland on June 14, 2004, this Board of Control hereby approves the amount of the Mortgage Loan to Peter Sobolewski and Katherine Sobolewski, 3605 East 65th Street, Cleveland, Ohio 44105, of Ten Thousand Dollars (\$10,000.00).

Yeas: Mayor Campbell, Directors Chandra, Baker, Acting Director McGuirk, Directors Mok, Ricchiuto, Carroll, Acting Director Pettus, Directors Ronayne, Rush, Acting Directors Brown, Huth, Directors Fumich, Taylor and Williams.

Nays: None.

Absent: None.

**Resolution No. 433-04.**

By Director Rush.

Whereas, pursuant to Ordinance No. 2076-76 passed October 25, 1976, the City is conducting a Land Reuti-

lization Program in accordance with the provision of Chapter 5722 of the Ohio Revised Code; and

Whereas, City has acquired Permanent Parcel Nos. 120-09-034 and 120-09-035 under said Land Reutilization Program; and

Whereas, Ordinance No. 535-04 passed May 10, 2004, authorized the sale of said parcels for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Dimitri Salivaras has proposed to the City to purchase and develop said parcels; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 535-04 passed May 10, 2004, by the Cleveland City Council, the Mayor is hereby authorized to execute an official deed for and on behalf of the City of Cleveland with Dimitri Salivaras for the sale and development of Permanent Parcel Nos. 120-09-034 and 120-09-035, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcels shall be \$8,500.00, which amount is hereby determined to be not less than the fair market value of said parcels for uses in accordance with the Land Reutilization Program.

Yeas: Mayor Campbell, Directors Chandra, Baker, Acting Director McGuirk, Directors Mok, Ricchiuto, Carroll, Acting Director Pettus, Directors Ronayne, Rush, Acting Directors Brown, Huth, Directors Fumich, Taylor and Williams.

Nays: None.

Absent: None.

**Resolution No. 434-04.**

By Director Rush.

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

Whereas, City has acquired Permanent Parcel No. 118-01-053 under said Land Reutilization Program; and

Whereas, Ordinance No. 1101-04 passed June 14, 2004, 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, Church of God Militant Pillar and Ground of Truth 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. 1101-04 passed June 14, 2004, by the Cleveland City Council, the Mayor is hereby authorized to execute an official deed for and on behalf of the City of Cleveland with Church of God Militant Pillar and Ground of Truth for the sale and development of Permanent Parcel No. 118-01-053, 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 \$100.00, which amount is hereby determined to be not less than the

fair market value of said parcel for uses in accordance with the Land Reutilization Program.

Yeas: Mayor Campbell, Directors Chandra, Baker, Acting Director McGuirk, Directors Mok, Ricchiuto, Carroll, Acting Director Pettus, Directors Ronayne, Rush, Acting Directors Brown, Huth, Directors Fumich, Taylor and Williams.

Nays: None.

Absent: None.

**Resolution No. 435-04.**

By Director Rush.

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

Whereas, City has acquired Permanent Parcel No. 142-13-085 under said Land Reutilization Program; and

Whereas, Ordinance No. 1030-04 passed June 14, 2004, 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, Anthony Gray 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. 1030-04 passed June 14, 2004, by the Cleveland City Council, the Mayor is hereby authorized to execute an official deed for and on behalf of the City of Cleveland with Anthony Gray for the sale and development of Permanent Parcel No. 142-13-085, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Yeas: Mayor Campbell, Directors Chandra, Baker, Acting Director McGuirk, Directors Mok, Ricchiuto, Carroll, Acting Director Pettus, Directors Ronayne, Rush, Acting Directors Brown, Huth, Directors Fumich, Taylor and Williams.

Nays: None.

Absent: None.

**Resolution No. 436-04.**

By Director Baker.

Whereas, Board of Control Resolution No. 402-04, adopted July 7, 2004, amended Resolution No. 365-04, adopted June 9, 2004, authorizing the Director of Finance to enter into contract with Cuyahoga Concrete Co., Inc. for an estimated quantity of ready-mix concrete, for various divisions of City government, by correcting an ordinance passage date; and

Whereas, Resolution No. 402-04 incorrectly identified the resolution to be amended as Resolution No. 364-04; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that Resolution No. 402-04, adopted by this Board July 7, 2004, amending the resolution approving the bid of Cuyahoga Concrete Co., Inc. as lowest and best for an estimated quan-

tity of ready-mix concrete is amended by substituting "Resolution No. 365-04" for "Resolution No. 364-04", where appearing.

Be it further resolved that all other terms of Resolution No. 402-04 not expressly amended above shall remain unchanged and in full force and effect.

Yeas: Mayor Campbell, Directors Chandra, Baker, Acting Director McGuirk, Directors Mok, Ricchiuto, Carroll, Acting Director Pettus, Directors Ronayne, Rush, Acting Directors Brown, Huth, Directors Fumich, Taylor and Williams.

Nays: None.

Absent: None.

JEFFREY B. MARKS,  
Secretary

## CIVIL SERVICE NOTICES

### General Information

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

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

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

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

REYNALDO GALINDO,  
President

## CIVIL SERVICE NOTICE

### ANNOUNCEMENTS - 2004

8/2/04 — 8/6/04

| Announcement No. | Type Exam | Classification  |
|------------------|-----------|---|
| 102              | WR        | Cemeteries Maintenance Man I (Open)                       |
| 103              | WR        | Community Development Code Enforcement Inspector I (Open) |
| 104              | WR        | Computer Operator (Open)                                  |
| 105              | WR        | Data Conversion Operator (Open)                           |

|     |    |  |
|-----|----|--|
| 107 | EE | Engineering and Construction Inspector (Open)      |
| 108 | EE | Manager of Parks Maintenance and Properties (Open) |
| 109 | WR | Painter (Open)                                     |
| 110 | WR | Plasterer (Open)                                   |
| 111 | WR | Real Estate Maintenance Worker (Open)              |
| 113 | WR | Truck Driver (Open)                                |

### PROOF OF CITY RESIDENCY

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

Lease - from rental agency.

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

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

Post Office change of address form properly date stamped.

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

Bank statements (Within last three months).

School registration of children.

Car insurance documents.

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

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

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

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

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

Library cards.

Voter registration cards.

Birth certificates.

Notarized letters or affidavits.

Social Security card.

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

### APPROVED C.S.C MINUTES ANNOUNCEMENT NO. 102

#### CEMETERIES MAINTENANCE MAN I (OPEN)

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

#### SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$13.94 - \$15.94 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, August 2, 2004 UNTIL 4:30 P.M. ON FRIDAY, August 6, 2004.**

**NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M ON FRIDAY, August 6, 2004.**

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

#### EXAMINATION INFORMATION

**TYPE: WRITTEN**

**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

- A. Follow instructions of Foreman or Supervisor.
- B. Use power or manual equipment to cut, trim and maintain grass, shrubs and trees, level, grade and seed graves and drive trucks.
- C. Use hand shovels to dig or back-fill graves, place drain tile, lay sewer pipe for grave drainage, lay foundations for grave markers and monuments.
- D. Aid in disinterment of bodies.
- E. Make minor plumbing repairs, such as replacing hydrants or placing clamps on broken water lines.
- F. Escort funerals to graves site.
- G. Decorate graves, maintain lowering devices, lay plywood, and larger boards for people to walk on and back hoe to drive on.
- H. Assist Funeral director when necessary, lower casket, remove boards, decorations and lowering device to road for pick up, stack plywood boards.
- I. Supply digger crew with planks and wheel barrows, etc.
- J. Pick up rubbish, debris, etc.
- K. Use wheel barrow to wheel excess dirt to road.

- L. Crews will pick up decorations and equipment to return to service building.
- M. Keep equipment and buildings in clean condition.

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

High School Diploma or G.E.D. Certificate from an accredited Institution is required. Two (2) Years experience working in a park system, cemetery or special skills related to the upkeep or maintenance of parks, cemeteries or related areas. Must possess a valid State of Ohio Driver's License.

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

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

**NOTE:** Those persons who are residents of the City of Cleveland and who received passing Scores shall have ten (10) additional points added to their grades. See accompanying list of acceptable forms of proof of residency applicants need to present at the time of filing.

**AN EQUAL OPPORTUNITY EMPLOYER**

APPROVED C.S.C. MINUTES  
ANNOUNCEMENT NO. 103

**COMMUNITY DEVELOPMENT CODE ENFORCEMENT INSPECTOR I (OPEN)**

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

**SALARY**

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$14.08 - \$21.84 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, August 2, 2004 UNTIL 4:30 P.M. ON FRIDAY, August 6, 2004.

**NOTE:** APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M ON FRIDAY, August 6, 2004.

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

**EXAMINATION INFORMATION**

**TYPE:** WRITTEN

**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 of the Commissioner of Building and Housing, to make inspections of residential, commercial, industrial and other structures in the course of construction for the purpose of ensuring compliance with laws, ordinances, rules, and regulations relating to design, location, construction, and maintenance; and to perform related duties as required that pertain to enforcement of the Cleveland Housing Code, Cleveland Building Code, and the Cleveland Zoning Code.

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

High School Diploma or G.E.D. Certificate from an accredited Institution is required. Must obtain and maintain certification from the State of Ohio as a Class III OBC Building Inspector. Must have a valid State of Ohio Driver's License and have a minimum of three (3) years of Ohio Basic Building Code (OBC) experience.

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

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

mission 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.

**NOTE:** Those persons who are residents of the City of Cleveland and who received passing Scores shall have ten (10) additional points added to their grades. See accompanying list of acceptable forms of proof of residency applicants need to present at the time of filing.

**AN EQUAL OPPORTUNITY EMPLOYER**

APPROVED C.S.C. MINUTES  
ANNOUNCEMENT NO. 104

**COMPUTER OPERATOR (OPEN)**

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

**SALARY**

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$9.20 - \$20.71 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, August 2, 2004 UNTIL 4:30 P.M. ON FRIDAY, August 6, 2004.

**NOTE:** APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M ON FRIDAY, August 6, 2004.

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

**EXAMINATION INFORMATION**

**TYPE:** WRITTEN

**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 general supervision, operates the computer and peripherals (tape drives, disk drives, printers, etc.); handles input and output media with appropriate care and distributes according to procedures and standards; observes system operation and when encountering problems, under close supervision, initiates corrective action; monitors console messages and responds according to directions from system soft-

ware or application program operations documentation; performs routine maintenance on peripheral units within set schedules and procedures.

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

High School Diploma or G.E.D. is required. Two (2) years of computer operator experience is required. Six (6) months experience operating online peripheral equipment in a data center environment is required. Ability to make independent judgment and solve problems on multiple tasks.

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

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

**NOTE:** Those persons who are residents of the City of Cleveland and who received a passing Score shall have ten (10) additional points added to their grades. See accompanying list of acceptable forms of proof of residency applicants need to present at the time of filing.

AN EQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C. MINUTES  
ANNOUNCEMENT NO. 105

DATA CONVERSION OPERATOR (OPEN)

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

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$9.92 - \$13.67 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, August 2, 2004 UNTIL 4:30 P.M. ON FRIDAY, August 6, 2004.

**NOTE:** APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M ON FRIDAY, August 6, 2004.

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

EXAMINATION INFORMATION

**TYPE:** WRITTEN

**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, responsible for conversion of data to machine readable form on card, tape or direct access.

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

High School Diploma or G.E.D. is required. Must have valid Ohio State Driver's License. Applicant should have a minimum of one year Data Entry or two (2) years Remittance Processing Experience.

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

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

**NOTE:** Those persons who are residents of the City of Cleveland and received passing Scores shall have ten (10) additional points added to their grades. See accompanying list

of acceptable forms of proof of residency applicants need to present at the time of filing.

AN EQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C. MINUTES  
ANNOUNCEMENT NO. 107

ENGINEERING AND CONSTRUCTION INSPECTOR (OPEN)

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

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$16.70 - \$18.70 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, August 2, 2004 UNTIL 4:30 P.M. ON FRIDAY, August 6, 2004.

**NOTE:** APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M ON FRIDAY, August 6, 2004.

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 inspect the construction of sewers; to examine paving construction and maintenance work; to insure compliance with contract plans, specifications and good workmanship, and to perform relative 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:

Must have High School Diploma or G.E.D. Two (2) years of full time



paid field experience in inspection and construction is required. Substitution: A Construction Technician certification may substitute for experience. A valid state of Ohio Driver's License is required.

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

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

**NOTE:** Those persons who are residents of the City of Cleveland and received passing Scores shall have ten (10) additional points added to their grades. See accompanying list of acceptable forms of proof of residency applicants need to present at the time of filing.

**AN EQUAL OPPORTUNITY EMPLOYER**

APPROVED C.S.C. MINUTES  
ANNOUNCEMENT NO. 108

**MANAGER OF PARKS MAINTENANCE AND PROPERTIES (OPEN)**

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

**SALARY**

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$22,333.40 - \$67,139.98 per Year

**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, August 2, 2004 UNTIL 4:30 P.M. ON FRIDAY, August 6, 2004.

**NOTE:** APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M ON FRIDAY, August 6, 2004.

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 administrative direction, manages the operation of an assigned section within the Department of Parks, Recreation, and Properties. Establishes and implements section policies and procedures. Monitors daily operations and coordinates section activities. Conducts public and media relations programs, as necessary. Responds to public complaints and inquires. Prepares and administers operating and capital budgets. Prepares administrative reports and performs general administrative duties. Evaluates performance of section workers and any outside contractors. Enforces codified ordinances as necessary. 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:**

A Bachelor's Degree in Horticulture, Landscape Architecture, Urban Forestry, or related field from an accredited four-year college or University is required. Five years of full time paid experience in ground maintenance or related field, three (3) of which are of a supervisory nature is required. Substitution: One year of experience may substitute for each year of college education lacking. A High School Diploma or G.E.D. is required. A valid State of Ohio Driver's License is required. Excellent verbal, written, and interpersonal skills are required. May be required to obtain a Pesticide Applicator's License.

**NOTE:** Applicants will be required to pay a \$10.00 (TEN DOLLARS) filing fee. Applicants who are currently employed in this position with the City of Cleveland are exempt. However, that when an applicant is disqualified from taking an examination on the basis of age, education or failure to meet other minimum entrance requirements, the fee paid by such applicant shall be refunded to such appli-

cant upon the applicant's request in writing made within ten (10) days after the date of examination.

**NOTE:** Applications must be returned in person. All copies of diplomas, licenses, certificates, and resumes must be presented at the 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. 109

**PAINTER (OPEN)**

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

**SALARY**

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$27.26 - \$34.08 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, August 2, 2004 UNTIL 4:30 P.M. ON FRIDAY, August 6, 2004.

**NOTE:** APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M ON FRIDAY, August 6, 2004.

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

**EXAMINATION INFORMATION**

**TYPE:** WRITTEN

**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 apply paint, stain, lacquer, enamel, shellac, varnish or other finishes to the interior or exterior surfaces of buildings; to paint or otherwise finish furniture, machinery, automobiles and other equipment; 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:

Journeyman painter.

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

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

**NOTE:** Those persons who are residents of the City of Cleveland and who received passing Scores shall have ten (10) additional points added to their grades. See accompanying list of acceptable forms of proof of residency applicants need to present at the time of filing.

AN EQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C MINUTES  
ANNOUNCEMENT NO. 110

PLASTERER (OPEN)

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

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$27.86 - \$34.82 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, August 2, 2004 UNTIL 4:30 P.M. ON FRIDAY, August 6, 2004.

**NOTE:** APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M ON FRIDAY, August 6, 2004.

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

EXAMINATION INFORMATION

TYPE: WRITTEN

**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 finish and repair walls with lime or cement, plaster, and other plastic materials; 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:

A High School Diploma or G.E.D. is required. Must have completed an apprenticeship program and have a valid Journeyman Plasterer Certification. A valid State of Ohio Driver's License is required. Must be able to lift and carry a minimum of fifty pounds.

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

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

**NOTE:** Those persons who are residents of the City of Cleveland and who received passing Scores shall have ten (10) additional points added to their grades. See accompanying list of acceptable forms of proof of residency applicants need to present at the time of filing.

AN EQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C MINUTES  
ANNOUNCEMENT NO. 111

REAL ESTATE MAINTENANCE WORKER (OPEN)

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

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$14.75 - \$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, August 2, 2004 UNTIL 4:30 P.M. ON FRIDAY, August 6, 2004.

**NOTE:** APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M ON FRIDAY, August 6, 2004.

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

EXAMINATION INFORMATION

TYPE: WRITTEN

**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:

High School Diploma or G.E.D. is required. A valid State of Ohio Driver's License is required. Applicants must have two (2) years experience in the maintenance or up keep of green space. Requires knowledge of ground maintenance functions and various ground equipment.

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

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

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.

**NOTE:** Those persons who are residents of the City of Cleveland and who received passing Scores shall have ten (10) additional points added to their grades. See accompanying list of acceptable forms of proof of residency applicants need to present at the time of filing.

**AN EQUAL OPPORTUNITY EMPLOYER**

**APPROVED C.S.C MINUTES  
ANNOUNCEMENT NO. 113**

**TRUCK DRIVER (OPEN)**

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

**SALARY**

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$12.50 - \$17.58 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, August 2, 2004 UNTIL 4:30 P.M. ON FRIDAY, August 6, 2004.

**NOTE:** APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M ON FRIDAY, August 6, 2004.

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

**EXAMINATION INFORMATION**

**TYPE:** WRITTEN

**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 drive a truck and shall be required to assist and support personnel of the truck in the performance of work for which the truck is operated; and to perform related duties as assigned.

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

Must have High School Diploma or G.E.D. Must have valid State of Ohio Class A or B Commercial Drivers' License.

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

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

**NOTE:** Those persons who are residents of the City of Cleveland and who received passing Scores shall have ten (10) additional points added to their grades. See accompanying list of acceptable forms of residency applicants need to present at the time of filing.

**AN EQUAL OPPORTUNITY EMPLOYER**

REYNALDO GALINDO,  
President

July 28, 2004

**SCHEDULE OF THE BOARD  
OF ZONING APPEALS**

**MONDAY, AUGUST 9, 2004**

**9:30 A.M.**

**Calendar No. 04-134:** 3584 East 116th Street (Ward 3)

Aiat of Ohio LLC c/o Aziz Y. Tayeh, owners, appeal to expand the use of a proposed 50' x 50' one-story retail sales building by adding a gas station service to be erected on an approximate 158' x 150' corner lot, located in a Local Retail Business District on the southwest corner of East 116th Street and Benham Avenue at 3584 East 116th Street; contrary to Section 343.01 of the Regulations for Business Districts, a gas station is not permitted in a Local Retail District but first permitted under Section 343.11(b)(2)I in a General Retail Business District, but as proposed, subject to the limitations of a location on a lot at a four corners intersection, where one of the streets is a 30' width and a 40' width, at least, is required and the other is a 45' width and must be at least a 60' width, as stated in Section 343.15(a)(2) of the Codified Ordinances.

**Calendar No. 04-169:** 2118 Broadview Road (Ward 15)

Hikmat Dakdouk, owner, appeals to use the setback for parking on a 44' x 140' corner parcel with an existing retail sales store in a Local Retail Business District on the southeast corner of Broadview Road and Mayview Avenue at 2118 Broadview Road; contrary to Section 337.14, the off-street parking spaces are proposed within the 10' setback in front of the building line along Broadview Road and Mayview Avenue and contrary to the requirements for Access and Maintenance to Off-Street Parking Spaces, no bumper guards are proposed, where wheel or bumper guards must be located so that no part of a parked vehicle shall extend beyond such parking space, and the proposed parking is designed for vehicles to back out onto the street, and it is required that a driveway used to provide accessibility to off-street parking spaces shall be located and arranged to minimize traffic congestion, as stated in Sections 337.18(b) and (c) of the Codified Ordinances.

**Calendar No. 04-170:** 17316 Dorchester Drive (Ward 11)

Dan Sadowsky, co-owner, appeals to erect a 28' x 8' frame deck to the front of a one-family dwelling, situated on a 39' x 123' corner parcel in an A1 One-Family District on the southwest corner of Dorchester Drive and Schenely Avenue at 17316 Dorchester Drive; contrary to the Requirements for Yards and Courts, the proposed deck projects 8' and may not project more than 6' and aggregate a vertical area in any story more than 20% of the area of the facade in that story, as stated in Section 357.13(b)(4) of the Codified Ordinances.

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

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

**Calendar No. 04-172:** 10812-26 St. Clair Avenue (Ward 8)

St. Aloysius Church c/o Reverend Father Bill Behringer, owner, appeals to construct an accessory off-street parking lot on a 111' x 89' corner lot, located in a Local Retail Business District on the southwest corner of St. Clair Avenue and East 109th Street at 10812-26 St. Clair Avenue; contrary to Sections 349.13(c)(6) and (7) of the Parking and Loading Requirements and by

reference from Sections 343.01(6)(4), a 6' setback is proposed along St. Clair Avenue, where parking in the 17' front setback is prohibited and where the parking lot abuts a Residence District at the rear on East 109th Street, there is a 16' building line setback, and a 6' high chain link fence with a 6' wide landscape strip is proposed, where the requirement for adequate screening is not less than 4 1/2' high and not more than 5' high; and no parking is permitted in the required side street setback of a corner lot, where the setback distance is formed by creating an angle from the established setback line on East 109th Street and a point equal to this setback along the side street property line from the rear, as stated in Section 337.05(b) of the Codified Ordinances.

**Calendar No. 04-173:** 12617 Sprecher Avenue (Ward 20)  
James Sakaley, owner, appeals to erect a 30' x 50' one-story, frame accessory garage on a 40' x 175' parcel located in an A1 One-Family District on the south side of Sprecher Avenue at 12617 Sprecher Avenue; contrary to the Regulations for Residential Districts, a maximum square foot floor area of 1,500 s/f is proposed where 833 s/f is allowed as determined according to Section 337.23A of the Codified Ordinances.

Secretary

**REPORT OF THE BOARD OF ZONING APPEALS**

**MONDAY, JULY 26, 2004**

At the meeting of the Board of Zoning Appeals on Monday, July 26, 2004, the following appeals were heard by the Board:

The following appeals were **Approved:**

**Calendar No. 04-159:** 5410 Stickney Avenue  
Jon Periantri II appealed to erect a one-story garage and to install 120 linear feet of 6' high privacy fence in a Two-Family District; subject to conditions.

**Calendar No. 04-162:** 11333 Hessler Road  
Jason Lallo and Michael Brancatelli appealed to expand an existing rooming house in a Multi-Family District.

**Calendar No. 04-163:** 2076 West 10th Street  
Parkhill Associates appealed to erect a 20' x 20' one-story garage in a Multi-Family District.

**Calendar No. 04-164:** 11317 Union Avenue  
Jeremiah Baptist Church appealed to erect a one-story addition to the rear of an existing church in a General Retail Business District; subject to conditions.

**Calendar No. 04-130:** 5105 Barkwill Avenue  
Ronald Burrell appealed to erect a 14' x 70' two-story, one-family dwelling in a Two-Family District.

**Calendar No. 04-129:** 10318 Lorain Avenue  
Joseph Maalouf appealed to have a day care in the second floor of a two-story building in a General Retail Business District.

The following appeal was **Denied:**

**Calendar No. 04-140:** Appeal of Mahad Mohamed Hack — License Revocation  
Mahad Mohamed appealed from the revocation of a City of Cleveland Hack License by the Commissioner of Assessments and Licenses.

The following appeals were **Postponed:**

**Calendar No. 04-161:** 15601 Chatfield Avenue postponed to August 9, 2004.

**Calendar No. 04-125:** 14300 Miles Avenue postponed to September 13, 2004.

In Executive Session on July 26, 2004, the following appeals heard by the Board on July 19, 2004 were adopted or approved.

The following appeals were **Approved:**

**Calendar No. 04-155:** 2472 West 7th Street  
Cleveland Housing Network appealed to erect a 16' x 22' one-story garage and retaining wall at the front of a two-story dwelling in a Two-Family District.

**Calendar No. 04-156:** 6405 Fleet Avenue  
Hussni Al-Zayed appealed to erect an 85' x 73' receiving and storage addition to a store and suites building in a Local Retail Business District.

**Calendar No. 04-157:** 12312 Lena Avenue  
Joseph Repine appealed to erect an 8' x 18' wolmanized wooden deck to the front of a one-story brick dwelling in an A1 One-Family District.

**Calendar No. 04-158:** 2401 Garden Avenue  
Emilia Colon appealed to install a 4' high chain link fence along the front yard setback of a one family dwelling in a Two-Family District.

**Calendar No. 04-94:** 4670 Grayton Road  
Buckeye Education and Christian Meeting Corporation appealed to establish use of a 24' x 60' modular classroom building as a school in a One-Family District.

The following appeal was **Denied:**

**Calendar No. 04-154:** 1714 Urbana Road  
Maury Rosenbaum, owner, and Nick Fanous, tenant, appealed to establish use for the sales of auto parts, wrecking, dismantling and storage of vehicles that are being kept for wrecking or dismantling on an acreage parcel in a Residence Industry District.

Secretary

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

NO MEETING

**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 Wednesday, August 11, 2004 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 Wednesday, August 11, 2004, at 9:00 a.m., to consider the following ordinances now pending in the Council:

**Ord. No. 1043-04.**

By Council Member Lewis.  
An ordinance to change the zoning of a parcel located on the northwest corner of Superior Avenue and East 87th Street from a Multi-Family Residential Use District to a Local Retail Business Use District (Map Change No. 2126, Sheet No. 4)

**Ord. No. 1186-04.**

By Council Members Britt and Johnson.  
An ordinance to change the zoning of properties along Buckeye Road between East Boulevard and South Moreland Boulevard from Two-Family and Multi-Family Residential Use Districts and from a "1" Heights District to a "2" Height District and to change properties along East 116th Street south of Buckeye Road from a General Retail Business Use District to a Local Retail Business Use District and from a "1" Height District to a "2" Height District (Map Change No. 2123, Sheet No. 9)

**Ord. No. 1188-04.**

By Council Member Zone.  
An ordinance to change the zoning of properties along West 65th Street between Bridge and Fir Avenues to a Two-Family Use District, "B" Area District and "1" Height District, and to change properties along West 65th Street between Fir and Wakefield Avenues to a Local Retail District, and to change properties along the north side of Detroit Avenue from West 61st to West 64th Streets to a Local Retail District (Map Change No. 2125, Sheet No. 1)

**Ord. No. 1455-04.**

By Council Member Cimperman.  
An ordinance establishing a Planned Unit Development (PUD) Overlay District and changing the Use, Area and Height Districts to an RA-2 Townhouse District on parcels located on the west side of West 5th Street, north of Miller Court (Map Change No. 2131, Sheet No. 5).

**Ord. No. 1459-04.**

By Council Member Cimperman.  
An ordinance changing the Use District of land along the south side of St. Clair Avenue from East 51st Street to East 52nd Street from a Semi-Industry District to a Residence-Industry District (Map Change No. 2132, Sheet No. 4).

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

July 28, 2004 and August 4, 2004

**CITY OF CLEVELAND BIDS****For All Departments**

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

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

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

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

**THURSDAY, AUGUST 5, 2004**

**Purchase of Stryker Rugged Stair Chair**, for the Division of Emergency Medical Services, Department of Public Safety, as authorized by Ordinance No. 642-04, passed by the Council of the City of Cleveland, June 14, 2004.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, FRIDAY, JULY 30, 2004 AT 10:00 A.M., EMS HEADQUARTERS, 1708 SOUTH POINT DRIVE, 9TH FLOOR, CLEVELAND, OHIO 44109.

July 21, 2004 and July 28, 2004

**FRIDAY, AUGUST 6, 2004**

**Messenger Services**, for the Various Divisions, Department of Finance, as authorized by Ordinance No. 909-04, passed by the Council of the City of Cleveland, June 7, 2004.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, FRIDAY, JULY 30, 2004 AT 10:30 A.M., CITY HALL, 601 LAKESIDE AVENUE, ROOM 514, CLEVELAND, OHIO 44114.

**Disposal of Construction and Demolition Debris Contract "C & D"**, for the Division of Waste Collection and Disposal, Department of Public Service, as authorized by Ordinance No. 577-04, passed by the Council of the City of Cleveland, April 26, 2004.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, THURSDAY, JULY 29, 2004 AT 10:00 A.M., DIVISION OF WASTE COLLECTION, 5600 CARNEGIE AVENUE, CLEVELAND, OHIO 44103.

July 21, 2004 and July 28, 2004

**FRIDAY, AUGUST 20, 2004**

**Testing Inspection and Repair of Bucket Trucks**, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 250-04, passed by the Council of the City of Cleveland, June 7, 2004.

THERE WILL BE A **MANDATORY** PRE-BID MEETING FRIDAY, AUGUST 13, 2004 AT 2:00 P.M., AT CLEVELAND PUBLIC POWER, 1300 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

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

**Automotive Truck Parts and Service**, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 759-04, passed by the Council of the City of Cleveland, June 7, 2004.

THERE WILL BE A **MANDATORY** PRE-BID MEETING THURSDAY, AUGUST 12, 2004 AT 2:00 P.M., AT CLEVELAND PUBLIC POWER, 1300 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

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

**Hazardous & Non-Hazardous Waste Disposal**, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 2316-03, passed by the Council of the City of Cleveland, December 15, 2003.

THERE WILL BE A **MANDATORY** PRE-BID MEETING MONDAY, AUGUST 9, 2004 AT 10:00 A.M., 1201 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

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

July 28, 2004 and August 4, 2004

**WEDNESDAY, AUGUST 25, 2004**

**Unarmed Security Guard Services**, for the Various Divisions of the Department of Port Control, as authorized by Ordinance No. 693-04, passed by the Council of the City of Cleveland, May 24, 2004.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, TUESDAY, AUGUST 17, 2004 AT 10:00 A.M., CLEVELAND HOPKINS INTERNATIONAL AIRPORT'S CENTRAL RECEIVING BUILDING, 19451 FIVE POINTS ROAD, CLEVELAND, OHIO 44135.

July 28, 2004 and August 4, 2004

**WEDNESDAY, SEPTEMBER 1, 2004**

**Labor and Materials Necessary to Maintain and Replace Interior Plants**, for the Various Divisions of the Department of Port Control, as authorized by Ordinance No. 2327-03, passed by the Council of the City of Cleveland, February 2, 2004.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, WEDNESDAY, AUGUST 18, 2004 AT 10:00 A.M., CLEVELAND HOPKINS INTERNATIONAL AIRPORT'S CENTRAL RECEIVING BUILDING, 19451 FIVE POINTS ROAD, CLEVELAND, OHIO 44135.

July 28, 2004 and August 4, 2004

**ADOPTED RESOLUTIONS AND ORDINANCES****Res. No. 635-04.**

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

An emergency resolution declaring the necessity and intention to appropriate property for the public use of the elimination of blight and prevention of its recurrence through planned, private redevelopment at various locations on St. Clair Avenue and East 162nd Street.

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

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

**Section 1.** That for the public purpose of the elimination of blight and prevention of its recurrence through planned, private redevelopment, it is necessary to appropriate in fee simple interest and this Council declares its intent to appropriate the fee simple interest in and to the following described property located at the following locations on St. Clair Avenue and East 162nd Street:

15601-03 St. Clair Avenue, N.E.  
Permanent Parcel No. 115-24-048  
Situating in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublots Nos. 28 and 29 in C. W. Moses and E.D. Burton's Subdivision of part of Original Euclid Township Lot No. 42, Tract No. 10, as shown by the recorded plat in Volume 9 of Maps, Page 33 of Cuyahoga County Records, and together forming a parcel of land bounded and described as follows:

Beginning on the Northwesterly line of St. Clair Avenue, N.E., at its intersection with the Easterly line of East 156th Street, (formerly Putnam Street);

Thence Northeasterly along the Northwesterly line of St. Clair Avenue, N.E., about 99 feet to the Southeast corner of said Sublot No. 29;

Thence Northerly along the Easterly line of said Sublot No. 29, 171 feet 5 inches to the Northeasterly corner thereof;

Thence Westerly along the Northwesterly line of said Sublots Nos. 28 and 29, 90 feet to the Easterly line of East 156th Street;

Thence Southerly along the Easterly line of East 156th Street, 214 feet 4 inches to the place of beginning, as appears by said plat.

Permanent Parcel No. 115-28-001, 002, 003 and 004  
15710 St. Clair Avenue  
Situating in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot Nos. 76, 77, 78 and 79 in The R. R. and P. P. Company's Five Points Allotment of part of Original Euclid Township Lot No. 42, as shown by the recorded plat in Volume 63 of Maps, Page 32 of Cuyahoga County Records, and together forming a parcel of land 180 feet front on the Southeast side of St. Clair Avenue N.E., 143.73 feet deep on the Northeast side, which is also the Southwest side of Rondel Road, N.E., 140.33 feet deep on the Southwest side which is also the Northeast side of Royal Road N.E., and 179.86 feet wide in the rear, as appears by said plat, be the same more or less, but subject to all legal highways.

707-711 East 162nd Street  
Permanent Parcel No. 116-14-095 and 094  
Situating in the City of Cleveland, County of Cuyahoga and State of Ohio, and further described as follows:

And known as being Sublot Nos. 140 and 141 in the Crosby's Subdivision of part of Original Euclid Township Tract No. 16, as shown by the recorded plat in Volume 9 of Maps, Page 25, of Cuyahoga County Records, and together forming a parcel of land 82 feet front on the Easterly side of East 162nd Street,

and extending back of equal width 138 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

705 East 162nd Street  
Permanent Parcel No. 116-14-096  
Situating in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being Sublot No. 139 in Crosby's Allotment of part of Original Euclid Township, Tract No. 16, as shown by the recorded plat in Volume 9 of Maps, Page 25 of Cuyahoga County Records, and being 40 feet front on the Easterly side of East 162nd Street, (formerly Penn Street), and extending back of equal width 138 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

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

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

Adopted July 14, 2004.  
Effective July 23, 2004.

**Res. No. 855-04.**  
**By Council Members Reed, Gordon, Cimperman and Jackson (by departmental request).**

**An emergency resolution declaring the necessity and intention to appropriate property for the public use of eliminating blight for the property located at 12309 Kinsman Avenue.**

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

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

**Section 1.** That for the public purpose of eliminating blight, it is necessary to appropriate in fee simple interest and this Council declares its intent to appropriate the fee simple interest in and to the following described property located at 12309 Kinsman Avenue:

Permanent Parcel No. 130-04-029  
Situating in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Sublot Nos. 82 and 83 in the Crawford-Woodhill Subdivision of part of Original One Hundred Acre Lot Nos. 444 and 445, as shown by The Recorded Plat in Volume 47 of Maps, Page 12 of Cuyahoga County Records, and together forming a parcel of land bounded and described as follows:

Beginning at a point in the Northwesterly line of Kinsman Road, S.E.

(66 feet wide) at the Southeast corner of said Sublot No. 82;

Thence Northwesterly, along said Northeasterly line of Kinsman Road, S.E. 20.51 feet to the principal place of beginning;

Thence continuing Northwesterly along said Northeasterly line of Kinsman Road S.E. about 41.00 feet to a point 13.41 feet Northwesterly from the Southeast corner of said Sublot No. 83;

Thence Northerly along a line parallel with the Easterly line of said Sublot No. 83, to an angle point therein;

Thence Easterly along a line parallel with the Northerly lines of said Sublot Nos. 83 and 82 and 37 feet Southerly therefrom to a point therein, said point being Westerly 19.64 feet from the Easterly line of said Sublot No. 82;

Thence Southerly, along a line, parallel with the Easterly line of said Sublot No. 82 to the principal place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

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

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

Adopted July 14, 2004.  
Effective July 23, 2004.

**Res. No. 1320-04.**  
**By Council Member Brady.**  
**An emergency resolution objecting to the renewal of a C1 and C2 Liquor Permit at 11022 Bellaire Road.**

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of the state, and that 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 4303.271 of the Ohio Revised Code, objections to renewal of

liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

**Section 1.** That Council does hereby record its objection to the renewal of a C1 and C2 Liquor Permit, Permit No. 4424877 owned by KBS Oil, Inc., DBA Uncle Sam's Beverage and Deli, 11022 Bellaire Road, Cleveland, Ohio 44111 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 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, and a statement by the Director of Law that, in the Director's opinion, that the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

**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 July 14, 2004.

Effective July 23, 2004.

**Res. No. 1322-04.**

**By Council Member Brady.**

**An emergency resolution withdrawing objection to a New C1 Liquor Permit at 3506 West 105th Street and repealing Resolution No. 1223-04, objecting to said permit.**

Whereas, this Council objected to a New C1 Liquor Permit to 3506 West 105th Street by Resolution No. 1223-04 adopted by the Council on June 14, 2004; and

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

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

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

**Section 1.** That objection to a New C1 Liquor Permit to Community Beverage, Inc., 3506 West 105th Street, Cleveland, Ohio 44111, Permanent Number 16670940005, be and the same is hereby withdrawn and Resolution No. 1223-04, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate permit thereof.

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

shall take effect and be in force from and after the earliest period allowed by law.

Adopted July 14, 2004.

Effective July 23, 2004.

**Res. No. 1323-04.**

**By Council Member Cimperman.**

**An emergency resolution objecting to a New C1 Liquor Permit at 1616 West 25th Street.**

Whereas, Council has been notified by the Department of Liquor Control of an application for a New C1 Liquor Permit at Haneen Foods, Inc., DBA Haneen Food Market, 1616 West 25th Street, Cleveland, Ohio 44113, Permanent Number 35685880005; and

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

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

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

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

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

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

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

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

**Section 1.** That Council does hereby record its objection to a New C1 Liquor Permit at Haneen Foods, Inc., DBA Haneen Food Market, 1616 West 25th Street, Cleveland, Ohio 44113, Permanent Number 35685880005; 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 July 14, 2004.

Effective July 23, 2004.

**Res. No. 1324-04.**

**By Council Member Coats.**

**An emergency resolution objecting to the transfer of Liquor License of a D1 and D2 Liquor Permit to 1165 Hayden Avenue.**

Whereas, Council has been notified by the Department of Liquor Control of an application for a transfer of Liquor License of a D1 and D2 Liquor Permit from Matthew Walls Est., Levi Walls Extr., DBA Walls Deli & Bar, 2882-84 81st Street, Cleveland, Ohio 44104, Permanent Number 9373535 to Elle Nora Perry, 1165 Hayden Avenue, Cleveland, Ohio 44110, Permanent Number 68261530010; and

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

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

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

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

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

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

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

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

**Section 1.** That Council does hereby record its objection to a transfer of Liquor License of a D1 and D2 Liquor Permit from Matthew Walls Est., Levi Walls Extr., DBA Walls Deli & Bar, 2882-84 81st Street, Cleveland, Ohio 44104, Permanent Number 9373535 to Elle Nora Perry, 1165 Hayden Avenue, Cleveland, Ohio 44110, Permanent Number 68261530010, 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 July 14, 2004.

Effective July 23, 2004.

**Res. No. 1325-04.**

**By Council Member Dolan.**

**An emergency resolution objecting to the renewal of a D5 and D6 Liquor Permit at 15715 Lorain Avenue.**

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of the state, and that 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 4303.271 of the Ohio Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

**Section 1.** That Council does hereby record its objection to the renewal of a D5 and D6 Liquor Permit, Permit No. 0489299 owned by Bartley's Tavern, Inc., DBA Bartley's, 15715 Lorain Avenue, Cleveland, Ohio 44111, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 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, and a statement by the Director of Law that, in the Director's opinion, that the objection is based upon substantial legal grounds within the meaning and

intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

**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 July 14, 2004.

Effective July 23, 2004.

**Res. No. 1326-04.**

**By Council Member Gordon.**

**An emergency resolution objecting to the renewal of a D5 Liquor Permit at 1819-21 Denison Avenue.**

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of the state, and that 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 4303.271 of the Ohio Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

**Section 1.** That Council does hereby record its objection to the renewal of a D5 Liquor Permit, Permit No. 3472780 owned by H & W Tavern, Inc., 1819-21 Denison Avenue, Cleveland, Ohio 44109 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 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, and a statement by the Director of Law that, in the Director's opinion, that the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

**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 July 14, 2004.

Effective July 23, 2004.

**Res. No. 1327-04.**

**By Council Member Gordon.**

**An emergency resolution objecting to the renewal of a C1 Liquor Permit at 3600 Denison Avenue.**

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of the state, and that 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 4303.271 of the Ohio Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

**Section 1.** That Council does hereby record its objection to the renewal of a C1 Liquor Permit, Permit No. 3765976 owned by Henriquez Corporation, DBA Los Hermanos Groceries, 3600 Denison Avenue, Cleveland, Ohio 44109 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 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, and a statement by the Director of Law that, in the Director's opinion, that the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

**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 July 14, 2004.

Effective July 23, 2004.



**Res. No. 1328-04.****By Council Member Gordon.****An emergency resolution objecting to the renewal of a C2 and C2X Liquor Permit at 3753 Pearl Road.**

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of the state, and that 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 4303.271 of the Ohio Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

**Section 1.** That Council does hereby record its objection to the renewal of a C2 and C2X Liquor Permit, Permit No. 3453183 owned by Guru Kirpa, Inc., DBA Convenient Food Mart, 3753 Pearl Road, Cleveland, Ohio 44109 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 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, and a statement by the Director of Law that, in the Director's opinion, that the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

**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 July 14, 2004.

Effective July 23, 2004.

**Res. No. 1329-04.****By Council Member Jackson.****An emergency resolution objecting to a New C1 Liquor Permit at 5611 Woodland Avenue.**

Whereas, Council has been notified by the Department of Liquor Control of an application for a New C1 Liquor Permit at Amani, Inc., 5611 Woodland Avenue, Cleveland,

Ohio 44104, Permanent Number 0152600; and

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

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

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

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

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

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

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

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

**Section 1.** That Council does hereby record its objection to a New C1 Liquor Permit at Amani, Inc., 5611 Woodland Avenue, Cleveland, Ohio 44104, Permanent Number 0152600 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 July 14, 2004.

Effective July 23, 2004.

**Res. No. 1330-04.****By Council Member Johnson.****An emergency resolution objecting to the renewal of a C1, C2 and D6 Liquor Permit at 13108 Buckeye Road.**

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of the state, and that 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 4303.271 of the Ohio Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

**Section 1.** That Council does hereby record its objection to the renewal of a C1, C2 and D6 Liquor Permit, Permit No. 1072920 owned by South Woodland Beverage, Inc., DBA Buckeye Beverage, 13108 Buckeye Road, Cleveland, Ohio 44120 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 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, and a statement by the Director of Law that, in the Director's opinion, that the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

**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 July 14, 2004.

Effective July 23, 2004.

**Res. No. 1331-04.****By Council Member Johnson.****An emergency resolution objecting to the transfer of ownership of a C2 and C2X Liquor Permit at 2892 East 116th Street.**

Whereas, Council has been notified by the Department of Liquor Control of an application for the transfer of ownership of a C2 and C2X Liquor Permit from S & H Grocery, Inc., DBA Foodtown Supermarket, 2892 East 116th Street, Cleveland, Ohio 44120, Permanent

Number 7645440 to H N S Grocery, Inc., DBA Foodtown Supermarket, 2892 East 116th Street, Cleveland, Ohio 44120, Permanent Number 3471866; 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 C2 and C2X Liquor Permit from S & H Grocery, Inc., DBA Foodtown Supermarket, 2892 East 116th Street, Cleveland, Ohio 44120, Permanent Number 7645440 to H N S Grocery, Inc., DBA Foodtown Supermarket, 2892 East 116th Street, Cleveland, Ohio 44120, Permanent Number 3471866; 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 July 14, 2004.  
Effective July 23, 2004.

**Res. No. 1332-04.**  
**By Council Member Johnson.**  
**An emergency resolution objecting to the renewal of a D5 Liquor Permit at 3019 East 116th Street.**

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of the state, and that 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 4303.271 of the Ohio Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

**Section 1.** That Council does hereby record its objection to the renewal of a D5 Liquor Permit, Permit No. 1896113 owned by Albert Daily, DBA Daily's Food Mart, 3019 East 116th Street, Cleveland, Ohio 44104 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 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, and a statement by the Director of Law that, in the Director's opinion, that the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

**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 July 14, 2004.  
Effective July 23, 2004.

**Res. No. 1333-04.**  
**By Council Member Johnson.**  
**An emergency resolution objecting to the renewal of a C2 and C2X Liquor Permit at 12916 Forest Avenue, 1st floor and basement.**

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the

legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of the state, and that 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 4303.271 of the Ohio Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

**Section 1.** That Council does hereby record its objection to the renewal of a C2 and C2X Liquor Permit, Permit No. 87731650005 owned by T & J Beverage Co., DBA T & J Beverage Store, 12916 Forest Avenue, 1st floor and basement, Cleveland, Ohio 44120 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 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, and a statement by the Director of Law that, in the Director's opinion, that the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

**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 July 14, 2004.  
Effective July 23, 2004.

**Res. No. 1334-04.**  
**By Council Member Johnson.**  
**An emergency resolution objecting to the renewal of a C2 and C2X Liquor Permit at 9621 Mt. Auburn Road, 1st floor and basement.**

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operat-

ed his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of the state, and that 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 4303.271 of the Ohio Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

**Section 1.** That Council does hereby record its objection to the renewal of a C2 and C2X Liquor Permit, Permit No. 9725521 owned by Woddi II, Inc., DBA Cousins Superette, 9621 Mt. Auburn Road, 1st floor and basement, Cleveland, Ohio 44104 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 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, and a statement by the Director of Law that, in the Director's opinion, that the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

**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 July 14, 2004.  
Effective July 23, 2004.

**Res. No. 1335-04.**

**By Council Member Johnson.**

**An emergency resolution objecting to the renewal of a C2 and C2X Liquor Permit at 2886 Woodhill Road, 1st floor and basement.**

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of the state, and that 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 provid-

ing for the immediate preservation of the public peace, prosperity, safety and welfare pursuant to Section 4303.271 of the Ohio Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

**Section 1.** That Council does hereby record its objection to the renewal of a C2 and C2X Liquor Permit, Permit No. 9116630 owned by 2886 Wood Rose, Inc., 2886 Woodhill Road, 1st floor and basement, Cleveland, Ohio 44104 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 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, and a statement by the Director of Law that, in the Director's opinion, that the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

**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 July 14, 2004.  
Effective July 23, 2004.

**Res. No. 1336-04.**

**By Council Member Jones.**

**An emergency resolution objecting to the renewal of a C1 Liquor Permit at 4060 Lee Road.**

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of the state, and that 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 4303.271 of the Ohio Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

**Section 1.** That Council does hereby record its objection to the renewal of a C1 Liquor Permit, Permit No. 65916750005 owned by Ossie, Inc., DBA Lee Harvard Shell, 4060 Lee Road and Gas Pumps, Cleveland, Ohio 44128 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 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, and a statement by the Director of Law that, in the Director's opinion, that the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

**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 July 14, 2004.  
Effective July 23, 2004.

**Res. No. 1337-04.**

**By Council Member Jones.**

**An emergency resolution objecting to the renewal of a C1 and C2 Liquor Permit at 4360 Lee Road.**

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of the state, and that 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 4303.271 of the Ohio Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

**Section 1.** That Council does hereby record its objection to the renewal of a C1 and C2 Liquor Permit, Permit No. 5088723 owned by Lee-Miles Service, Inc., DBA Lee-Miles Citgo, 4360 Lee Road, Cleveland, Ohio 44128 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 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, and a statement by the Director of Law that, in the Director's opinion, that the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

**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 July 14, 2004.

Effective July 23, 2004.

**Res. No. 1338-04.**

**By Council Member Jones.**

**An emergency resolution objecting to the renewal of a C1, C2 and D6 Liquor Permit at 4501 Lee Road.**

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of the state, and that 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 4303.271 of the Ohio Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

**Section 1.** That Council does hereby record its objection to the renewal of a C1, C2 and D6 Liquor Permit, Permit No. 9344292 owned by Wahdan Zayed, Inc., DBA Super One Market, 4501 Lee Road, Cleveland, Ohio 44128 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 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, and a statement by the Director of Law that, in the Director's opinion, that the objection is based upon substantial legal

grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

**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 July 14, 2004.

Effective July 23, 2004.

**Res. No. 1339-04.**

**By Council Member Jones.**

**An emergency resolution withdrawing objection to the transfer of ownership of a D5 and D6 Liquor Permit at 17234 Harvard Avenue, and repealing Resolution No. 1220-04, objecting to said transfer.**

Whereas, this Council objected to the transfer of ownership of a D5 and D6 Liquor Permit to 17234 Harvard Avenue by Resolution No. 1220-04 adopted by the Council on June 14, 2004; and

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

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

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

**Section 1.** That objection to the transfer of ownership of a D5 and D6 Liquor Permit to Carolinas Enterprise Corp., 17234 Harvard Avenue, Cleveland, Ohio 44128, Permanent Number 1273138 be and the same is hereby withdrawn and Resolution No. 1220-04, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate transfer thereof.

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

Adopted July 14, 2004.

Effective July 23, 2004.

**Res. No. 1340-04.**

**By Council Member O'Malley.**

**An emergency resolution objecting to the renewal of a D2, D2X, D3 and D3A Liquor Permit at 2011 Broadview Road, 1st floor and basement.**

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of the state, and that 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 4303.271 of the Ohio Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

**Section 1.** That Council does hereby record its objection to the renewal of a D2, D2X, D3 and D3A Liquor Permit, Permit No. 4174557 owned by J B K Sales, Inc., 2011 Broadview Road, 1st floor and basement, Cleveland, Ohio 44109 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 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, and a statement by the Director of Law that, in the Director's opinion, that the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

**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 July 14, 2004.

Effective July 23, 2004.

**Res. No. 1341-04.**

**By Council Member Polensek.**

**An emergency resolution objecting to the renewal of a D1, D2, D3 and D6 Liquor Permit at 16101 Arcade Avenue.**

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of the state, and that 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 4303.271 of the Ohio Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

**Section 1.** That Council does hereby record its objection to the renewal of a D1, D2, D3 and D6 Liquor Permit, Permit No. 7931681 owned by Walter H. Scott, DBA Arcade Bar, 16101 Arcade Avenue, Cleveland, Ohio 44110 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 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, and a statement by the Director of Law that, in the Director's opinion, that the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

**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 July 14, 2004.

Effective July 23, 2004.

**Res. No. 1342-04.**

**By Council Member Polensek.**

**An emergency resolution withdrawing objection to the renewal of a D1, D2, D3, D3A and D6 Liquor Permit at 397 East 156th Street and repealing Resolution No. 1334-03, objecting to said renewal.**

Whereas, this Council objected to a D1, D2, D3, D3A and D6 Liquor Permit to 397 East 156th Street by Resolution No. 1334-03 adopted by the Council on July 16, 2003; and

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

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

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

**Section 1.** That objection to a D1, D2, D3, D3A and D6 Liquor Permit to Melbourne Men of Business, DBA Café Bluebird, 397 East 156th Street, Cleveland, Ohio 44110, Permanent Number 5819446 be and the same is hereby withdrawn and Resolution No. 1334-03, 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 July 14, 2004.

Effective July 23, 2004.

**Res. No. 1344-04.**

**By Council Member Reed.**

**An emergency resolution objecting to the renewal of a C2 and C2X Liquor Permit at 15315 Bartlett Avenue.**

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of the state, and that 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 4303.271 of the Ohio Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

**Section 1.** That Council does hereby record its objection to the renewal of a C2 and C2X Liquor Permit, Permit No. 2714240 owned by 15315 Bartlett, Inc., DBA Johnson's Deli, 15315 Bartlett Avenue, Cleveland, Ohio 44120 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 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, and a statement by the Director of Law that, in the Director's opinion, that the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

**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 July 14, 2004.

Effective July 23, 2004.

**Res. No. 1345-04.**

**By Council Member Reed.**

**An emergency resolution objecting to the renewal of a D1, D2, D3, D3A and D6 Liquor Permit at 3551-55 East 93rd Street.**

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of the state, and that 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 4303.271 of the Ohio Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

**Section 1.** That Council does hereby record its objection to the renewal of a D1, D2, D3, D3A and D6 Liquor Permit, Permit No. 9181396 owned by VSP Lounge, Inc., DBA VSP Lounge, 3551-55 East 93rd Street, Cleveland, Ohio 44120 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 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, and a statement by the Director of Law that, in the Director's opinion, that the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

**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 July 14, 2004.

Effective July 23, 2004.

**Res. No. 1346-04.****By Council Member Reed.****An emergency resolution objecting to the renewal of a D1, D2, D3 and D3A Liquor Permit at 3695-97 East 131st Street.**

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of the state, and that 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 4303.271 of the Ohio Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

**Section 1.** That Council does hereby record its objection to the renewal of a D1, D2, D3 and D3A Liquor Permit, Permit No. 9179589 owned by VCH, Inc., DBA Side by Side Bar & Delicatessen, 3695-97 East 131st Street, Cleveland, Ohio 44120 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 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, and a statement by the Director of Law that, in the Director's opinion, that the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

**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 July 14, 2004.  
Effective July 23, 2004.

**Res. No. 1347-04.****By Council Member Reed.****An emergency resolution objecting to the renewal of a C1 Liquor Permit at 13900 Kinsman Road.**

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of the state, and that 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 4303.271 of the Ohio Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

**Section 1.** That Council does hereby record its objection to the renewal of a C1 Liquor Permit, Permit No. 0437070 owned by Baramoil, Inc., DBA Citgo Gas Station, 13900 Kinsman Road, Cleveland, Ohio 44120 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 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, and a statement by the Director of Law that, in the Director's opinion, that the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

**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 July 14, 2004.  
Effective July 23, 2004.

**Res. No. 1348-04.****By Council Member Reed.****An emergency resolution objecting to the renewal of a C1, C2 and D6 Liquor Permit at 14510 Kinsman Road.**

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor per-

mit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of the state, and that 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 4303.271 of the Ohio Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

**Section 1.** That Council does hereby record its objection to the renewal of a C1, C2 and D6 Liquor Permit, Permit No. 6549670 owned by 14510, Inc., DBA Kinsman Sunoco, 14510 Kinsman Road, Cleveland, Ohio 44120 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 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, and a statement by the Director of Law that, in the Director's opinion, that the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

**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 July 14, 2004.  
Effective July 23, 2004.

**Res. No. 1349-04.****By Council Member Reed.****An emergency resolution objecting to the renewal of a C2 and C2X Liquor Permit at 15310 Kinsman Road.**

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of the state, and that 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 provid-

ing for the immediate preservation of the public peace, prosperity, safety and welfare pursuant to Section 4303.271 of the Ohio Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

**Section 1.** That Council does hereby record its objection to the renewal of a C2 and C2X Liquor Permit, Permit No. 7451009 owned by Virdell Robinson, Jr., DBA Mr. V's Convenient Store, 15310 Kinsman Road, Cleveland, Ohio 44120 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 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, and a statement by the Director of Law that, in the Director's opinion, that the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

**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 July 14, 2004.

Effective July 23, 2004.

**Res. No. 1350-04.**  
**By Council Member Reed.**  
**An emergency resolution objecting to the renewal of a C2 and C2X Liquor Permit at 10221 Union Avenue, 1st floor.**

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of the state, and that 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 4303.271 of the Ohio Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

**Section 1.** That Council does hereby record its objection to the renewal of a C2 and C2X Liquor Permit, Permit No. 6551331 owned by 10221, Inc., 10221 Union Avenue, 1st floor, Cleveland, Ohio 44120 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 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, and a statement by the Director of Law that, in the Director's opinion, that the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

**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 July 14, 2004.

Effective July 23, 2004.

**Res. No. 1351-04.**  
**By Council Member Reed.**  
**An emergency resolution withdrawing objection to the transfer of ownership of a C2 and C2X Liquor Permit at 4025 East 131st Street and repealing Resolution No. 593-04, objecting to said transfer.**

Whereas, this Council objected to a C2 and C2X Liquor Permit to 4025 East 131st Street by Resolution No. 593-04 adopted by the Council on April 5, 2004; and

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

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

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

**Section 1.** That objection to a C2 and C2X Liquor Permit to 4025 East 131st Street, Inc., DBA Lucky's Market, 4025 East 131st Street, Cleveland, Ohio 44105, Permanent Number 2850894 be and the same is hereby withdrawn and Resolution No. 593-04, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate transfer thereof.

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

Adopted July 14, 2004.

Effective July 23, 2004.

**Res. No. 1353-04.**  
**By Council Member White.**  
**An emergency resolution objecting to a New C1 Liquor Permit at 7910 Harvard Avenue.**

Whereas, Council has been notified by the Department of Liquor Control of an application for a New C1 Liquor Permit at Reham Food Mart, Inc., DBA Clark Oil, 7910 Harvard Avenue, Cleveland, Ohio 44105, Permanent Number 7274254; and

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

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

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

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

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

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

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

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

**Section 1.** That Council does hereby record its objection to a New C1 Liquor Permit at Reham Food Mart, Inc., DBA Clark Oil, 7910 Harvard Avenue, Cleveland, Ohio 44105, Permanent Number 7274254; 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 July 14, 2004.

Effective July 23, 2004.

**Res. No. 1354-04.****By Council Member White.****An emergency resolution objecting to the renewal of a C1 Liquor Permit at 9911 Miles Avenue.**

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of the state, and that 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 4303.271 of the Ohio Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

**Section 1.** That Council does hereby record its objection to the renewal of a C1 Liquor Permit, Permit No. 4290858 owned by Jiryes Unlimited, Inc., DBA Neighborhood Market, 9911 Miles Avenue, Cleveland, Ohio 44105 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 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, and a statement by the Director of Law that, in the Director's opinion, that the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

**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 July 14, 2004.

Effective July 23, 2004.

**Res. No. 1355-04.****By Council Member White.****An emergency resolution objecting to the transfer of ownership of a C2 and C2X Liquor Permit at 4525 Turney Road.**

Whereas, Council has been notified by the Department of Liquor Control of an application for the

transfer of ownership of a C2 and C2X Liquor Permit from Turney Deli, Inc., 4525 Turney Road, Cleveland, Ohio 44105, Permanent Number 9108520 to Hargur, Inc., DBA Turney Deli, 45125 Turney Road, Cleveland, Ohio 44105, Permanent Number 3602732; 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 C2 and C2X Liquor Permit from Turney Deli, Inc., 4525 Turney Road, Cleveland, Ohio 44105, Permanent Number 9108520 to Hargur, Inc., DBA Turney Deli, 45125 Turney Road, Cleveland, Ohio 44105, Permanent Number 3602732; 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 July 14, 2004.

Effective July 23, 2004.

**Res. No. 1356-04.****By Council Member Zone.****An emergency resolution objecting to the renewal of a D1, D2, D3, D3A and D6 Liquor Permit at 8309 Madison Avenue.**

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of the state, and that 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 4303.271 of the Ohio Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

**Section 1.** That Council does hereby record its objection to the renewal of a D1, D2, D3, D3A and D6 Liquor Permit, Permit No. 1545444 owned by Eagle Bar, Inc., 8309 Madison Avenue, 1st floor and basement, Cleveland, Ohio 44102 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 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, and a statement by the Director of Law that, in the Director's opinion, that the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

**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 July 14, 2004.

Effective July 23, 2004.

**Res. No. 1359-04.****By Council Member Cimperman.****An emergency resolution declaring Bahir Dar, Ethiopia a sister city of the City of Cleveland.**

Whereas, Bahir Dar, Ethiopia, located on the shores of Lake Tana, Ethiopia's largest lake and most historic lake, is the capital of the



Amhara National Regional State of Ethiopia and is home to 160,000 individuals; and

Whereas, the famous Abay River (Blue Nile) springs from Lake Tana and Abay Falls is a short distance downstream; and

Whereas, Bahir Dar is home to twenty-seven island monasteries of the Ethiopian Orthodox Church dating back more than 800 years; and

Whereas, at an altitude of 1,800 meters, residents and visitors of Bahir Dar enjoy sunshine and a comfortable climate year round; and

Whereas, citizens of Bahir Dar and the City of Cleveland are developing projects in the areas of commerce, culture, education, and humanitarian assistance that will deepen friendship and mutual understanding between the two cities and promote international goodwill; 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 Bahir Dar, Ethiopia a sister city of the City of Cleveland.

**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 July 14, 2004.

Effective July 23, 2004.

**Res. No. 1360-04.**

**By Council Member Cimperman.**

**An emergency resolution declaring Council's intent to pursue an action plan to convert properties in the area bounded by Center Street, Columbus Road and James Street for the purposes of creating Canal Basin Park for public enjoyment**

Whereas, the future Canal Basin Park is located on the Columbus Road Peninsula in the City of Cleveland; and

Whereas, the future Canal Basin Park is located at an historic strategic hub near the convergence of Lake Erie and the Cuyahoga River; and

Whereas, the site is located on an historic lock which serviced the Ohio and Erie Canals; and

Whereas, the site has the potential for national significance as a visitor gateway to a connected park system and trail head to the Towpath Trail; and

Whereas, the future Canal Basin Park is a part of the revitalization strategy for the Flats entertainment district, bridging two banks of the Cuyahoga River with potential for one million annual visitors; and

Whereas, this property will positively enhance the area and furthers the city's goal of improved public access to the water; and

Whereas, public partners such as Cuyahoga County, the Metroparks and the Ohio & Erie Canal Association all endorse the concept for the future Canal Basin Park; 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 intent to pursue an action plan to convert properties in the area bounded by Center Street, Columbus Road and James Street for the purposes of creating Canal Basin Park for public enjoyment.

**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 July 14, 2004.

Effective July 23, 2004.

**Res. No. 1363-04.**

**By Council Member Brady.**

**An emergency resolution objecting to the renewal of a D1, D2, D3, D3A and D6 Liquor Permit at 3029 West 117th Street.**

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of the state, and that 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 4303.271 of the Ohio Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

**Section 1.** That Council does hereby record its objection to the renewal of a D1, D2, D3, D3A and D6 Liquor Permit, Permit No. 3231531 owned by Goal Post, Inc., DBA Lido Club, 3029 West 117th Street, Cleveland, Ohio 44111 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 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, and a statement by the Director of Law that, in the Direc-

tor's opinion, that the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

**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 July 14, 2004.

Effective July 23, 2004.

**Res. No. 1364-04.**

**By Council Member O'Malley.**

**An emergency resolution objecting to the renewal of a D5 Liquor Permit at 6125 Denison Avenue.**

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of the state, and that 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 4303.271 of the Ohio Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

**Section 1.** That Council does hereby record its objection to the renewal of a D5 Liquor Permit, Permit No. 4951830001 owned by L & F Tavern, Inc., DBA Partners Pub, 6125 Denison Avenue, Cleveland, Ohio 44102 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 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, and a statement by the Director of Law that, in the Director's opinion, that the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

**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 July 14, 2004.

Effective July 23, 2004.

**Res. No. 1366-04.**  
**By Council Member O'Malley.**  
**An emergency resolution objecting to the renewal of a D5 Liquor Permit at 6101 Memphis Avenue.**

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of the state, and that 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 4303.271 of the Ohio Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

**Section 1.** That Council does hereby record its objection to the renewal of a D5 Liquor Permit, Permit No. 8079254 owned by Shernkov, Inc., DBA Trio Tavern, 6101 Memphis Avenue, Cleveland, Ohio 44144 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 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, and a statement by the Director of Law that, in the Director's opinion, that the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

**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 July 14, 2004.

Effective July 23, 2004.

**Res. No. 1368-04.**  
**By Council Member Lewis.**  
**An emergency resolution objecting to the renewal of a C2 and C2X Liquor Permit at 9200 Wade Park Avenue, Units A-30 - A-40.**

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of the state, and that 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 4303.271 of the Ohio Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

**Section 1.** That Council does hereby record its objection to the renewal of a C2 and C2X Liquor Permit, Permit No. 3469517 owned by H N A Food, Inc., DBA H N A Food, 9200 Wade Park Avenue, Units A-30 - A-40, Cleveland, Ohio 44103 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 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, and a statement by the Director of Law that, in the Director's opinion, that the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

**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 July 14, 2004.

Effective July 23, 2004.

**Res. No. 1369-04.**  
**By Council Member Zone.**  
**An emergency resolution objecting to the renewal of a D2 and D2X Liquor Permit at 8002 Detroit Avenue.**

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of the state, and that 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 4303.271 of the Ohio Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

**Section 1.** That Council does hereby record its objection to the renewal of a D2 and D2X Liquor Permit, Permit No. 2455400 owned by 8002 Detroit, Inc., DBA American Food Mart, 8002 Detroit Avenue, Cleveland, Ohio 44102 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 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, and a statement by the Director of Law that, in the Director's opinion, that the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

**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 July 14, 2004.

Effective July 23, 2004.

**Ord. No. 1027-03.**  
**By Council Member Lewis.**  
**An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on Hough Avenue to Second Ebenezer Missionary Baptist Church.**

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, adminis-

tered 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), 118-07-002, 118-07-005 and 118-07-113, as more fully described below, to Second Ebenezer Missionary Baptist Church.

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

P. P. No. 118-07-002

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 29 in the Tomas Bolton Estate Subdivision of part of Original One Hundred Acre Lots Nos. 339 and 342, as shown by the recorded plat in Volume 22 of Maps, Page 26 of Cuyahoga County Records, and being 45 feet front on the Southerly side of Hough Avenue and extending back 150 feet on the Westerly line and 152.40 feet on the Easterly line, an having a rear line of 45 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

P. P. No. 118-07-005

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Easterly 40 feet from front to rear of Sublot No. 26 and the Westerly 5 feet from front to rear of Sublot No. 27 in the Thomas Bolton estates' Subdivision of part of Original One Hundred Acre Lot Nos. 339 and 342, as shown by the recorded plat in Volume 22 of Maps, Page 26 of Cuyahoga County Records and together forming a parcel of land having a frontage of 45 feet on the Southerly side of Hough Avenue, N.E., and extending back about 143.07 feet on the Westerly line, about 145.47 feet on the Easterly line and having a rear line of about 45 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Easement recorded in Volume 1422, Page 571 of Cuyahoga County Records.

Also subject to all zoning ordinances, if any.

P. P. No. 118-07-113

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot Nos. 30 and 31 in the Thomas Bolton Estates Subdivision of part of Original One Hundred Acre Lot Nos. 339 and 342 as shown by the recorded plat in Volume 22 of Maps, Page 26 of Cuyahoga County Records, and bounded and described as follows:

Beginning on the Westerly line of East 73rd Street at the Southeastly corner of Sublot No. 31; thence Northerly along the Westerly line of East 73rd Street, 46 feet; thence Westerly parallel with the Southerly line of Sublot Nos. 30 and 31, about 94.84 feet to the Westerly line of said Sublot No. 30; thence Southerly along the Westerly line of said Sublot No. 30.46 feet to the Southwesterly corner of said Sublot No. 30; thence Easterly along the Southerly lines of Sublot Nos. 30 and 31, 94.84 feet to the place of beginning, be the same more less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

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

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

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

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

Passed July 14, 2004.

Effective July 23, 2004.

**Ord. No. 2435-03.**

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

**An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the Ohio Department of Public Safety for the STEP 2004 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 Safety is authorized to apply for and accept a grant in the amount of \$70,183.00, from the Ohio Department of Public Safety, to conduct the STEP 2004 Program, for the

purposes in the application; that the Director of Public Safety 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 in the application for the grant.

**Section 2.** That the application for the grant, File No. 2435-03-A, made a part as if fully rewritten, is approved in all respects.

**Section 3.** That the Director of Public Safety 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 July 14, 2004.

Effective July 23, 2004.

**Ord. No. 160-04.**

**By Council Members O'Malley, Gordon, Cimperman and Jackson (by departmental request).**

**An emergency ordinance authorizing the Commissioner of Purchases and Supplies to sell City-owned property no longer needed for public use located at 7010-14 Memphis Avenue to Rysar Properties, Inc., or its designee.**

Whereas, the Director of Community Development has requested the sale of the City-owned property to Rysar Properties, Inc., or its designee (the "Redeveloper") no longer needed for public use and located at 7010-14 Memphis Avenue; 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 Chapter 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, it is found and determined that the following described property is no longer needed for public use:

P. P. No. 013-11-003

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original Brooklyn Township Lot No. 37 and bounded and described as follows:

Beginning on the Northerly line of Memphis Avenue, S.W., (86 feet wide), at the Southwesterly corner of Sublot No. 552 in The Ridge Road Land Company's Ridgeview Manor Subdivision of part of Original Brooklyn Township Lot No. 37, as shown by the recorded plat in Volume 79 of Maps, Page 1 Page Cuyahoga County Records, said place of beginning being also a Northeasterly corner of a parcel of land conveyed to the City of Cleveland by deed dated February 19, 1936, and recorded in Volume 4602, Page 141 of Cuyahoga County Records, for

the purpose of widening Memphis Avenue, S.W.; thence Westerly along the Northerly line of said parcel so conveyed to the City of Cleveland, 50 feet; thence Northerly parallel with the Westerly line of said Sublot No. 552, 127.16 feet; thence Easterly parallel with the Northerly line of said parcel so conveyed to the City of Cleveland 50 feet to the Northwesterly corner of said Sublot No. 552; thence Southerly along the Westerly line of said Sublot No. 552, 127.16 feet to the place of beginning, be the same more or less, but subject to all legal highways.

P. P. No. 013-11-159 (Easterly part)  
(Parcel No. 1)

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original Brooklyn Township Lot No. 37 and bounded and described as follows:

Beginning at an iron monument on the Northerly line of Memphis Avenue, Southwest, 86 feet wide, distant Easterly along said Northerly line, 152 feet from the intersection with the Easterly line of West 73rd Street, 86 feet wide; thence from said point of beginning Easterly along said Northerly line of Memphis Avenue, S.W., 50 feet to an iron monument; thence Northerly parallel with said Easterly line of West 73rd Street, 127.16 feet to an iron monument; thence Westerly parallel with said Northerly line of Memphis Avenue, S.W., 50 feet; thence Southerly parallel with said Easterly line of West 73rd Street, 127.16 feet to the place of beginning, according to a survey dated July 31, 1940, by E.C. Hoffman, Registered Surveyor, be the same more or less, but subject to all legal highways.

P. P. No. 013-11-159 (Westerly part)  
(Parcel No. 2)

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original Brooklyn Township Lot No. 37 and bounded and described as follows:

Beginning on the Northerly line of Memphis Avenue, S.W. (86 feet wide) at the Southeastly corner of land conveyed to Andrew Skintek by deed dated October 21, 1953 and recorded in Volume 7883, Page 315 of Cuyahoga County Records; thence Easterly along the Northerly line of Memphis Avenue, S.W. 77 feet to the Southwestly corner of Parcel No. 1 conveyed to Alex Fodor by deed dated March 29, 1954 and recorded in Volume 8031, Page 486 of Cuyahoga County Records; thence Northerly along the Westerly line of Parcel No. 1 so conveyed 127.16 feet; thence Westerly and parallel with the Northerly line of Memphis Avenue, S.W., 77 feet to an Easterly line of land so conveyed to Andrew Skintek as first aforesaid; thence Southerly along an Easterly line of land so conveyed, 127.16 feet to the place of beginning, be the same more or less, but subject to all legal highways.

Excepting therefrom, the following described premises, to wit: Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original Brooklyn Township Lot No. 37 and bounded and described as follows:

Beginning on the Northerly line of Memphis Avenue, S.W., 86 feet wide, at the Southeastly corner of a parcel of land conveyed to Andrew Skintek by deed dated October 21, 1953 and recorded in Volume 7883, Page 315 of Cuyahoga County Records; thence Easterly 52.50 feet along the said Northerly line of Memphis Avenue, S.W. to a point; thence Northerly 127.16 feet parallel with the Easterly line of land as conveyed to Andrew Skintek to a point; thence Westerly 52.50 feet parallel with the said Northerly line of Memphis Avenue, S.W. to a point in the Easterly line of land conveyed to Andrew Skintek as aforesaid; thence Southerly 127.16 feet along the Easterly line of land so conveyed to Andrew Skintek to the place of beginning, be the same more or less, but subject to all legal highways.

**Section 2.** That by and at the direction of the Board of Control, the Commissioner of Purchases and Supplies is authorized to sell the above-described property to the Redeveloper at a price not less than fair market value as determined by the Board of Control, taking into account all restrictions, reversionary interests and similar encumbrances placed by the City of Cleveland in the deed of conveyance.

**Section 3.** That the conveyance 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 necessary provisions, including restrictive reversionary interests as may be specified by the Board of Control or Director of Law, which shall protect the parties as their respective interests require and shall specifically contain a provision against the erection of any advertising signs or billboards except permitted identification signs.

**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 July 14, 2004.  
Effective July 23, 2004.

**Ord. No. 240-04.**  
**By Council Member Jackson (by departmental request).**

**An emergency ordinance authorizing the Director of Finance, the Director of Finance, on behalf of the Clerk of the Cleveland Municipal Court, and the Clerk of Cleveland City Council to employ one or more professional consultants to provide travel booking services, which may include payment for airline tickets, for the various divisions of City government and the Cleveland Municipal Court, for a term not to exceed three years on an as-needed basis, with two one-year options to renew.**

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

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

**Section 1.** That the Director of Finance is authorized to 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 provide travel booking services, which may include payment for airline tickets, for various divisions of City government, for a term not to exceed three years on an as-needed basis, with two options to renew for an additional one-year consecutive term, and cancelable on thirty days written notice by the Director of Finance.

The selection of the consultants for the services shall be made by the Board of Control on the nomination of the Director of Finance from a list of qualified consultants available for employment as may be determined after a full and complete canvass by the Director of Finance 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, and approved and certified by the Director of Finance.

**Section 2.** That the Clerk of Council 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 City of Cleveland in order to provide professional services necessary to provide travel booking services, which may include payment for airline tickets, for Cleveland City Council for a term not to exceed three years on an as-needed basis, with two options to renew for an additional one-year consecutive term.

**Section 3.** That the Director of Finance, on behalf of the Clerk of the Cleveland Municipal Court, 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 Cleveland Municipal Court in order to provide professional services necessary to provide travel booking services, which may include payment for airline tickets, for Cleveland Municipal Court for a term not to exceed three years on an as-needed basis, with two options to renew for an additional one-year consecutive term.

**Section 4.** That the cost of contract or contracts authorized shall be paid from the fund or funds appropriated for this purpose, Request No. 146204.

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

Passed July 14, 2004.  
Effective July 23, 2004.

**Ord. No. 322-04.**

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

**An emergency ordinance authorizing the Director of Law to apply for and accept a grant from the Criminal Justice Services Agency for the 2004 Team Approach to Violence Against Women Program — Prosecution; and to enter into one or more contracts with Cuyahoga County and one or more contracts with professional consultants to implement the program.**

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

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

**Section 1.** That the Director of Law is authorized to apply for and accept a grant in the amount of \$165,000, from the Criminal Justice Service Agency, to conduct the 2004 Team Approach to Violence Against Women Program — Prosecution, for the purposes set forth in the application and according thereto; that the Director of Law is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that said funds are appropriated for the purposes set forth in the application for the grant.

**Section 2.** That the application for the grant, File No. 322-04-A, made a part hereof as if fully rewritten, including the obligation of the City of Cleveland to provide cash matching funds in the sum of \$55,000 from Fund Nos. 01-100105-639905 and 01-100106-639905, is approved in all respects.

**Section 3.** That the Director of Law is authorized to enter into one or more contracts with the County of Cuyahoga and one or more contracts with professional consultants to implement the program as described in the file, payable from the fund or funds to which are credited the grant proceeds and cash match accepted under this ordinance.

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

Passed July 14, 2004.

Effective July 23, 2004.

**Ord. No. 328-04.**

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

**An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the Criminal Justice Services Agency for the 2004 Team Approach to Violence Against Women Program — Law Enforcement; and to enter into one or more contracts with Cuyahoga County and one or more contracts with professional consultants to implement the program.**

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

a municipal department; now, therefore,

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

**Section 1.** That the Director of Public Safety is authorized to apply for and accept a grant in the amount of \$165,000 from the Criminal Justice Service Agency, to conduct the 2004 Team Approach to Violence Against Women Program — Law Enforcement, for the purposes set forth in the application and according thereto; that the Director of Public Safety is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that said funds are appropriated for the purposes set forth in the application for the grant.

**Section 2.** That the application for the grant, File No. 328-04-A, made a part hereof as if fully rewritten, including the obligation of the City of Cleveland to provide cash matching funds in the sum of \$55,000 from Fund Nos. 01-600201-639905 and 10 SF 027, is approved in all respects.

**Section 3.** That the Director of Public Safety is authorized to enter into one or more contracts with the County of Cuyahoga and one or more contracts with professional consultants to implement the program as described in the file, payable from the fund or funds to which are credited the grant proceeds and cash match accepted under this ordinance.

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

Passed July 14, 2004.

Effective July 23, 2004.

**Ord. No. 533-04.**

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

**An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the U.S. Department of Justice for the Local Law Enforcement Block Grant Program; and to enter into contracts necessary to implement the program.**

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

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

**Section 1.** That the Director of Public Safety is authorized to apply for and accept a grant in the amount of \$1,104,889, from the U.S. Department of Justice, to conduct the Local Law Enforcement Block Grant Program, for the purposes in the application; that the Director of Public Safety 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 in the application for the grant.

**Section 2.** That the application for the grant, File No. 533-04-A, made a

part as if fully rewritten, including the obligation of the City of Cleveland to provide a cash match in the sum of \$122,765, payable from Fund Nos. 10 SF 025 and 10 SF 027, is approved in all respects. The total amount of the grant and cash match equals \$1,227,654.

**Section 3.** That the Director of Public Safety 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 the Director of Public Safety is authorized to make one or more written requirement contracts under with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the necessary items of equipment and supplies needed to implement the program. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control shall determine. Alternate bids for a period less than the grant term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

**Section 5.** That under Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative agreements using state procedures. The Director of Public Safety may sign all documents with the State of Ohio or any of its political subdivisions that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process.

**Section 6.** That the Director of Public Safety is authorized to employ by one or more contracts a consultant or firm 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 for data conversion, training, or other professional services necessary to implement the program as described in the file.

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

**Section 7.** That the cost of the professional services and purchases authorized by this ordinance shall be charged against the fund or funds which are credited the grant proceeds accepted under this ordinance and shall be charged against the proper appropriation account and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a

requisition against the contract certified by the Director.

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

Passed July 14, 2004.

Effective July 23, 2004.

**Ord. No. 537-04.**

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

**An emergency ordinance to amend Sections 1 and 2 of Ordinance No. 777-03, passed October 20, 2003, relating to the sale of real property as part of the Land Reutilization Program and located in the rear of 8816 Harkness Road to Jacqueline Nicholson.**

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 Sections 1 and 2 of Ordinance No. 777-03, passed October 20, 2003, are amended to read as follows:

**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). 107-18-048, as more fully described below, to Jacqueline Nicholson.

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

P. P. No. 107-18-048

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 1 in Charles A. Ferguson's Re-Subdivision of part of Original One Hundred Acre Lot No. 392, as shown by the recorded plat in Volume 15 of Maps, Page 23 of Cuyahoga County Records and bounded and described as follows:

Beginning on the Southwesterly line of Harkness Avenue, N.E., at its intersection with the Southeasterly line of said Sublot No. 1; thence Southwesterly along said Southeasterly line of Sublot No. 1, 64.81 feet to its point of intersection with the Northeasterly line of Sublot No. 21 in the W.F. Brunner Trustee's Re-Allotment, as shown by the recorded plat in Volume 13 of Maps, Page 16 of Cuyahoga County Records, said point being the principal place of beginning; thence Northwesterly along the Northwesterly prolongation of the Northeasterly line of said Sublot No. 21, to its intersection with the Northwesterly line of said Sublot No. 1 in said Charles A. Ferguson Re-Subdivision; thence Southwesterly along said Northwesterly line of Sublot No. 1, to the most Westerly corner thereof; thence Southeasterly along the Southwesterly line of said Sublot No. 1, 33.78 feet to the most Southerly corner thereof; thence Northeasterly along the Southeasterly line of Sublot No. 1, 80

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

**Section 2.** That Sections 1 and 2 of Ordinance No. 777-03, passed October 20, 2003, 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 July 14, 2004.

Effective July 23, 2004.

**Ord. No. 578-04.**

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

**An emergency ordinance authorizing the Director of Public Safety to enter into one or more contracts without competitive bidding with PinPoint Technologies, Inc. for the purchase of pen-base technical support and software upgrades, for the Division of Emergency Medical Service, Department of Public Safety.**

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

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

**Section 1.** That this Council has determined that the within commodities are non-competitive and cannot be secured from any source other than PinPoint Technologies, Inc. Therefore the Director of Public Safety is authorized to make one or more written contracts with PinPoint Technologies, Inc., on the basis of its proposal dated December 19, 2003, for pen-base technical support and software upgrades, to be purchased by the Commissioner of Purchases and Supplies, for a gross price for the Division of Emergency Medical Service, Department of Public Safety.

**Section 2.** That the cost of the contract or contracts authorized shall be paid from Fund No. 01-600402-601500, Request No. 128932.

**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 July 14, 2004.

Effective July 23, 2004.

**Ord. No. 622-04.**

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

**An emergency ordinance authorizing the Director of Public Safety to enter into one or more contracts without competitive bidding with ImageWare Systems for maintenance of a mug shot database, for the Division of Police, Department of Public Safety, for a period of two years, with one one-year option to renew.**

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

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

**Section 1.** That this Council has determined that the within commodities are non-competitive and cannot be secured from any source other than ImageWare Systems. Therefore the Director of Public Safety is authorized to make one or more written contracts with ImageWare Systems on the basis of its proposal dated September 18, 2003, for maintenance of a mug shot database, for a period of two years beginning July 1, 2003, with one option exercisable by the Director of Public Safety to renew for an additional one year period and cancellable on thirty days written notice by the Director, to be purchased by the Commissioner of Purchases and Supplies, for the Division of Police, Department of Public Safety.

**Section 2.** That the cost of the contract or contracts authorized shall be paid from Fund No. 10 SF 027, Request No. 145031.

**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 July 14, 2004.

Effective July 23, 2004.

**Ord. No. 691-04.**

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

**An emergency ordinance determining the method of making the public improvement of installing and constructing backup electric generation at various buildings and facilities of the Division of Water; authorizing the Director of Public Utilities to enter into one or more contracts for the making of the improvement; authorizing one or more contracts for professional services necessary to make the improvement; authorizing one or more contracts for the purchase, rental, or lease of equipment, materials, and supplies necessary for the improvement; and authorizing the acquisition of interests in real property necessary for the improvement.**

Whereas, the City of Cleveland's Division of Water was forced to interrupt service to customers during the blackout of August 14, 2003; and

Whereas, the Division of Water desires to eliminate its reliance on other utilities and the national transmission grid by installing backup electric generators at key facilities throughout the water system as soon as possible; and

Whereas, because of the expedited timetable, the necessity to coordinate design and construction at multiple locations, and the complexities in obtaining environmental permitting and zoning compliance in the various municipalities, it is efficient and cost-effective to construct

the project under a single contract for both design and construction; and

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

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

**Section 1.** That, under Section 167 of the Charter of the City of Cleveland, it is determined to make the public improvement of installing and constructing back-up electric generation at various buildings and operations and production facilities of the Division of Water, including the installation of enclosures, electrical equipment and connections, safety equipment, and other related installations necessary to continue the operation of the water system during power shortages (the "Improvement"), for the Division of Water, Department of Public Utilities by one or more contracts duly let to the lowest responsible bidder or bidders after competitive bidding for a gross price for the Improvement. The Improvement may include modifications to the electric system of Cleveland Public Power to enable it to provide back-up electric service to the Division of Water.

**Section 2.** That the Director of Public Utilities is authorized to enter into one or more contracts for the making of the above Improvement with the lowest responsible bidder or bidders after competitive bidding for a gross price for the Improvement, provided, however, that each separate trade and each distinct component part of the Improvement may be treated as a separate improvement, and each, or any combination, of trades or components may be the subject of a separate contract for a gross price. Upon request of the director the contractor shall furnish a correct schedule of unit prices, including profit and overhead, for all items constituting units of the Improvement.

**Section 3.** That all public improvement contracts entered into under this ordinance shall contain the MBE, FBE, and workforce goals in effect at the time the contracts were bid.

**Section 4.** That the Director of Public Utilities 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 implement the Improvement, including but not limited to the design, construction management, permitting and other regulatory compliance, operation, and maintenance of the Improvement or its components authorized by this ordinance. The selection of the consultant or consultants for the services shall be made by the Board of Control on the nomination of the Director of Public Utilities from a list of qualified consultants available for the employment as may be determined after a full and complete canvass by the Director of Public Utilities for the purpose of compiling the list. The compensation to be paid for the services shall be fixed by the Board of Control. The con-

tracts authorized shall be prepared by the Director of Law, approved by the Director of Public Utilities, and certified by the Director of Finance.

**Section 5.** That, notwithstanding and as an exception to Chapters 181 and 185 of the Codified Ordinances of Cleveland, 1976, the Commissioner of Purchases and Supplies may solicit bids for a single contract that may include the design, installation, construction, operation, and maintenance of the Improvement, and the provision of goods and services described in Sections 4, 6, and 7 of this ordinance. The bidders' conformance to specifications for design services and other professional services shall be a factor in determining the lowest responsible bidder.

**Section 6.** That the Director of Public Utilities is authorized to make one or more written contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: equipment, labor and/or materials, supplies, and other items and services necessary to construct, operate, and maintain the Improvement, which are not otherwise purchased or procured through the authority in Section 7 of this ordinance, to be purchased, procured, leased, or rented by the Commissioner of Purchases and Supplies on a unit basis, for the Division of Water, Department of Public Utilities.

**Section 7.** That the Director of Public Utilities is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two years of the necessary items of equipment, labor and/or materials, supplies, and other items and services necessary to construct, operate, and maintain the Improvement, to be purchased, procured, leased, or rented by the Commissioner of Purchases and Supplies on a unit basis for the Division of Water, Department of Public Utilities. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term. The costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchases and procurements, which purchases and procurements, together with all subsequent purchases and procurements, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts duly certified by the Director of Finance.

**Section 8.** That under Section 108(b) of the Charter, the purchases and procurements authorized by this ordinance may be made through cooperative agreements using state procedures. The Director of Public Utilities may sign all documents with the State of Ohio or

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

**Section 9.** That, notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, 1976, the Commissioner of Purchases and Supplies is authorized to purchase, lease, or otherwise acquire easements, fee interests, licenses, permits, and other rights or interests in real property necessary for the Improvement.

**Section 10.** That the Director of Public Utilities is authorized to execute on behalf of the City of Cleveland all necessary documents to acquire such rights or interests in real property necessary for the Improvement and to employ title companies, surveyors, escrow agents, appraisers, and environmental consultants necessary for the acquisition or use of the rights or interests in real property authorized by this ordinance.

**Section 11.** That the Director of Public Utilities is authorized to enter into agreements with the holders of such rights or interests in real property to relocate or otherwise to modify existing buildings, equipment, fixtures or other features of such property and to pay or reimburse related costs to permit the making of the Improvement.

**Section 12.** That the Director of Public Utilities is authorized to apply, pay for, and execute such permits and licenses required by any regulatory entity or other public authority for making and operating the Improvement.

**Section 13.** That the Director of Public Utilities is authorized to enter into such agreements and to apply, pay for, and execute such permits and other documents as may be necessary to permit the sale of the power generated by the Improvement whenever the power is not needed by the Division of Water. The Director of Public Utilities may enter into agreements to sell such power on terms and conditions that are approved by the Director of Law, and at such rates as the Director of Public Utilities deems most beneficial to the City.

**Section 14.** That the cost of the contracts, real property transactions, permits, licenses, and agreements authorized by this ordinance shall not exceed \$25,000,000.00 and shall be paid from Fund Nos. 52 SF 001, 52 SF 223, 52 SF 225, 52 SF 229, 52 SF 231, from the fund or funds to which are credited the proceeds of any grant or loans for the above Improvement, and the sale of future waterworks revenue bonds issued for the purpose that includes the Improvement. (RL 148070)

**Section 15.** 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 July 14, 2004.

Effective July 23, 2004.

**Ord. No. 698-04.**

**By Council Members Reed and Jackson (by departmental request).**  
**An emergency ordinance authorizing the Director of Public Safety to enter into one or more contracts without competitive bidding with Radio Satellite Integrators for the purchase of warranty services on the Automatic Vehicle Locator System equipped in vehicles in the Division of Emergency Medical Service, Department of Public Safety, for a period of two years.**

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

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

**Section 1.** That this Council has determined that the within commodities are non-competitive and cannot be secured from any source other than Radio Satellite Integrators. Therefore the Director of Public Safety is authorized to make one or more written contracts with Radio Satellite Integrators, for warranty services on the Automatic Vehicle Locator System equipped in vehicles in the Division of Emergency Medical Service, to be purchased by the Commissioner of Purchases and Supplies, for a gross price for the Division of Emergency Medical Service, Department of Public Safety.

**Section 2.** That the cost of the contract or contracts authorized shall not exceed \$35,000 and shall be paid from Fund No. 01-600401-661200, Request No. 128929.

**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 July 14, 2004.

Effective July 23, 2004.

**Ord. No. 783-04.**

**By Council Members Reed and Jackson (by departmental request).**  
**An emergency ordinance authorizing the purchase by one or more requirement contracts of photo supplies, for the Division of Police, Department of Public Safety.**

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

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

**Section 1.** That the Director of Public Safety is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year of the necessary items of photo supplies for the Police Photo Law, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Division of Police, Department of Public Safety. Bids shall be taken in

a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

**Section 2.** That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director of Finance. (RL 144916)

**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 July 14, 2004.

Effective July 23, 2004.

**Ord. No. 914-04.**

**By Council Members Sweeney and Jackson (by departmental request).**  
**An emergency ordinance authorizing the Director of Public Service to enter into one or more requirement contracts without competitive bidding with Ace Equipment Sales, Inc. for New Way packer body parts, including labor if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service.**

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 has determined that the within commodities are non-competitive and cannot be secured from any source other than Ace Equipment Sales, Inc. Therefore, the Director of Public Service is authorized to make one or more written requirement contracts with Ace Equipment Sales, Inc. under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period not to exceed one or two years for New Way packer body parts, including labor if necessary, to be purchased by the Commissioner of Purchases and Supplies on a unit basis, for the Division of Motor Vehicle Maintenance, Department of Public Service. The Director of Public Service is authorized to enter into one or more contracts with a term of two years instead of one year when there is a financial advantage to the City. For purposes of this ordinance, a financial advantage shall be determined by the Director of Public Service by comparing the bids received for both terms.

**Section 2.** That the costs of the contract or contracts shall be

charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director of Finance. (RL 130306)

**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 July 14, 2004.

Effective July 23, 2004.

**Ord. No. 928-04.**

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

**An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Sections 515.01 to 515.11 and 515.99 relating to the issuance of temporary public right-of-way occupancy permits for sidewalk sales.**

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

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

**Section 1.** That the Codified Ordinances of Cleveland, Ohio, 1976, are supplemented by enacting new Sections 515.01 to 515.11 and 515.99 to read as follows:

**CHAPTER 515**  
**Issuance Of Temporary Public Right-Of-Way Occupancy Permits For Sidewalk Sales**

**Section 515.01 Definitions**

When used in this Chapter, the following words shall have the following meanings:

(a) "Director" means the Director of Public Service or his designee.

(b) "Sidewalk Sale" means a commercial sale or display of goods, products, wares, merchandise, services or material related to services, any one or all of which is sold or displayed on a sidewalk immediately contiguous to the building/commercial premises within which the vendor has for permitted commercial sale of products, or services.

(c) "Permit" means a temporary public right-of-way occupancy permit authorized by Section 515.02 of the Codified Ordinances.

(d) "Permittee" means the person who owns the business immediately contiguous to the sidewalk sale and is permitted to occupy an area of the public right-of-way for the purpose of a sidewalk sale.

(e) "Right-of-way" means any sidewalk, court, alley, street or other area dedicated or otherwise designated for public use and held by the City.

(f) "Unobstructed Walk" means a clear, continuous paved surface free of tree grates, elevator grates and all vertical obstructions.



**Section 515.02 Temporary Public Right-of-Way Occupancy Permits**

Notwithstanding any codified ordinance to the contrary, the Director of Public Service is authorized to issue temporary public right-of-way occupancy permits revocable at the will of the Council authorizing a Sidewalk Sale at locations approved by resolution of Council on sidewalks, courts, alleys, streets or other public rights-of-way in the City, subject to the provisions of this Chapter. A separate encroachment permit will not be required for a Sidewalk Sale. An owner or operator of a business establishment who obtains a permit under this Chapter is exempt from the license and permit requirements of Chapter 675, 'Peddlers and Produce Dealers', if the Sidewalk Sale is limited to the sale or display of the same goods, products, wares, merchandise, services or material related to services as those that the owner or operator sells or displays inside the immediately contiguous building or commercial premises.

No owner or operator of a business establishment shall occupy any portion of a public sidewalk, court, alley, street or other public right-of-way with a Sidewalk Sale without first obtaining a permit in accordance with this Chapter. Any business owner or operator occupying any portion of a public sidewalk, court, alley, street or other public right-of-way without a permit as required by this Chapter shall be subject to the fines and penalties set forth in Sections 515.09 and 515.99 of this Chapter.

**Section 515.03 Application for Permits**

Application for a permit shall be made to the Director in a form deemed appropriate by him.

**Section 515.04 Permit Fee, Issuance and Duration**

(a) An application for a permit shall be accompanied by a fee of \$50.00 for each sidewalk sale location for which a permit is desired. The Director shall notify the Council Member in whose ward the location is situated that an application for a permit has been received. If the applicant is not issued a permit the fee shall be refunded.

On approval of the application by Director of Public Safety, the Director of Public Service, the Director of the City Planning Commission, the Director of Public Service shall issue a permit in accordance with this Chapter. Denial of a permit may be appealed to the Board of Zoning Appeals.

The processing of a complete application shall not take more than thirty (30) days and in the event the application is not processed within thirty (30) days, the applicant shall be entitled to a refund of the permit fee.

(b) A permittee located in the Central Business District may receive a permit valid for six (6) months, during which the Permittee may conduct a Sidewalk Sale only one day a week, on the same day every week. A Permittee seeking this Permit must state in the Permit Application what day of the week Permittee will conduct the Sidewalk Sale.

A location in the Central Business District may not receive more than one permit per year.

(c) Permits for all locations not in the Central Business District shall be valid for three days. A location outside of the Central Business District may not receive more than two permits per year.

**Section 515.05 Permitted Locations**

The Director, consistent with the provisions of this chapter and the zoning code, shall establish rules and regulations as the Director deems proper with respect to permitted locations for the operation of Sidewalk Sales. The Director shall consider the operation and location of the Sidewalk Sale, the maintenance of the business establishment requesting a permit, the proximity and location of emergency exits, fire standpipes, fire hydrants, driveways, handicap ramps, handicapped parking zones, commercial loading and unloading zones, the condition of the sidewalk, and other factors he deems relevant. The Director may modify the rules and regulations as he deems necessary.

The issuance of permits and the maintenance of merchandise, and other structures shall be subject to the rules and regulations established by the Director, the zoning code, and the following conditions and restrictions:

(a) Sidewalk Sales shall not obstruct emergency exits or fire standpipes;

(b) Sidewalk Sales shall not occupy any portion of the roadway or within two (2) feet of the curb;

(c) Sidewalk Sales shall not be permitted within six (6) feet of any fire hydrant, within five (5) feet of any driveway, within three (3) feet of any sidewalk handicap ramp.

**Section 515.06 Permits**

At any time during the Sidewalk Sale that it is requested, Permittee shall immediately produce the Permit.

Each permit shall contain the following information:

(a) The name and address of the permittee;

(b) A description of the permitted location;

(c) A description of the merchandise and other structures;

(d) The expiration date of the permit; and

(e) Any other information the Director deems necessary.

**Section 515.07 Requirements and Conditions of Permit**

(a) Permittees and their agents shall comply with all of the requirements of this chapter and any applicable state law, while engaged in business at permitted locations.

(b) The Sidewalk Sale shall be placed only on the location set forth in the permit.

(c) No Sidewalk Sale shall operate earlier than 8:00 a.m. nor later than 9:00 p.m. All merchandise, and other structures shall be removed from the sidewalk at the end of the permitted hours of operation.

(d) Permittees and their agents shall obey any order of a police officer or other emergency personnel to remove their merchandise and other structures from the public right-of-way if necessary to avoid congestion or obstruction in an emergency.

(e) Permittees and their agents shall be responsible for maintaining all Sidewalk Sale structures and associated equipment in good repair,

and in a safe, sound and non-hazardous condition.

(f) Permittees and their agents shall be responsible for keeping the general area around the permitted location free of litter.

(g) No banner, pennant, or sign shall be displayed as a part of any outdoor display except under a permit issued by the City of Cleveland.

(h) No permit shall be transferable in any manner.

(i) All merchandise sold at a Sidewalk Sale shall be of the type and nature sold by the business immediately adjacent to the Sidewalk Sale.

(j) A permit is valid only when used at the location designated in the permit.

**Section 515.08 Permit Suspension and Revocation**

(a) The Director may suspend or revoke the permit of any permittee if the permittee or his agent fails to abide by the provisions of these Codified Ordinances or state law.

(b) The Director shall give written notice of suspension or revocation of the permit to the permittee or his agent stating the reasons for the suspension or revocation. If the reason for the suspension or revocation is that the permittee does not currently have an effective insurance policy as required by division

(h) of Section 515.03, the action shall be effective upon giving such notice to the permittee or to his agent. Otherwise, such notice shall contain the further provision that the action shall become final and effective ten (10) days afterwards unless, within five (5) days of receipt of notice, the permittee requests a hearing before the Director. The Director shall hold the requested hearing, at which time the permittee shall be afforded the opportunity to give the permittee's version of the facts which gave rise to the Director's action. After the hearing the Director shall determine whether to proceed with the action or to rescind it.

(c) The action of the Director may be appealed to the Board of Zoning Appeals.

**Section 515.09 Removal of Merchandise and Other Associated Equipment**

Any merchandise and other associated equipment placed in a public sidewalk, court, alley, street or other public right-of-way without a permit issued under this section may be seized and removed. Prior to such seizure and removal, the property owner or operator of the business establishment fronting on the public right-of-way from which the merchandise, and other associated equipment are to be removed shall be notified and asked to immediately begin to remove the merchandise and other associated equipment and to complete the removal within a reasonable amount of time. If the property owner or operator of the business establishment fails to remedy the violation, the City may seize and remove the merchandise, and other associated equipment.

Notwithstanding any other provisions of this Chapter, the City may seize any merchandise, and other associated equipment, whether placed with or without a permit, without prior notice if the merchan-

dise, and other associated equipment are placed in the public right-of-way in such a place or manner as to pose an immediate and serious danger to persons or property or if the condition of the merchandise, and associated equipment renders them unsafe, unsound or hazardous so as to pose an immediate and serious danger to persons or property. After seizure, the City shall promptly notify the owner or operator of the business establishment and such individual shall have the right to request an informal hearing before the Director within ten (10) days after such notification to determine whether the seizure was proper.

As a condition of recovering any merchandise, and other associated equipment properly seized pursuant to this section, the owner of such merchandise, and other associated equipment shall pay an impound fee covering the actual cost to the City of transporting and storing such merchandise, and other associated equipment.

#### **Section 515.10 Taxes**

The Permittee shall be responsible for all charges and all federal, state or local taxes, including property taxes, which may now or hereafter be imposed or levied upon the Sidewalk Sale and the services provided in connection therewith.

#### **Section 515.11 Regulations**

The Director may promulgate such regulations, not inconsistent with the provisions of this Chapter, establishing procedures for the issuance of permits.

#### **Section 515.99 Penalty**

Whoever violates any provision of this Chapter is guilty of a minor misdemeanor on the first offense and may be enforced by the issuance of a citation in accordance with Criminal Rule 4.1 by any police officer or any other City employee whose duties include the issuance of minor misdemeanor citations under the authority of a special police commission granted under Charter Section 117. On the second and any subsequent offense, the offender is guilty of a misdemeanor of the third degree.

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

Passed July 14, 2004.

Effective July 23, 2004.

#### **Ord. No. 940-04.**

**By Council Members Reed and Jackson (by departmental request). An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the County of Cuyahoga for the 2003 State Homeland Security Grant Program, Part I; and authorizing one or more requirement contracts for the purchase of vehicles, equipment, and services necessary to implement the grant.**

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

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

**Section 1.** That the Director of Public Safety is authorized to apply for and accept a grant in the amount of \$120,000, from the County of Cuyahoga to conduct the 2003 State Homeland Security Grant Program, Part I; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes set forth in the award letter and other documents for the grant contained in the file described below.

**Section 2.** That the award letter and other documents for the grant, File No. 940-04-A, made a part of this ordinance as if fully rewritten, is approved in all respects.

**Section 3.** That the Director of Public Safety is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the necessary items of vehicles, equipment, and services needed to implement the program as described in the file. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control shall determine. Alternate bids for a period less than the grant term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

**Section 4.** That the costs of the contracts authorized by this ordinance shall be charged against the fund or funds which are credited the grant proceeds accepted under this ordinance and shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director.

**Section 5.** That under Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative agreements using state procedures. The Director of Public Safety may sign all documents with the State of Ohio or any of its political subdivisions that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process.

**Section 6.** That the Director of Public Safety 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 7.** That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and

approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed July 14, 2004.

Effective July 23, 2004.

#### **Ord. No. 941-04.**

**By Council Members Reed and Jackson (by departmental request). An emergency ordinance authorizing the Director of Public Safety to enter into a grant agreement with the County of Cuyahoga to accept equipment necessary to implement the State Domestic Preparedness 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 Safety is authorized to enter into a grant agreement with the County of Cuyahoga to accept equipment necessary to implement the State Domestic Preparedness Program as described in File No. 941-04-A.

**Section 2.** That the grant agreement shall be prepared by the Director of Law and shall contain additional terms and conditions that the director deems necessary to protect and benefit the public interest.

**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 July 14, 2004.

Effective July 23, 2004.

#### **Ord. No. 945-04.**

**By Council Member White. An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on scattered sites to Union Miles 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 Ordina-

nances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 135-13-042 as more fully described below, to Union Miles Development Corporation or designee.

**Section 2.** That the real property to be sold pursuant to Section 1 of this Ordinance is more fully described as follows

P. P. No. 135-13-042

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as Sublot No. 256 in the City Allotment Company's East Boulevard Subdivision of a part of Original One Hundred Acre Lot No. 451, as shown by the recorded plat in Volume 68 of Maps, Page 8 of Cuyahoga County Records and being 40 feet front on the Westerly line of East 113th Street and extending back 114.88 feet deep on the Northerly line, 115 feet deep on the Southerly line and having a rear line of 40 feet. Subject to all legal highways.

Also subject to all zoning ordinances, if any.

**Section 3.** 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. 135-19-086 as more fully described below to Union Miles Development Corporation or designee.

**Section 4.** That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 135-19-086

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 22 in Coe-Brainard and Cheney Allotment of part of Original One Hundred Acre Lot No. 458 as shown by the recorded plat in Volume 7 of Maps, Page 23 of Cuyahoga County Records and being 40 feet front on the Southerly side of Reno Avenue, S.E. (formerly Harris Street) and extending back between parallel lines 130 feet as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

**Section 5.** 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. 136-03-026 as more fully described below, to Union Miles Development Corporation or designee.

**Section 6.** That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 136-03-026

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 160 in L.W. Sapp Resurvey Subdivision of part of Original One Hundred Acre Lots Nos. 457 and 458, as shown by the recorded plat in Volume 12 of Maps, Page 25 of Cuyahoga County Records, and being 40 feet front on the Southerly side of Prince Avenue, and extending back

173.56 feet on the Westerly line, 173.54 feet on the Easterly line and having a rear line of 40 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

**Section 7.** 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. 136-18-049 as more fully described, to Union Miles Development Corporation or designee.

**Section 8.** That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 136-18-049

ituated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 35 in Hills and Frisbie's Miles Avenue Allotment of part of Original One Hundred Acre Lot No. 467 as shown by the recorded plat in Volume 21 of Maps, Page 8 of Cuyahoga County Records and forming a parcel of land bounded and described as follows:

Beginning in the Northerly line of Miles Avenue, S.E. 70 feet wide at the Southwesterly corner of said Sublot No. 35; thence Northerly along the Westerly line of said Sublot No. 35, 160 feet to the Northwesterly corner thereof; thence Easterly along the Northerly line of said Sublot No. 35, 27.50 feet to the Northwesterly corner of a parcel of land conveyed to Helen F. Vala by deed dated April 9, 1932 and recorded in Volume 4230, Page 243 of Cuyahoga County Records; thence Southerly along the Westerly line of said land conveyed by Helen F. Vala, 43.00 feet to the Southwesterly corner thereof; thence Easterly along the Southerly line of said land conveyed to Helen F. Vala, 15 feet; thence Southerly along the line parallel with said Westerly line of Sublot No. 35, 117 feet to said Northerly line of Miles Avenue, S.E.; thence Westerly along said Northerly line of Miles Avenue, S.E. 42.50 feet to the place of beginning, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

**Section 9.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 136-18-050 as more fully described below, to Union Miles Development Corporation or designee.

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

P. P. No. 136-18-050

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Easterly 40 feet of Sublot No. 34 in the Hills and Frisbie's Miles Avenue Subdivision of a part of Original One Hundred Acre Lot No. 467, as shown by the recorded plat in Volume 21 of Maps, Page 8 of Cuyahoga County Records, and being 40 feet

front on the Northerly side of Miles Avenue, and extending back between parallel lines 160 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

**Section 11.** 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. 137-07-077 as more fully described below, to Union Miles Development Corporation or designee.

**Section 12.** That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 137-07-077

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 99 in the Union Rice Subdivision of part of Original One Hundred Acre Lots Nos. 444 and 452, as shown by the recorded plat in Volume 47 of Maps, Page 24 of Cuyahoga County Records and being 37 feet front on the Easterly side of East 118th Street and extending back 119.85 feet on the Northerly line, 119.98 feet on the Southerly line and having a rear line of 37 feet, as appears by said plat.

Subject to zoning ordinances, if any.

**Section 13.** 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 14.** 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 15.** 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 16.** 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 July 14, 2004.

Effective July 23, 2004.

**Ord. No. 1001-04.**  
**By Council Members Sweeney and Jackson (by departmental request).**  
**An emergency ordinance authorizing the Director of Public Service to enter into one or more requirement contracts without competitive bidding with Spartan Motors Chassis, Inc. for Spartan chassis and fire apparatus parts, including labor if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service.**

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 has determined that the within commodities are non-competitive and cannot be secured from any source other than Spartan Motors Chassis, Inc. Therefore, the Director of Public Service is authorized to make one or more written requirement contracts with Spartan Motors Chassis, Inc. under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period not to exceed one or two years for Spartan chassis and fire apparatus parts, including labor if necessary, to be purchased by the Commissioner of Purchases and Supplies on a unit basis, for the Division of Motor Vehicle Maintenance, Department of Public Service. The Director of Public Service is authorized to enter into one or more contracts with a term of two years instead of one year when there is a financial advantage to the City. For purposes of this ordinance, a financial advantage shall be determined by the Director of Public Service by comparing the bids received for both terms.

**Section 2.** That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director of Finance. (RL 130336)

**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 July 14, 2004.  
 Effective July 23, 2004.

**Ord. No. 1007-04.**  
**By Council Members Reed and Jackson (by departmental request).**  
**An emergency ordinance authorizing the purchase by one or more requirement contracts of medical supplies for first responder runs, for the Division of Fire, Department of Public Safety.**

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

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

**Section 1.** That the Director of Public Safety is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year of the necessary items of medical supplies for first responder runs, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Division of Fire, Department of Public Safety. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

**Section 2.** That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director of Finance. (RL 133774)

**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 July 14, 2004.  
 Effective July 23, 2004.

**Ord. No. 1008-04.**  
**By Council Members Pierce Scott, Johnson, Cimperman and Jackson (by departmental request).**

**An emergency ordinance authorizing the Commissioner of Purchases and Supplies to purchase property for future development of a park on Ansel Road near Korman Avenue for the Department of Parks, Recreation and Properties.**

Whereas, the Director of Parks, Recreation and Properties has requested the purchase of property which is located on Ansel Road near Korman Avenue for future development of a park; 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 Chapter 181 and 183 of the

Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized to purchase the following described property for future development of a park:

P.P. No. 107-04-029

Ansel Road near Korman Avenue  
 Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sub Lot No. 46 in Zenas King's Subdivision of part of Original One Hundred Acre Lots Nos. 367 and 375, as shown by the recorded plat in Volume 14 of Maps, Page 41 of Cuyahoga County Records, and being 40 feet front on the Easterly side of Ansel Road, N.E., and extending back of equal width 125 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

**Section 2.** That the Director of Parks, Recreation and Properties is authorized to execute on behalf of the City of Cleveland all necessary documents to acquire the property and to employ and pay all fees for title companies, surveys, escrows, appraisers, environmental audits, and all other costs necessary for the acquisition of the property.

**Section 3.** That the consideration to be paid for this property shall not exceed fair market value

**Section 4.** That all costs of acquisition of land shall be paid from Fund Nos. 20 SF 323, 20 SF 330, 20 SF 361, 20 SF 370, 20 SF 377, 20 SF 382 and 20 SF 392, Request No. 107989.

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

Passed July 14, 2004.  
 Effective July 23, 2004.

**Ord. No. 1016-04.**  
**By Council Members Coats, Gordon and Jackson (by departmental request).**

**An emergency ordinance authorizing the Director of Community Development to enter into a grant agreement with Dawud Ali to provide economic assistance for construction of a self-serve Citgo gas and retail convenience store on St. Clair Avenue at East 115th and E 117th Streets.**

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 a grant agreement with Dawud Ali to provide economic assistance for construction of a self-serve Citgo gas and retail convenience store on St. Clair at East 115th and East 117th Streets.

**Section 2.** That the costs of the grant agreement shall not exceed

\$10,801.00 and shall be paid from Fund No. 14 SF 029.

**Section 3.** That the Director of Law is authorized to prepare the grant agreement and such other documents as may be appropriate to complete the transaction.

**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 July 14, 2004.

Effective July 23, 2004.

**Ord. No. 1019-04.**

**By Council Member Lewis.**

**An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 1620 East 82nd Street to Ethel L. Wilson.**

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

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

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

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

**Section 1.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 106-21-032, as more fully described below, to Ethel L. Wilson.

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

P. P. No. 106-21-032

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 1 in George Koch's Heir's Allotment of part of Original One Hundred Acre Lots Nos. 342 and 391, as shown by the recorded plat in Volume 20 of Maps, Page 14 of Cuyahoga County Records, and being 42 feet front on the Westerly side of East 82nd Street, and extending back of equal width 120.05 feet deep on the Southerly line, 120 feet deep on the Northerly line and 45.41 feet wide in the rear, as appears by said plat, be the same more or less, but subject to all legal highways.

**Section 3.** That all documents necessary to complete the conveyance authorized by this ordinance shall be executed within six (6) months

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

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

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

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

Passed July 14, 2004.

Effective July 23, 2004.

**Ord. No. 1031-04.**

**By Council Member Lewis.**

**An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on East 80th Street to Robert Caldwell and Frances Caldwell.**

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

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

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

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

**Section 1.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 107-08-124, as more fully described below, to Robert Caldwell and Frances Caldwell.

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

P. P. No. 107-08-124

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 29 in L. Breckenridge's Subdivision of part of Original One Hundred Acre Lot No. 383, as shown by the recorded plat in Volume 5 of Maps, Page 54 of Cuyahoga County Records, and also that part of vacated Grafton Avenue which was set off to Julian and Martha Kwiatkowski by decree of Common Pleas Court in Case No. 131380, and together forming a parcel of land 40 feet front on the Easterly side of East 80th Street (formerly Robinson Avenue), and extending back of equal width 141 feet deep to the center line of said vacated Grafton Avenue, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

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

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

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

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

Passed July 14, 2004.

Effective July 23, 2004.

**Ord. No. 1032-04.**

**By Council Member Lewis.**

**An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on East 89th Street to Latifa F. Kemba.**

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

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

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

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

**Section 1.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 107-14-123, as more fully described below, to Latifa F. Kemba.

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

P. P. No. 107-14-123

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 29 in Curtiss and Ambler's Wade Park and Superior Subdivision of part of Original 100 Acre Lot No. 384, as shown by the recorded plat in Volume 21 of Maps, page 5 of Cuyahoga County Records, and being 35 feet front on the Easterly side of East 89th Street, and extending back of equal width 75 feet deep, 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 estab-

lished 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 July 14, 2004.

Effective July 23, 2004.

**Ord. No. 1082-04.**

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

**An emergency ordinance authorizing the Director of Finance to pay as Moral Claims the sums opposite the names of the claimants.**

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

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

**Section 1.** That the Director of Finance is authorized to pay as Moral Claims the sums opposite the names of the following claimants and charged against the fund numbers opposite the names of the claimants:

| <u>Claimant</u>     | <u>Claim No.</u> | <u>Amount</u> | <u>Division</u>  | <u>Fund</u>      |
|---------------------|------------------|---------------|------------------|------------------|
| Crocoll, Allan B.   | 11561            | \$ 960.00     | Park Maintenance | 62 SF 001        |
| Matousek, Daniel    | 11594            | 855.00        | Park Maintenance | 62 SF 001        |
| Henderson, Judy     | 11600            | 770.00        | Park Maintenance | 62 SF 001        |
| Sharp, Robert F.    | 11639            | 153.01        | Park Maintenance | 62 SF 001        |
| Baker, Pauline      | 11649            | 233.60        | Park Maintenance | 62 SF 001        |
| Hodgdon, Jessie     | 11653            | 1,167.12      | Park Maintenance | 62 SF 001        |
| Baker, Donna M.     | 11670            | 1,800.00      | Park Maintenance | 62 SF 001        |
| Chadbourne, Leonard | 11686            | 640.00        | Park Maintenance | 62 SF 001        |
| Pollard, Chris      | 11710            | 190.00        | Park Maintenance | 62 SF 001        |
| Barr, Margaret J.   | 11714            | 2,580.66      | Park Maintenance | 62 SF 001        |
| Smith, Carolyn      | 11744            | 793.60        | Park Maintenance | 62 SF 001        |
| Jones, Joe B.       | 11715            | 250.00        | Impound          | 01-600202-672000 |
| Hillman, Elizabeth  | 11724            | 500.00        | Police           | 01-600202-672000 |
| Pangrac, Donald     | 11748            | 15.00         | Police           | 01-600202-672000 |
| Long, George W.     | 11731            | 250.00        | Police           | 01-600202-672000 |
| Sandy, Joseph M.    | 11721            | 250.00        | Fire             | 01-600302-672000 |
| Fabian, Rose        | 11728            | 1,000.00      | Urban Forestry   | 01-701204-672000 |
| Horton, Auston      | 11733            | 22.00         | Waste Collection | 01-400303-672000 |
| Ciolek, Joanne      | 11738            | 14.02         | Waste Collection | 01-400303-672000 |
| Bugnar, Romona      | 11742            | 42.55         | Waste Collection | 01-400303-672000 |

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

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

Passed July 14, 2004.

Effective July 23, 2004.

**Ord. No. 1084-04.**  
**By Council Members Sweeney and Jackson (by departmental request).**  
**An emergency ordinance to amend Section 2 of Ordinance No. 1242-92, passed June 15, 1992, relating to professional services for engineering consultants to design the rehabilitation or reconstruction of various bridges.**

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

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

**Section 1.** That Section 2 of Ordinance No. 1242-92, passed June 15, 1992, is amended to read as follows:

**Section 2.** That the cost of the services contemplated shall be paid from Fund Nos. 20 SF 181, 20 SF 190, 20 SF 302, and 58 SF 001, Request Nos. 14313 and 146059.

**Section 2.** That Section 2 of Ordinance No. 1242-92, passed June 15, 1992, is repealed.

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

Passed July 14, 2004.  
 Effective July 23, 2004.

**Ord. No. 1085-04.**  
**By Council Members Reed and Jackson (by departmental request).**  
**An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the Ohio Department of Public Safety, for the 2005 EMS/Fire Training and Equipment Grant, and authorizing the Director of Public Safety to enter into one or more requirement contracts for the purchase of equipment and training necessary to implement the grant.**

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

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

**Section 1.** That the Director of Public Safety is authorized to apply for and accept a grant in the amount of \$2,000.00, from the Ohio Department of Public Safety, to conduct the 2005 EMS/Fire Training and Equipment Grant, for the purposes in the application; that the Director of Public Safety 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 application for the grant.

**Section 2.** That the application for the grant, File No. 1085-04-A, made a part as if fully rewritten, is approved in all respects.

**Section 3.** That the Director of Public Safety 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 the Director of Public Safety is authorized to make one

or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of the grant term for the necessary items of equipment and training necessary to implement the grant, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Department of Finance. Bids shall be taken in a manner which permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the grant term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire grant term.

That the cost of the contract or contracts shall be charged against the proper appropriation account and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director of Finance.

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

Passed July 14, 2004.  
 Effective July 23, 2004.

**Ord. No. 1087-04.**  
**By Council Members Reed and Jackson (by departmental request).**  
**An emergency ordinance to amend Section 1 of Ordinance No. 206-04, passed February 9, 2004, relating to a grant from the County of Cuyahoga for the 2003 State Homeland Security Grant Program, Part II.**

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

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

**Section 1.** That Section 1 of Ordinance No. 206-04, passed February 9, 2004, is amended to read as follows:

**Section 1.** That the Director of Public Safety is authorized to apply for and accept a grant in the amount of \$1,314,511.00, from the County of Cuyahoga to conduct the 2003 State Homeland Security Grant Program, Part II; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes set forth in the award letter and other documents for the grant contained in the file described below.

**Section 2.** That existing Section 1 of Ordinance No. 206-04, passed February 9, 2004, is repealed.

**Section 3.** That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all

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

Passed July 14, 2004.  
 Effective July 23, 2004.

**Ord. No. 1088-04.**  
**By Council Members Reed and Jackson (by departmental request).**  
**An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the County of Cuyahoga for the State Domestic Preparedness Exercise 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 Safety is authorized to apply for and accept a grant in the amount of \$10,712, from the County of Cuyahoga to conduct the State Domestic Preparedness Exercise Program; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in the award letter for the grant contained in the file described below.

**Section 2.** That the award letter for the grant, File No. 1088-04-A, made a part of this ordinance as if fully rewritten, is approved in all respects.

**Section 3.** That the Director of Public Safety 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 July 14, 2004.  
 Effective July 23, 2004.

**Ord. No. 1173-04.**  
**By Council Members Sweeney, Cimperman and Jackson (by departmental request).**

**An emergency ordinance authorizing the Director of Public Service to execute a deed of easement granting to F.C. Southridge Corporation certain easement rights in property located on the corner of Broadway and Carnegie Avenues and declaring the easement rights no longer needed for public use.**

Whereas, F.C. Southridge Corporation ("Southridge") has requested the Director of Public Service to convey certain easement rights in property located on the corner of Broadway and Carnegie Avenues; and

Whereas, Southridge requires the easement rights to place a sign on City-owned land directing visitors

and patrons to the Tower City Amphitheater site; and

Whereas, the easement rights to be granted are no longer needed for public use; 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, it is found and determined that an easement interest in the following described property is no longer needed for public use:

**Carnegie and Broadway Avenue  
F.C. Southridge Corporation  
Permanent Easement**

Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio, and known as being part of Sublots 482 and 483 in the Walworth and Kelley's Subdivision of part of Original Two Acre Lot Nos. 125 and 132, both inclusive, and Lots Nos. 213 and 220, both inclusive, and part of Original One Hundred Acre Lot No. 487 as shown by the plat recorded in Volume 2, Page 26 of Cuyahoga County Map Records and further bounded and described as follows:

Beginning at the intersection of the southeasterly right-of-way of Carnegie Avenue (99 feet wide) with the southwesterly line of Broadway Avenue (99 feet wide);

Thence South 56°-19'-15" West along the southeasterly right-of-way line of Carnegie Avenue, 35.86 feet to a point;

Thence South 20°-32'-21" East; 19.29 feet to the principal point of beginning of the premises herein described;

Thence South 20°-32'-21" East, 12.00 feet to a point;

Thence South 69°-27'-39" West, 16.00 feet to a point;

Thence North 20°-32'-21" West, 12.00 feet to a point;

Thence North 69°-27'-39" East, 16.00 feet to the place of beginning and containing 0.0044 acres of land as surveyed and described by Edward B. Dudley, P.L.S. No. 6747 of The Riverstone Company, in February of 2004, be the same more or less, but subject to all legal highways.

**Section 2.** That by and at the direction of the Board of Control, the Commissioner of Purchases and Supplies is authorized to convey the above-described easement interest to Southridge, subject to any conditions stated herein, at a price of one dollar, and other valuable consideration.

**Section 3.** That the easement shall be non-exclusive and the purpose of the easement shall be to place a sign, that complies with all applicable laws, on City-owned land directing visitors and patrons to the Tower City Amphitheater site.

**Section 4.** That the duration of the easement shall be perpetual; that the easement may include reasonable right-of-entry rights to the City; that the easement shall not be assignable without the consent of the Director of Public Service; that the easement shall require Southridge to indemnify the City, provide reasonable insurance, maintain any Southridge improvements located

within the easement, and pay any applicable taxes and assessments.

**Section 5.** That the conveyance shall be made by official deed of easement prepared by the Director of Law and executed by the Director of Public Service on behalf of the City of Cleveland. The deed of easement shall contain any additional terms and conditions that the Director of Law deems necessary to protect and benefit the public interest. The Director of Public Service and Law are authorized to execute other documents, including without limitation, contracts for right of entry, as may be necessary to effect the placement of the sign described above.

**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 July 14, 2004.

Effective July 23, 2004.

**Ord. No. 1174-04.  
By Council Members Sweeney,  
Cimperman and Jackson (by departmental request).**

**An emergency ordinance authorizing the Director of Public Service to issue a permit to F.C. Southridge Corporation to encroach into the public right-of-way of a portion of West 4th Street and Harrison Road to construct, maintain, improve, and use the area to park cars.**

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

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

**Section 1.** That the Director of Public Service is authorized to issue a permit to F.C. Southridge Corporation ("Permittee") to encroach into the public right-of-way of a portion of West 4th Street and Harrison Road by means of constructing, maintaining, improving, and using the area to park cars. The permit shall be revocable at the will of Council and assignable by the Permittee with the written consent of the Director of Public Service. Permittee shall construct the structures permitted at the location more fully described as follows:

**West 4th Street Encroachment**

Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio, and known as being part of Original 100 Acre Lot No. 487 and further bounded and described as follows:

Beginning at the intersection of the centerlines of West 3rd Street (70 feet wide) and Harrison Road (60 feet wide);

Thence North 34°-31'-59" West along the centerline of West 3rd Street, 30.00 feet to a point;

Thence South 55°-25'-01" West, 35.00 feet to a 5/8" iron pin set at the intersection of the northwesterly line of Harrison Road and the southwesterly line of West 3rd Street;

Thence South 55°-25'-01" West along the northwesterly line of Harrison Road, 200.18 feet to the principal point of beginning of the encroachment herein described;

Thence continuing along the extended northwesterly line of Harrison Road, 50.00 feet to the southwesterly line of West Fourth Street; Thence North 34°-31'-59" West along the southwesterly line of West Fourth Street, 123.08 feet to a point;

Thence North 22°-29'-27" East, 59.60 feet to the northeasterly line of West Fourth Street;

Thence South 34°-31'-59" East along the northeasterly line of West Fourth Street, 155.47 feet to the principal place of beginning and containing 0.1599 acres of land as surveyed and described by Edward B. Dudley, III, P.L.S. No. 6747 of the Riverstone Company, in October of 2003, be the same more or less, but subject to all legal highways.

Description reviewed & approved by E&C Surveyor Dave Bruckner on 4/21/04.

**Section 2.** That the parking area shall be placed in the public right-of-way as described above and shall be constructed conforming to plans and specifications approved by the Commissioner of Engineering and Construction. That the Permittee shall obtain all other required permits, including but not limited to Building Permits, before constructing the encroachments.

**Section 3.** That the permit authorized by this ordinance shall be prepared by the Director of Law and shall be issued only when, in the opinion of the Director of Law, the City of Cleveland has been properly indemnified against all loss which may result from the encroachments.

**Section 4.** That the Permittee shall reserve reasonable right of entry to the City of Cleveland; that the permit shall require the Permittee to provide general limited liability insurance, that Permittee shall maintain the permitted encroachment area; and that the Permittee shall pay any applicable taxes and assessments due and/or owing on the permitted encroachment area.

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

Passed July 14, 2004.

Effective July 23, 2004.

**Ord. No. 1175-04.  
By Council Members Sweeney,  
Cimperman and Jackson (by departmental request).**

**An emergency ordinance authorizing the Director of Public Service to issue a permit to Tower City Avenue, LLC to encroach into the public right-of-way of a portion of West Prospect Avenue to construct, maintain, improve, and use the area for valet parking, including installing a lighted canopy.**

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



a municipal department; now, therefore,

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

**Section 1.** That the Director of Public Service is authorized to issue a permit to Tower City Avenue, LLC ("Permittee") to encroach into the public right-of-way of a portion of West Prospect Avenue by means of constructing, maintaining, improving, and using the area for valet parking, including installing a lighted canopy. The permit shall be revocable at the will of Council and assignable by the Permittee with the written consent of the Director of Public Service. Permittee shall construct the structures permitted at the location more fully described as follows:

Encroachment permit to Tower City Properties for a valet parking area with lighted canopy adjacent to 230 West Prospect Avenue. The encroachment area will be approximately 27.8' x 80' on the Northerly side of West Prospect Avenue approximately 820 feet from its intersection with West Superior Avenue.

Legal description approved by:  
JOHN JENKINS

**Section 2.** That the valet parking area shall be placed in the public right-of-way as described above and shall be constructed conforming to plans and specifications approved by the Commissioner of Engineering and Construction. That the Permittee shall obtain all other required permits, including but not limited to Building Permits, before constructing the encroachments.

**Section 3.** That the permit authorized by this ordinance shall be prepared by the Director of Law and shall be issued only when, in the opinion of the Director of Law, the City of Cleveland has been properly indemnified against all loss which may result from the encroachments.

**Section 4.** That the Permittee shall reserve reasonable right of entry to the City of Cleveland; that the permit shall require the Permittee to provide general limited liability insurance, that Permittee shall maintain the permitted encroachment area; and that the Permittee shall pay any applicable taxes and assessments due and/or owing on the permitted encroachment area.

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

Passed July 14, 2004.  
Effective July 23, 2004.

**Ord. No. 1176-04.**  
**By Council Members Sweeney, Cimperman and Jackson (by departmental request).**

**An emergency ordinance to amend Section 3 of Ordinance No. 2227-03, passed February 9, 2004, relating to the public improvement of rehabilitating and reconstructing Bennington Avenue and authorizing the Director of Public Service to enter into one or more public improvements contracts for the making of the improvement.**

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

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

**Section 1.** That Section 3 of Ordinance No. 2227-03, passed February 9, 2004, is amended to read as follows:

Section 3. that the cost of the improvement authorized shall be paid from Fund Nos. 20 SF 334, 20 SF 342, 20 SF 353, 20 SF 364, 20 SF 373, 20 SF 380, 20 SF 383, 20 SF 394, and 54 SF 001, Request Nos. 138348 and 147552.

**Section 2.** That existing Section 3 of Ordinance No. 2227-03, passed February 9, 2004, is repealed.

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

Passed July 14, 2004.  
Effective July 23, 2004.

**Ord. No. 1177-04.**  
**By Council Members Zone, Sweeney and Jackson (by departmental request).**

**An emergency ordinance authorizing the Director of Public Service to enter into a grant agreement with the Detroit Shoreway Community Development Organization to provide economic development assistance to design streetscape improvements on Detroit Avenue between West 58th Street and West 75th Street; and authorizing the director to cause payment of the City's share to the Detroit Shoreway Community Development Organization for the cost of design.**

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

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

**Section 1.** That the Director of Public Service is authorized to enter into a grant agreement with the Detroit Shoreway Community Development Organization to provide economic development assistance to design streetscape improvements on Detroit Avenue between West 58th Street and West 75th Street.

**Section 2.** That this Council authorizes payment to the Detroit Shoreway Community Development Organization of the City's share of the cost of the streetscape improvement design.

**Section 3.** That the costs of the grant and the City's share of the cost of the streetscape improvement design shall not exceed \$205,000.00 and shall be paid from Fund Nos. 10 SF 166, 20 SF 364, 20 SF 373, 20 SF 380, 20 SF 383, and 20 SF 394, Request No. 147553.

**Section 4.** That the Director of Law is authorized to prepare the grant agreement and other documents as may be appropriate to complete the transaction.

**Section 5.** That this ordinance is declared to be an emergency mea-

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

Passed July 14, 2004.  
Effective July 23, 2004.

**Ord. No. 1178-04.**  
**By Council Members Cimperman, Sweeney and Jackson (by departmental request).**

**An emergency ordinance authorizing the Director of Public Service to enter into an agreement with the Cleveland-Cuyahoga County Port Authority for the repair of bulkheads at East Ninth Street Pier.**

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 any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Director of Public Service is authorized to enter into an agreement with the Cleveland-Cuyahoga County Port Authority to contribute funds to the repair of bulkheads at East Ninth Street Pier.

**Section 2.** That the agreement shall be prepared by the Director of Law and shall contain terms and conditions as the Directors of Law and Public Service deem necessary to protect and benefit the public interest.

**Section 3.** That the cost of the agreement shall be paid from Fund Nos. 20 SF 364, 20 SF 373, 20 SF 380, 20 SF 383, and 20 SF 394, Request No. 147554.

**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 July 14, 2004.  
Effective July 23, 2004.

**Ord. No. 1181-04.**  
**By Council Members Gordon and Jackson (by departmental request).**

**An emergency ordinance authorizing the Director of Community Development to enter into an agreement with the County of Cuyahoga to provide for the exchange of delinquent tax certificates with GLS Capital Services - Cuyahoga, Inc., a Virginia corporation for the purpose of returning delinquent parcels into productive tax-generating properties.**

Whereas, the County of Cuyahoga (the "County") has an agreement with GLS Capital Services - Cuyahoga, Inc., a Virginia corporation ("GLS") in which the County sells delinquent tax certificates to GLS allowing GLS to privately foreclose on those delinquent properties, or as

an alternative, to collect delinquent taxes owed; and

Whereas, the County will be selling additional delinquent tax certificates for properties located in the City of Cleveland to GLS on or around July 25, 2004, valued at approximately \$1.7 million dollars; and

Whereas, GLS currently holds title to certain tax certificates for parcels of delinquent land in which the City of Cleveland wishes to acquire in order to transfer them as components of the City of Cleveland's Land Reutilization Program and, as such, can be transferred under Section 5722.07 of the Revised Code without the consent of other legislative authorities only if: (a) the property is sold at not less than fair market value pursuant to the policies of the Land Reutilization Program; and (b) the property is subject to such restrictions and covenants as the Director of Community Development deems necessary or appropriate to assure the land's effective reutilization; and

Whereas, an agreement between the City of Cleveland and the County would allow for the exchange of certificates currently held by GLS and desired by the City for re-use, with credits issued by the County to GLS in the form of certain tax certificates which will soon to be offered for sale by the County to GLS at the end of July, 2004; and

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

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

**Section 1.** That the Director of Community Development is authorized to enter into an agreement with the County whereby the Director of Community Development would identify the parcel numbers of the tax certificates currently held by GLS to be returned to the County for foreclosure proceedings, and ultimate transfer to the City of Cleveland to be used as a component of the City's Land Reutilization Program.

**Section 2.** That the agreement shall also provide that the County is authorized to issue credits to GLS in the form of additional tax certificates equal in an amount to those tax certificates returned to the County.

**Section 3.** That the Director of Community Development is authorized to execute any documents necessary and appropriate to effect the transactions identified in Sections 1 and 2 of this ordinance.

**Section 4.** That the Director of Law shall prepare the agreement and it shall contain such additional terms and conditions that the director deems necessary to protect and benefit the public interest.

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

Passed July 14, 2004.

Effective July 23, 2004.

**Ord. No. 1216-04.**

**By Council Member Cimperman.**

**An emergency ordinance authorizing the Director of Public Service to issue a permit to OSWGI Limited Partnership to encroach into the right-of-way of Radio Lane N.E. between the east line of East 26th Street to the South line of St. Clair by constructing security fencing and parking.**

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

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

**Section 1.** That the Director of Public Service is authorized to issue a permit, revocable at the will of Council, and assignable by the Permittee with the written consent of the Director of Public Service to OSWGI Limited Partnership, 3029 Prospect Avenue, Cleveland, Ohio 44115, for the construction, use, and maintenance of security fencing and parking which will encroach into the public right-of-way of Radio Lane N.E. (width varies) between the east line of East 26th Street (66 ft. wide) to the South line of St. Clair Avenue (99 ft. wide).

**Section 2.** That said security fencing and parking will be placed within the public right-of-way as aforesaid in Section 1. and will be constructed in accordance with the plans and specifications approved by the Commissioner of Engineering and Construction. That all other required permits, including a building permit, shall be obtained before said security fencing and parking are constructed.

**Section 3.** That the permit herein authorized shall reserve right of ingress and egress to all abutting property owners and to the City of Cleveland and that said Permit shall require the Permittee to provide Commercial General Liability Insurance and that the Permittee shall pay any applicable taxes and assessments sue and owing on the permitted encroachment area.

**Section 4.** That the permit herein authorized shall be prepared by the Director of Law and shall be issued only when, in the opinion of the Director of Law, the City of Cleveland has been properly indemnified against any and all loss which may result from said permit.

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

Passed July 14, 2004.

Effective July 23, 2004.

**Ord. No. 1255-04.**

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

**An emergency ordinance authorizing the Director of Economic Development to enter into an Enterprise Zone Agreement with Phoenix Steel Service, Inc. to provide for a ten-year, sixty percent tax abatement for certain tangible personal property for the purchase of new machinery, equipment, and inventory, as an incentive to expand their**

**business located at 4679 Johnston Parkway in the Cleveland Area Enterprise Zone.**

Whereas, under Ordinance No. 948-95, passed June 19, 1995, this Council designated an area which is in the City of Cleveland and described in File No. 948-95-A, as the Cleveland Area Enterprise Zone (the "Zone") under Chapter 5709 of the Ohio Revised Code; and

Whereas, in August, 1995, the Director of Development of the State of Ohio determined that the Zone contains the characteristics in Section 5709.61(A) of the Revised Code and certified the area as an "Urban Jobs and Enterprise Zone" under Chapter 5709 of the Revised Code; and

Whereas, Phoenix Steel Service, Inc. (the "Enterprise") has proposed to expand its business located at 4679 Johnston Parkway in the Cleveland Area Enterprise Zone; and

Whereas, the Enterprise has certified to the City it would be at a competitive disadvantage operating at this location if taxes on certain tangible personal property for new machinery, equipment, and inventory were not abated; and

Whereas, this ordinance constitutes an emergency measure providing for the immediate preservation of the public peace, safety, property, and welfare and that its enactment is a necessary prerequisite to providing immediate assistance to create and preserve job opportunities and advance and promote commercial and economic development in the City of Cleveland, and the assistance is immediately necessary or jobs will be lost; now, therefore,

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

**Section 1.** That this Council approves the application of the Enterprise for enterprise zone incentives on the basis that the Enterprise is qualified by financial responsibility and business experience to create and preserve employment opportunities in the Cleveland Area Enterprise Zone and to improve the economic climate of the City of Cleveland.

**Section 2.** That the Director of Economic Development is authorized to enter into an Enterprise Zone Agreement with the Enterprise to provide for a ten-year, sixty percent (60%) tax abatement for certain tangible personal property for the purchase of new machinery, equipment, and inventory; the abatement shall be subject to annual review of the Tax Incentive Review Council.

**Section 3.** That the terms of the tax abatement shall be in accordance with the terms in the Summary contained in File No. 1255-04-A. These terms shall not be amended, nor shall the tax abatement be assignable or transferable to any entity, without the prior legislative authorization by Cleveland City Council.

**Section 4.** That the Director of Economic Development is authorized to charge and accept fees in an amount not to exceed the maximum allowable under Chapter 5709 of the Revised Code and the funds are appropriated for the purposes listed in Chapter 5709 of the Revised Code. The fees shall be deposited to and expended from Fund No. 17 SF 305, Loan Fees Fund.

**Section 5.** That the Director of Law shall prepare and approve the agreement and that the agreement shall contain the terms and provisions the Director deems necessary to protect the City's interest.

**Section 6.** That this ordinance is declared to be an emergency mea-

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

Passed July 14, 2004.  
Effective July 23, 2004.

**Ord. No. 1296-04.**

**By Mayor Campbell.**

**An emergency ordinance authorizing the Mayor to apply for and accept a grant from the Cleveland Foundation for the CitiStat Program; authorizing the Mayor, or her designee, to enter into one or more contracts with GovStat Consulting Services for professional services necessary to implement the program; and authorizing the Mayor, or her designee, to employ one or more professional consultants necessary to implement the CitiStat Program for the various divisions of City government.**

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 Mayor is authorized to apply for and accept a grant in the amount of \$180,000.00, and any other funds that may become available during the grant term, from the Cleveland Foundation, for the CitiStat Program; that the Mayor, or her designee, is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in the summary for the grant contained in the file described below.

**Section 2.** That the summary for the grant, File No. 1296-04-A, made a part hereof as if fully rewritten, is approved in all respects.

**Section 3.** That the Mayor, or her designee, is authorized to enter into one or more contracts with GovStat Consulting Services for professional services necessary to assist with implementing the CitiStat program as described in the file.

**Section 4.** That the Mayor, or her designee, 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 for data and technical analysis, and program coordination.

The selection of the consultants for the services shall be made by the Board of Control on the nomination of the Mayor, or her designee, from a list of qualified consultants available for employment as may be determined after a full and complete canvass by the Mayor, or her designee, 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 Mayor, or her designee, and certified by the Director of Finance.

**Section 5.** That the cost of the contract or contracts authorized by this ordinance shall be paid from the fund or funds which are credited the grant proceeds accepted under this ordinance.

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

Passed July 14, 2004.  
Effective July 23, 2004.

**Ord. No. 1297-04.**

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

**An emergency ordinance to amend the title, Section 4, and Section 9 of Ordinance No. 1263-03, passed July 16, 2003, relating to applying for and accepting a grant and authorizing various contracts to implement the grant for the construction of the Treadway Creek Greenway Restoration Project.**

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

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

**Section 1.** That the title, Section 4, and Section 9 of Ordinance No. 1263-03, passed July 16, 2003, are amended to read as follows:

An emergency ordinance authorizing the Mayor to apply to the District One Public Works Integrating Committee for state funding for the Treadway Creek Greenway Restoration Project; authorizing the Mayor to accept a grant from the Ohio Public Works Commission for the project; authorizing the Director of Parks, Recreation and Properties to enter into one or more contracts with Schmidt Copeland Parker Stevens, Inc. to design the construction of a trail path connector from tow path trail to Harmody Park; determining the method of making the public improvement of the construction; authorizing the director to enter into one or more public improvement contracts for the making of the improvement; and authorizing the Commissioner of Purchases and Supplies to acquire for public purposes real property that is necessary to implement the project.

**Section 4.** That the Director of Parks, Recreation and Properties is authorized to enter into one or more contracts with Schmidt Copeland Parker Stevens, Inc. for professional services necessary to design the construction of a trail path connector from tow path trail to Harmody Park (the "Improvement"), for the Department of Parks, Recreation and Properties.

**Section 9.** That the costs of the property acquisition, the public improvement contract, and professional services shall be paid from the fund or funds which are credited the grant proceeds accepted under this ordinance and from the funding sources identified in Section 3 of this ordinance.

**Section 2.** That the existing title, Section 4, and Section 9 of Ordinance No. 1263-03, passed July 16, 2003, 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 July 14, 2004.  
Effective July 23, 2004.

**Ord. No. 1298-04.**

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

**An emergency ordinance authorizing the Director of Public Service to make alterations and modifications in Contract No. 62321 for the Plaza at Huron Point Project with R.J. Platten Contracting Company, for the Department of Public Service.**

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

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

**Section 1.** That the Director of Public Service is authorized to make the following alterations and modifications in Contract No. 62321 with R.J. Platten Contracting Company for the Plaza at Huron Point Project, for the Department of Public Service:

Subsidiary Additions

|   |                  |
|---|------------------|
| Remove drywall and debris from inside of vault to investigate problem . . . . . | \$ 5,364.90      |
| Repair Vaults . . . . .   | 45,000.00        |
| Exhaust Vault Concrete Cap Repairs . . . . .                                    | 4,797.00         |
| Contingency for unforeseen conditions . . . . .                                 | <u>10,000.00</u> |
| Subsidiary Additions . . . . .  | \$ 65,161.90     |

|                          |               |
|--------------------------|---------------|
| Original Contract Amount | \$ 882,203.00 |
| Subsidiary Additions     | + 65,161.90   |
| REVISED CONTRACT AMOUNT  | \$ 947,364.90 |

which alteration has been recommended in writing by the Director of Public Service, countersigned by the Mayor, and consented to by the surety on the contract, which price to be paid has been agreed on in writing and signed by the Director of Public Service and the Contractor. This alteration will cause an increase in the amount of the original contract in the sum of \$65,161.90, payable from Fund Nos. 20 SF 364, 20 SF 373, 20 SF 380, 20 SF 383, and 20 SF 394.

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

Passed July 14, 2004.

Effective July 23, 2004.

**Ord. No. 1300-04.**

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

**An emergency ordinance authorizing the Director of Economic Development to enter into one or more contracts for goods and services to administer the Workforce Investment Act Program within the City of Cleveland.**

Whereas, under Ordinance No. 1095-04, passed June 14, 2004, this Council authorized the Director of Economic Development to accept a grant from the Ohio Department of Job and Family Services for the 2004 Workforce Investment Act grant; 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 Economic Development is authorized to enter into one or more contracts for the following goods and services to administer the Workforce Investment Act Program within the City of Cleveland:

**Youth Activities**

- 10 YOUTH PROGRAM ELEMENTS
  - Tutoring, Study Skills and Instruction
  - Alternative Secondary School Services
  - Summer Employment
  - Paid Work Experience
  - Occupational Skills Training
  - Leadership Development
  - Supportive Services
  - Mentoring
  - Follow-up Services
  - Comprehensive Guidance and Counseling
- JOB READINESS TRAINING
- JOB DEVELOPMENT/JOB PLACEMENT
- JOB FAIRS, WIB MEETINGS, YOUTH COUNCIL, PROVIDER MEETINGS, PROGRAM RECOGNITION

**Adult Employment and Training**

- OCCUPATIONAL SKILLS TRAINING
- ON-THE-JOB TRAINING
- CUSTOMIZED TRAINING
- PAID WORK EXPERIENCE
- SPECIALIZED POPULATION
- SUPPORTIVE SERVICES
- JOB READINESS TRAINING
- FOLLOW-UP
- JOB DEVELOPMENT
- JOB FAIRS, WIB MEETINGS, PROVIDER MEETINGS, PROGRAM RECOGNITION

**Dislocated Worker Employment and Training**

- OCCUPATIONAL SKILLS TRAINING
- ON-THE-JOB TRAINING
- CUSTOMIZED TRAINING
- PAID WORK EXPERIENCE
- SUPPORTIVE SERVICES
- JOB READINESS TRAINING
- FOLLOW-UP
- JOB DEVELOPMENT
- JOB FAIRS, WIB MEETINGS, PROVIDER MEETINGS, PROGRAM RECOGNITION
- RAPID RESPONSE

**Section 2.** That the cost of the contract or contracts shall be paid from the fund or funds which are credited the grant proceeds accepted under Ordinance No. 1095-04, passed June 14, 2004.

**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 July 14, 2004.

Effective July 23, 2004.

**Ord. No. 1301-04.**

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

**An emergency ordinance authorizing the Director of Public Safety to enter into one or more mutual aid agreements with other political subdivisions in the State of Ohio for reciprocal police, fire, and emergency medical services for emergency management aid and assistance in connection with the International Children's Games from July 26, 2004 until August 4, 2004.**

Whereas, it is the intent of the City to provide for, and mutually enhance, the police, fire, and emergency medical service protection capabilities of the municipalities in the Greater Cleveland area that are participating in the International Children's Games for the benefit of the public safety and welfare during the limited time period from July 26, 2004 until August 4, 2004; and

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

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

**Section 1.** That the Director of Public Safety is authorized to enter into one or more mutual aid agreements with other political subdivisions in the State of Ohio for reciprocal police, fire, and emergency medical services in connection with the International Children's Games from July 26, 2004 until August 4, 2004.

**Section 2.** That in any such mutual aid agreement or agreements, the Director of Public Safety shall retain authority to determine the extent of aid committed and to decline to respond to a request for mutual aid if the aid requested interferes with the Department of Public Safety's ability to provide the proper level of services to its own constituency. The Director of Law shall review all such agreements to determine that the terms and conditions are appropriate and consistent with the City's interests.

**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 July 14, 2004.

Effective July 23, 2004.

**Ord. No. 1302-04.**

**By Council Member Zone.**

**An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from Bridgeway, Inc. for the Detroit Shoreway Weed and Seed 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 Safety is authorized to apply for and accept a grant in the amount of \$55,703, from Bridgeway, Inc. to conduct the Detroit Shoreway Weed and Seed Program; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in the award letter for the grant contained in the file described below.

**Section 2.** That the award letter for the grant, File No. 1302-04-A, made a part of this ordinance as if fully rewritten, is approved in all respects.

**Section 3.** That the Director of Public Safety 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 July 14, 2004.

Effective July 23, 2004.

**Ord. No. 1309-04.**

**By Council Member Brady.**

**An emergency ordinance to amend Section 1 of Ordinance No. 638-04, passed April 19, 2004 as it pertains to authorizing the Director of Community Development to enter into an agreement with Westown Community Development Corporation for providing their Residential Home Repair Rebate program through the use of Wards 19 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 Section 1 of Ordinance No. 638-04, passed April 19, 2004 are hereby amended to read as follows:

Section 1. That the Director of Community Development is authorized to enter into a grant agreement with the Westown Community Development Corporation for providing their Residential Home Repair Rebate program, as approved by the Housing Advisory Board, in order to carry out the public purpose of providing home repair assistance to the residents of the City of Cleveland through the use of Ward 19 Neighborhood Equity Funds

**Section 2.** That Section 1 of Ordinance No. 638-04, passed April 19, 2004 are hereby repealed.

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

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

Passed July 14, 2004.

Effective July 23, 2004.

**Ord. No. 1310-04.**

**By Council Member Britt.**

**An emergency ordinance authorizing the Director of Public Health to enter into a grant agreement with The American Red Cross, Greater Cleveland Chapter for providing their Together We Prepare program, in order to carry out the public purpose of providing educational programming for the residents of the City of Cleveland, through the use of Ward 6 Neighborhood Equity Funds.**

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

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

**Section 1.** That the Director of Public Health is authorized to enter into a grant agreement with The American Red Cross, Greater Cleveland Chapter for providing their Together We Prepare program, in order to carry out the public purpose of providing educational programming for the residents of the City of Cleveland, through the use of Ward 6 Neighborhood Equity Funds.

**Section 2.** That the cost of said contract shall be in an amount not to exceed \$23,500 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 July 14, 2004.

Effective July 23, 2004.

**Ord. No. 1311-04.**

**By Council Members Britt, White, Reed, Johnson, Pierce Scott, Conwell, Zone, Westbrook, Brady and Sweeney.**

**An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Dress For Success Cleveland for the Dress For Success Cleveland Program through the use of Ward 6, 2, 3, 4, 8, 9, 17, 18, 19, 20 Neighborhood Equity Funds.**

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

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

**Section 1.** That the Director of Community Development is authorized to enter into an agreement with Dress For Success Cleveland for the Dress For Success Cleveland Program for the public purpose of providing employment assistance for Cleveland residents through the use of wards 6, 2, 3, 4, 8, 9, 17, 18, 19 and 20 Neighborhood Equity Funds.

**Section 2.** That the cost of said contract shall be in an amount not to exceed \$13,500 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 July 14, 2004.

Effective July 23, 2004.

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**Ord. No. 1312-04.**

**By Council Member Lewis.**

**An emergency ordinance authorizing the Director of Community Development to enter into an agreement with His Hands Extended Outreach Ministry for the Operation: Loaves and Fishes 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 Director of Community Development is authorized to enter into an agreement with His Hands Extended Outreach Ministry for the Operation: Loaves and Fishes Program for the public purpose of providing food to needy families residing in the City of Cleveland through the use of Ward 7 Neighborhood Equity Funds.

**Section 2.** That the cost of said contract shall be in an amount not to exceed \$26,255 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 July 14, 2004.

Effective July 23, 2004.

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**Ord. No. 1313-04.**

**By Council Member White.**

**An emergency ordinance authorizing the Director of Lutheran to enter into a grant agreement with Lutheran Housing Corporation for the Home Repair Program to provide home repair assistance to Cleveland residents through the use of Ward 2 Neighborhood Equity Funds.**

Whereas, the Housing Advisory Board has reviewed and approved the Home Repair Program that will provide home repair assistance to City of Cleveland residents, 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 is authorized to enter into an agreement with Lutheran Housing Corporation who will be acting as an agent for the City of Cleveland for the implementation of the Home Repair Program for the public purpose of providing home repair assistance to the citizens 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 \$100,000 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 July 14, 2004.

Effective July 23, 2004.

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**Ord. No. 1314-04.**

**By Council Member Cimperman.**

**An emergency ordinance consenting and approving the issuance of a permit for the 4th Annual Northeast Ohio Buddy Walk, on October 2, 2004, coordinated by Kropf Public Relations, 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 pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of the 4th Annual Northeast Ohio Buddy Walk, coordinated by Kropf Public Relations, Inc., on October 2, 2004, with the Walk beginning at the Great Lakes Science Center, continuing behind the rear of the Rock Hall, and moving south on East 9th Street; participants will turn right in front of the Rock Hall and continue west in front of the Great Lakes Science Center and turn north after passing in front of the Cleveland Browns Stadium; participants will continue around the Browns Stadium and return to the rear of the Great Lakes Science Center via the Harbor area, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

Passed July 14, 2004.

Effective July 23, 2004.

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**Ord. No. 1315-04.**

**By Council Member Jackson.**

**An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to City of Cleveland's Empowerment Zone to stretch a banner at East 55th and Thackery Avenue, for the period from July 21, 2004 to August 20, 2004, inclusive, publicizing the Empowerment Zone Job Fair and Community Festival.**

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

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

**Section 1.** That notwithstanding the provision of Section 623.13 of the Codified Ordinances, of Cleveland, Ohio, 1976, the Director of the Department of Public Service is hereby authorized and directed to issue a permit to the City of Cleveland's Empowerment Zone to install, maintain and remove a banner at East 55th and Thackery Avenue, for the period from July 21, 2004 to

August 20, 2004, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

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

Passed July 14, 2004.

Effective July 23, 2004.

**Ord. No. 1316-04.**

**By Council Member Zone.**

**An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to City of Cleveland's Community Relations Board to stretch banners at West 61st & Lorain N (Pole No. AOM 31-145) and West 61st & Lorain S (AOM 31-138), for the period from July 26, 2004 to August 4, 2004, inclusive.**

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

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

**Section 1.** That notwithstanding the provision of Section 623.13 of the Codified Ordinances, of Cleveland, Ohio, 1976, the Director of the Department of Public Service is hereby authorized and directed to issue a permit to the City of Cleveland's Community Relations Board to install, maintain and remove banners at West 61st & Lorain N (Pole No. AOM 31-145) and West 61st & Lorain S (AOM 31-138), for the period from July 26, 2004 to August 4, 2004, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

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

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

Passed July 14, 2004.

Effective July 23, 2004.

**Ord. No. 1317-04.**

**By Council Member Jackson.**

**An emergency ordinance authorizing certain persons to engage in peddling in Ward 5. (Alexander Obianwu).**

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

Whereas, this Council has considered the requests of certain persons to engage in peddling outside of the Central Business District, and has determined that it is in the public interest to allow each of said persons to peddle in Ward 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 675.08 of the Codified Ordinances to allow each persons named below to engage in peddling in the public rights of way of Ward 5: Alexander Obianwu.

**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 July 14, 2004.

Effective July 23, 2004.

**Ord. No. 1318-04.**

**By Council Member Pierce Scott.**

**An emergency ordinance authorizing certain persons to engage in peddling in Ward 8. (Robert Ekwuba)**

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

of way outside of the Central Business District; and

Whereas, this Council has considered the requests of certain persons to engage in peddling outside of the Central Business District, and has determined that it is in the public interest to allow each of said persons to peddle in Ward 8; and

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

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

**Section 1.** That this Council consents, as required by, Section 675.08 of the Codified Ordinances to allow each persons named below to engage in peddling in the public rights of way of Ward 8: Robert Ekwuba.

**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 July 14, 2004.

Effective July 23, 2004.

**Ord. No. 1319-04.**

**By Council Members Coats and Jackson.**

**An emergency ordinance authorizing the President of City Council to enter into contract with Cleveland Community Access Corporation for professional television programming services for Cleveland City Council.**

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

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

**Section 1.** That the President of Cleveland City Council is hereby authorized to enter into contract with Cleveland Community Access Corporation for professional television programming services, including the creation of weekly "infomercials" detailing current key legislation, and the development of six program themes regarding the legislative accomplishments of Cleveland City Council. Said contract shall not exceed \$75,000 and shall commence May 1, 2004 and terminate December 31, 2004.

**Section 2.** That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force

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

Passed July 14, 2004.

Effective July 23, 2004.

**Ord. No. 1361-04.**

**By Council Member Johnson.**

**An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter into an agreement with the Cleveland Baseball Federation for the Cleveland Baseball Federation Baseball Program through the use of Ward 4 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 Parks, Recreation and Properties is authorized to enter into an agreement with the Cleveland Baseball Federation for the Cleveland Baseball Federation Baseball Program for the public purpose of providing recreational sporting activities to Cleveland youth through Ward 4 Neighborhood Equity Funds.

**Section 2.** That the cost of said contract shall be in an amount not to exceed \$10,000 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 July 14, 2004.

Effective July 23, 2004.

**Ord. No. 1362-04.**

**By Council Members Britt, White, Pierce Scott, Conwell and Coats.**

**An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Case Western Reserve University for the Case Western Reserve University National Youth Sports Program through the use of Wards 6, 2, 8, 9, and 10 Neighborhood Equity Funds.**

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

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

**Section 1.** That the Director of Community Development is authorized to enter into an agreement

with Case Western Reserve University for the Case Western Reserve University National Youth Sports Program for the public purpose of providing summer educational and recreational activities for economically disadvantaged Cleveland youths through the use of Wards 6, 2, 8, 9, and 10 Neighborhood Equity Funds.

**Section 2.** That the cost of said contract shall be in an amount not to exceed \$44,000 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 July 14, 2004.

Effective July 23, 2004.

**Ord. No. 1365-04.**

**By Council Member Coats.**

**An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the Ward 10 Community Festival Committee to stretch banners at the following intersections: East 124th & St. Clair, East 143rd & St. Clair, East 152nd & St. Clair, Ivanhoe & Euclid and East 182nd & Euclid, for the period from August 5, 2004 to September 5, 2004, inclusive, publicizing the Ward 10 Festival.**

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

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

**Section 1.** That notwithstanding the provision of Section 623.13 of the Codified Ordinances, of Cleveland, Ohio, 1976, the Director of the Department of Public Service is hereby authorized and directed to issue a permit to the Ward 10 Festival Committee to install, maintain and remove banners at the following intersections: East 124th & St. Clair, East 143rd & St. Clair, East 152nd & St. Clair, Ivanhoe & Euclid and East 182nd & Euclid, for a period from August 5, 2004 to September 5, 2004, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising

shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

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

Passed July 14, 2004.

Effective July 23, 2004.

**Ord. No. 1367-04.**

**By Council Member White.**

**An emergency ordinance amending Section 1 of Ordinance No. 1209-04 passed June 14, 2004 as it pertains to the Community Employment Resources Center Program for employment assistance 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 Section 1 of Ordinance No. 1209-04 passed June 14, 2004 is hereby amended to read as follows:

Section 1. That the Director of Community Development is authorized to enter into an agreement with the Slavic Village Development Corporation for Community Employment Resources Center Program for the public purpose of providing employment assistance for Cleveland residents through the use of Ward 2 Neighborhood Equity Funds.

**Section 2.** That Section 1 of Ordinance No. 1209-04 passed June 14, 2004 is hereby repealed.

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

Passed July 14, 2004.

Effective July 23, 2004.

**COUNCIL COMMITTEE  
MEETINGS**

**Monday, July 26, 2004  
11:00 a.m.**

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



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O—Ordinance; R—Resolution; F—File  
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