

# The City Record

Official Publication of the Council of the City of Cleveland



---

September the Twenty-First, Two Thousand and Five

---

**Jane L. Campbell**  
Mayor

**Frank G. Jackson**  
President of Council

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

Ward	Name
1	James R. Knight
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	Anthony Brancatelli
13	Joe Cimperman
14	Nelson Cintron, Jr.
15	Emily Lipovan Holan
16	Kevin J. Kelley
17	Matthew Zone
18	Jay Westbrook
19	Dona Brady
20	Martin J. Sweeney
21	Michael A. Dolan

The City Record is available online at  
[www.clevelandcitycouncil.org](http://www.clevelandcitycouncil.org)

Containing	PAGE
City Council	3
The Calendar	18
Board of Control	19
Civil Service	21
Board of Zoning Appeals	21
Board of Building Standards and Building Appeals	23
Public Notice	23
Fair Campaign Finance Commission	23
Public Hearings	24
City of Cleveland Bids	25
Adopted Resolutions and Ordinances	26
Committee Meetings	38
Index	39

# DIRECTORY OF CITY OFFICIALS

## CITY COUNCIL – LEGISLATIVE

President of Council – Frank G. Jackson

Ward	Name	Residence	
1	James R. Knight	16217 Glendale Avenue	44128
2	Robert J. White	9703 Cardwell Avenue	44105
3	Zachary Reed	3734 East 149th Street	44120
4	Kenneth L. Johnson	2948 Hampton Road	44120
5	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	Anthony Brancatelli	6924 Ottawa Road	44105
13	Joe Cimperman	3053 West 12th Street	44113
14	Nelson Cintron, Jr.	3004 Vega Avenue	44113
15	Emily Lipovan Holan	4579 South Hills Drive	44109
16	Kevin J. Kelley	6608 Woodhaven Avenue	44144
17	Matthew Zone	1228 West 69th Street	44102
18	Jay Westbrook	1278 West 103rd Street	44102
19	Dona Brady	1272 West Boulevard	44102
20	Martin J. Sweeney	3632 West 133rd Street	44111
21	Michael A. Dolan	16519 West Park Road	44111

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

### MAYOR – Jane L. Campbell

Christopher S. Ronayne, Chief of Staff  
Darnell Brown, Chief Operating Officer  
Craig Tame, Executive Assistant  
Collette J. Appolito, 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 – Teresa M. Beasley, Director, Richard F. Horvath, 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 – Douglas Divish, Commissioner, 1404 East 9th Street  
Purchases and Supplies – James E. Hardy, Commissioner, Room 128  
Printing and Reproduction – Michael Hewitt, Commissioner, 1735 Lakeside Avenue  
Taxation – Nassim Lynch, Tax Administrator, 1701 Lakeside Avenue

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

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

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

Cleveland Hopkins International Airport, 5300 Riverside Drive  
Burke Lakefront Airport – Khalid Bahhur, 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 – Randell T. Scott, Commissioner, Room 25  
Traffic Engineering – Robert Mavec, Commissioner, 4150 East 49th Street, Building #1  
Waste Collection and Disposal – Ron Owens, Commissioner, 5600 Carnegie Avenue

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

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

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

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

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

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

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

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

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

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

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

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

DEPT. OF CONSUMER AFFAIRS – Kenya Taylor, Director

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

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

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

BOARD OF ZONING APPEALS – Room 516, Carol A. Johnson, Chairman; Members: Margaret Hopkins, Ozell Dobbins, Joan Shaver Washington, Tim Donovan, \_\_\_\_\_, 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 Teresa M. Beasley, President; Finance Director Robert H. Baker, Secretary; Council President Frank G. Jackson.

BOARD OF SIDEWALK APPEALS – Service Director Mark Ricchiuto; Law Director Teresa M. Beasley; Councilman Martin J. Sweeney.

BOARD OF REVIEW – (Municipal Income Tax) – Law Director Teresa M. Beasley; Utilities Director Julius Ciaccia; Council President Frank G. Jackson.

CITY PLANNING COMMISSION – Room 501 – Robert N. Brown, Director; Anthony J. Coyne, Chairman; David Bowen, Lillian Kuri, Lawrence A. Lumpkin, Gloria Jean Pinkney, Rev. Sam Edward Small, Councilman Joseph Cimperman.

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

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

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

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

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

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

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

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 – James D. Gibans, Chair; Randall B. Shorr, Vice Chair; Kevin Dreyfuss-Wells, India Pierce Lee, Laura M. Noble, Robert N. Brown, N. Kurt Wiebusch, Council Member Joe Cimperman, Robert Jackimowicz; Robert Keiser, Secretary.

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

Judge	Courtroom
Presiding and Administrative Judge Larry A. Jones	14B
Judge Ronald B. Adrine	15A
Judge Emanuella Groves	13A
Judge Mabel M. Jasper	14D
Judge Kathleen Ann Keough	13D
Judge Anita Laster Mays	14C
Judge Lauren C. Moore	14A
Judge Ronald J. H. O'Leary	12B
Judge Raymond L. Pianka (Housing Court Judge)	13B
Judge Angela R. Stokes	15C
Judge Joan Synenberg	12A
Judge Pauline H. Tarver	12C
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. 92

WEDNESDAY, SEPTEMBER 21, 2005

No. 4789

## CITY COUNCIL

MONDAY, SEPTEMBER 19, 2005

### The City Record

Published weekly by the City Clerk,  
Clerk of Council under authority  
of the Charter of the  
City of Cleveland

The City Record is available  
online at

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

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; Brancatelli, Cimperman, Dolan, Knight, Sweeney.

#### MONDAY—Alternating

11:00 A.M. — **Public Service Committee:** Sweeney, Chairman; \_\_\_\_\_ Vice Chairman; Brady, Cimperman, Johnson, Kelley, Knight, 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, Cimperman, Coats, Conwell, Reed, Pierce Scott, Westbrook, White.

#### TUESDAY

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

#### TUESDAY—Alternating

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

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

#### WEDNESDAY—Alternating

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

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

#### WEDNESDAY—Alternating

1:30 P.M. — **Public Utilities Committee:** Coats, Chairman; Brady, Vice Chairman; Cintron, Kelley, Knight, Polensek, Sweeney, Westbrook, Zone.

1:30 P.M. — **City Planning Committee:** Cimperman, Chairman, Conwell, Vice Chairman, Brancatelli, Lipovan Holan, Kelley, Lewis, Pierce Scott.

The following Committees are subject to the Call of the Chairman:  
**Rules Committee:** Jackson, Chairman; Reed, Sweeney, Westbrook.

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

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

### OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio

Wednesday, September 19, 2005

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

Council Members present: Brady, Britt, Cimperman, Cintron, Coats, Conwell, Dolan, Lipovan Holan, Johnson, Kelley, Knight, Lewis, Polensek, Sweeney, Reed, Westbrook, White and Zone.

Also present were Directors Baker, Ricchiuto, Carroll, Watson, Thompson Williams, Huth, Appolito, Brown and Margreat Jackson, Legislative Liaison.

Pursuant to Ordinance No. 2926-76, prayer was offered Minister Acquarretta Bailey of Lake Galilee Baptist Church, located at 3333 East 93rd Street, Ward 2. Pledge of Allegiance.

### MOTION

On the motion of Council Member Westbrook, the minutes of the last meeting were dispensed with and the journal approved. Seconded by Council Member Conwell.

### COMMUNICATIONS

#### File No. 1800-05.

From the Council President Frank Jackson — letter to residents of Ward 1 re: appointing new Ward 1 Council Member. Received.

#### File No. 1801-05.

From the Fair Campaign Finance Commission — Public Notice — City's voluntary expenditure limits. Received.

#### File No. 1802-05.

From Center for Community Solutions Cleveland neighborhood asset maps and resource lists. Received.

#### File No. 1803-05.

Re: Transfer of Ownership Application 2599706 — F. and A. Brother, Inc., d.b.a. Lorain Shell, 14910 Lorain Road. (Ward 21). Received.

### FROM DEPARTMENT OF LIQUOR CONTROL

#### File No. 1804-05.

Re: New Application — 69615160025 — Playhouse Square Foundation, 1375 Euclid Avenue. (Ward 13). Received.

#### File No. 1805-05.

Re: Transfer of Ownership Application — 2118654 — Di Con, Inc., d.b.a. Woody's Bar & Grille, 13932 Triskett Road. (Ward 20). Received.

#### File No. 1806-05.

Re: Transfer of Ownership Application — 7129045 — Riffat Qadeer, Inc., d.b.a. 7 Eleven, 870 East 185th Street. (Ward 11). Received.

#### File No. 1807-05.

Re: Transfer of Ownership Application — 3994740 — Hotpoint, Inc., d.b.a. Marbles Gritt & Bar, 4829 Superior Avenue. (Ward 13). Received.

### OATH OF OFFICE

#### File No. 1808-05.

Antionette Thompson — Director of Parks, Recreation and Properties. Received.

#### File No. 1809-05.

Michael E. Cox — Assistant Director of Parks, Recreation and Properties. Received.

**CONDOLENCE RESOLUTIONS**

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

- Res. No. 1810-05**—Horace Mitchell.  
**Res. No. 1811-05**—Houston King.

**CONGRATULATION RESOLUTIONS**

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

- Res. No. 1812-05**—Councilman Matthew Zone.  
**Res. No. 1813-05**—Marc V. Kepler.  
**Res. No. 1814-05**—Alva G. Stone.  
**Res. No. 1815-05**—Walter Swyrydenko.  
**Res. No. 1816-05**—Patrick Cleary.  
**Res. No. 1817-05**—Dale M. Meggas.  
**Res. No. 1818-05**—The Organization of Chinese Americans of Greater Cleveland.  
**Res. No. 1819-05**—Beth-El African Methodist Episcopal Zion Church.  
**Res. No. 1820-05**—Mr. Willie Johnson.  
**Res. No. 1821-05**—Eliza Bryant Village Auxiliary 11.  
**Res. No. 1822-05**—Mr. Ali Khan.

**RECOGNITION RESOLUTIONS**

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

- Res. No. 1823-05**—The HELP Program.

**APPRECIATION RESOLUTION**

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

- Res. No. 1824-05**—Deacon Lee Adams.

**WELCOME RESOLUTION**

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

- Res. No. 1825-05**—Dr. Donald R. Robinson.

**FIRST READING EMERGENCY ORDINANCES REFERRED**

**Ord. No. 1777-05.**  
**By Council Members White, Sweeney, Cimperman and Jackson (by departmental request).**

**An emergency ordinance authorizing the acquisition of certain right-of-way and permanent easement interests from Francesca K. Bleick for the public purpose of installing, repairing, and maintaining a catch basin, 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 notwithstanding and as an exception to the Codified Ordinances of Cleveland, Ohio, 1976, for the public purpose of installing, repairing, and maintaining a catch

basin, the Commissioner of Purchases and Supplies is hereby authorized to acquire certain right-of-way and permanent easement interests in and to the premises described below from Francesca K. Bleick, at no cost to the City of Cleveland, and more fully described as follows:

**EAST 93RD STREET  
 CATCH BASIN EASEMENT  
 PPN 133-29-036**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 23 in Justus Hamilton's Subdivision of part of Original 100 Acre Lot No. 455 & No. 456 as shown by the recorded plat in Volume 2 of Maps, Page 35 of Cuyahoga County Records.

Beginning at the intersection of the Westerly Right of Way of East 93rd Street (70 feet wide) and the Southerly Right of Way of Booth Avenue (40 feet wide) also being the Northeast Corner of said Sublot No. 23;

Thence S 89° 38' 40" W along the said Southerly Right of Way of Booth Avenue 7.00 feet to a point;

Thence S 00° 21' 20" E parallel with the said Westerly Right of Way of East 93rd Street 9.00 feet to a point;

Thence N 89° 38' 40" E parallel with the said Southerly Right of Way of Booth Avenue 7.00 feet to its intersection with the said Westerly Right of Way of East 93rd Street;

Thence N 00° 21' 20" W along the said Westerly Right of Way of East 93rd Street 9.00 feet to the place of beginning.

Containing within said bounds, an area of 63 square feet of land, be the same more or less, but subject to all legal highways, easements, and restrictions of record be the same more or less but subject to all legal highways.

**Section 2.** That the Director of Public Service is authorized to execute on behalf of the City all documents necessary to acquire certain rights in and to the property.

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

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

**Ord. No. 1778-05.**

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

**An emergency ordinance authorizing the Directors of Port Control and Parks, Recreation and Properties to execute a deed of easement granting to Dominion East Ohio Gas certain easement rights in property located at Dock 32 and declaring said easement rights no longer needed for public use.**

Whereas, Dominion East Ohio Gas has requested the Directors of Port Control and Parks, Recreation and Properties to convey certain easement rights in property located at Dock 32; 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:

**EASEMENT**

Situated in the City of Cleveland, Cuyahoga County, Ohio, being a tract of 9.567 acres conveyed to Grantor by Governors deed from the State of Ohio under the date of July 27, 1914 and recorded in the office of the clerk of the Cuyahoga County Recorder in Deed Book 1574 at Page 552, Tax Map Reference 101-03, Permanent Parcel Number 101-03-015, located at Erieside Avenue and known as being a part of Original Two Acre Lots 16-20 and as Dock 32;

Bounded substantially by lands now or formerly owned as follows:

North by Lake Erie @ (Northerly Line of Dock 32)

East by Lake Erie @ (Easterly Line of Dock 32)

South by City of Cleveland @ (Northerly Line of Old Erieside Vacated)

West by City of Cleveland @ (Easterly Line of P.P.N. 101-02-012)

The pipeline laid pursuant to this agreement is to be located within the limits of an easement of a width deemed necessary by the Grantee, but in no event to exceed ten (10) feet. Said Easement being: said pipeline shall extend from an existing main located on the southern boundary of Tax Map 101-03, Parcel 101-03-015; thence run in a northern and eastern direction as previously staked by the City of Cleveland.

**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 Dominion East Ohio Gas subject to any conditions stated herein at a price of \$1.00 plus other valuable considerations, which the Board of Control has determined to be fair market value.

**Section 3.** That the easement shall be non-exclusive and the purpose of the easement shall be to install a mainline at Dock 32.

**Section 4.** That the duration of the easement shall be perpetual; that the easement shall include reasonable right of entry rights to the City; that the easement shall not be assignable; that the easement shall require the grantee to indemnify the City, provide reasonable insurance,

maintain any grantee improvements located within the easement, and pay any applicable taxes and assessments.

**Section 5.** That the conveyance referred to above shall be made by official deed of easement prepared by the Director of Law and executed by the Directors of Port Control and Parks, Recreation and Properties on behalf of the City of Cleveland. The deed of easement shall contain such additional terms and conditions as are required to protect the interest of the City. The Directors of Port Control and Law are authorized to execute such other documents, including without limitation, contracts for rights of entry that may be necessary to effect the construction of the main line on Dock 32.

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

Referred to Directors of Port Control, Parks, Recreation and Properties, Public Service, City Planning Commission, Finance, Law; Committees on Aviation and Transportation, Public Parks, Property and Recreation, Public Service, City Planning, Finance.

**Ord. No. 1779-05.**

**By Council Member Polensek.**

**An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on St. Clair to Collinwood and Nottingham Village 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 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). 115-28-001, 115-28-002, 115-28-003, 115-28-004, as more fully described below, to Collinwood and Nottingham Village Development Corporation or designee.

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

P.P. Nos. 115-28-001, 002, 003, 004 Situated 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 Southeastery side of St. Clair Avenue N.E., 143.73 feet deep on the Northeastery line, which is also the Southwestery line of Rondel Road, N.E., 140.33 feet deep on the Southwestery line which is also the Northeastery line 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.

**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.

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

**Ord. No. 1780-05.**

**By Mayor Campbell.**

**An emergency ordinance authorizing the Director of Economic Development to enter into a Tax Increment Financing Agreement with Steelyard Commons LLC, to provide**

**for payments to the Cleveland City School District and to provide for the creation of the Steelyard Commons TIF Fund to be used for development and recreational improvements; and to declare certain improvements to real property to be a public purpose.**

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

Whereas, under the authority of Ordinance No. 1541-05, passed \_\_\_\_\_, 2005, and prior to the passage of this ordinance, the City approved both the acquisition and conveyance of fee title to certain real property, which is more particularly described in the documents set forth in the file described in this ordinance (the "Real Property"); and

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

Whereas, under Section 5709.42 of the Revised Code, the owners of the improvements may be required to make annual service payments in lieu of taxes that would have been paid had such improvements not been exempt; and

Whereas, under Section 5709.41 of the Revised Code, the exemption may exceed 75% of the improvements for up to 30 years without the approval of the board of education of the school district within the territory of which the improvements are or will be located if the ordinance declaring improvements to a parcel to be a public purpose specifies that service payments in lieu of taxes provided for in Section 5709.42 of the Ohio Revised Code shall be paid to the school district in which the parcel is located in the amount of the taxes that would have been payable to the school district if the improvements had not been exempted from taxation; 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 and in accordance with the provisions of Section 5709.41 of the Revised Code, this Council finds and determines that 100% of the increase in assessed value of the Property after its acquisition by the City (which increase in assessed value is referred to as "Improvement" as defined in Section 5709.41 of the Revised Code) will be a public purpose.

**Section 2.** That one hundred percent (100%) of the Improvements are declared exempt from real property taxation for a period of 20 years beginning \_\_\_\_\_ 2005; and that in no event shall the exemption period extend beyond \_\_\_\_\_, 2026.

**Section 3.** That, under Section 5709.42 of the Revised Code, the owners of the Improvements shall make service payments for a period of 20

years in lieu of the exempt taxes to the Cuyahoga County Treasurer; the payments shall be charged and collected in the same manner, and shall be in an amount not less than the taxes that would have been paid had the Improvements not been exempt from taxation.

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

**Section 5.** That the Mayor or Director of Economic Development, with the approval of the Director of Law, is authorized to enter into one or more agreements with such parties as may be necessary or appropriate to effectuate the purposes of this ordinance.

**Section 6.** That under Section 5709.43 of the Revised Code there is hereby established a Steelyard Commons Urban Redevelopment Tax Increment Equivalent Fund ("Steelyard Commons TIF Fund") 50% of which shall be used for acquisition of land and to make improvements to the Tow Path Trail and Canal Basin Park. The remaining 50% shall be used for retail assistance programs and other commercial and industrial initiative within the City.

**Section 7.** That the service payments collected under Section 3 shall be distributed by the Cuyahoga County Treasurer to the Treasurer of the City of Cleveland to be deposited in the Steelyard Commons TIF Fund created by Section 6. With the approval of the Director of Economic Development and the Director of Law, money deposited in the Steelyard Commons TIF Fund shall be used to for the purposes described in Section 6.

**Section 8.** That it is found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in open meetings of this Council, and any of its committees that resulted in formal action were in meetings open to the public in compliance with the law.

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

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

**Ord. No. 1781-05.**

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

**An emergency ordinance authorizing the Director of Public Safety to accept a gift of various hazmat equipment and supplies, 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 ordained by the Council of the City of Cleveland:

**Section 1.** That the Director of Public Safety is authorized to accept a gift of various hazmat equipment and supplies, valued at approximately \$230,000.00 from the State of Ohio, Department of Health.

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

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

**Ord. No. 1782-05.**

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

**An emergency ordinance authorizing the Secretary of the Civil Service Commission to employ one or more professional consultants to perform a job analysis and to develop, administer and grade promotional examinations 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 Secretary of the Civil Service Commission is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to perform a job analysis and to develop, administer and grade promotional examinations for the Division of Police, Department of Public Safety.

The selection of the consultants for the services shall be made by the Board of Control on the nomination of the Secretary of the Civil Service Commission from a list of qualified consultants available for employment as may be determined after a full and complete canvass by the Secretary of the Civil Service Commission 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 Secretary of the Civil Service Commission, and certified by the Director of Finance. The City and the Consultant may enter into separate contracts for the separate phases of the services necessary.

**Section 2.** That the cost of contract or contracts authorized shall be paid from Fund No. 01-010801-632000, Request No. 107441.

**Section 3.** That this ordinance is declared to be an emergency measure and, provided it receives the

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

Referred to Secretary of Civil Service Commission, Directors of Public Safety, Finance, Law; Committees on Public Safety, Employment, Affirmative Action and Training, Finance.

**Ord. No. 1783-05.**

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

**An emergency ordinance to amend the title and Section 3 of Ordinance No. 1696-05, passed September 12, 2005, relating to assistance to Hurricane Katrina evacuees.**

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

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

**Section 1.** That the title and Section 3 of Ordinance No. 1696-05, passed September 12, 2005, are amended to read as follows:

An emergency ordinance authorizing the Director of Community Development to enter into one or more contracts with various for-profit and non-profit agencies to provide financial assistance to Hurricane Katrina evacuees; and authorizing the Director of Finance, or his designee, to apply for and accept funds from the United States of America and the State of Ohio to reimburse Cleveland for costs incurred for Hurricane Katrina evacuees beginning September 1, 2005.

**Section 3.** That the Director of Finance, or his designee is authorized to apply for and accept funds from the United States of America, acting through the Federal Emergency Management Agency, and the State of Ohio, acting through the Ohio Emergency Management Agency, to reimburse Cleveland for costs incurred by the various City departments for Hurricane Katrina evacuees beginning September 1, 2005. The Director of Finance, or his designee, is authorized to file all papers and execute all documents necessary to receive the funds under this ordinance, and the funds are appropriated for the purpose of reimbursing the various City departments for costs incurred for Hurricane Katrina evacuees.

**Section 2.** That the existing title and Section 3 of Ordinance No. 1696-05, passed September 12, 2005, 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.

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

**FIRST READING  
ORDINANCES REFERRED**

**Ord. No. 1785-05.**

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

**An ordinance to change the zoning of properties bounded by Chester Avenue, East 40th Street, East 79th Street and Carnegie Avenue including all properties on the South side of and fronting on Carnegie Avenue to Midtown Mixed Use Districts 1, 2, 3, and 4 (Map Change NO. 2161, Sheet Number 5).**

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

**Section 1.** That the Use, Area and Height Districts of lands described as follows;

Beginning in the centerline of Prospect Avenue and its intersection with the centerline of East 40th Street;

Thence Northerly along said centerline of East 40th Street to its intersection with the Westerly prolongation of the Northerly line of a parcel of land conveyed to Level 3 Communications by deed dated August 26th, 1999 and recorded as AFN 199908268969 in the Cuyahoga County Records (said parcel also being known as PPN 103-09-011);

Thence Easterly along said prolongation and Northerly line to its intersection with the Easterly line of said parcel;

Thence Southerly along said Easterly line to its intersection with a line drawn 150 Northerly and parallel to the Northerly line of Euclid Avenue;

Thence Easterly along said parallel line to its intersection with the centerline of East 55th Street;

Thence Northerly along said centerline to its intersection with the Westerly prolongation of the Southerly line of a parcel of land conveyed to Sucha Sing by deed dated September 23rd, 2003 and recorded as AFN 200309230962 in Cuyahoga County Records (said parcel also being known as PPN 118-02-021);

Thence Easterly along said Southerly line to its intersection with the easterly line thereof;

Thence Northerly along said Southerly line to its intersection with the Southerly line of Sublot No. 39 in the Cobb, Bradley and Wick Subdivision as shown by the Recorded Plat in Volume 20 of Maps and Page 4 of Cuyahoga County Records;

Thence Easterly along said Southerly line to its intersection with the centerline of East 57th Street;

Thence Northerly along said centerline to its intersection with the Southerly line of Sublot No. 12 in said Cobb, Bradley and Wick Subdivision;

Thence Easterly along said Southerly line to its intersection with the Easterly line thereof;

Thence Northerly along said Easterly line to its intersection with the Southerly line of Sublot No. 12 in the Southern and Adams Subdivision as shown by the recorded plat in Volume 5 of Maps and Page 4 of Cuyahoga County Records;

Thence Easterly along said Southerly line and its Easterly prolonga-

tion to its intersection with the centerline of East 59th Street;

Thence Northerly along said centerline to its intersection with the Southerly line of Sublot No. 3 in said Southern and Adams Subdivision;

Thence Easterly along said Southerly line and its Easterly prolongation to its intersection with the centerline of East 61st Street;

Thence Southerly along said centerline to its intersection with the Easterly prolongation of the Southerly line of Sublot No. 1 in the Clara Hannon's Subdivision as shown by the recorded plat in Volume 15 of Maps and Page 29 of Cuyahoga County Records;

Thence Easterly along said prolongation and Southerly line to its intersection with the Westerly line of said Subdivision;

Thence Northerly along said Westerly line to its intersection with the Southerly line of Sublot No. 2 in said Subdivision;

Thence Easterly along said Southerly line to its intersection with the centerline of East 63rd Street;

Thence Southerly along said centerline to its intersection with the Westerly prolongation of a Southerly line of a 1.6641 Acre parcel of land shown on the Plat of Consolidation Recorded in Volume 308 of Maps Page 10 of Cuyahoga County Records (said parcel also being known as all of PPNs 118-04-047 and 008);

Thence Easterly along said Southerly line to its intersection with a Westerly line thereof;

Thence Southerly along said Westerly line to its intersection with a Southerly line of said parcel;

Thence Easterly along said Southerly line to its intersection with the centerline of East 65th Street;

Thence Northerly along said centerline to its intersection with the Westerly prolongation of the Northerly line of a parcel of land conveyed to Robert Bondi by deed dated November 22nd, 1996 and recorded in Volume 96-11542 of Maps and Page 55 of Cuyahoga County Records (said parcel also being known as PPN 118-06-030);

Thence Easterly along said Westerly prolongation and Northerly line to its intersection with the Easterly line thereof;

Thence Southerly along said Easterly line to its intersection with the Northerly line of a parcel of land conveyed to Joseph M. Stern Company by deed dated January 18th 1947 and recorded in Volume 6251 of Maps and Page 696 of Cuyahoga County Records (said parcel also being known as PPN 118-06-048);

Thence Easterly along said Northerly line and its Easterly prolongation to its intersection with the centerline of East 66th Street;

Thence Southerly along said centerline to its intersection with the Westerly prolongation of the Southerly line of a parcel of land conveyed to 6611 Properties LLC by deed dated January 7th, 2002 and recorded as AFN 200201070050 of Cuyahoga County Records (said parcel also being known as PPN 118-06-050);

Thence Easterly to its intersection with the Easterly line thereof;

Thence Southerly along said Easterly line to its intersection with a line drawn 200 feet north of and parallel to the northerly line of Euclid Avenue;

Thence Easterly along said parallel line to its intersection with the centerline of East 69th Street;

Thence Northerly along said centerline to its intersection with the Westerly prolongation of the Northerly line of a parcel of land conveyed to the city of Cleveland by Deed dated October 4th, 1993 and recorded in Volume 93-10693 Page 37 of Cuyahoga County Records (said parcel also being known as PPN 118-08-025);

Thence Easterly along said prolongation, Northerly line and Westerly prolongation to its intersection with the centerline of East 70th Street;

Thence Southerly along said centerline to its intersection with the Westerly prolongation of the Southerly line of Sublot No. 4 in the Streater & Adams Subdivision as shown by the recorded plat in Volume 4 of Maps Page 4 of Cuyahoga County Records;

Thence Easterly along said Westerly prolongation, Southerly line and its Easterly prolongation to its intersection with the centerline of East 71st Street;

Thence Southerly along said centerline to its intersection with the centerline of Simpson Court;

Thence Easterly along said centerline of Simpson Court to its intersection with the centerline of East 73rd Street;

Thence Northerly along said centerline to its intersection with the Westerly prolongation of the Southerly line of Sublot No. 10 in the Spangler Heirs Subdivision as shown by the recorded plat in Volume 14 of Maps Page 8 of Cuyahoga County Records;

Thence Easterly along said Westerly prolongation, Southerly line and its Easterly prolongation to its intersection with the centerline of East 75th Street;

Thence Southerly along said centerline to its intersection with the Westerly prolongation of the Southerly line of Sublot No. 3 in said Subdivision;

Thence Easterly along said Westerly prolongation and Southerly line to its intersection with the Easterly line of said Spangler Heirs Subdivision;

Thence Northerly along said Easterly line to its intersection with the Southerly line of the Chase Anderson & Robinson Subdivision as shown by the recorded plat in Volume 4 of Maps and Page 54 of Cuyahoga County Records;

Thence Easterly along said Southerly line to its intersection with the Westerly line of a 12 foot unnamed alley as shown in said Chase Anderson & Robinson Subdivision;

Thence Northerly along said Westerly line to its intersection with the centerline of Chester Avenue;

Thence Easterly along said centerline to its intersection with the centerline of East 79th Street;

Thence Southerly along said centerline of East 79th Street to its intersection with the centerline of Carnegie Avenue;

Thence Westerly along said centerline of Carnegie Avenue to its intersection with the centerline of East 77th Street;

Thence Northerly along said centerline of East 77th Street to its intersection with the Easterly prolongation of Sublot No. 6 in the C.E. Bolton & John E. Colby as shown by the recorded plat in Volume 5 of Maps Page 36 of Cuyahoga County Records;

Thence Westerly along said Easterly prolongation, Northerly line and Westerly prolongation to its intersection with the Easterly line of a parcel of land conveyed to Barbara Jalovec by deed dated November 14th, 1967 as recorded in Volume 12173 Page 965 of Cuyahoga County Records (said parcel being also known as PPN 118-15-007);

Thence Southerly along said Easterly line to its intersection with the Easterly prolongation of the Southerly line of a parcel of land conveyed to Iron Mountain Safesite, Inc. by deed dated October 22, 1999 and recorded as AFN 199910220132 of Cuyahoga County Records (said parcel being also known as PPN 118-15-003);

Thence Westerly along said Easterly prolongation and Southerly line to its intersection with the Easterly line of a parcel of land conveyed to Ram Enterprises by deed dated August 26th, 1983 as recorded in Volume 83-259 Page 533 of Cuyahoga County Records (said parcel being also known as PPN 118-15-025);

Thence Northerly along said Easterly line to its intersection with the Northerly line thereof;

Thence Westerly along said Northerly line to its intersection with the centerline of East 71st Street;

Thence Northerly along said centerline to its intersection with the Easterly prolongation of the Southerly line of Sublot No. 3 in the Carnegie Euclid Company Subdivision as shown by the recorded plat in Volume 67 of Maps, Page 22 of Cuyahoga County Records;

Thence Easterly along said Easterly prolongation, Southerly line and Westerly prolongation to its intersection with the centerline of East 70th Street;

Thence Southerly along said centerline to its intersection with the Easterly prolongation of Sublot No. 19 in said Carnegie Euclid Company Subdivision;

Thence Westerly along said Easterly prolongation and Southerly line to its intersection with the Westerly line thereof;

Thence Northerly along said Westerly line to its intersection with the Easterly prolongation of the Northerly line of a parcel of land conveyed to Page Sumpter by Deed dated May 23rd, 1977 and recorded in Volume 14471, Page 645 of Cuyahoga County Records (said parcel also being known as PPN 118-14-020);

Thence Westerly along said Northerly line, Easterly prolongation and

Westerly prolongation to its intersection with the centerline of East 69th Street;

Thence Southerly along said centerline to its intersection with the Easterly prolongation of the Northerly line of a parcel of land conveyed to Roderick Nassif by Deed dated September 25th, 2001 and recorded as AFN 200109250811 (said parcel being also known as PPN 118-13-017);

Thence Westerly along said Easterly prolongation, Northerly line and Westerly prolongation in a direct line to its intersection with the Westerly line of a parcel of land conveyed to RBR Properties LTD by Deed dated May 22nd, 2000 and recorded as AFN 200005220253 of Cuyahoga County Records (said parcel being also known as PPN 118-13-001);

Thence Northerly along said Westerly line to its intersection with the Northerly line of Sublot No. 14 in the Euclid Improvement Company Subdivision Unrecorded;

Thence Westerly along said Northerly line and Westerly prolongation to its intersection with the centerline of Vacated East 65th Street;

Thence Southerly along said centerline to its intersection with the Easterly prolongation of the Southerly line of Parcel 3 in the Consolidation for Pierre's as shown by the recorded plat in Volume 270, Page 37 in Cuyahoga County Records;

Thence Northerly along said Easterly line to its intersection with a line drawn 100 feet Southerly of and parallel to the Southerly line of Euclid Avenue;

Thence Westerly along said parallel line to its intersection with an Easterly line of Block A in said Consolidation for Pierre's;

Thence Southerly along said Easterly line to a Northerly line of said Block A;

Thence Westerly along said Northerly line to its intersection with the Northerly prolongation of the Westerly line of Parcel A-1 as shown in said Consolidation for Pierre's;

Thence Southeasterly along said Westerly line to its intersection with a line drawn 335 feet from and parallel to the Northerly line of Carnegie Avenue;

Thence Westerly along said parallel line to its intersection with the centerline of East 55th Street;

Thence Southerly along said centerline to its intersection with the Easterly prolongation of the Northerly line of a parcel of land conveyed to 5000 Prospect LTD., by Deed dated January 11th, 2002 and recorded as AFN 200201111120 in Cuyahoga County Records (said parcel being also known as PPN 103-18-010);

Thence Westerly to its intersection with the Westerly line of said parcel so conveyed;

Thence Southerly along said Westerly line to its intersection with the centerline of Prospect Road;

Thence Northwesterly along said centerline to its intersection with the centerline of East 46th Street;

Thence Southerly along said centerline of East 46th Street to its

intersection with the Easterly prolongation of the Southerly line of a parcel of land conveyed to James C. Comella and Sherry E. Greer by Deed dated January 5th, 1993 and recorded in Volume 93-86, Page 20 of Cuyahoga County Records (said parcel also being known as PPN 103-17-014);

Thence Westerly along said Southerly line and Easterly prolongation to its intersection with the Westerly line of Sublot 9 in Henry F. Clark's Corrected Subdivision as recorded in Volume 4 of Maps, Page 10 of Cuyahoga County Records;

Thence Southerly along said Westerly line to its intersection with the Northerly line of Sublot No. 13 in said Subdivision;

Thence Westerly along said Northerly line and its Westerly prolongation in a direct line to its intersection with the Westerly line of a parcel of land conveyed to Centennial Investments LP by Deed dated May 28th, 2002 and recorded as AFN 200205281003 (said parcel also being known as PPN 103-17-007);

Thence Northerly along said Westerly line to its intersection with the Northerly line of said parcel so conveyed;

Thence Westerly along said Northerly line and its Westerly prolongation to its intersection with the centerline of East 40th Street;

Thence Northerly along said centerline of East 40th Street to the principal place of beginning, and as outlined on the attached map is changed to a Midtown Mixed Use District 1: Euclid Corridor.

**Section 2.** That the Use, Area and Height Districts of lands described as follows;

Beginning in the centerline of Chester Avenue at its intersection with the Westerly line of a 12 foot wide unnamed alley as shown in the Chase Anderson & Robinson Subdivision recorded in Volume 4 of Maps, Page 54 of Cuyahoga county Records;

Thence Southerly along said centerline of Chester Avenue to its intersection with the Easterly prolongation of the Southerly line of said Subdivision;

Thence Westerly along said Southerly Subdivision line to its intersection with the Easterly line of the Spangler Heirs Subdivision as shown by the recorded plat in Volume 14 of Maps Page 8 of Cuyahoga County Records;

Thence Southerly along said Easterly Subdivision line to its intersection with the Southerly line of Sublot No. 3 in said Subdivision;

Thence Westerly along said Southerly line and its Westerly prolongation to its intersection with the centerline of East 75th Street;

Thence Northerly along said centerline to its intersection with the Easterly prolongation of the Southerly line of Sublot No. 53 in said Spangler Heirs Subdivision;

Thence Westerly along said prolongation; Southerly line and along the Southerly line of Sublot No.10 and its Westerly prolongation to its intersection with the centerline of East 73rd Street;



Thence Southerly along said centerline to its intersection with the centerline of Simpson Avenue, N.E.;

Thence Westerly along said centerline to its intersection with the centerline of East 71st Street;

Thence Northerly along said centerline to its intersection with the Easterly prolongation of the Southerly line of Sublot No. 4 in the Streater & Adams Subdivision as shown by the recorded plat in Volume 4 of Maps, Page 2 of Cuyahoga County Records;

Thence Westerly along said Easterly prolongation, Southerly line and Westerly prolongation to its intersection with the centerline of East 70th Street;

Thence Northerly along said centerline to the Easterly prolongation of the Northerly line of a parcel of land conveyed to The City of Cleveland by Deed dated October 4th, 1993 and recorded in Volume 93-10693, Page 37 of Cuyahoga County Records (said parcel also being known as PPN 118-08-025);

Thence Westerly along said Easterly prolongation, Northerly line and Westerly prolongation to its intersection with the centerline of East 69th Street;

Thence Southerly along said centerline to its intersection with a line drawn 200 feet Northerly of and parallel to Euclid Avenue;

Thence Westerly along said parallel line to its intersection with the Easterly line of a parcel of land conveyed to 6611 Properties LLC by Deed dated January 7th, 2002 and recorded as AFN 200201070050 of Cuyahoga County Records (said parcel also being known as PPN 118-06-025);

Thence Northerly along said Easterly line to its intersection with the Southerly line of a parcel of land conveyed to 6111 Properties LLC by Deed dated January 7th, 2002 and recorded as AFN 200201070049 of Cuyahoga County Records (said parcel also being known as PPN 118-06-050);

Thence Westerly along said Southerly line and its Westerly prolongation to its intersection with the centerline of East 66th Street;

Thence Northerly along said centerline of East 66th Street to its intersection with the Easterly prolongation of the Northerly line of a parcel of land conveyed to Joseph M. Stern Company by Deed dated January 18th, 1947 and recorded in Volume 6251, Page 696 of Cuyahoga County Records (said parcel also being known as PPN 118-06-048);

Thence Westerly along said Easterly prolongation of and Northerly line to its intersection with the Easterly line of a parcel of land conveyed to Robert Bondi by Deed dated November 22nd, 1996 and recorded in Volume 96-11542, Page 55 of Cuyahoga County Records (said parcel also being known as PPN 118-06-030);

Thence Northerly along said Easterly line to its intersection with the Northerly line of said parcel so conveyed;

Thence Westerly along said Northerly line and the Westerly prolongation thereof to its intersection with the centerline of East 65th Street;

Thence Southerly along said centerline to its intersection with the Easterly prolongation of the Southerly line of a 1.6641 Acre parcel of land shown on the Plat of Consolidation recorded in Volume 308, Page 10 of Cuyahoga County Records;

Thence Westerly along said prolongation of and Southerly line to its intersection with the Westerly line of said parcel;

Thence Northerly along said Westerly line to its intersection with its intersection with a Southerly line of said parcel;

Thence Westerly along said Southerly line and its Westerly prolongation to its intersection with the centerline of East 63rd Street;

Thence Northerly along said centerline to its intersection with the Easterly prolongation of the Southerly line of Sublot No. 2 in the Clara Hannon's Subdivision as shown in Volume 15 of Maps, Page 29 of Cuyahoga County Records;

Thence Westerly along said prolongation and Southerly line of Sublot No. 2 to its intersection with the Westerly line of said Subdivision;

Thence Northerly along said Westerly line to its intersection with the Southerly line of Sublot No. 7 in said Subdivision;

Thence Easterly along said Southerly line and Easterly prolongation to its intersection with the centerline of East 63rd Street;

Thence Northerly along said centerline of East 63rd Street to its intersection with the centerline of Chester Avenue;

Thence Easterly along said centerline of Chester Avenue to the place of beginning.

and as outlined on the attached map is changed to a Midtown Mixed Use District 2: Chester Corridor East.

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

Beginning in the centerline of Carnegie Avenue and its intersection with the centerline of East 79th Street;

Thence Southerly along said centerline to its intersection with the Easterly prolongation of the Southerly line of a parcel of land conveyed to the City of Cleveland by Deed dated April 9th, 1997 and recorded in Volume 97-3130, Page 25 of Cuyahoga County Records;

Thence Westerly along said Easterly prolongation of and Southerly line to its intersection with the Easterly line of a parcel of land conveyed to Dionne Carmichael by Deed dated July 20th, 2005 and recorded as AFN 20050720 of Cuyahoga County Records (said parcel being also known as PPN 118-27-023);

Thence Northerly along said Easterly line to its intersection with the Northerly line of said parcel;

Thence Westerly along said Northerly line and its Westerly prolongation to its intersection with the Easterly line of the George Watkins

Subdivision as shown in Volume 4 of Maps, Page 21 of Cuyahoga County Records;

Thence Southerly along said Easterly line to its intersection with the Southerly line of Sublot No. 3 in said Subdivision;

Thence Westerly along said Southerly line to its intersection with the centerline of East 77th Street;

Thence Southerly along said centerline to its intersection with a line drawn 50 feet Northerly of and parallel to the Northerly line of the Northerly line of Cedar Avenue;

Thence Westerly along said parallel line to its intersection with the Westerly line of a parcel of land conveyed to 6530 Carnegie LTD by Deed dated July 21st, 1997 and recorded in Volume 97-7045, Page 20 of Cuyahoga County Records;

Thence Northerly along said Westerly line to its intersection with the Northerly line of said parcel;

Thence Westerly along the Westerly prolongation of said Northerly line to its intersection with the centerline of East 65th Street;

Thence Northerly along the centerline of East 65th Street to its intersection with a line drawn 160 feet Southerly of and parallel to the Southerly line of Carnegie Avenue;

Thence Westerly along said parallel line to its intersection with the centerline of East 55th Street;

Thence Southerly along said centerline to its intersection with the Easterly prolongation of the Northerly line of a parcel of land conveyed to Willie Miley by Deed dated June 23rd, 1981 and recorded in Volume 15462, Page 515 of Cuyahoga County Records;

Thence Westerly along the Easterly prolongation, Northerly line, and its Westerly prolongation to its intersection with the Easterly line of a parcel of land conveyed to Fresh Start, Inc. by Deed dated October 10th, 1968 and recorded in Volume 12364, Page 453 of Cuyahoga County Records (said parcel being also known as PPN 103-18-031);

Thence Northerly along said Easterly line to the Northerly line of said parcel;

Thence Westerly along said Northerly line and its Westerly prolongation to its intersection with the Easterly line of Sublot No. 3 in the George Williams Subdivision as shown in Volume 12 of Maps, Page 15 of Cuyahoga County Records;

Thence Northerly along said Easterly line to its intersection with the Northerly line of a parcel of land conveyed to Land Metropolitan CME Church by Deed

dated March 6th, 1973 as recorded in Volume 13188, Page 895 of Cuyahoga County Records (said parcel also being known as PPN 103-18-004);

Thence Westerly along said Northerly line and its Westerly prolongation to its intersection with the centerline of East 46th Street;

Thence Southerly along said centerline to its intersection with the Easterly prolongation of the Northerly line of Sublots 19 through 23 in Henry F. Clark's Corrected Subdivision as recorded in Volume 4 of

Maps, Page 10 of Cuyahoga County Records;

Thence Westerly along said Northerly line and its Westerly prolongation to its intersection with the Easterly line of a parcel of land conveyed to the Reno Hotel Inc. by Deed dated March 17th, 1975 and recorded in Volume 13816, Page 53 of Cuyahoga County Records (said parcel also being known as PPN 103-17-003);

Thence Northerly along said Easterly line to its intersection with the Northerly line of said parcel;

Thence Westerly along said Northerly line and its Westerly prolongation to its intersection with the centerline of East 40th Street;

Thence Northerly along said centerline to its intersection with the Westerly prolongation of the Northerly line of a parcel of land conveyed to Centennial Investments LP by Deed dated May 28th, 2002 and recorded as AFN 200205281003 (said parcel also being known as PPN 103-17-007);

Thence Easterly along said Westerly prolongation and Northerly line to its intersection with the Easterly line of said parcel;

Thence Southerly along said Easterly line to its intersection with the Westerly prolongation of the Northerly line of Sublot Numbers 12 and 13 in said Henry F. Clark's Corrected Subdivision;

Thence Easterly along said Westerly prolongation and Northerly Sublot line to its intersection with the Westerly line of Sublot No. 9 in said Subdivision;

Thence Northerly along said Westerly line to its intersection with the Southerly line of a parcel of land conveyed to James C. Comella and Sherry E. Greer by Deed dated January 5th, 1993 and recorded in Volume 93-86, Page 20 of Cuyahoga County Records (said parcel being also known as PPN 103-17-014);

Thence Easterly along said Southerly line and its Easterly prolongation to its intersection with the centerline of East 46th Street;

Thence Northerly along said centerline to its intersection with the centerline of Prospect Road;

Thence Southeasterly along said centerline of Prospect Road to its intersection with the Southerly prolongation of the Westerly line of a parcel of land conveyed to 5000 Prospect LTD., LLC by Deed dated January 11th, 2002 and recorded as AFN 200201111120 in Cuyahoga County Records;

Thence Northerly along said Southerly prolongation and Westerly line to its intersection with the Northerly line of said parcel;

Thence Easterly along said Northerly line and its Easterly prolongation to its intersection with the centerline of East 55th Street;

Thence Northerly along said centerline to its intersection with a line drawn 335 feet from and parallel to the Northerly line of Carnegie Avenue;

Thence Easterly along said parallel line to its intersection with the Westerly line of Parcel A-1 as shown on the Plat of Resubdivision as recorded in Volume 270, Page 37 of Cuyahoga County Records;

Thence Northwesterly along said Westerly line to its intersection with a Northerly line of said Parcel A-1;

Thence Southeasterly along said Northeasterly line to its intersection with a Northerly line of said parcel;

Thence Easterly along said Northerly line to a Westerly line thereof;

Thence Northerly along said Westerly line to a Northerly line thereof;

Thence Easterly along said Northerly line to its intersection with the centerline of vacated East 65th Street;

Thence Northerly along said centerline to its intersection with the Westerly prolongation of the Northerly line of Sublot No. 14 in the Euclid Improvement Company Subdivision Unrecorded (said parcel also being known PPN 118-12-013);

Thence Easterly along said Westerly prolongation and Northerly line to its intersection with the Westerly line of a parcel of land conveyed to RBR Properties LTD by Deed dated May 22nd, 2000 and recorded as AFN 200005220253 of Cuyahoga County Records (said parcel being also known as PPN 118-13-001);

Thence Easterly in a direct line to its intersection with the Northerly line of a parcel of land conveyed to Roderick Nassif by Deed dated September 25th, 2001 and recorded as AFN 200109250811 (said parcel being also known as PPN 118-13-017);

Thence Easterly along said Northerly line and its Easterly prolongation to its intersection with the centerline of East 69th Street;

Thence Northerly along said centerline to its intersection with the Westerly prolongation of the Northerly line of a parcel of land conveyed to Page Sumpter by Deed dated May 23rd, 1977 and recorded in Volume 14471, Page 645 of Cuyahoga County Records (said parcel being also known as 118-14-020);

Thence Easterly along said Northerly line and its Easterly prolongation to its intersection with the Westerly line of Sublot No. 19 in the Carnegie Euclid Company Subdivision as shown by the recorded plat in Volume 67 of Maps, Page 22 of Cuyahoga County Records;

Thence Southerly along said Westerly line to its intersection with the Southerly line of said Sublot Southerly line of said Sublot;

Thence Easterly along said Southerly line to its intersection with the centerline of East 70th Street;

Thence Northerly along said centerline to its intersection with the Westerly prolongation of the Southerly line of Sublot No. 11 in said Subdivision;

Thence Easterly along said Westerly prolongation, Southerly line, and Easterly prolongation to its intersection with the centerline of East 71st Street;

Thence Southerly along said centerline to its intersection with the Westerly prolongation of the Northerly line of a parcel of land conveyed to RAM Enterprises by Deed dated August 26th, 1983 as recorded in Volume 83-259, Page 533 of Cuyahoga County Records;

Thence Easterly along said Northerly line to its intersection with the Easterly line of said parcel;

Thence Southerly along said Easterly line to its intersection with the Southerly line of a parcel of land conveyed to Iron Mountain Safe-site, Inc. by Deed dated October 22nd, 1999 and recorded as AFN 199910220132 of Cuyahoga County Records (said parcel being also known as PPN 118-15-003);

Thence Easterly along said Southerly line and its Easterly prolongation to its intersection with the Easterly line of a parcel of land conveyed to Barbara Jalovec by Deed dated November 14th, 1967 as recorded in Volume 12173, Page 965 of Cuyahoga County Records (said parcel being also known as PPN 118-15-007);

Thence Northerly along said Easterly line to its intersection with the Westerly prolongation of the Northerly line of Sublot No. 6 in the C.E. Bolton & John E. Colby Subdivision as shown by the recorded plat in Volume 5, Page 36 in Cuyahoga County Records;

Thence Easterly along said Westerly prolongation, Northerly line and Easterly prolongation to its intersection with the centerline of East 71st Street;

Thence Southerly along said centerline to its intersection with the centerline of Carnegie Avenue;

Thence Easterly along said centerline to the place of beginning, and as outlined on the attached map is changed to a Midtown Mixed Use District 3: Carnegie Corridor.

**Section 4.** That the Use, Area and Height Districts of lands described as follows;

Beginning in the intersection of the centerline of Chester Avenue and the centerline of East 63rd Street;

Thence Southerly along said centerline of East 63rd Street to its intersection with the Easterly prolongation of the Southerly line of Sublot No. 7 in the Clara Hannon's Subdivision and recorded in Volume 15 of Maps, Page 29 of Cuyahoga County Records;

Thence Westerly along said prolongation and Southerly line to its intersection with the Westerly line of said Subdivision;

Thence Southerly along said Westerly line to its intersection with the Southerly line of Sublot No. 1 in said Subdivision;

Thence Westerly along said Southerly line and its Westerly prolongation to its intersection with the centerline of East 61st Street;

Thence Northerly along said centerline of East 61st Street to its intersection with the Easterly prolongation of the Southerly line of Sublot No. 3 in the Southern & Adams Subdivision as shown by the recorded plat in Volume 5 of Maps, Page 4 of Cuyahoga County Records;

Thence Westerly along said Easterly prolongation, Southerly line and Westerly prolongation to its intersection with the centerline of East 59th Street;

Thence Northerly along said centerline of East 59th Street to its intersection with the Easterly prolongation of the Southerly line of Sublot No. 12 of said Southern & Adams Subdivision;

Thence Westerly along said Easterly prolongation and Southerly line of Sublot No. 12 to its intersection with the Westerly line of said Southern & Adams Subdivision;

Thence Southerly along said Westerly line to its intersection with the Southerly line of Sublot No. 12 in the Cobb, Bradley & Wick Subdivision;

Thence Westerly along said Southerly line and its Westerly prolongation to its intersection with the centerline of East 57th Street;

Thence Southerly along said centerline of East 57th Street to its intersection with the Easterly prolongation of the Southerly line of Sublot No. 39 in said Cobb, Bradley & Wick Subdivision;

Thence Westerly along said Easterly prolongation and Southerly line to its intersection with the Easterly line of a parcel of land conveyed to Sucha Singh by Deed dated September 23, 2003 and recorded as AFN 200309230962 in Cuyahoga County Records (said parcel also being known as PPN 118-02-021);

Thence Southerly along said Easterly line to its intersection with the Southerly line of said Singh parcel;

Thence Westerly along said Southerly line to its intersection with the centerline of East 55th Street;

Thence Southerly along said centerline of East 55th Street to its intersection with a line drawn 150 feet Northerly of and parallel to Euclid Avenue;

Thence Westerly along said parallel line to its intersection with the Easterly line of a parcel of land conveyed to Level 3 Communications by Deed dated August 26, 1999 and recorded as AFN 199908268969 of Cuyahoga County Records (said parcel also being known as PPN 103-09-011);

Thence Northerly along said Easterly line to its intersection with the Northerly line of said parcel so conveyed;

Thence Westerly along said Northerly line and its Westerly prolongation to its intersection with the centerline of East 40th Street;

Thence Northerly along said centerline to its intersection with the centerline of Chester Avenue;

Thence Easterly along said centerline to the place of beginning. And also being all of Block C, Block

A and Parcel 3 in the Consolidation for Pierre's as shown by the recorded plat in Volume 270, Page 37 in Cuyahoga County Records excepting all of that portion of the aforementioned parcels lying within 100 feet of the Southerly line of Euclid Avenue.

and as outlined on the attached map is changed to a Midtown Mixed Use District 4: Chester Corridor West.

**Section 5.** That the changed designation of lands described in Sections 1 through 4 shall be identified as Map Change No. 2161, Sheet Number 5 and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for this purpose by the City Planning Commission.

**Section 6.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

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

---

**Ord. No. 1786-05.**

**By Council Member Polensek.**

**An ordinance to change the zoning of properties south of St. Clair between Ruple Rd. and Rondel Rd. from a Multi-Family Residential District and a Local Retail Business District to a One Family Residential District; the Area District from a 'C' to an 'A'; and the Height District from a '2' to a '1' and also to establish a Planned Unit Development Overlay District PUD (Map Change Number 2139, Sheet number 7)**

Whereas, Collinwood Nottingham Villages Development Corporation has submitted an application to the Director of the City Planning Commission proposing the creation of a Planned Unit Development (PUD) Overlay District on properties bounded by the Saint Clair Avenue, Ruple Road and Rondel Road and construction of a PUD project to be known as Collinwood Commons Village on said properties; and

Whereas, the Director of the City Planning Commission has accepted said application and has provided written notification of his acceptance of the application to the member of the Council in whose ward the proposed PUD Overlay District and PUD project are located, and said member of Council has not objected; and

Whereas, the City of Cleveland has determined that the proposed PUD Overlay District and PUD project meet the purposes and the approval standards set forth in Chapter 334 of the Codified Ordinances of Cleveland, Ohio, 1976, now, therefore:

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

**Section 1.** That the Use, Area and Height Districts of lands described as follows:

Beginning in the centerline of Saint Clair Avenue and its intersection with the centerline of Ruple Road;

Thence Southeasterly along said centerline of Ruple Road to its intersection with the Southwesterly prolongation of the Southeasterly line of Parcel A of the Holy Redeemer Senior Citizen's Facility Lot Split Plat as recorded in Volume 265 of Maps, Page 82 of Cuyahoga County Records;

Thence Northeasterly along said Southeasterly line and its Northeasterly prolongation to its intersection with the centerline of Royal Road;

Thence Northwesterly along said centerline of Royal Road to its intersection with the Southwesterly prolongation of the Southeasterly line of Sublot No. 79 in the R.R. & P.P. Five Points Allotment as recorded in Volume 63, Page 32 of Cuyahoga County Records;

Thence Northeasterly along said Southwesterly prolongation, Southeasterly line and its Westerly prolongation (said prolongation also being the Southeasterly lines of Sublots 76, 77, 78) to its intersection with the centerline of Rondel Road;

Thence Northwesterly along said centerline of Rondel Road to its intersection with the centerline of Saint Clair Avenue;

Thence Southwesterly along said centerline of Saint Clair Avenue to the place of beginning.

and as shaded on the attached map is changed to a One Family Residential District, an "A" Area District and a "1" Height District and is designated a Planned Unit Development Overlay District (PUD) in accordance with the provisions of Chapter 334 of the Codified Ordinances of Cleveland, Ohio, 1976.

**Section 2.** That the changed designation of lands described in Section 1 shall be identified as Map Change No. 2139, Sheet No. 7, and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for this purpose by the City Planning Commission.

**Section 3.** That the PUD project depicted in the site plan contained in File No. 1786-05-A in the office of the City Planning Commission which has been proposed for the PUD Overlay District created by Section 1 and which is to be known as "Collinwood Commons Villages" is hereby approved.

**Section 4.** That no building permit shall be issued by the City of Cleveland for property located within the Planned Unit Development Overlay District established by this ordinance unless the building permit application conforms with the PUD project plan approved by the Planning Commission.

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



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

**FIRST READING EMERGENCY  
RESOLUTIONS REFERRED**

**Res. No. 1787-05.**

**By Council Member Coats.**

**An emergency resolution urging that one percent of the City's 2006 general fund appropriation be devoted to creating youth employment and funding youth employment programs.**

Whereas work experience as a youth can lead to higher annual earnings later in life; and

Whereas, working a job can teach youth to be dependable, punctual, and responsible; and

Whereas, the City of Cleveland is committed to ensuring that youth learn the skills to become responsible and productive citizens; and

Whereas, having employment helps young people to learn those skills; and

Whereas, this resolution constitutes an emergency measure providing for the immediate preservation of the public peace, property, health, and safety in that the City of Cleveland will be impacted positively if more youth are employed; now, therefore,

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

**Section 1.** That this Council urges that one percent of the City's 2006 general fund appropriation be devoted to creating youth employment and funding youth employment programs.

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

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

**Res. No. 1796-05.**

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

**An emergency resolution to adopt and declare a Tax Budget for the City of Cleveland for the year 2006 and submit it to the County Budget Commission as required by State Law, Chapter 5705 of the Revised Code.**

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 Council, under the provisions of Chapter 5705 of the Revised Code, after public hearings as required by law, does adopt the statements of the year 2006 requirements for the several funds of the City of Cleveland as being the budget required by state law to be submitted to the County Budget Commission, which requirements are contained in File No. 1796-05-A.

**Section 2.** That the Clerk of Council is directed to certify a copy of the resolution to the County Auditor of Cuyahoga County.

**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.

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

**Res. No. 1797-05.**

**By Council Member White.**

**An emergency resolution encouraging the Division of Police to establish a supervisory review of the search warrant process to ensure the proper, fair, and just issuance of search warrants**

Whereas, concerns have arisen regarding the issuance and execution of search warrants; and

Whereas, the establishment of a supervisory review of the search warrant process would ensure the proper, fair, and just issuance and execution of search warrants; and

Whereas, this supervisory review would include the review of investigative materials leading up to the request for a search warrant and a review of the proper execution of a search warrant and the apprehension of suspects; and

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

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

**Section 1.** That this Council encourages the Division of Police to establish a supervisory review of the search warrant process to ensure the proper, fair, and just issuance of search warrants.

**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.

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

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

**Ord. No. 1784-05.**

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

**An emergency ordinance to amend Sections 1, 2 and 11 of Ordinance No. 952-05, passed June 6, 2005; and to supplement the ordinance by adding new Section 1a, relating to accepting state funding from the Ohio Public Works Commission for the Big Creek Watershed Stormwater Management Project, and entering into related contracts.**

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, 2 and 11 of Ordinance No. 952-05, passed June 6, 2005, is amended to read as follows:

**Section 1.** That the Mayor is authorized to accept a grant in the approximate amount of **\$3,040,320**,

from the Ohio Public Works Commission, acting by and through its Director, to finance the capital improvement of the Big Creek Watershed Stormwater Management Project (the "Project").

**Section 2.** That on acceptance of the grant and loan funds from the Ohio Public Works Commission, the Director of Public Utilities may enter into agreements with the Ohio Department of Transportation, the Northeast Ohio Regional Sewer District, and the City of Parma to financially cooperate in the Project; and further that the Director is authorized to accept the funds under these agreements.

**Section 11.** That the cost of the Project and all other expenditures authorized by this ordinance shall be paid from Fund No. 54 SF 001, 20 SF 364, 20 SF 373, 20 SF 380, 20 SF 383, 20 SF 394, 20 SF 500; from the fund or funds which are credited the proceeds of the sale of 2005 general obligation bonds which are issued for this purpose and include this Project and are appropriated for this purpose; from the fund or funds which are credited the funds received from the Northeast Ohio Regional Sewer District, and the City of Parma, which are appropriated for this purpose; and from the fund or funds which are credited the grant and loan proceeds received from the Ohio Public Works Commission.

**Section 2.** That existing Sections 1, 2 and 11 of Ordinance No. 952-05, passed June 6, 2005, is repealed.

**Section 3.** That Ordinance No. 952-05, passed June 6, 2005, is supplemented by adding new Section 1a. to read as follows:

**Section 1a.** That the Mayor is authorized to accept loan funds in the approximate amount of \$900,000 from the Ohio Public Works Commission to finance the capital improvement described in this ordinance, including without limitation all appurtenances, that the Mayor is authorized to enter into a loan agreement with the Ohio Public Works Commission for the repayment of the loan funds, which application is placed in File No. 1784-05-A. The Mayor is further authorized to file all papers to execute all documents necessary to receive the funds under the loan; and the loan funds are appropriated for the purposes set forth in the loan application.

That on execution of the loan agreement, the Director of Public Utilities is authorized to repay the loan funds to the Ohio Public Works Commission under the terms and conditions of the loan agreement, from the operating revenues of the Division of Water Pollution Control.

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

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

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

**Ord. No. 1788-05.****By Council Member Cimperman.**

**An emergency ordinance consenting and approving the issuance of a permit for the 28th Annual Walk for Disabilities, on October 1, 2005, sponsored by the Disability Services and Disability Ministries of Catholic Charities Services.**

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

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

**Section 1.** That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of the 28th Annual Walk for Disabilities, sponsored by the Disabilities Services and Disability Ministries of Catholic Charities Services on October 1, 2005, with the Walk beginning at OLA/St. Joseph Center parking lot on Kenilworth; head east on Kenilworth to West 11th; turn right on W. 11th to Starkweather; turn right on Starkweather to W. 14th; turn right on W. 14th to Kenilworth; turn right on Kenilworth to W. 11th; turn left onto W. 11th and walk to University Road; turn right on to University and walk to W. 10th; turn right on to W. 10th and walk to stop sign; veer left on to Professor Avenue-cross W. 14th to the west side of W. 14th; turn right on to W. 14th-cross Kenilworth and return to OLA/St. Joseph Center on the left; provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

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

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

**Ord. No. 1789-05.****By Council Member Cimperman.**

**An emergency ordinance consenting and approving the issuance of a permit for the Charity Costume 10K Run/Walk, on October 29, 2005, sponsored by the Diabetes Association of Greater Cleveland.**

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 Charity Costume 10K Run/Walk, sponsored by the Diabetes Association of Greater Cleveland on October 29, 2005, 10K Run Course (using city streets): starting at Tower City Center, exiting at the Public Square entrance where runners would turn right onto Ontario and then turning right at Carnegie Avenue and going over the Carnegie/Lorain Bridge (Hope Bridge), then turn right at West 25th Street to Detroit Road, turning right at Detroit/Superior Bridge (Veteran's Memorial Bridge) to Public Square where you will turn right to the finish line in front of Tower City Center and the Terminal Tower; Walk Course (using the pedestrian walkways); exit Tower City Center at Public Square, turn left to Superior Avenue, go over the Detroit/Superior Bridge (Veteran's Memorial Bridge) on the north side of the Bridge, at West 25th Street cross over Superior Avenue to the south side (can utilize the part of blocked streets if needed) of the bridge and travel back toward Tower City Center; the race will end in front of Tower City Center/Terminal Tower's Public Square entrance; provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

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

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

**Ord. No. 1790-05.****By Council Member Zone.**

**An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the Fairview Lutheran Foundation to stretch banners at West 61st & Lorain Avenue, for the period from September 12, 2005 to October 2, inclusive, publicizing WestFest.**

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 Fairview Lutheran Foundation to install, maintain and remove banners at West 61st & Lorain for the period from September 12, 2005 to October 2, 2005, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

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

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

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

**Ord. No. 1791-05.****By Council Member Reed.**

**An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to Muhammad Mosque # 18 to stretch banners at East 144th & Kinsman, for the period from September 19, 2005 to October 18, 2005, inclusive, publicizing the Million Family March.**

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 Muhammad Mosque #18 to install, maintain and remove banners at East 144th & Kinsman, for the period from September 19, 2005 to October 18, 2005, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

**Section 2.** That this ordinance is hereby declared to be an emergency

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

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

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

**Ord. No. 1792-05.**

**By Council Member Jackson.**

**An emergency ordinance to amend the title, and Section 1 of Ordinance No. 1179-05, passed June 6, 2005, authorizing the Director of Parks, Recreation and Properties to enter into an agreement with Cuyahoga Community College for the Basketball and More: A Village Experience Program through the use of Ward 5 Neighborhood Equity Funds.**

Whereas, Ordinance No. 1179-05, passed June 6, 2005, authorized the Director of Parks, Recreation and Properties to enter into an agreement with Cuyahoga Community College Foundation for the Basketball and More: A Village Experience Program through the use of Ward 5 Neighborhood Equity Funds; and

Whereas, the agreement to conduct this program will be entered into by Cuyahoga Community College and not Cuyahoga Community College Foundation; 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 title of Ordinance No. 1179-05, passed June 6, 2005, is hereby amended to read as follows:

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter into an agreement with the Cuyahoga Community College for the Basketball and More: A Village Experience Program through the use of Ward 5 Neighborhood Equity Funds.

**Section 2.** That Section 1 of Ordinance No. 1179-05, passed June 6, 2005, is hereby amended to read as follows:

Section 1. That the Director of Parks, Recreation and Properties is authorized to enter into an agreement with Cuyahoga Community College for the Basketball and More: A Village Experience Program for the public purpose of providing summer recreational activities for city of Cleveland youth through the use of Ward 4 Neighborhood Equity Funds.

**Section 3.** That the existing title and existing Section 1 of Ordinance No. 1179-05, passed June 6, 2005, is hereby repealed.

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

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

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

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

**Ord. No. 1793-05.**

**By Council Member Cimperman.**

**An emergency ordinance amending the Title and Section 1 of Ordinance No. 1313-05 passed July 13, 2005 as it pertains to authorizing the Director of Community Development to enter into an agreement with Tremont West Development Corporation for the Student Theatre Enrichment Program through the use of Ward 13 Neighborhood Equity Funds.**

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

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

**Section 1.** That the Title and Section 1 of Ordinance No. 1313-05 passed July 13, 2005 are hereby amended to read as follow:

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with the Tremont West Development Corporation for the Student Theatre Enrichment Program through the use of Ward 13 Neighborhood Equity Funds.

**Section 1.** That the Director of Community Development is authorized to enter into an agreement with Tremont West Development Corporation for the Student Theatre Enrichment Program for the public purpose of providing educational opportunities for Cleveland youth in the performing arts through the use of Ward 13 Neighborhood Equity Funds.

**Section 2.** That the Title and Section 1 of Ordinance No. 1313-05 passed July 13, 2005 are hereby repealed.

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

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

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

**Ord. No. 1795-05.**

**By Council Members Dolan, Cimperman, Cintron, Lipovan Holan, Kelley, Zone, Westbrook, Brady and Sweeney.**

**An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Fairview/Lutheran Foundation for the WestFest Expo through the use of Wards 21, 13, 14, 15, 16, 17, 18, 19 and 20 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 Fairview/Lutheran Foundation for the WestFest Expo for the public purpose of providing educational activities and programs to city of Cleveland residents through the use of Wards, 21, 13, 14, 15, 16, 17, 18, 19 and 20 Neighborhood Equity Funds.

**Section 2.** That the cost of said contract shall be in an amount not to exceed \$11,000 and shall be paid from Fund No. 10 SF 166.

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

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

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

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

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

**Res. No. 1794-05.**

**By Council Members Coats, Zone, Conwell, Reed, Pierce Scott and Britt.**

**An emergency resolution declaring the week of September 26-30, 2005 as Race Equality Week and reaffirming Cleveland City Council's commitment to ensuring racial equality and justice and to working with the National League of Cities to sustain this commitment.**

Whereas, the National League of Cities is committed to promoting racial equality and justice as a fundamental aspect of a healthy community; and

Whereas, the National League of Cities has urged local officials across the country to join together in a national campaign to promote racial equality and justice; and

Whereas, by resolution of the National League of Cities, we declare racism unjust and advocate equal rights for all; and

Whereas, by Act of Congress dated July 2, 1964, the Civil Rights Act of 1964 was adopted banning discrimination because of a person's color, race, national origin, religion, or sex; and

Whereas, by Act of Congress dated July 9, 1868, the 14th Amendment of the Constitution of the United States was adopted giving all persons born or naturalized in the United States the right to due process and equal protection under the law; and

Whereas, National League of Cities President Anthony A. Williams, Mayor, Washington, D.C., has invited local officials across the country to renew their commitment to ensuring racial equality and justice for all during the week of September 26-30, 2005, by reporting on successful programs and announcing specific action plans for the coming years; 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 the week of September 26-30, 2005 as Race Equality Week in the City of Cleveland and urges all citizens of Cleveland to join together to support this effort.

**Section 2.** That this Council hereby reaffirms its commitment to ensuring racial equality and justice in Cleveland and to working with the National League of Cities to sustain this commitment throughout the country.

**Section 3.** That the Clerk of Council is hereby directed to transmit a certified copy of this resolution to the National League of Cities.

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

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

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

**Res. No. 1798-05.**

**By Council Member Cimperman.**

**An emergency resolution objecting to the transfer of ownership of a D5 and D6 Liquor Permit to 4829 Superior Avenue.**

Whereas, Council has been notified by the Department of Liquor Control of an application for the transfer of ownership of a D5 and D6 Liquor Permit from S C S Enterprises, Inc., D.B.A. Marbles Grill and Bar, 4829 Superior Avenue, Cleveland, Ohio 44103, Permanent Number 7933934 to Hotpoint, Inc., D.B.A. Marbles Grill & Bar, 4829 Superior Avenue, Cleveland, Ohio 44103, Permanent Number 3994740; 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 D5 and D6 Liquor Permit from S C S Enterprises, Inc., D.B.A. Marbles Grill and Bar, 4829 Superior Avenue, Cleveland, Ohio 44103, Permanent Number 7933934 to Hotpoint, Inc., D.B.A. Marbles Grill & Bar, 4829 Superior Avenue, Cleveland, Ohio 44103, Permanent Number 3994740; and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

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

**Res. No. 1799-05.**

**By Council Member Cimperman.**

**An emergency resolution objecting to the transfer of ownership of a D5 and D6 Liquor Permit to 1187 Old River Road and Patio.**

Whereas, Council has been notified by the Department of Liquor Control of an application for the transfer of ownership of a D5 and D6 Liquor Permit from 1187 Old River Road, Inc., D.B.A. Porky's Café in the Flats, 1187 Old River Road and Patio, Cleveland, Ohio 44113, Permanent Number 6548831 to Dennis Valentin, D.B.A. Cleveland Coyote, 1187 Old River Road and Patio, Cleveland, Ohio 44113, Permanent Number 91900970005; 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 D5 and D6 Liquor Permit from 1187 Old River Road, Inc., D.B.A. Porky's Café in the Flats, 1187 Old River Road and Patio, Cleveland, Ohio 44113, Permanent Number 6548831 to Dennis Valentin, D.B.A. Cleveland Coyote, 1187 Old River Road and Patio, Cleveland, Ohio 44113, Permanent Number 91900970005; and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

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

**SECOND READING EMERGENCY ORDINANCES PASSED**

**Ord. No. 943-05.**

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

An emergency ordinance providing for the issuance and sale of Taxable Urban Renewal Temporary Refunding Bonds in the principal amount not to exceed \$4,375,000 for



the purpose of (1) refunding outstanding Taxable Urban Renewal Notes, Series 2003 which were issued to refund outstanding Taxable Urban Revenue Notes, Series 2002 issued for the purpose of acquiring property for Urban Renewal Project Activities and (2) paying certain costs of issuance of said Refunding Bonds; and authorizing related matters.

Approved by Directors of Community Development, Finance, Law; Relieved of Committee on Community and Economic Development; Passage recommended by Committee on Finance.

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

**Ord. No. 1024-05.**

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

An emergency ordinance authorizing the purchase by one or more requirement contracts of labor and materials necessary to repair tree-lawns and perform other landscaping services at various Water and Water Pollution Control facilities, for the Department of Public Utilities, for a period not to exceed two years.

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

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

**Ord. No. 1301-05.**

By Council Member Cimperman. An emergency ordinance to designate West 2nd Street from Prospect Avenue to Huron Road as "East Tower City Drive" as a secondary and honorary designation and to designate West 3rd Street from Prospect Avenue to Huron Road as "West Tower City Drive" as a secondary and honorary designation.

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

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

**Ord. No. 1491-05.**

By Mayor Campbell. An emergency ordinance to amend Section 3 of Ordinance No. 651-05, passed April 25, 2005, relating to authorizing the Commissioner of Purchases and Supplies to sell City-owned property no longer needed for public use located in the City of Brecksville, between Oakes Road and Metro Parks Boulevard to the City of Brecksville.

Approved by Directors of Parks, Recreation and Properties, City Planning Commission, Finance, Law; Relieved of Committees on Public Parks, Property and Recreation, City Planning; Passage recommended by Committee on Finance; when amended as follows:

1. In the title, line 2, strike "Section 3" and insert "**Sections 1, 2, and 3**".

2. In Section 1, line 1, strike "Section 3" and insert "**Sections 1, 2, and 3**"; and also in line 1, strike "is" and insert "**are**".

3. In Section 1, line 3, before amended Section 3 insert the following:

**"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 a part of Permanent Parcel No. 603-14-004 is no longer needed for public use, consisting of one hundred and nine (109) acres, contiguous to the City of Brecksville's recreation center and running between Oakes Road and Metropolitan Park Boulevard west to the Broadview Heights city limit. The Director of Parks, Recreation and Properties shall cause a legal description to be prepared to described said part of Permanent Parcel No. 603-10-004 to be placed in file No. 651-05-A.**

**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 City of Brecksville at a price not less than fair market value as determined by the Board of Control, which shall not be less than \$4,360,000.00 taking into account all restrictions, reversionary interests and similar encumbrances placed by the City of Cleveland in the deed of conveyance."**

4. In existing Section 1, at amended Section 3, strike lines 9 through 24 and insert the following: "**communications antenna. The conveyance shall include a deed restriction that the property shall be used exclusively for municipal, municipally related, and all other governmental purposes, including but not limited to recreational and cemetery uses, in perpetuity from the date of title transfer.**"

5. In Section 2, line 2, strike "Section 3" and insert "**Sections 1, 2, and 3**"; and also in line 1, strike "is" and insert "**are**".

Amendments agreed to.

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

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

**Ord. No. 1494-05.**

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

An emergency ordinance to make additional appropriations of Six Million Eight Hundred Thousand Dollars (\$6,800,000) of the Enterprise Funds.

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

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

**Ord. No. 1518-05.**

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

An emergency ordinance authorizing the Director of Community Development to enter into one or more contracts with Cleveland Action to Support Housing, Inc. to implement housing rehabilitation, new housing construction, and commercial redevelopment loan and grant programs.

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

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

**Ord. No. 1519-05.**

By Council Members Zone, Pierce Scott and Jackson (by departmental request).

An emergency ordinance authorizing the Director of Community Development to enter into contract with EDEN, Inc., or its designee, to provide financial assistance in the form of a Community Development Block Grant Float Loan to partially finance Emerald Commons housing project; and authorizing the director to enter into a HOME loan with EDEN, Inc., or its designee, to provide financial assistance for the Emerald Commons housing project.

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

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

**Ord. No. 1522-05.**

By Mayor Campbell and Council Member Polensek.

An ordinance repealing Ordinance No. 2449-02, passed December 16, 2002, relating to an Enterprise Zone Agreement with Tops Market, LLC to construct a new supermarket located at 18501 Neff Road.

Approved by Directors of Economic Development, Finance, Law; Committees on Community and Economic Development, Finance.

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

**Ord. No. 1528-05.**

By Council Member Lewis. An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on Harlem Avenue to Pasko Perkovic.

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

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

**Ord. No. 1529-05.**

By Council Member Lewis. An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on Lockyear Avenue to Cecelia White Pinkston.

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

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

**Ord. No. 1535-05.**

By Council Member Pierce Scott. An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on scattered sites to Home Builders Association of Greater Cleveland or designee.

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

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

**Ord. No. 1537-05.**

By Council Member Conwell.

An emergency ordinance to change the name of the Glenville Recreation Center to "Glenville - James Hubbard Recreation Center".

Approved by Directors of Parks, Recreation, and Properties, Finance, Law; Passage recommended by Committees on Public Parks, Property and Recreation, Finance.

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

**Ord. No. 1632-05.**

By Council Member Jackson (by departmental request).

An emergency ordinance to amend the title and Section 1 of Ordinance No. 809-05, passed May 16, 2005; to supplement the ordinance by adding new Sections 2 and 3; and to renumber existing Sections 2 and 3 to new Sections 4 and 5, relating to a mail system, for the Division of Printing and Reproduction, Department of Finance.

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

1. In the title, line 4, strike "new Sections 2, 3 and 3" and insert "new Sections 2, 3, and 4"; in line 6, strike "new Sections 4 and 5" and insert "new Sections 5 and 6".

2. In Section 1, in the amended title, line 1, after "lease", in line 2, after "five years", and in line 3, after "purchase", insert a comma in all three places; also in line 3, after "training" insert ", and"; and in line 4, after "years, and", strike "the".

3. In Section 1, at amended Section 1, line 4, after "years" and also after "purchase", insert a comma in both places; also in line 4, after "training" insert "and"; and in line 5, after "five years, and" strike "the".

4. In Section 1 at amended Section 1, strike lines 9 through 14 in their entirety.

5. In Section 3, line 2, strike "new Sections 2 and 3" and insert "new Sections 2, 3 and 4".

6. In Section 3, after supplemented Section 3, insert the following new section:

**"Section 4. That under Section 108(b) of the Charter, the purchases or procurements authorized by this ordinance may be made through cooperative agreements using state procedures. The Director of Finance may sign all documents with the State of Ohio or any of its political subdivisions that are necessary to make the purchases or procurements, and may enter into contract or contracts with the vendors selected through that cooperative process."**

7. In Section 4, line 2, strike "new Section 4" and "Section 5", and insert "new Section 5" and "Section 6".

Amendments agreed to.

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

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

**Ord. No. 1640-05.**

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

An emergency ordinance to amend the title and Sections 1 and 2 of Ordinance No. 1121-05, passed June 6, 2005, relating to a lease or sale of certain property to the Salvation Army for the purpose of the Salvation Army constructing and operating a community center; to supplement the ordinance by adding new Sections 7, 8, and 9; and to renumber existing Section 7 to new Section 10.

Approved by Directors of Parks, Recreation and Properties, City Planning Commission, Finance, Law; Relieved of Committee on City Planning; Passage recommended by Committees on Public Parks, Property and Recreation, Finance; when amended as follows:

In Section 1, at amended Section 1, line 4, strike "up to thirteen acres" and insert "12.5 acres"; and at the end, strike the period after "term of the lease" and insert ", and which is more fully described as follows:

**LEGAL DESCRIPTION OF  
12.5 ACRES OF LAND  
IN GORDON PARK**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being a parcel of land in Original 100 Acre Lot Number 350, bounded and described as follows:

Beginning at a stone monument found in the northwesterly line of the C & X Railroad right-of-way at its intersection with the westerly line of said Original 100 Acre Lot Number 350, thence North 55° 53' 45" East along said northwesterly line of the C & Railroad 217.27 feet to its intersection with the westerly line of East 72nd Street (100 feet wide) as shown by the Boundary Survey done for the City of Cleveland by L.V. Surveying, Inc. in January, 2003; thence North 00° 22' 22" West, along the westerly line of East 72nd Street, Passing through a 1/2 inch iron pin found at 0.20 feet, 849.45 feet to a point; thence North 89° 30' 38" East along a line drawn perpendicular to said westerly line of East 72nd Street, 185.45 feet to a 5/8 inch capped iron pin set, and the Principal Place of Beginning of the parcel of land herein to be described:

Course No. 1: thence North 08° 10' 52" East along a line approximating the top of bank, 335.96 feet to a capped 5/8 inch iron pin set;

Course No. 2: thence North 19° 26' 33" East, continuing along said line, 404.80 feet to a capped 5/8 iron pin set;

Course No. 3: thence North 34° 22' 14" East, 152.75 feet to a capped 5/8 inch iron pin set;

Course No. 4: thence North 59° 38' 35" East, 219.19 feet to a capped 5/8 inch iron pin set;

Course No. 5: thence North 75° 11' 47" East, 104.98 feet to a capped 5/8 inch iron pin set;

Course No. 6: thence South 37° 02' 56" East, 155.25 feet to a capped 5/8 inch iron pin set at the northwesterly side of a fence enclosing a baseball field;

Thence along the existing fences enclosing several baseball fields, the following courses and distances:

Course No. 7: thence along the arc of a circle deflecting to the left, 194.04 feet to a capped 5/8 inch iron pin set, said curved line having a radius of 302.90 feet and a chord which bears South 32° 27' 52" West 190.74 feet;

Course No. 8: thence along the arc of a circle deflecting to the left, 667.34 feet to a capped 5/8 inch iron pin set, said curved line having a radius of 255.20 feet and a chord which bears South 12° 36' 11" East, 492.81 feet;

Course No. 9: thence along the arc of a circle deflecting to the left, 51.15 feet to a capped 5/8 inch iron pin set, said curved line having a radius of 301.40 feet and a chord which bears South 43° 31' 22" East, 51.09 feet;

Course No. 10: thence South 34° 07' 02" East, 260.53 feet to a capped 5/8 inch iron pin set at the back of a southerly roadway curb;

Course No. 11: thence South 55° 52' 58" West along the back of said southerly roadway curb, 133.86 feet to a chiseled cross set about 6 inches deep in the flange of a catch basin at the point of curvature in said back of curb;

Course No. 12: thence southwesterly along the back of said curb, being along the arc of a circle deflecting to the right 657.41 feet to a capped 5/8 iron pin set, said curved line having a radius of 574.68 feet and a chord which bears South 88° 38' 35" West, 622.17 feet;

Course No. 13: thence North 39° 16' 06" West, 168.40 feet to the Principal Place of Beginning, containing 544,503 square feet of land (12,500 Acres) according to a survey made in August, 2005 by Garrett and Associates, Inc., Registered Engineers & Surveyors, be the same more or less, but subject to all legal highways."

2. In Section 3, at supplemented Section 7, line 3, strike "up to thirteen acres" and insert "the 12.5 acres"; and in line 4, after "Gordon Park" insert "described above".

Amendments agreed to.

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

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

**MOTION**

By Council Member Westbrook, seconded by Council Member Conwell and unanimously carried that the absence of Council Members Anthony Brancatelli and Sabra Pierce Scott, be and is hereby authorized.

**MOTION**

The Council Meeting adjourned at 8:59 p.m. to meet Monday, September 26, 2005 at 7:00 p.m. in the Chambers.

City Clerk, Clerk of Council

**THE CALENDAR**

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

NONE

**BOARD OF CONTROL**

September 14, 2005

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, September 14, 2005, at 10:30 a.m. with Mayor Campbell presiding.

Present: Mayor Campbell, Directors Beasley, Baker, Ciaccia, Mok, Ricchiuto, Carroll, Acting Director Pettus, Directors Thompson, Rush, Routen, Huth, Fumich, Taylor and Williams.

Absent: None.

Others: Jim Hardy, 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. 504-05.**

By Director Baker.

Whereas, Board of Control Resolution No. 397-05, adopted August 3, 2005, approved the bid of Insurance Specialists Group, Inc., d.b.a. Love Insurance Agency, as lowest and best for blanket employee dishonesty insurance coverage, all items, for the Department of Finance; and

Whereas, Resolution No. 397-05 incorrectly stated the bid amount for the one year term with one option to renew as "\$34,484.00;" and

Whereas, Resolution No. 397-05 incorrectly omitted a prepayment option in the amount of \$33,480.00; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that Resolution No. 397-05, adopted by this Board August 3, 2005, approving the bid of Insurance Specialists Group, Inc., d.b.a. Love Insurance Agency as lowest and best for blanket employee dishonesty insurance coverage, all items, for the Department of Finance, is amended by decreasing the contract amount from \$34,484.00 to \$17,242.00 for a one year term with one option by the Director of Finance to renew for a second year, or \$33,480.00 for prepayment of two years, as the Director of Finance determines.

Be it further resolved that all other provisions of Resolution No. 397-05 not expressly amended above shall remain unchanged and in full force and effect.

Yeas: Mayor Campbell, Directors Beasley, Baker, Ciaccia, Mok, Ricchiuto, Carroll, Acting Director Pettus, Directors Thompson, Rush, Routen, Huth, Fumich, Taylor and Williams.

Nays: None.

Absent: None.

**Resolution No. 505-05.**

By Director Baker.

Be it resolved, by the Board of Control of the City of Cleveland, that Resolution No. 355-05, adopted by the Board of Control of the City of Cleveland on July 6, 2005, approving the bid of Action Door Company as lowest and best for certain items of labor and materials necessary to maintain or repair overhead doors is rescinded.

Be it further resolved that all bids received on June 2, 2005, for the

City's requirements for an estimated quantity of labor and materials necessary to maintain or repair overhead doors, all items, for various divisions of City government, under the authority of Ordinance No. 552-05 passed April 11, 2005, are rejected.

Yeas: Mayor Campbell, Directors Beasley, Baker, Ciaccia, Mok, Ricchiuto, Carroll, Acting Director Pettus, Directors Thompson, Rush, Routen, Huth, Fumich, Taylor and Williams.

Nays: None.

Absent: None.

**Resolution No. 506-05.**

By Director Ciaccia.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of Fabrizi Trucking & Paving Co., Inc. for the public improvement of East 94th Street Sewer Replacement, (Base Bid All Items including the 10% contingency allowance) for the Division of Water Pollution Control, Department of Public Utilities, received on August 11, 2005, under the authority of Ordinance No. 645-05, passed June 6, 2005, upon a unit basis for the improvement, in the aggregate amount of \$404,435.90, is affirmed and approved as the lowest responsible bid; and the Director of Public Utilities is authorized to enter into contract for the improvement with the bidder.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by Fabrizi Trucking and Paving Co., Inc. for the above-mentioned public improvement is approved:

<u>SUBCONTRACTOR</u>	<u>MBE/FBE</u> <u>WORK</u>
McTech Corporation	MBE \$38,000.00 (9.40%)
Cook Paving	MBE \$25,000.00 (6.18%)
Julian Supply	FBE \$4,800.00 (1.19%)
Friedel Trucking	FBE \$17,000.00 (4.2%)

Yeas: Mayor Campbell, Directors Beasley, Baker, Ciaccia, Mok, Ricchiuto, Carroll, Acting Director Pettus, Directors Thompson, Rush, Routen, Huth, Fumich, Taylor and Williams.

Nays: None.

Absent: None.

**Resolution No. 507-05.**

By Director Ciaccia.

Be it resolved by the Board of Control of the City of Cleveland that the bid of General Chemical Performance Products LLC for an estimated quantity of liquid alum and alum blend coagulants (item 1) for the Division of Water, Department of Public Utilities, for a period of two (2) years, received on July 29, 2005 under the authority of Section 129.24 of the Codified Ordinances of Cleveland Ohio, 1976, which on the

basis of the estimated quantity would amount to \$783,200.00, is affirmed and approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into a requirement contract for the commodities, which shall provide for the immediate purchase as the initial amount of the contract of the following:

**Requisition No. 161204**

which shall be certified against the contract in the sum of \$50,000.00.

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

Yeas: Mayor Campbell, Directors Beasley, Baker, Ciaccia, Mok, Ricchiuto, Carroll, Acting Director Pettus, Directors Thompson, Rush, Routen, Huth, Fumich, Taylor and Williams.

Nays: None.

Absent: None.

**Resolution No. 508-05.**

By Director Ciaccia.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Delta Chemical Corporation for an estimated quantity of liquid alum and alum blend coagulants (item 2) for the Division of Water, Department of Public Utilities, for a period of two (2) years, received on July 29, 2005 under the authority of Section 129.24 of the Codified Ordinances of Cleveland Ohio, 1976, which on the basis of the estimated quantity would amount to \$2,058,400.00 (Net 30 Days), is affirmed and approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into a requirement contract for the commodities, which shall provide for the immediate purchase as the initial amount of the contract of the following:

**Requisition No. 161205**

which shall be certified against the contract in the sum of \$50,000.00.

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

Yeas: Mayor Campbell, Directors Beasley, Baker, Ciaccia, Mok, Ricchiuto, Carroll, Acting Director Pettus, Directors Thompson, Rush, Routen, Huth, Fumich, Taylor and Williams.

Nays: None.

Absent: None.

**Resolution No. 509-05.**

By Director Ciaccia.

Be it resolved by the Board of Control of the City of Cleveland that the bid of GAC MidAmerica, Inc. for an estimated, quantity of liquid alum and alum blend coagulants (item 3) for the Division of Water, Department of Public Utilities, for a period of two (2) years, received on July 29, 2005 under the authority of Section 129.24 of the Codified Ord-

nances of Cleveland Ohio, 1976, which on the basis of the estimated quantity would amount to \$193,408.00 (Net 30), is affirmed and approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into a requirement contract for the commodities, which shall provide for the immediate purchase as the initial amount of the contract of the following:

Requisition No. 161206 which shall be certified against the contract in the sum of \$20,000.00.

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

Yeas: Mayor Campbell, Directors Beasley, Baker, Ciaccia, Mok, Ricchiuto, Carroll, Acting Director Pettus, Directors Thompson, Rush, Routen, Huth, Fumich, Taylor and Williams.

Nays: None.  
Absent: None.

**Resolution No. 510-05.**

By Director Mok.

Resolved by the Board of Control of the City of Cleveland, that all bids received on August 5, 2005 for the public improvement of constructing taxiways, ramps, and runway improvements to the Runway 6R Safety Area for Burke Lakefront Airport, Department of Port Control, pursuant to the authority of Ordinance No. 2376-02, passed by the Council of the City of Cleveland on March 10, 2003, be and the same are hereby rejected.

Yeas: Mayor Campbell, Directors Beasley, Baker, Ciaccia, Mok, Ricchiuto, Carroll, Acting Director Pettus, Directors Thompson, Rush, Routen, Huth, Fumich, Taylor and Williams.

Nays: None.  
Absent: None.

**Resolution No. 511-05.**

By Directors Ricchiuto, Rush and Ciaccia.

Be it resolved by the Board of Control of the City of Cleveland, that the bid of Fabrizi Trucking and Paving Company, Inc. for the public improvement of Villas of Woodhaven — Phase 2 (Items 1 through 118), for the Division of Engineering and Construction, Departments of Public Service, Community Development, and Public Utilities, received on August 11, 2005, under the authority of Ordinance No. 1079-05, passed by the Cleveland City Council June 6, 2005, upon a unit basis for the improvement, in the aggregate amount of \$1,157,861.50, is affirmed and approved as the lowest responsible bid, and the Directors of Public Service, Community Development and Public Utilities are authorized to enter into contract for the improvement with the bidder.

Be it further resolved that the employment of the following subcontractors by Fabrizi Trucking and Paving Company, Inc. for the above-mentioned public improvement is approved:

McTech Corp., dba Tech Ready Mix  
5000 Crayton Avenue  
Cleveland, Ohio 44101  
(MBE) — \$100,000 — 8.64%

Cook Paving and Construction  
Company  
11880 Brookpark Road  
Brooklyn, Ohio 44130  
(MBE) — \$84,000 — 7.25%

Julian Supply Company  
16300 S. Waterloo Road  
Cleveland, Ohio 44121  
(FBE) — \$4,000 — 0.35%

Friedel Trucking Company, Inc.  
5714 Archmere Avenue  
Cleveland, Ohio 44114  
(FBE) — \$60,000 — 5.18%

Yeas: Mayor Campbell, Directors Beasley, Baker, Ciaccia, Mok, Ricchiuto, Carroll, Acting Director Pettus, Directors Thompson, Rush, Routen, Huth, Fumich, Taylor and Williams.

Nays: None.  
Absent: None.

**Resolution No. 512-05.**

By Director Ricchiuto.

Be it resolved by the Board of Control of the City of Cleveland, that the bid of Vandra Brothers Construction, 24629 Broadway Ave., Oakwood Village, Ohio 44146, for the public improvement of East 93rd Street (Miles Avenue to Union Avenue (Bid Items 1 through 160), for the Division of Engineering and Construction, Department of Public Service, received on August 25, 2005, under the authority of Ordinance No. 1524-03, passed August 13, 2003, upon a unit basis for the improvement in the aggregate amount of \$5,665,837.78 is affirmed and approved as the lowest responsible bid; and the Director of Public Service is authorized to enter into contract for the improvement with the bidder.

Be it further resolved that the employment of the following subcontractors by Vandra Brothers Construction for the above-mentioned public improvement is approved:

Cuyahoga Supply & Tool, Inc.  
5340 Perkins Road  
Broadview Hts., Ohio 44146  
\$300,000 — 5.29% — (FBE)

McTech Corp./Tech Ready Mix  
5000 Crayton Road  
Cleveland, Ohio 44101  
\$900,000 — 15.88% — (MBE)

TraffTech  
1754 East 47th Street  
Cleveland, Ohio 44103  
\$450,000 — 7.94%

Yeas: Mayor Campbell, Directors Beasley, Baker, Ciaccia, Mok, Ricchiuto, Carroll, Acting Director Pettus, Directors Thompson, Rush, Routen, Huth, Fumich, Taylor and Williams.

Nays: None.  
Absent: None.

**Resolution No. 513-05.**

By Director Watson.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of Supreme Corporation for an estimated quantity of hazmat response van bodies (all items), for the Division of Fire, Department of

Public Safety, for the period of one year beginning with the date of execution of a contract, received on August 3, 2005, under the authority of Ordinance No. 1089-04, passed by the Council of the City of Cleveland on August 11, 2004, which on the basis of the estimated quantity would amount to \$45,774.00 (Net-30), is affirmed and approved as the lowest and best bid, and the Director of Public Safety is requested to enter into a requirement contract for the goods and/or services, which shall provide for the immediate purchase as the initial amount of the contract of the following:

Requisition No. 154314 which shall be certified against the contract in the sum of \$45,774.00.

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

Yeas: Mayor Campbell, Directors Beasley, Baker, Ciaccia, Mok, Ricchiuto, Carroll, Acting Director Pettus, Directors Thompson, Rush, Routen, Huth, Fumich, Taylor and Williams.

Nays: None.  
Absent: None.

**Resolution No. 514-05.**

By Director Watson.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of Super Vacuum Mfg./SVI Trucks for an estimated quantity of cab/chassis with air/light unit body, including the trade-in of one used cab/chassis with aerial ladder, for the Division of Fire, Department of Public Safety, for the period of one year beginning with the date of execution of a contract, received on June 9, 2005, under the authority of Ordinance No. 1086-04, passed by the Council of the City of Cleveland on August 11, 2004, which on the basis of the estimated quantity, less an allowance of \$20,000.00 for the value of the trade-in, would amount to \$416,559.00 (Net-30), is affirmed and approved as the lowest and best bid, and the Director of Public Safety is requested to enter into a requirement contract for the goods and/or services, which shall provide for the immediate purchase as the initial amount of the contract of the following:

Requisition No. 154223 which shall be certified against the contract in the sum of \$416,559.00.

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

Yeas: Mayor Campbell, Directors Beasley, Baker, Ciaccia, Mok, Ricchiuto, Carroll, Acting Director Pettus, Directors Thompson, Rush, Routen, Huth, Fumich, Taylor and Williams.

Nays: None.  
Absent: None.

**Resolution No. 515-05.**

By Director Watson.

Be it resolved by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 1086-04, passed by the Council of the City of Cleveland, on August 11, 2004, Intergraph Public Safety, Inc., is selected upon the nomination of the Director of Public Safety from a list of professional consultants, after a full and complete canvass by the Director, as the software and professional services provider to be employed by contract for the purpose of providing professional services related to the Public Safety Systems Automation Project Fire/EMS CAD and Mobile Data System, Parts B, C and D of Intergraph Public Safety's August 18, 2005 proposal, for the Department of Public Safety.

Be it further resolved that the Director of Public Safety is requested to enter into written contract with Intergraph Public Safety, Inc. based upon its proposal dated August 18, 2005, Parts B, C and D, which contract shall be prepared by the Director of Law, shall provide for software and professional services related to the Public Safety Systems Automation Project — Fire/EMS CAD and Mobile Data System, and shall contain additional terms and conditions the Director of Law deems necessary to protect and benefit the public interest. The fee for the services to be rendered under the contract authorized shall not exceed \$2,210,172.00.

Yeas: Mayor Campbell, Directors Beasley, Baker, Ciaccia, Mok, Ricchiuto, Carroll, Acting Director Petus, Directors Thompson, Rush, Routen, Huth, 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

**SCHEDULE OF THE BOARD OF ZONING APPEALS****MONDAY, OCTOBER 3, 2005****9:30 A.M.****Calendar No. 05-268:** 7018 Union Avenue (Ward 12)

Ransom McDowell, owner, appeals for a change of use from two dwellings units and a café to three dwelling units and a bar with live entertainment and recreation in a two-story masonry mixed use building, situated on a 40' x 110' corner parcel in a Semi-Industry District on the southwest corner of Union Avenue and East 71st Street at 7018 Union Avenue; as proposed, the use is contrary to Sections 347.12(a)(1) and (2), that require it to be at least 500' from a residential district, a day care, school, public library, church, playground, public or non-profit recreation center or community center; and it is approximately 200' from the residence district across the street and 460' from Union Elementary School; and it shall also be at least 500' from another such use; there are no additional parking spaces provided where 4 additional spaces are required, according to Section 349.04(e) of the Codified Ordinances.

**Calendar No. 05-272:** 4669 State Road (Ward 16)

Mark Heil, owner, appeals to expand a legal nonconforming auto repair, allowed previously with specific conditions by the Board of zoning Appeals in Calendar No. 92-258 on November 9, 1992; the existing auto repair use established in a 43' x 23' one-story masonry building, situated on an 85' x 142' corner parcel in a Local Retail Business District on the southeast corner of State Road and Porter Road at 4669 State Road; the proposed expansion being contrary to the expansion limitations of Section 359.01 of the Codified Ordinances.

**Calendar No. 05-273:** 3090 Livingston Road (Ward 4)

Livingston Apartments, owner, and prospective lessee, T-Mobile and John Sindela, agent, appeal to install an 84' high antenna tower and four equipment cabinets, to be located on a site with an existing 15 unit apartment building, situated on acreage within a Multi-Family District on the west side of Livingston Road at 3090 Livingston Road; the proposed antenna being contrary to Section 354.06(a) and the regulation that allows it to be only located in a General Retail, Shopping Center, Semi-Industry, General Industry and Unrestricted Industry zoning districts; and an 84' height is proposed where a 35' height limit is established for the subject property according to the zoning map; and a telecommunication tower may exceed the height limit, provided that it meets all other regulations of Chapter 354, as stated in Section 354.06(h) of the Codified Ordinances.

**Calendar No. 05-274:** 1344 East 93rd Street (Ward 7)

Bertha Lee Hunter, owner, appeals to enclose an existing front porch of a one family residence, situated on a 40' x 110' parcel in a

Two-Family District on the west side of East 93rd Street at 1344 East 93rd Street; as proposed, the porch enclosure would project 5'-1" and it may not project more than 4' as stated in Section 357.13(b)(4) of the Codified Ordinances.

**Calendar No. 05-285:** 2261 West 6th Street (Ward 13)

Sammy Catania, owner, appeals to erect a 20' x 47' three-story frame, single family residence with an attached garage, proposed to be situated on a 34.6' x 85' corner parcel in a B1 Two-Family District on the east side of West 6th Street at 2261 West 6th Street; contrary to Section 355.05, a lot width of 34.6' is provided instead of the 40' requirement; and the minimum lot area measures 2,886 s/f contrary to 4,800 s/f, with a total maximum gross floor area of 1,880 s/f provided instead of 50% of the lot size, or 1,443 s/f; and the maximum building height allowed is 35' and Sections 357.09(2)B and 357.09(2)A require that interior side yards are not less than a minimum of 3' and no building may be less than 10' from a main building on an adjoining lot, with the total of both interior side yards measuring not less than 10' and an 8' distance is provided, where open porches may not extend within 10' of the street line as stated in Section 357.13(b)(4) of the Codified Ordinances.

**Calendar No. 05-286:** 2273 West 6th Street

Sammy Catania, owner, appeals to erect a 20' x 47' three-story frame, single family residence with an attached garage, proposed to be situated on a 24' x 95' parcel in a B1 Two-Family District on the east side of West 6th Street at 2273 West 6th Street; contrary to Section 355.05, a lot width of 24' is provided instead of the 40' requirement; and the minimum lot area measures 2,277 s/f contrary to 4,800 s/f, with a total maximum gross floor area of 1,880 s/f provided instead of 50% of the lot size, or 1,138 s/f; and the maximum building height allowed is 35' and Section 357.09(2)B requires that interior side yards may not be less than a minimum of 3' and 4' is provided, where the total width of interior side yards on the same premises shall not be less than 10' and an 8' distance is provided, where no building shall be less than 10' from a main building on an adjoining lot, as stated in Section 357.09(2)A of the Codified Ordinances.

**Calendar No. 05-287:** 2279 West 6th Street

Sammy Catania, owner, appeals to erect a 20' x 47' three-story frame, single family residence with an attached garage, proposed to be situated on a 24' x 95' parcel in a B1 Two-Family District on the east side of West 6th Street at 2279 West 6th Street; contrary to Section 355.05, a lot width of 24' is provided instead of the 40' requirement; and the minimum lot area measures 2,277 s/f contrary to 4,800 s/f, with a total maximum gross floor area of 1,880 s/f provided instead of 50% of the lot size, or 1,138 s/f; and the maximum building height allowed is 35' and Section 357.09(2)B requires that interior side yards may not be less than

less than a minimum of 3' and 4' is provided, where the total width of interior side yards on the same premises shall not be less than 10' and an 8' distance is provided, where no building shall be less than 10' from a main building on an adjoining lot, as stated in Section 357.09(2)A of the Codified Ordinances.

**Calendar No. 05-288:** 2285 West 6th Street (Ward 13)

Sammy Catania, owner, appeals to erect a 20' x 47' three-story frame, single family residence with an attached garage, proposed to be situated on a 26' x 95' parcel in a B1 Two-Family District on the east side of West 6th Street at 2285 West 6th Street; contrary to Section 355.05, a lot width of 24' is provided instead of the 40' requirement; and the minimum lot area measures 2,461 s/f contrary to 4,800 s/f, with a total maximum gross floor area of 1,880 s/f provided instead of 50% of the lot size, or 1,230 s/f; and the maximum building height allowed is 35' and Section 357.09(2)B requires that interior side yards may not be less than a minimum of 3' and the total interior side yards provided is 5' where the total width of interior side yards on the same premises shall not be less than 10' and a 6.5' distance is provided, where no building shall be less than 10' from a main building on an adjoining lot, as stated in Section 357.09(2)A of the Codified Ordinances.

**Calendar No. 05-289:** 2267 West 6th Street

Sammy Catania, owner, appeals to erect a 20' x 47' three-story frame, single family residence with an attached garage, proposed to be situated on a 24' x 95' parcel in a B1 Two-Family District on the east side of West 6th Street at 2267 West 6th Street; contrary to Section 355.05, a lot width of 24' is provided instead of the 40' requirement; and the minimum lot area measures 2,277 s/f contrary to 4,800 s/f, with a total maximum gross floor area of 1,880 s/f provided instead of 50% of the lot size, or 1,138 s/f; and the maximum building height allowed is 35' and Section 357.09(2)B requires that interior side yards may not be less than a minimum of 3' and 4' is provided, where the total width of interior side yards on the same premises shall not be less than 10' and a 4' distance is provided, where no building shall be less than 10' from a main building on an adjoining lot, as stated in Section 357.09(2)A of the Codified Ordinances.

**Calendar No. 05-290:** 2309 West 6th Street

Sammy Catania, owner, appeals to erect a 20' x 47' three-story frame, single family residence with an attached garage, proposed to be situated on a 24' x 95' parcel in a B1 Two-Family District on the east side of West 6th Street at 2309 West 6th Street; contrary to Section 355.05, a lot width of 24' is provided instead of the 40' requirement; and the minimum lot area measures 2,277 s/f contrary to 4,800 s/f, with a total maximum gross floor area of 1,880 s/f provided instead of 50% of the lot size, or 1,138 s/f; and the maximum building height allowed is 35'

and Section 357.09(2)B requires that interior side yards may not be less than a minimum of 3' and 4' is provided, where the total width of interior side yards on the same premises shall not be less than 10' and a 4' distance is provided, where no building shall be less than 10' from a main building on an adjoining lot, as stated in Section 357.09(2)A of the Codified Ordinances.

**Calendar No. 05-291:** 2313 West 6th Street

Sammy Catania, owner, appeals to erect a 20' x 47' three-story frame, single family residence with an attached garage, proposed to be situated on a 24' x 95' parcel in a B1 Two-Family District on the east side of West 6th Street at 2313 West 6th Street; contrary to Section 355.05, a lot width of 24' is provided instead of the 40' requirement; and the minimum lot area measures 2,277 s/f contrary to 4,800 s/f, with a total maximum gross floor area of 1,880 s/f provided instead of 50% of the lot size, or 1,138 s/f; and the maximum building height allowed is 35' and Section 357.09(2)B requires that interior side yards may not be less than a minimum of 3' and 4' is provided, where the total width of interior side yards on the same premises shall not be less than 10' and an 8' distance is provided, where no building shall be less than 10' from a main building on an adjoining lot, as stated in Section 357.09(2)A of the Codified Ordinances.

**Calendar No. 05-292:** 2317 West 6th Street

Sammy Catania, owner, appeals to erect a 20' x 47' three-story frame, single family residence with an attached garage, proposed to be situated on a 24' x 95' parcel in a B1 Two-Family District on the east side of West 6th Street at 2317 West 6th Street; contrary to Section 355.05, a lot width of 24' is provided instead of the 40' requirement; and the minimum lot area measures 2,277 s/f contrary to 4,800 s/f, with a total maximum gross floor area of 1,880 s/f provided instead of 50% of the lot size, or 1,138 s/f; and the maximum building height allowed is 35' and Section 357.09(2)B requires that interior side yards may not be less than a minimum of 3' and 4' is provided, where the total width of interior side yards on the same premises shall not be less than 10' and an 8' distance is provided, where no building shall be less than 10' from a main building on an adjoining lot, as stated in Section 357.09(2)A of the Codified Ordinances.

**Calendar No. 05-293:** 2323 West 6th Street

Sammy Catania, owner, appeals to erect a 20' x 47' three-story frame, single family residence with an attached garage, proposed to be situated on a 35' x 95' corner parcel in a B1 Two-Family District on the east side of West 6th Street at 2323 West 6th Street; contrary to Section 355.05, a lot width of 35' is provided instead of the 40' requirement; and the minimum lot area measures 3,318 s/f contrary to 4,800 s/f, with a total maximum gross floor area of 1,880 s/f provided instead of 50% of

the lot size, or 3,318 s/f; and the maximum building height allowed is 35' and Section 357.09(2)B requires that interior side yards may not be less than a minimum of 3' and 4' is provided, where the total width of interior side yards on the same premises shall not be less than 10' and contrary to Section 357.09(2)A, an 8' distance is provided, where no building shall be less than 10' from a main building on an adjoining lot and an 8' distance is measured where open porches shall not extend within 10' of the street line, as stated in Section 357.13(b)(4) of the Codified Ordinances.

**Calendar No. 05-294:** 2242 West 5th Street (Ward 13)

Sammy Catania, owner, appeals to erect a 20' x 52.9' three-story frame, single family residence with an attached garage, proposed to be situated on a 24' x 95' parcel in a B1 Two-Family District on the west side of West 5th Street at 2242 West 5th Street; contrary to Section 355.05, a lot width of 26' is provided instead of the 40' requirement; and the minimum lot area measures 2,470 s/f contrary to 4,800 s/f, with a total maximum gross floor area of 2,116 s/f exceeding 50% of the lot size, or 1,235 s/f; and Section 357.09(2)B requires that interior side yards may not be less than a minimum of 3' and 4' is provided, where the total width of interior side yards on the same premises shall not be less than 10' and no building shall be less than 10' from a main building on an adjoining lot, as stated in Section 357.09(2)A of the Codified Ordinances.

**Calendar No. 05-295:** 2246 West 5th Street

Sammy Catania, owner, appeals to erect a 20' x 52.9' three-story frame, single family residence with an attached garage, proposed to be situated on a 24' x 95' parcel in a B1 Two-Family District on the west side of West 5th Street at 2246 West 5th Street; contrary to Section 355.05, a lot width of 24' is provided instead of the 40' requirement; and the minimum lot area measures 2,280 s/f contrary to 4,800 s/f, with a total maximum gross floor area of 2,116 s/f exceeding 50% of the lot size, or 1,140 s/f; and Section 357.09(2)B requires that interior side yards may not be less than a minimum of 3' and 4' is provided, where the total width of interior side yards on the same premises shall not be less than 10' and no building shall be erected less than 10' from a main building on an adjoining lot, as stated in Section 357.09(2)A of the Codified Ordinances.

**Calendar No. 05-296:** 2252 West 5th Street

Sammy Catania, owner, appeals to erect a 20' x 52.9' three-story frame, single family residence with an attached garage, proposed to be situated on a 24' x 95' parcel in a B1 Two-Family District on the west side of West 5th Street at 2252 West 5th Street; contrary to Section 355.05, a lot width of 24' is provided instead of the 40' requirement; and the minimum lot area measures 2,280 s/f contrary to 4,800 s/f, with a total maximum gross floor area of

2,116 s/f exceeds 50% of the lot size, or 1,140 s/f; and Section 357.09(2)B requires that interior side yards may not be not less than a minimum of 3' and 4' is provided, where the total width of interior side yards on the same premises shall not be less than 10' and no building shall be less than 10' from a main building on an adjoining lot, as stated in Section 357.09(2)A of the Codified Ordinances.

**Calendar No. 05-297:** 2258 West 5th Street

Sammy Catania, owner, appeals to erect a 20' x 52.9' three-story frame, single family residence with an attached garage, proposed to be situated on a 24' x 95' parcel in a B1 Two-Family District on the west side of West 5th Street at 2258 West 5th Street; contrary to Section 355.05, a lot width of 24' is provided instead of the 40' requirement; and the minimum lot area measures 2,280 s/f contrary to 4,800 s/f, with a total maximum gross floor area of 2,116 s/f exceeds 50% of the lot size, or 1,140 s/f; and Section 357.09(2)B requires that interior side yards may not be not less than a minimum of 3' and 4' is provided, where the total width of interior side yards on the same premises shall not be less than 10' and no building shall be less than 10' from a main building on an adjoining lot as stated in Section 357.09(2)A of the Codified Ordinances.

Secretary

---

**REPORT OF THE BOARD  
OF ZONING APPEALS**

---

**MONDAY, SEPTEMBER 19, 2005**

At the meeting of the Board of Zoning Appeals on Monday, September 19, 2005, the following appeals were heard by the Board:

The following appeals were **Approved:**

**Calendar No. 05-256:** 17218 Grovewood Avenue

Marlon Davis appealed to change an existing mixed use building from a store and dwelling units to a carryout restaurant and dwelling units in a Multi-Family District.

**Calendar No. 05-258:** 7460 Broadway Avenue

The Gurdjief Foundation of Ohio appealed to erect a 5' high decorative fence in the front yard of a through lot between Broadway Avenue and Spafford Court in a Semi-Industry District.

**Calendar No. 05-259:** 3608 West Park Road

Mary Ellen Schmittlein appealed to erect a 14' x 20' one-story frame garage on an irregular parcel in a Two-Family District.

**Calendar No. 05-260:** 1852 Rudwick Road

Juanita Mainor appealed to erect a 12' x 16' aluminum front porch enclosure to a single family dwelling in a Two-Family District.

**Calendar No. 05-262:** 4518 Henritze Avenue

Angelic Nicola appealed to erect a 24' x 20' garage with a 17' x 20' open carport at the rear of a single family dwelling in a Two-Family District.

**Calendar No. 05-263:** 17800 Windward Road

James Fraser appealed to erect a 24' x 24' two-story frame garage on an 80' x 118' parcel in a One-Family District.

**Calendar No. 05-265:** 2092 West 73rd Street

Orin Martin appealed to change the use from a store to a dwelling in an existing 1 1/2-story structure on a corner lot in a Two-Family District; subject to condition.

**Alensar No. 05-270:** 4724 West 198th Street

Rose Vasquez appealed to construct an 8' x 19' wood roof framing over an existing front porch of a single family dwelling in a One-Family District.

The following appeal was **Denied:**

**Calendar No. 05-264:** 3374 East 93rd Street

George Williams appealed to erect 300 linear feet of 4' high chain link fence on a corner lot in a Multi-Family District.

The following appeal was **Postponed:**

**Calendar No. 05-239:** 10515 Sandusky Avenue postponed to October 17, 2005.

The following appeal was **Withdrawn:**

**Calendar No. 05-261:** 8110 Carnegie Avenue

Regin Schlachet appealed to erect a storage freezer and cooler as an accessory to a meat sales and distribution facility in split zoning between Semi-Industry and Local Retail Business Districts.

The following appeal was **Dismissed:**

**None.**

In Executive Session on September 19, 2005, the following appeals heard by the Board on September 12, 2005 were adopted and approved.

The following appeals were **Approved:**

**Calendar No. 05-251:** 6918 Gertrude Avenue

Walter and Nancy Eddy appealed to erect a second story room addition to a one family dwelling in a Two-Family District.

**Calendar No. 05-257:** 12300 Sprecher Avenue

Timco Rubber Products, Inc. appealed to erect a one-story addition to an existing warehouse in split zoning for One-Family and Semi-Industry and General Industry Districts; subject to condition.

**Calendar No. 05-235:** 9010-9110 Kenmore Avenue; 176-1596 Crawford Avenue

Kenmore Village Limited Partnership appealed to install 670 linear feet of 4' high ornamental fence; and 370 linear feet of 10' high ornamental fence; and 80 linear feet of 8' high ornamental fence in a Multi-Family District.

The following appeal was **Denied:**

**Calendar No. 05-252:** 3404 East 140th Street

Zenobia Cummings appealed to establish use as a Type A Day Care in a two family dwelling in a Multi-Family District.

**Calendar No. 05-254:** 1499 West 117th Street

Columbo Enterprises appealed to erect a car wash facility in a General Retail Business District.

Secretary

---

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

---

NO MEETING

---

**PUBLIC NOTICE**

---

**FAIR CAMPAIGN  
FINANCE COMMISSION**

c/o Cleveland Board of  
Zoning Appeals  
Cleveland City Hall, Room 516  
601 Lakeside Avenue  
Cleveland, Ohio 44114

September 16, 2005

**ANNOUNCEMENT**

**Office of Mayor**

A. The following candidates for the office of Mayor have agreed to abide by the voluntary campaign expenditure limitations established by Section 23-1 of the City Charter and Section 110.03 of the Codified Ordinances of the City of Cleveland:

**Draper, James  
Nelson, Michael  
Patmon, Bill**

The candidates listed above have signed and notarized an affidavit stating their intent to comply with voluntary campaign expenditure limits, as required of those who chose to comply by Section 110.03(b) of the Codified Ordinances of Cleveland, Ohio.

B. The following candidates for the office of Mayor have not agreed to abide by the voluntary campaign expenditure limitations established by Section 23-1 of the City Charter and Section 110.03 of the Codified Ordinances of the City of Cleveland:

**Brown, Anthony B.  
Campbell, Jane  
Jackson, Frank G.  
Lynch, David M.  
Triozzi, Robert J.**

**Office of Member of City Council**

A. The following candidates for the office of member of City Council have agreed to abide by the voluntary campaign expenditure limitations established by Section 23-1 of the City Charter and Section 110.03 of the Codified Ordinances of the City of Cleveland:

**Ward 1**  
**Barnes, Jr., John E.  
Jasper, Lawrence A.  
Jones, Tonya J.  
Locke-Calhoun, J.  
Miller, Cynthia  
Smith, Randall  
White, Andre**

**Ward 2**  
**Abdussatar, Hamid  
Ruff, Michael D.  
White, Robert J.**

**Ward 3**  
**Henley, Gerald C.**

**Ward 4**  
**None**

**Ward 5**  
**Caldwell, LaShorn K.  
Jones J., Pernel  
Prunty, Charissa M.  
Williams Sr., Danny**

**Ward 6**  
**Thomas J. James  
Scott, Vel**

**Ward 7**  
**Green, Annette  
Howse, Stephanie**

**Ward 8**  
**None**

**Ward 9**  
**Harris, Howard R.**

**Ward 10**  
**Barnes, Terry L  
Hawkins, Shafron E.  
Moore, Freddie  
Smith-Ingram, Jocelyn  
Watson, Michael Troy**

**Ward 11**  
**Polensek, Michael**

**Ward 12**  
**Brancatelli, Anthony  
Sarbinowska, Olga Teresa**

**Ward 13**  
**Warnke-Taylor, Laurel**

**Ward 14**  
**Santiago, Joseph**

**Ward 15**  
**Cummins, Brian  
Ferris, Gloria  
Pena, Ricardo  
Romero, Ed**

**Ward 16**  
**Hawkins Sr., Clifford W.  
Mastrodonato, Robert  
Meslovich, Franklin J.**

**Ward 17**  
**None**

**Ward 18**  
**None**

**Ward 19**  
**None**

**Ward 20**  
**None**

**Ward 21**  
**Corrigan, Colleen  
Kandah, John  
Kemer, Thomas F.**

The candidates listed above have signed and notarized an affidavit stating their intent to comply with voluntary campaign expenditure limits, as required of those who chose to comply by Section 110.03(b) of the Codified Ordinances of Cleveland, Ohio.

B. The following candidates for the office of member of City Council have not agreed to abide by the voluntary campaign expenditure limitations established by Section 23-1 of the City Charter and Section 110.03 of the Codified Ordinances of the City of Cleveland:

**Ward 1**  
**Ross, Renell  
Turner, Nina**

**Ward 2**  
**Bounds, Mary G.**

**Ward 3**  
**Blackmon, Claudette  
Reed, Zack**

**Ward 4**  
**Johnson Sr., Kenneth**

**Ward 5**  
**Cleveland, Phyllis**

**Ward 6**  
**Britt, Pat**

**Ward 7**  
**Lewis, Fannie M.**

**Ward 8**  
**Pierce Scott, Sabra  
Willis, Randy**

**Ward 9**  
**Conwell, Kevin**

**Ward 10**  
**Coats, Roosevelt**

**Ward 11**  
**None**

**Ward 12**  
**None**

**Ward 13**  
**Cimperman, Joe**

**Ward 14**  
**Cintron Jr., Nelson**

**Ward 15**  
**Hodous, Brian  
Holan, Emily Lipovan  
Nagin, Rick**

**Ward 16**  
**Kelley, Kevin**

**Ward 17**  
**Zone, Matt**

**Ward 18**  
**Westbrook, Jay**

**Ward 19**  
**Brady, Dona**

**Ward 20**  
**Sweeney, Martin J.**

**Ward 21**  
**Dolan, Michael A.  
Moenich, Douglas D.**

Chris Warren, C. Ellen Connally and Hilary S. Taylor, Members of Fair Campaign Finance Commission.

September 21, 2005

**NOTICE OF PUBLIC HEARING**

**Notice of Public Hearing on the FLATS EAST BANK COMMUNITY DEVELOPMENT PLAN**

Notice is hereby given in accordance with Chapter 315 of the Codified Ordinances of the City of Cleveland that the Cleveland City Planning Commission will hold a Public Hearing on Friday October 7, 2005 at 9:00 a.m. in Room 514 City Hall, 601 Lakeside Avenue, NE, Cleveland, Ohio, for the purpose of considering the approval of the Flats East Bank Community Development Plan ("the Plan"). The Plan proposes certain land acquisition and clearance activities for the eventual redevelopment of an Action Area whose boundaries coincide with those of the Plan Area. Fur-



ther, the Plan proposes general treatment measures to eliminate conditions of blight and deterioration found to exist in the Plan Area and prevent the recurrence of blight.

**FLATS EAST BANK  
COMMUNITY DEVELOPMENT PLAN  
REA BOUNDARIES**

Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio and bounded and described as follows:

Beginning at the intersection of the Northerly right-of-way of Main Avenue, NW (40 feet wide) and the Westerly right-of-way of West 9th Street (99 feet wide); thence Northwesterly along said Westerly right-of-way of West 9th Street to its intersection with the Southerly bridge abutment of the Greater Cleveland Transit Authority's (GCRTA) Waterfront Rail line;

Thence Southwesterly, Southerly and Southeasterly along said Southerly GCRTA bridge abutment to its intersection with the Southerly property line of Parcel "B" of a Lot Split and Consolidation for the Consolidated Rail Corporation recorded in Volume 281 Pages 23 and 24 of Cuyahoga County Records; thence Southwesterly along said Southerly property line of Parcel "B" to its intersection with the Easterly dock line of the Cuyahoga River; thence Southerly along said Easterly dock line to its intersection with the Southerly line of the Main Avenue Bridge; thence Northeasterly along said Southerly line to its intersection with the Easterly line of Old River Road; thence Southerly along said Easterly line of Old River Road to its intersection with the Southerly line of Sublot No. 22 in the Irad Kelly Subdivision recorded in Volume "U" Pages 79 and 80 of the Cuyahoga County Map Records;

Thence Easterly along said Southerly line of Sublot No. 22 to its intersection with the Westerly line of a parcel of land conveyed to the City of Cleveland by deed recorded in Volume 90-2362 Pages 4 through 17 of Cuyahoga County Map Records;

Thence Northwesterly along said Westerly line of parcel conveyed to the City of Cleveland and its Northwesterly prolongation to its intersection with said Northerly right-of-way of Main Avenue, N.W. (40 feet wide);

Thence Northeasterly along said Northerly right-of-way of Main Avenue, N.W. (40 feet wide) to its intersection with said Westerly right-of-way of West 9th Street (99 feet wide) and the principal place of beginning.

The purpose of the hearing is to enable the City Planning Commission to publicly present the aforementioned elements of the proposed Plan and solicit reaction to the proposed Plan from any interested party. Documents that constitute the Plan are on file for public inspection during business hours (8:00 a.m. to 5:00 p.m., Monday through Friday) at the Cleveland City Planning Commission offices, Room 501 City Hall, 601 Lakeside Avenue, NE, Cleveland, Ohio.

Any person or organization desiring to be heard at said public hearing will be afforded an opportunity to be heard.

Robert N. Brown  
Director  
City Planning Commission

September 21, 2005 and September 28, 2005

**CITY OF CLEVELAND BIDS**

**For All Departments**

**Scaled bids will be received at the office of the Commissioner of Purchases and Supplies, Room 12S, City Hall, in accordance with the appended schedule, and will be opened and read in Room 12S, City Hall, immediately thereafter.**

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

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

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

**WEDNESDAY, SEPTEMBER 28, 2005**

**Gardenview Hill & Grant Park Site Improvements**, for the Division of Research, Planning & Development, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 2151-03, passed by the Council of the City of Cleveland, December 15, 2003.

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

**THERE WILL BE A NON-MANDATORY PRE-BID MEETING THURSDAY, SEPTEMBER 22, 2005 AT 10:00 A.M., BURKE LAKEFRONT AIRPORT, 1ST FLOOR**

**CONFERENCE ROOM, 1501 NORTH MARGINAL ROAD, CLEVELAND, OHIO 44114.**

September 14, 2005 and September 21, 2005

**WEDNESDAY, OCTOBER 5, 2005**

**Automotive/Truck Parts and Labor**, for the Division of Motor Vehicle Maintenance, Department of Public Services, as authorized by Ordinance No. 470-04, passed by the Council of the City of Cleveland, April 26, 2004.

**THERE WILL BE A NON-MANDATORY PRE-BID MEETING MONDAY, SEPTEMBER 26, 2005 AT 2:00 P.M., DIVISION OF MOTOR VEHICLE MAINTENANCE, 4150 EAST 49TH STREET, BUILDING #1, CLEVELAND, OHIO 44105.**

**2060 East 83rd Street Demolition**, for the Division of Construction Permitting, Department of Building and Housing as authorized by Ordinance No. 653-05, passed by the Council of the City of Cleveland, May 9, 2005.

**THERE WILL BE A NON-MANDATORY PRE-BID MEETING MONDAY, SEPTEMBER 26, 2005 AT 10:00 A.M., CITY HALL, 601 LAKESIDE AVENUE, ROOM 509, CLEVELAND, OHIO 44114.**

**1407 East 40th Street Demolition**, for the Division of Construction Permitting, Department of Building and Housing, as authorized by Ordinance No. 653-05, passed by the Council of the City of Cleveland, May 9, 2005.

**THERE WILL BE A NON-MANDATORY PRE-BID MEETING MONDAY, SEPTEMBER 26, 2005 AT 10:00 A.M., CITY HALL, 601 LAKESIDE AVENUE, ROOM 509, CLEVELAND, OHIO 44114.**

September 14, 2005 and September 21, 2005

**THURSDAY, OCTOBER 6, 2005**

**Diagnostic Equipment for the Olympus BX 51 Microscope**, for the Division of Fire, Department of Public Safety, as authorized by Ordinance No. 1086-04, passed by the Council of the City of Cleveland, August 11, 2004.

**THERE WILL BE A NON-MANDATORY PRE-BID MEETING FRIDAY, SEPTEMBER 23, 2005 AT 10:00 A.M., CLEVELAND FIRE HEADQUARTERS, 1645 SUPERIOR AVENUE, CLEVELAND, OHIO 44114.**

**Wireless Audio/Video Systems**, for the Division of Fire, Department of Public Safety, as authorized by Ordinance No. 1086-04, passed by the Council of the City of Cleveland, August 11, 2004.

**THERE WILL BE A NON-MANDATORY PRE-BID MEETING FRIDAY, SEPTEMBER 23, 2005 AT 10:30 A.M., CLEVELAND FIRE HEADQUARTERS, 1645 SUPERIOR AVENUE, CLEVELAND, OHIO 44114.**

September 14, 2005 and September 21, 2005

**FRIDAY, OCTOBER 7, 2005**

**(A) Estimated Quantity of Six (6) High-Speed, Multi-Function Units of Snow Removal Equipment and (B) Estimated Quantity of Six (6) High Speed, Multi-Function, Tow Behind Broom/Blower Units of Snow Removal Equipment,** for Various Division of City Government, Department of Public Services, as authorized by Ordinance No. 829-05, passed by the Council of the City of Cleveland, May 9, 2005.

THERE WILL BE A **MANDATORY PRE-BID MEETING**, MONDAY, SEPTEMBER 26, 2005 AT 2:00 P.M., DIVISION OF MOTOR VEHICLE MAINTENANCE, 4150 EAST 49H STREET, BUILDING 31, CLEVELAND, OHIO 44105.

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

September 14, 2005 and September 21, 2005

**WEDNESDAY, OCTOBER 5, 2005**

**Archmere Park Site Improvements,** for the Division of Research, Planning & Development, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 2151-03, passed by the Council of the City of Cleveland, December 15, 2003.

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

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** THURSDAY, SEPTEMBER 29, 2005 AT 10:00 A.M., BURKE LAKEFRONT AIRPORT, 1ST FLOOR CONFERENCE ROOM, 1501 NORTH MARGINAL ROAD, CLEVELAND, OHIO 44114.

September 21, 2005 and September 28, 2005

**FRIDAY, OCTOBER 7, 2005**

**West 162nd Street Storm Sewer Replacement Project,** for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Ordinance No. 649-05, passed by the Council of the City of Cleveland, June 6, 2005.

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

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING**, FRIDAY, SEPTEMBER 30, 2005 AT 10:00 A.M., DIVISION OF WATER POLLUTION CONTROL, 12302 KIRBY AVENUE, CLEVELAND, OHIO 44108.

**Throckley Avenue Sanitary Sewer Replacement Project,** for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Ordinance No. 647-05, passed by the Council of the City of Cleveland, June 6, 2005.

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

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING**, FRIDAY, SEPTEMBER 30, 2005 AT 10:30 A.M., DIVISION OF WATER POLLUTION CONTROL, 12302 KIRBY AVENUE, CLEVELAND, OHIO 44108.

**Scrap Metals,** for Various Divisions of City Government, Department of Finance, as authorized by Section 181.19 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **MANDATORY PRE-BID MEETING**, MONDAY, OCTOBER 3, 2005 AT 10:00 A.M., DEPARTMENT OF FINANCE, CITY HALL, 601 LAKESIDE AVENUE, ROOM 104, CLEVELAND, OHIO 44114.

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

September 21, 2005 and September 28, 2005

**WEDNESDAY, OCTOBER 19, 2005**

**Phase II Residential Sound Insulation Program (RSIP) 2005 General Construction (Contract A-05-1) and HVAC/Electrical (Contract A-05-2) (Re-Bid),** for the Division of Cleveland Hopkins International Airport, Department of Port Control, as authorized by Ordinance Nos. 930-95, 469-98 and 327-2000, passed by the Council of the City of Cleveland, June 19, 1995, May 18, 1998 and June 12, 2000.

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

THERE WILL BE A **MANDATORY PRE-BID MEETING**, WEDNESDAY, OCTOBER 5, 2005 AT 10:00 A.M., C & S ENGINEERS OF OHIO, LOCATED AT ONE INTERNATIONAL PLACE, 20445 EMERALD PARKWAY, SUITE 100, CLEVELAND, OHIO 44135.

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

**Phase II Residential Sound Insulation Program (RSIP) 2005 HVAC/Electrical (Contract C-05-2) (Re-Bid),** for the Division of Cleveland Hopkins International Airport, Department of Port Control, as authorized by Ordinance Nos. 930-95, 469-98 and 327-2000, passed by the Council of the City of Cleveland, June 19, 1995, May 18, 1998 and June 12, 2000.

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

THERE WILL BE A **MANDATORY PRE-BID MEETING**, WEDNESDAY, OCTOBER 5, 2005 AT 10:00 A.M., C & S ENGINEERS OF OHIO, LOCATED AT ONE INTERNATIONAL PLACE, 20445 EMER-

ALD PARKWAY, SUITE 100, CLEVELAND, OHIO 44135.  
**THE CITY WILL NOT CONSIDER THE BID OF ANYONE WHO DOES NOT ATTEND A MANDATORY PRE-BID CONFERENCE.**

September 21, 2005 and September 28, 2005

---

**ADOPTED RESOLUTIONS  
AND ORDINANCES**


---

**Res. No. 1387-05.**

**By Council Member Cimperman.**

**An emergency resolution relating to the Downtown Cleveland Improvement District as a special improvement district within the City; declaring it necessary to provide for additional security for the Downtown Cleveland Improvement District; cleaning and maintenance of the public rights-of-way within the Downtown Cleveland Improvement District; and collective economic development and marketing of the Downtown Cleveland Improvement District; and providing for the assessment of the cost and expense of such work upon benefited property in the Downtown Cleveland Improvement District and declaring an emergency.**

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 Resolution No. 1386-05 establishes the Downtown Cleveland Improvement District consisting generally of that portion of the City which is bounded on the North by the Conrail lines and Front Avenue; on the South by Eagle Avenue and Webster Avenue; on the East by East 18th Street; and on the West by West 10th Street and the Cuyahoga River, as more particularly described in the Articles of Incorporation on file with the Clerk of Council in that resolution and collective economic development and marketing of the Downtown Cleveland Improvement District.

**Section 2.** That it is determined and declared necessary and conducive to the public health, convenience and welfare of the City of Cleveland to provide additional security for the Downtown Cleveland Improvement District, additional cleaning and maintenance of the public rights-of-way within the Downtown Cleveland Improvement District and collective economic development and marketing of the Downtown Cleveland Improvement District for a five-year period commencing after passage of the ordinance to proceed in this matter.

**Section 3.** That it is determined that the property contained within the Downtown Cleveland Improvement District will be specially benefited by the above described public services and shall be assessed to pay for the cost of the services, calculated in proportion to the benefits that may result from the services.

**Section 4.** That the Comprehensive Plan of Services to be provided by the Downtown Cleveland Improvement Corporation (the "Plan") on file in File No. 1386-05-A is approved in accordance with division (B) of Section 1710.06 of the Revised Code at an estimated cost of \$16,352,138.

**Section 5.** That the entire cost of the Plan in the Downtown Cleveland Improvement District be specially assessed in proportion to the benefits that may result from the services within the Cleveland Downtown Improvement District. The cost of the Plan shall include the cost of printing, serving, and publishing notices, resolutions, and ordinances, the costs incurred in connection with the preparation, levy, and collection of the special assessments, expenses of legal services, the cost of all labor and materials and all other necessary expenditures allowed by law.

**Section 6.** That the assessments to be levied shall be paid when levied in five annual installments. The first annual installment shall be payable in cash within thirty days after passage of the City's ordinance of assessment. All cash payments remaining unpaid at the expiration of said thirty days shall be certified by the Clerk of this Council to the County Auditor as provided by law to be placed by him on the tax duplicate and collected as other taxes are collected.

**Section 7.** That the second annual installment in the amount shall be payable in cash within thirty days after the next 12-month anniversary of the date of passage of the City's ordinance of assessment. All cash payments remaining unpaid at the expiration of each of said thirty days shall be certified by the Clerk of the Council to the County Auditor as provided by law to be placed by him on the tax duplicate and collected as other taxes are collected.

**Section 8.** That the third annual 12-month installment in the amount shall be payable in cash within thirty days after the next anniversary of the date of passage of the City's ordinance of assessment. All cash payments remaining unpaid at the expiration of each of said thirty days shall be certified by the Clerk of the Council to the County Auditor as provided by law to be placed by him on the tax duplicate and collected as other taxes are collected.

**Section 9.** That the fourth annual installment in the amount shall be payable in cash within thirty days after the next 12-month anniversary of the date of passage of the City's ordinance of assessment. All cash payments remaining unpaid at the expiration of each of said thirty days shall be certified by the Clerk of the Council to the County Auditor as provided by law to be placed by him on the tax duplicate and collected as other taxes are collected.

**Section 10.** That the fifth annual installment in the amount shall be payable in cash within thirty days after the next 12-month anniversary of the date of passage of the City's ordinance of assessment. All cash payments remaining unpaid at the expiration of each of said thirty days shall be certified by the Clerk of the Council to the County Audi-

tor as provided by law to be placed by him on the tax duplicate and collected as other taxes are collected.

**Section 11.** That no notes or bonds of the City of Cleveland shall be issued in anticipation of the collection of the special assessments.

**Section 12.** That the Commissioner of Assessments and Licenses is authorized to prepare and file in the Office of the Clerk of Council an estimated assessment under the provisions of this resolution showing the amount of the assessment against each lot or parcel of land to be assessed. Such estimated assessment shall be based on the estimated cost of the Plan which is now on file in the Office of the Clerk of Council. When the estimated special assessments have been filed, the Clerk of Council shall cause notice of the adoption of this Resolution and the filing of the estimated special assessments to be served in the manner provided by law on the owners of all lots and parcels to be assessed.

**Section 13.** That this resolution is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its adoption and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Adopted September 12, 2005.

Effective September 13, 2005.

---

**Res. No. 1665-05.**

**By Council Members Dolan, Zone, Sweeney, Kelley, Lipovan Holan, Pierce Scott, Lewis, Reed, Brady, Conwell, Westbrook, Coats and Johnson.**

**An emergency resolution supporting and endorsing State Issue 1 and urging the citizens of the City of Cleveland to vote YES on State Issue 1 on November 8, 2005.**

Whereas, State Issue 1 will create and preserve jobs, enhance education opportunities, and improve the quality of life and general well-being of people and businesses in all areas of Ohio by improving local government public infrastructure, expanding Ohio's research capabilities to promote produced innovation, development and commercialization, and prepare economic development sites and facilities in Ohio; and

Whereas, State Issue 1 will authorize the State of Ohio to issue up to \$1.35 billion in bonds to pay for or help local governments pay for the cost of public infrastructure capital improvements of local governments, including roads and bridges, wastewater treatment systems, water supply systems, solid waste disposal facilities, storm water and sanitary collection, storage and treatment facilities; and

Whereas, State Issue 1 will authorize the State of Ohio to issue to \$500 million in bonds to provide financial assistance for research and development in support of Ohio industry, commerce, and business, including research and product innovation, development, and commercialization; and

Whereas, State Issue 1 will authorize the State of Ohio to issue up to \$150 million in bonds to pay costs, or assist in the payment of costs of projects for the purpose of developing sites and facilities in Ohio for and ins support of industry, commerce, distribution, and research and development, including constructing and improving facilities, site preparation and cleanup, the acquisition of real estate, and providing public infrastructure improvements; and

Whereas, State Issue 1 will foster job creation through infrastructure projects, job ready sites and creating new products and services based on science and technology research and development ensuring Ohio's ability to create and compete for jobs, now and in the future; and

Whereas, passage of State Issue 1 will improve the quality of life for all Ohioans; 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 supports and endorses State Issue 1 and urges the citizens of the City of Cleveland to vote YES on State Issue 1 on November 8, 2005.

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

Adopted September 12, 2005.

Awaiting the approval or disapproval of the Mayor.

---

**Res. No. 1666-05.**

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

**An emergency resolution designating the block of East 83rd Street, East 86th Street, Euclid Avenue, Carnegie Avenue as "Play House Plaza".**

Whereas, the Cleveland Play House will be celebrating their 90th anniversary during their 2005-2006 season; and

Whereas, in order to commemorate their anniversary, the Cleveland Play House would like to designate the block of East 83rd Street, East 86th Street, Euclid Avenue, and Carnegie Avenue as "Play House Plaza"; 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 the block of East 83rd Street, East 86th Street, Euclid Avenue, Carnegie Avenue is designated as "Play House Plaza" further described as follows: Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio and known as being an area bounded on the

north by Euclid Avenue (80 feet wide), on the south by Carnegie Avenue S. E. (80 feet wide), on the east by East 86th Street (50 feet wide) and on the west by East 83rd Street (60 feet wide).

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

Adopted September 12, 2005.

Awaiting the approval or disapproval of the Mayor.

**Res. No. 1667-05.**

**By Council Member Cimperman. An emergency resolution authorizing the Cleveland Theater District Development Corporation to amend its articles of incorporation to continue to exist as a Corporation under Revised Code Chapter 1702 and to delete all references to Revised Code Chapter 710.**

Whereas, under Resolution No. 483-95, adopted June 5, 1995, as amended by Resolution No. 1746-97, adopted December 15, 1997, this Council authorized the formation of the Cleveland Theater District special Improvement District; and

Whereas, under the above resolution, as amended, the Cleveland Theater District Development Corporation was organized as a Corporation under Revised Code Chapter 1710; and

Whereas, on July 29, 2005, this Council accepted petitions signed by the owners of at least 20% of the front footage located within the Cleveland Theater District Business Improvement District; and

Whereas, the Cleveland Theater District Special Improvement District was dissolved by a majority vote of its members on August 8, 2005; and

Whereas, the Cleveland Theater District will no longer exist as a Corporation under Revised Code Chapter 1710, but will continue to exist as a Corporation under Revised Code Chapter 1702; 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 the Cleveland Theater District Development Corporation is authorized to amend its articles of incorporation to eliminate all references to its existence as a Corporation organized under Revised Code Chapter 1710 and to delete provisions requiring Cleveland City Council approval of future revisions.

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

approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Adopted September 12, 2005.

Awaiting the approval or disapproval of the Mayor.

**Res. No. 1668-05.**

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

**An emergency resolution declaring the intention to vacate a portion of Holmden Court S.W.**

Whereas, this Council is satisfied that there is good cause to vacate a portion of Holmden Court S.W., as described; and

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

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

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

Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio and known as being all that portion of Holmden Court S.W. (14 feet Wide) extending Easterly from the Southerly prolongation of the Easterly line of subplot 22 in the Nicola & Judson Allotment recorded in Volume 5 Page 7 of the Cuyahoga County Map Records, to its Easterly terminus.

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

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

Adopted September 12, 2005.

Awaiting the approval or disapproval of the Mayor.

**Res. No. 1669-05.**

**By Council Members Polensek, Pierce Scott, Cimperman and Jackson (by departmental request).**

**An emergency resolution declaring the necessity and intention to appropriate property for the acquisition and redevelopment and/or rehabilitation of the blighted premises located at East 185th Street and Neff Road, Cleveland, Ohio.**

Whereas, the Council of the City of Cleveland, by Ordinance No. 1444-A-88, passed June 18, 1990, approved and adopted Chapter 324 of the Codified Ordinances of Cleveland, Ohio, 1976, relating to the elimination of spot blight; 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 for the public purpose of eliminating blight and preventing the recurrence of blight in the neighborhood surrounding the blighted premises located at East 185th Street and Neff Road, through the acquisition and redevelopment and/or rehabilitation, it is necessary to appropriate in fee simple the blighted premises, and the Council declares its intent to appropriate the fee simple interest in and to the following described blighted premises: Permanent Parcel Nos. 114-19-009, 114-19-010, 114-19-011, 114-19-017, 114-19-018, 114-19-019, 114-19-020, 114-19-021, 114-19-022, 114-19-023, 114-19-024, 114-19-025, 114-19-075, 114-19-076, 114-19-077, 114-19-078, 114-20-091, 114-20-092, and 114-23-017.

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

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

Adopted September 12, 2005.

Awaiting the approval or disapproval of the Mayor.

**Res. No. 1676-05.**

**By Council Members Jackson, Brady, Polensek, Britt, White, Westbrook, Sweeney, Reed, Coats, Conwell, Lewis, Pierce Scott and Zone.**

**An emergency resolution supporting Ohio Senate Bill 13 which would help rescue Ohio jobs by prohibiting tax money to go toward outsourcing of Ohio jobs to foreign countries.**

Whereas, the federal government and large U.S. corporations are outsourcing good, high-paying manufacturing and other jobs to foreign countries; and

Whereas, states such as Ohio are losing these jobs to foreign countries without anything in return; and

Whereas, stopping the hemorrhaging of Ohio jobs is critical to Ohio's economic and social vitality; and

Whereas, the Ohio Senate has introduced S.B. 13 which would require state contracts to specify that labor or services are to be performed within the U.S., that any supplies provided under a state contract will be from a U.S. location, and would prohibit awarding state contracts or giving state financial assistance, including tax incentives, loans or grants, for 5 years to employers that have a net loss of jobs due to the relocation of jobs from Ohio to locations outside the U.S.; and

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

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

**Section 1.** That this Council hereby supports Ohio Senate Bill 13 which would help rescue Ohio jobs by prohibiting tax money to go toward outsourcing of Ohio jobs to foreign countries.

**Section 2.** That the Clerk is hereby directed to send copies of this resolution to Ohio Senators Fedor, Brady, Dann, Fingerhut, Hagan, Miller, Mallory, Prentiss, Roberts, Wilson, and Zurz, to all State Representatives from Cuyahoga County and to Carla Henthorn, Ohio Associate Member Coordinator of the United Steelworkers union.

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

Adopted September 12, 2005.

Awaiting the approval or disapproval of the Mayor.

**Res. No. 1677-05.**

**By Council Members Conwell, Sweeney, Westbrook, Britt, Polensek, Brady, Pierce Scott, Coats, Lewis and Zone.**

**An emergency resolution encouraging the Ohio General Assembly to enact legislation that would establish excessive pricing of prescription drugs as a violation of State law, establish penalties for such excessive pricing, and provide a cause of action for an aggrieved party.**

Whereas, prescription drugs are the fastest growing health care expenditure in the United States; and

Whereas, in 2002, U.S. spending on prescription drugs reached \$162 billion; this number is projected to reach \$369 billion by 2010; and

Whereas, paying for prescription drugs is extremely difficult for many people in the United States, including many Ohio citizens, especially those that are poor, chronically ill and elderly; and

Whereas, in 2001, nearly 1 in 4 seniors reported skipping doses or not filling prescriptions because of the cost; and

Whereas, in 2002, the average price of the top 50 drugs used by seniors was \$1,500 per year; a senior without supplementary insurance taking 6 different medications would spend \$9,000 per year out-of-pocket; and

Whereas, prices of the top 30 brand-name drugs increased by 22% over the past 3 years; in 2003 prescription costs increased four times the rate of inflation; and

Whereas, American drug companies spend more money on marketing and advertising than they do on research and development and invest enormous sums of money into

"me too" drugs, which provide little to no innovation but are simply variations of existing drugs; and

Whereas, extraordinarily generous tax breaks have helped the pharmaceutical industry become the richest industry in the United States; and

Whereas, it is well known that the citizens of the United States pay the world's highest prescription drug prices and that most Americans struggle to pay skyrocketing prescription drug bills; and

Whereas, the District of Columbia has introduced a bill, and states such as Vermont and Maine have enacted bills, to prohibit excessive prescription drug pricing; and

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

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

**Section 1.** That this Council hereby encourages the Ohio General Assembly to enact legislation that would establish excessive pricing of prescription drugs as a violation of State law, establish penalties for such excessive pricing, and provide a cause of action for an aggrieved party.

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

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

Adopted September 12, 2005.

Awaiting the approval or disapproval of the Mayor.

**Res. No. 1682-05.**

**By Mayor Campbell.**

**An emergency resolution supporting State Issue 1 to amend the Ohio Constitution to authorize the issuance of general obligations of the state to finance local government public infrastructure capital improvements, research and development, and the development of certain sites and facilities in Ohio, and to expand state and local government authority regarding economic development.**

Whereas, Issue 1 will create and preserve jobs, enhance education opportunities, and improve the quality of life and general well-being of people and businesses in all areas of Ohio by improving local government public infrastructure, expanding Ohio's research capabilities to promote product innovation, development and commercialization, and prepare economic development sites and facilities in Ohio, and

Whereas, Issue 1 will authorize the State of Ohio to issue up to \$1.35 billion in bonds to pay for or help local governments pay for the cost

of public infrastructure capital improvements of local governments, including roads and bridges, wastewater treatment systems, water supply systems, solid waste disposal facilities, storm water and sanitary collection storage and treatment facilities; and

Whereas, Issue 1 will authorize the State of Ohio to issue up to \$500 million in bonds to provide financial assistance for research and development in support of Ohio industry, commerce, and business, including research and product innovation, development, and commercialization; and

Whereas, Issue 1 will authorize the State of Ohio to issue up to \$150 million in bonds to pay costs or assist other in the payment of costs of projects for the purpose of developing sites and facilities in Ohio for and in support of industry, commerce, distribution, and research and development, including constructing and improving facilities, site preparation and cleanup, the acquisition of real estate, and providing public infrastructure improvements; and

Whereas, this resolution constitutes an emergency measure providing for the immediate preservation of the public peace, property, health, and safety in that the passage of Issue 1 will foster job creation through infrastructure projects, job ready sites and creating new products and services based on science and technology research and development ensuring Ohio's ability to create and compete for jobs, now and in the future; now, therefore

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

**Section 1.** That the City considers the passage of State Issue 1 to be a priority which will improve the quality of life for all Ohioans.

**Section 2.** That the City of Cleveland supports and endorses the passage of State Issue 1.

**Section 3.** That the Clerk of Council is directed to transmit a copy of this resolution of the Ohio Jobs Committee, at Jobs for Ohio, 14 E. Gay Street, 4th Floor, Columbus, Ohio 43215 and to Cuyahoga County Engineer Robert Klaiber.

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

Adopted September 12, 2005.

Awaiting the approval or disapproval of the Mayor.

**Res. No. 1683-05.**

**By Council Members Pierce Scott, Sweeney, White, Conwell, Lewis, Brady, Britt, Polensek, Coats, Westbrook, Jackson, Johnson, Cintron, Lipovan Holan, Cimperman and Zone.**

**An emergency resolution in support of Issues 2, 3, 4 and 5 which would reform Ohio's election laws to restore faith, trust and confidence in Ohio's election system.**

Whereas, on November 8, 2005, several issues will be on the ballot that, if passed, would reform Ohio's elections laws and restore faith and trust in Ohio's election system; and

Whereas, Issue 2 makes voting easier by allowing Ohioans to vote early by mail or in person at any time for any reason up to 35 days before any election; and

Whereas, Issue 3 helps stop the influence of big money in elections by restoring reasonable limits on campaign contributions; contributions will be limited to \$1,000 for legislative candidates and \$2,000 for statewide candidates; and

Whereas, Issue 4 takes the politics out of drawing legislative districts and puts an independent commission in charge of the process beginning in 2008; the commission will focus on what is best for constituents, not politicians; and

Whereas, Issue 5 places a bipartisan, nine-member board in charge of Ohio's elections instead of a partisan official that backs candidates and takes sides in elections; and

Whereas, the above issues are supported by the Reform Ohio Now campaign and will help restore faith, trust and confidence in the elections system in Ohio; and

Whereas, this resolution constitutes an emergency measure providing 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.** this Council hereby supports Issues 2, 3, 4 and 5 which would reform Ohio's election laws to restore faith, trust and confidence in Ohio's election system.

**Section 2.** That the Clerk of Council is hereby directed to transmit certified copies of this resolution to Reform Ohio Now, 3886 N. High Street, Columbus, Ohio 43214.

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

Adopted September 12, 2005.

Awaiting the approval or disapproval of the Mayor.

---

**Res. No. 1684-05.**  
**By Council Member Brancatelli.**  
**An emergency resolution objecting to a New C1 Liquor Permit at 3869 East 71st Street.**

Whereas, Council has been notified by the Department of Liquor Control of an application for a New C1 Liquor Permit at Mostopha Mechanic, Inc., 3869 East 71st Street, Cleveland, Ohio 44105, Permanent Number 6193754; 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 Mostopha Mechanic, Inc., 3869 East 71st Street, Cleveland, Ohio 44105, Permanent Number 6193754; and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted September 12, 2005.

Awaiting the approval or disapproval of the Mayor.

---

**Res. No. 1685-05.**  
**By Council Member Brancatelli.**  
**An emergency resolution objecting to the transfer of stock of a D1, D2, D3 and D3A Liquor Permit to 5509 Fleet Avenue, 1st floor and basement.**

Whereas, Council has been notified by the Department of Liquor Control of an application for a transfer of stock of a D1, D2, D3 and D3A

Liquor Permit at Good Time Tavern, Inc., DBA Good Time Tavern, 5509 Fleet Avenue, 1st floor and basement, Cleveland, Ohio 44105, Permanent Number 3290405; 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 stock of a D1, D2, D3 and D3A Liquor Permit at Good Time Tavern, Inc., DBA Good Time Tavern, 5509 Fleet Avenue, 1st floor and basement, Cleveland, Ohio 44105, Permanent Number 3290405, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted September 12, 2005.

Awaiting the approval or disapproval of the Mayor.

**Res. No. 1686-05.****By Council Member Cimperman.****An emergency resolution withdrawing objection to the transfer of ownership of a C2 and C2X Liquor Permit at 6029 Superior Avenue, and repealing Resolution No. 1326-05, objecting to said transfer.**

Whereas, this Council objected to the transfer of ownership of a C2 and C2X Liquor Permit to Shree Jai Mataji, Inc., DBA Superior Beverage, 6029 Superior Avenue, Cleveland, Ohio 44103, Permanent No. 8112848, by Resolution No. 1326-05 adopted by the Council on July 13, 2005; 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 Shree Jai Mataji, Inc., DBA Superior Beverage, 6029 Superior Avenue, Cleveland, Ohio 44103, Permanent Number 8112848, be and the same is hereby withdrawn and Resolution No. 1326-05, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate transfer thereof.

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

Adopted September 12, 2005.

Awaiting the approval or disapproval of the Mayor.

**Res. No. 1687-05.****By Council Member Cimperman.****An emergency resolution Objecting to the transfer of ownership of a C2 and C2X Liquor Permit to 625 East 140th Street, 1st floor.**

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 Moes Stop One, Inc., 625 East 140th Street, 1st floor, Cleveland, Ohio 44110, Permanent Number 6081178 to Yellow Store LLC, DBA Sam's Food & Beverage, 625 East 140th Street, 1st floor, Cleveland, Ohio 44110, Permanent Number 9262365; 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 Moes Stop One, Inc., 625 East 140th Street, 1st floor, Cleveland, Ohio 44110, Permanent Number 6081178 to Yellow Store LLC, DBA Sam's Food & Beverage, 625 East 140th Street, 1st floor, Cleveland, Ohio 44110, Permanent Number 9262365; and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted September 12, 2005.

Awaiting the approval or disapproval of the Mayor.

**Res. No. 1688-05.****By Council Member Coats.****An emergency resolution objecting to the transfer of ownership of a D1, D2, D3 and D3A Liquor Permit to 18029 Euclid Avenue.**

Whereas, Council has been notified by the Department of Liquor Control of an application for the transfer of ownership of a D1, D2, D3 and D3A Liquor Permit from JRH, Inc., DBA Johnny & Co., 18029 Euclid Avenue, Cleveland, Ohio 44112, Permanent Number 4403791 to New Foundation Real Estate Invest-

ment Corp., 18029 Euclid Avenue, Cleveland, Ohio 44112, Permanent Number 6368876; 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 is not conformed to the building, safety or health requirements of the governing body of this County or City; and

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

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

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

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

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

**Section 1.** That Council does hereby record its objection to the transfer of ownership of a D1, D2, D3 and D3A Liquor Permit from JRH, Inc., DBA Johnny & Co., 18029 Euclid Avenue, Cleveland, Ohio 44112, Permanent Number 4403791 to New Foundation Real Estate Investment Corp., 18029 Euclid Avenue, Cleveland, Ohio 44112, Permanent Number 6368876; and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted September 12, 2005.

Awaiting the approval or disapproval of the Mayor.

**Res. No. 1689-05.****By Council Member Conwell.**

**An emergency resolution withdrawing objection to the transfer of stock of a C2, C2X and D6 Liquor Permit at 11313 Euclid Avenue and repealing Resolution No. 1574-04, objecting to said transfer.**

Whereas, this Council objected to the transfer of stock of a C2, C2X and D6 Liquor Permit to Noahe, Inc., DBA Boarding House Deli & Carry Out, 11313 Euclid Avenue, Cleveland, Ohio 44106, Permanent No. 6416022, adopted by the Council on August 11, 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, C2X and D6 Liquor Permit to Noahe, Inc., DBA Boarding House Deli & Carry Out, 11313 Euclid Avenue, Cleveland, Ohio 44106, Permanent Number 6416022 be and the same is hereby withdrawn and Resolution No. 1574-04, 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 September 12, 2005.

Awaiting the approval or disapproval of the Mayor.

**Res. No. 1690-05.****By Council Member Jackson.**

**An emergency resolution withdrawing objection to the transfer of ownership of a D1, D2, D3 and D3A Liquor Permit at 5351-53 Dolloff Road, and repealing Resolution No. 565-05, objecting to said transfer.**

Whereas, this Council objected to the transfer of ownership of a D1, D2, D3 and D3A Liquor Permit to Your Place or Mine LLC, DBA Your Place or Mine, 5351-53 Dolloff Road, Cleveland, Ohio 44127, Permanent Number 9862110, adopted by the Council on March 28, 2005; 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 D1, D2, D3 and D3A Liquor Permit to Your Place or Mine LLC, DBA Your Place or Mine, 5351-53 Dolloff Road, Cleveland, Ohio 44127, Permanent Number 9862110 be and the same is hereby withdrawn and Resolution No. 565-

05, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate transfer thereof.

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

Adopted September 12, 2005.

Awaiting the approval or disapproval of the Mayor.

**Res. No. 1691-05.****By Council Member Kelley.**

**An emergency resolution withdrawing objection to the transfer of liquor license of a C2 and C2X Liquor Permit at 2180 Brookpark Road and repealing Resolution No. 1344-05, objecting to said transfer.**

Whereas, this Council objected to the transfer of liquor license of a C2 and C2X Liquor Permit to Best RNA, Inc., DBA Value Dollar, 2180 Brookpark Road, Cleveland, Ohio 44134, Permanent No. 0669300, adopted by the Council on July 13, 2005; 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 Best RNA, Inc., DBA Value Dollar, 2180 Brookpark Road, Cleveland, Ohio 44134, Permanent Number 0669300 be and the same is hereby withdrawn and Resolution No. 1344-05, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate transfer thereof.

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

Adopted September 12, 2005.

Awaiting the approval or disapproval of the Mayor.

**Res. No. 1692-05.****By Council Member Zone.**

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

Whereas, Council has been notified by the Department of Liquor Control of an application for the transfer of ownership of a C1 Liquor Permit from United Petroleum Marketing LLC, DBA UPM #207, 5110 Clark Avenue, Cleveland, Ohio 44102,

Permanent Number 91610350020 to Harbs Marathon LLC, DBA Harbs Marathon 04, 5110 Clark Avenue, Cleveland, Ohio 44102, Permanent Number 35909520015; and

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

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

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

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

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

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

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

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

**Section 1.** That Council does hereby record its objection to the transfer of ownership of a C1 Liquor Permit from United Petroleum Marketing LLC, DBA UPM #207, 5110 Clark Avenue, Cleveland, Ohio 44102, Permanent Number 91610350020 to Harbs Marathon LLC, DBA Harbs Marathon 04, 5110 Clark Avenue, Cleveland, Ohio 44102, Permanent Number 35909520015; and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted September 12, 2005.

Awaiting the approval or disapproval of the Mayor.



**Res. No. 1693-05.****By Council Member Zone.****An emergency resolution objecting to the transfer of ownership of a C1 Liquor Permit to 5404 Storer Avenue, 1st floor and basement front.**

Whereas, Council has been notified by the Department of Liquor Control of an application for the transfer of ownership of a C1 Liquor Permit from Hammad Hammad, DBA Economy, 5404 Storer Avenue, 1st floor and basement front, Cleveland, Ohio 44102, Permanent Number 3554772 to 5404 Storer AM LLC, DBA Economy Market, 5404 Storer Avenue, 1st floor and basement front, Cleveland, Ohio 44102, Permanent Number 2759350; and

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

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

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

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

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

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

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

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

**Section 1.** That Council does hereby record its objection to the transfer of ownership of a C1 Liquor Permit from Hammad Hammad, DBA Economy, 5404 Storer Avenue, 1st floor and basement front, Cleveland, Ohio 44102, Permanent Number 3554772 to 5404 Storer AM LLC, DBA Economy Market, 5404 Storer Avenue, 1st floor and basement front, Cleveland, Ohio 44102, Permanent Number 2759350; and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

**Section 2.** That the Clerk of Council be and she is hereby directed to transmit two certified copies of this resolution, together with two copies

of a letter of objection and two copies of a letter requesting that the hearing be held in Cleveland, Cuyahoga County.

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

Adopted September 12, 2005.

Awaiting the approval or disapproval of the Mayor.

**Res. No. 1694-05.****By Council Member Zone.****An emergency resolution withdrawing objection to the transfer of ownership of a C2 and C2X Liquor Permit at 7520 Dudley Avenue, 1st floor, and repealing Resolution No. 1360-05 objecting to said transfer.**

Whereas, this Council objected to the transfer of ownership of a C2 and C2X Liquor Permit to Hanin, Inc., 7520 Dudley Avenue, 1st floor, Cleveland, Ohio 44102, Permanent No. 3572800, by Resolution No. 1360-05 adopted by the Council on July 13, 2005; 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 Hanin, Inc., 7520 Dudley Avenue, 1st floor, Cleveland, Ohio 44102, Permanent Number 3572800 be and the same is hereby withdrawn and Resolution No. 1360-05, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate transfer thereof.

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

Adopted September 12, 2005.

Awaiting the approval or disapproval of the Mayor.

**Res. No. 1695-05.****By Council Member Zone.****An emergency resolution objecting to the transfer of ownership of a C2 and C2X Liquor Permit to 5601 Clark Avenue.**

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 Faik Mohammad, DBA Cleveland Food Market, 5601 Clair Avenue, 1st floor,

Cleveland, Ohio 44102, Permanent Number 6082332 to 5601 Clark Ave., Inc., DBA Cleveland Food Market, 5601 Clark Avenue, 1st floor, Cleveland, Ohio 44102, Permanent Number 2759413; 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 Faik Mohammad, DBA Cleveland Food Market, 5601 Clair Avenue, 1st floor, Cleveland, Ohio 44102, Permanent Number 6082332 to 5601 Clark Ave., Inc., DBA Cleveland Food Market, 5601 Clark Avenue, 1st floor, Cleveland, Ohio 44102, Permanent Number 2759413; and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted September 12, 2005.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 1495-05.**  
**By Council Member Jackson (by**  
**departmental request).**

**An emergency ordinance to amend the title and Section 1 of Ordinance No. 1257-04, passed August 11, 2004 relating to a professional services contract for the installation and maintenance of fiber optic cable between the Third District Police Station and 205 St. Clair Avenue in order to achieve full redundancy and a closed loop in the City's INET; and authorizing the Director of Finance to enter into an amendment to Contract No. 63727 with American Fiber Systems, Inc.**

Whereas, under the authority of Ordinance No. 1257-04, passed August 11, 2004, and Board of Control Resolutions Nos. 549-04 and 658-04, respectively adopted September 29, 2004 and November 24, 2004, the City, through its Director of Finance, entered into City Contract No. 63727 with American Fiber Systems, Inc. to provide professional services necessary to design, construct, and install a fiber optic cable connection between the Third District Police Station and 205 St. Clair Avenue to achieve full redundancy and a closed loop in the City's INET; and

Whereas, to complete and support the project authorized by Ordinance No. 1257-04, the City additionally requires under Contract No. 63727 installation of a lateral fiber optic cable connection from the cable connection installed to the Department of Public Health administration offices at 1925 St. Clair Avenue, related professional services, and maintenance of the installed cable; 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 title and Section 1 of Ordinance No. 1257-04, passed August 11, 2004, are amended to read as follows:

An emergency ordinance authorizing the Director of Finance to employ one or more consultants or one or more firms of consultants necessary to install approximately one mile of fiber optic cable between the Third District Police Station and 205 St. Clair Avenue and a lateral connection to 1925 St. Clair Avenue and to perform other services necessary to achieve full redundancy and a closed loop in the City's INET, including maintenance for 2005, with one option to renew for an additional one year; and authorizing one or more requirement contracts for the purchase or lease of fiber cabling, equipment, and other supplies necessary for connectivity, for the various divisions of City government, for a three-year period.

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 necessary to install approximately one mile of fiber optic cable between the Third

District Police Station and 205 St. Clair Avenue and a lateral connection to 1925 St. Clair Avenue and to perform other services necessary to achieve full redundancy and a closed loop in the City's INET, including maintenance for the nine months beginning April 1, 2005, with one option to renew for year 2006, exercisable 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 existing title and Section 1 of Ordinance No. 1257-04, passed August 11, 2004, are repealed.

**Section 3.** That the Director of Finance is authorized to enter into an amendment to Contract No. 63727 between the City of Cleveland and American Fiber Systems, Inc. for the additional services, authorized in Section 1 of this ordinance, to install a fiber optic cable lateral connection to the Department of Public Health Administrator's offices at 1925 St. Clair Avenue, to upgrade utility poles or other above-ground equipment necessary to port fiber, and to maintain the fiber optic cable installed for 2005 and, if the City exercises its option to renew, for 2006.

**Section 4.** That the additional cost of the contracts or contract amendments authorized by this ordinance shall be paid from Fund Nos. 01-151100-651500, 13 SF 996, 13 SF 998, 11 SF 006 and from the fund or funds which are credited the proceeds of the 2004 Homeland Security and 2004 UASI grants, Request No. 146211.

**Section 5.** That the contract amendment shall be prepared by the Director of Law.

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

Passed September 12, 2005.

Effective September 13, 2005.

**Ord. No. 1526-05.**  
**By Council Member Jackson (by**  
**departmental request).**

**An emergency ordinance authorizing defeasance of certain Cleveland Public Power System Improvement First Mortgage Revenue Bonds; amending Section 6 of Ordinance No. 1886-02, passed October 25, 2002 appropriating funds for the defeasance; and authorizing other related matters.**

Whereas, this Council has determined that it is necessary to defease certain outstanding Cleveland Public Power System Improvement First Mortgage Revenue Bonds to reduce total debt service payable on outstanding bonds; and

Whereas, Ordinance No. 1886-02, passed October 28, 2002, appropriated funds for this purpose; 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. Authorization of Escrow to Improve Coverage Ratio.** The City of Cleveland (the "City") may, from time to time, deposit funds in trust with U.S. Bank National Association (formerly known as Firststar Bank, N.A.), Trustee under the Trust Indenture dated as of September 1, 1991, as supplemented and amended, by and between the City and the Trustee (the "Indenture") securing the City's Public Power System Improvement First Mortgage Revenue Bonds (the "Bonds"), for the payment of principal, redemption premium, if any, and interest requirements on any outstanding Bonds if, in the judgment of the Director of Finance and the Director of Public Utilities, based on the written advice of a financial advisor to the City, doing so will improve the debt service coverage ratio of Cleveland Public Power (being the ratio of Adjusted Net Revenues to Bond Service Charges, as defined in the Indenture). The Director of Finance is authorized to deposit into an escrow fund, from time to time, moneys transferred from Fund No. 58 SF 003 of Cleveland Public Power, as permitted by Ordinance No. 910-98, passed February 14, 2000, as amended by Ordinance No. 1886-02, passed October 28, 2002, in amounts that, in the aggregate, do not exceed \$16,632,959, with the actual amount of any deposit to be determined by the Director of Finance in consultation with the Director of Public Utilities. In order to cause any amounts so deposited to be dedicated and applied solely to the payment of the principal of and interest and any redemption premium on the designated outstanding Bonds, as and when due at maturity or upon prior redemption, the Director of Finance or Director of Public Utilities is authorized as appropriate under the Charter, in the name and on behalf of the City, to sign and deliver one or more escrow agreements, approved as to form and correctness by the Director of Law, providing for the establishment of an escrow fund as a trust fund in the custody of the Trustee and the investment, dedication and application of the moneys deposited in the fund and further providing for the payment to the Trustee of fees and expenses for performance of its duties under the agreement. The officer signing the agreement on behalf of the City shall determine that the agreement satisfies the requirements of this Section, and that determination shall be conclusively evidenced by the signing of the agreement by the

officer. The Director of Finance is authorized to take such other actions as may be necessary or appropriate to accomplish any defeasance under the Indenture of the designated outstanding Bonds to be paid from any escrow fund, including without limitation, the retention of a firm of independent certified public accountants to verify that the securities to be deposited in escrow are of such maturities or redemption dates, and interest payment dates, and bear such interest, as will be sufficient, together with any available moneys, for the payment of debt service on the designated outstanding Bonds.

**Section 2. Authorization of Other Documents.** To provide for the consummation of the transactions contemplated by this Ordinance, the Director of Finance or the Director of Public Utilities, or such other officers of the City as may be appropriate, are authorized to sign, acknowledge and deliver, in the name and on behalf of the City, such documents, agreements (as approved as to form and correctness by the Director of Law, certifications and instruments as may be necessary or appropriate to consummate the transactions described in Section 1.

**Section 3.** That Section 6 of Ordinance No. 1886-02, passed October 25, 2002, is amended to read as follows:

Section 6. That Cleveland Public Power shall collect and pay over, at least annually, to the general fund all tax remittances due the City collected under Section 5727.81 of the Ohio Revised Code. That by the end of each calendar year except 2003, Cleveland Public Power shall receive from the general fund an amount equal to eighty-five percent (85%) of the tax remittances to be applied exclusively to the repayment of any bonded indebtedness of Cleveland Public Power. The general fund shall retain 100% of the tax remittances collected during calendar year 2003. Notwithstanding anything in this ordinance to the contrary, Cleveland Public Power may expend up to \$1,000,000 of tax remittances received from the general fund prior to January 1, 2003 on the cost in calendar year 2003 of replacing utility poles treated with copper naphthenate in the Cleveland Public Power distribution system. If the Director of Finance certifies that money has become available to Cleveland Public Power for this purpose from any source not identified above up to a maximum of \$16,632,959, that money shall be appropriated for the purposes of and be applied as partial or full repayment of bonded indebtedness.

**Section 4.** That existing Section 6 of Ordinance No. 1886-02, passed October 25, 2002, is repealed.

**Section 5. Open Meeting Determination.** It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council, and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.

**Section 6. Findings and Recitals of Validity.** It is found and determined, and is represented and recited, that the provisions of the City's Charter and the rules of this Council have been fully complied with and that this Ordinance was adopted in conformity with it.

**Section 7. Severability.** In case any section or provision of this Ordinance, or in case any covenant, stipulation, obligation, agreement, act or action made, assumed or taken under this Ordinance, is for any reason held to be illegal or invalid, or is at any time inoperable by reason of any law, that illegality or inoperability shall not affect any other section or provision of this Ordinance, or any other covenant, stipulation, obligation, agreement, act or action made, assumed or taken under this Ordinance. This Ordinance shall be construed and enforced as if such illegal or invalid or inoperable portion were not contained in it. Any such illegality or invalidity or inoperability shall not affect any legal and valid and operable application from time to time, and each such section, provision, covenant, stipulation, obligation, agreement, act or action shall be deemed to be effective, operative, made or taken in the manner and to the full extent from time to time permitted by law.

**Section 8. Effective Date.** This Ordinance is declared to be an emergency measure for the reasons set forth in the preambles. Those preambles are made a part hereof. Provided that this Ordinance receives the affirmative vote of two-thirds of all members elected to this 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 date allowed by law.

Passed September 12, 2005.

Effective September 13, 2005.

**Ord. No. 1661-05.**  
**By Council Members Britt, Sweeney, Cimperman and Jackson (by departmental request).**

**An emergency ordinance to appropriate property for the public purpose of highway and bridge improvement in connection with City bridge No. 4:017M located on East 105th Street near Quincy Avenue.**

Whereas, the Council of the City of Cleveland, by Resolution No. 1502-05, adopted August 3, 2005, declared the necessity and intention of appropriating the fee simple property interests described in this ordinance for the public purpose of highway and bridge improvement in connection with City bridge No. 4:017M located on East 105th Street near Quincy Avenue; and

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

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

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

**Section 1.** That for the public purpose of highway and bridge improvement in connection with City bridge No. 4:017M located on East 105th Street near Quincy Avenue, the following described fee simple interests are appropriated:

**LEGAL DESCRIPTION  
OF PARCEL 4T**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Original 100-Acre Lot No. 410 and being particularly described as follows:

Commencing at a point on the easterly line of East 105th Street at Station 2+47.89, 25.00' Right as shown on Sheet 71 of 73 of the plans to reconstruct the East 105th Street Bridge just north of Quincy Avenue and the place of beginning;

Course 1: Thence continuing North 00° 00' 44" West along the easterly line of East 105th Street a distance of 18.40 feet to a point;

Course 2: Thence North 90° 00' 00" East a distance of 27.02 feet to a point;

Course 3: Thence South 55° 44' 25" West a distance of 32.69 feet to a point on the easterly line of East 105th Street and the place of beginning and containing 0.006 acres of land more or less, according to said Sheet, but subject to all legal highways.

This parcel is part of PPN 121-22-028 owned by DeJohn, Inc., an Ohio Corporation which claims title by deed recorded under AFN No. 200504060693.

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

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

Passed September 12, 2005.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 1662-05.**  
**By Council Member Cimperman (by departmental request).**

**An emergency ordinance to amend Section 3 of Ordinance No. 1162-05, passed July 13, 2005, relating to changing the zoning of parcels bounded by W. 9th Street, Front Avenue, W. 10th Street, the Cuyahoga river and the CSX Railroad from a General Industry Use District to a Downtown Residential District. (Map Change No. 2151; Sheet No. 1)**

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. 1162-05, passed July 13, 2005 is amended to read as follows:

**Section 3.** That, except for purposes of compliance with division (e) of Section 337.081 the off-street parking requirements applicable in the Central Business District shall apply to the subject site.

**Section 2.** That existing Section 3 of Ordinance No. 1162-05, passed July 13, 2005 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 September 12, 2005.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 1664-05.**

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

**An emergency ordinance authorizing the Director of Community Development to apply for and accept funding from the Cuyahoga County Redevelopment Fund in the form of a loan and a grant to partially finance the demolition and environmental remediation of the Nurses Building and the Main Hospital Building on the St. Michael's Hospital site, located at 5163 Broadway Avenue; authorizing the Director to employ one or more professional consultants to perform asbestos removal and other environmental services on the buildings to ready them for demolition; and authorizing the purchase by one or more contracts of the demolition of the Nurses Building and the Main Hospital Building on the St. Michael's Hospital site, for the Department of Community Development.**

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 apply for and accept a grant in the amount of \$447,500, from the Cuyahoga County Brownfield Redevelopment Fund, to provide financial assistance to partially finance the demolition and environmental remediation of the Nurses Building and the Main Hospital Building on the St. Michael's site, located at 5163 Broadway Avenue; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in the summary for the grant contained in the file described below.

**Section 2.** That the Director of Community Development is authorized to apply to the Cuyahoga County Brownfield Redevelopment Fund for loan assistance in an amount not to exceed \$302,500, to partially finance the project described in the file.

**Section 3.** That the summary for the grant and loan, File No. 1664-05-A, made a part of this ordinance as if fully rewritten, as presented to the Finance Committee of this Council at the public hearing on this legislation, is approved in all respects and shall not be changed without additional legislative authority.

**Section 4.** That the Director of Community Development is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to perform asbestos removal and other environmental services on the buildings to ready them for demolition.

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

**Section 5.** That the Director of Community Development 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: the demolition of the Nurses Building and the Main Hospital Building on the St. Michael's Hospital site to be purchased by the Commissioner of Purchases and Supplies on a unit basis, for the Department of Community Development.

**Section 6.** That the cost of contract or contracts authorized in this ordinance shall be paid from the fund or funds which are credited the loan and grant proceeds accepted under this ordinance.

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

Passed September 12, 2005.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 1670-05.**

**By Council Member Jackson.**

**An emergency ordinance authorizing the Clerk of Council to enter into an amendment to City Contract No. 62298 with Iron Mountain Records Management and to enter into an amendment to City Contract No. 62354 with Iron Mountain National Underground Storage to extend the term of such professional records and information management contracts to September 30, 2006.**

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

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

**Section 1.** That the Clerk of Council is hereby authorized to enter into an amendment to City Contract No. 62298 with Iron Mountain Records Management and to enter into an amendment to City Contract No. 62354 with Iron Mountain National Underground Storage to extend the term of such professional records and information management contracts to September 30, 2006.

**Section 2.** That the total costs of these two contract amendments shall not exceed \$140,000.00 and shall be paid from Fund No. 01 SF 001. The First Amendment to City Contract No. 62298 shall be initially certified for \$1,050.00, and the First Amendment to City Contract No. 62354 shall be initially certified for \$12,300.00 to cover contractual commitments through calendar year 2005.

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

Passed September 12, 2005.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 1671-05.**

**By Council Member Jackson.**

**An emergency ordinance authorizing the Clerk of Council to enter into an amendment or amendments to City Contract No. 60428 with West Services, Inc. to provide the professional services necessary to update, print, index and bind a cumulative supplement or supplements to the Codified Ordinances, including alternative formats and internet accessibility, and to provide a review, comparison and update of Parts IV and VI of the Codified Ordinances to conform with amendments made to the Ohio Revised Code.**

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

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

**Section 1.** That the Clerk of Council is hereby authorized to enter into an amendment or amendments to City Contract No. 60428 with West Services, Inc. to provide professional services necessary to update, print, index and bind a cumulative supplement or supplements to the Codified Ordinances, including alternative formats and internet accessibility, and to provide a review, comparison and update of Parts IV and VI of the Codified Ordinances to conform to amendments made to the

Ohio Revised Code. Such amendment shall commence upon execution of the amendment and be for a period of one year with three options, exercisable by the Clerk of Council, to renew all or any portion of these services for additional one-year periods, and cancelable upon thirty days written notice by said Clerk of Council.

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

Passed September 12, 2005.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 1672-05.**

**By Council Member Lewis.**

**An emergency ordinance to amend Section 2 of Ordinance No. 653-05, passed May 9, 2005, relating to the Demolition and Board-Up programs.**

Whereas, Ordinance No. 653-05, passed May 9, 2005, authorized the Director of Building and Housing to enter into contracts with various non-profit and for-profit agencies to implement the Demolition and Board-up Programs; and

Whereas, Section 2 of Ordinance No. 653-05, passed May 9, 2005, prohibited any contract authorized by Ordinance No. 653-05 from including the demolition of Madonna Hall located at East 72nd and Chester; and

Whereas, this Council wishes to remove the Madonna Hall prohibition; 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 Section 2 of Ordinance No. 653-05, passed May 9, 2005, is hereby amended to read as follows:

Section 2. That the Director of Building and Housing is authorized to enter into one or more contracts with various non-profit and for-profit agencies, and entities providing services necessary to implement the Demolition and Board-up Programs.

**Section 2.** That existing Section 2 of Ordinance No. 653-05, passed May 9, 2005, is hereby repealed.

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

Passed September 12, 2005.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 1673-05.**

**By Council Member Cimperman.**

**An emergency ordinance consenting and approving the issuance of a permit for the America's Walk for Diabetes, on October 1, 2005, sponsored by the American Diabetes Association.**

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

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

**Section 1.** That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of the America's Walk for Diabetes, sponsored by the American Diabetes Association on October 1, 2005, with the Walk beginning at Tower City Amphitheater to Canal Road, left on Canal Road to Robert Lockwood Jr. Street, right on Robert Lockwood Jr. Street to St. Clair, right on St. Clair to Ontario, right on Ontario (rest stop #1 Cleveland Marriot-downtown St. Clair); to Huron, left on Huron to East 9th, left on East 9th to Superior, left on Superior (rest stop #2 at Hyatt Regency, Superior Avenue) to West 9th, right on West 9th to St. Clair, left on St. Clair to West 10th, left on West 10th to Canal Road, left on Canal Road (no road sign by City Sign Garden Sign) to Tower City Amphitheater; provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

Passed September 12, 2005.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 1674-05.**

**By Council Member Johnson.**

**An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to The Coral Company to stretch banners in Shaker Square on the east and west corner of Shaker Blvd., for the period from September 12, 2005 to October 1, 2005, inclusive, publicizing the celebration of Shaker Square.**

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 Coral Company to install, maintain and remove banners in Shaker Square, for the period from September 12, 2005 to October 1, 2005, 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 September 12, 2005.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 1675-05.**

**By Council Member Zone.**

**An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the Spanish American Committee to stretch a banner at West 65 & Lorain Avenue, for the period from September 9, 2005 to September 30, inclusive, publicizing the End of Summer Latino Unity 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 Spanish American Committee to install, maintain and remove a banner at West 65th & Lorain for the period from September 9, 2005 to September 30, 2005, 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 September 12, 2005.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 1679-05.**

**By Council Member Cimperman.**  
An emergency ordinance authorizing the Director of Public Service to enter into an agreement with Cleveland Public Art, Inc. for the West 28th Street Bridge Mural Project through the use of Ward 13 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 Service is authorized to enter into an agreement with Cleveland Public Art, Inc. for the West 28th Street Bridge Mural Project for the public purpose of making public infrastructure improvements in the city of Cleveland through the use of Ward 13 Neighborhood Equity Funds.

**Section 2.** That the cost of said contract shall be in an amount not to exceed \$5,130 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 September 12, 2005.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 1680-05.**

**By Council Member Jackson.**  
An emergency ordinance authorizing the Director of Economic Development to enter into an agreement with the Blue Seas Restaurant for the Blue Seas Restaurant Development Project through the use of Ward 5 Neighborhood Equity Funds.

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

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

**Section 1.** That the Director of Economic Development is authorized to enter into an agreement with the Blue Seas Restaurant for the Blue Seas Restaurant Development Project for the public purpose of retaining and creating new jobs in the city of Cleveland through the use of Ward 5 Neighborhood Equity Funds.

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

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

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

Passed September 12, 2005.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 1696-05.**

**By Council Members Jackson, Brady, Brancatelli, Britt, Cimperman, Cintron, Coats, Conwell, Dolan, Lipovan Holan, Johnson, Kelley, Lewis, Polensek, Reed, Pierce Scott, Sweeney, Westbrook, White and Zone.**

An emergency ordinance authorizing the Director of Community Development to enter into one or more contracts with various for-profit and non-profit agencies to provide financial assistance to Hurricane Katrina evacuees; and authorizing the Director of Community Development to apply for and accept funds from the United States of America and the State of Ohio to reimburse Cleveland for costs incurred as a result of relocating Hurricane Katrina evacuees to the City of Cleveland beginning September 1, 2005.

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

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

**Section 1.** That the Director of Community Development is authorized to enter into one or more contracts with various for-profit and non-profit agencies to provide financial assistance to Hurricane Katrina evacuees.

**Section 2.** That the aggregate cost of the contract or contracts shall not exceed \$450,000 and shall be paid from Fund Nos. 14 SF 030, 14 SF 031 and 13 SF 895, Request No. 149516.

**Section 3.** That the Director of Community Development is authorized to apply for and accept funds from the United States of America, acting through the Federal Emergency Management Agency, and the

State of Ohio, acting through the Ohio Emergency Management Agency, to reimburse Cleveland for costs incurred by the various departments in City government as a result of the severe weather and storm damages in our area beginning September 1, 2005. The Director of Community Development is authorized to file all papers and execute all documents necessary to receive the funds under this ordinance, and the funds are appropriated for the purpose of reimbursing the various City departments for costs incurred as a result of assisting Hurricane Katrina evacuees relocate within the City of Cleveland.

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

Passed September 12, 2005.

Awaiting the approval or disapproval of the Mayor.

**COUNCIL COMMITTEE MEETINGS**

**Monday, September 19, 2005  
9:30 a.m.**

**Public Parks, Property and Recreation Committee:** Present: Johnson, Chair; White, Vice Chair; Dolan, Knight, Sweeney. *Authorized Absence:* Brancatelli, Cimperman.

**1:00 p.m.**

**Public Utilities Committee and Finance Committee:** Present in Utilities: Coats, Chair; Brady, Vice Chair; Knight, Kelley, Polensek, Sweeney, Westbrook, Zone. *Authorized Absence:* Cintron.

**Present in Finance:** Jackson, Chair; Sweeney, Vice Chair; Reed, Brady, Britt, Coats, Conwell, Pierce Scott, Westbrook, White. *Authorized Absence:* Cimperman.

**2:00 p.m.**

**Finance Committee:** Present: Jackson, Chair; Sweeney, Vice Chair; Reed, Brady, Coats, Conwell, Pierce Scott, Westbrook, Britt, White. *Authorized Absence:* Cimperman.

**Tuesday, September 20, 2005  
9:30 a.m.**

**Community and Economic Development Committee:** Present: Pierce Scott, Chair; Cimperman, Vice Chair; Cintron, Coats, Brady, Lewis, Westbrook, Zone. *Authorized Absence:* Reed.

**Wednesday, September 21, 2005  
10:00 a.m.**

**Public Safety Committee:** Present: Reed, Brady, Knight, Kelley, White. *Authorized Absence:* Britt, Vice Chair; Coats, Conwell, Zone.

# Index

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

**Agreements**

Big Creek Watershed Stor — Water Management Project — state funding —  
 Ohio Public Works Commission — amend Ord. No. 952-05 (O 1784-05) ..... 2067

Blue Seas Restaurant — Blue Seas Restaurant Development Project —  
 Ward 5 NEF (O 1680-05)..... **2092**

Cleveland Public Art, Inc. — West 28th Street Bridge Mural Project —  
 Ward 13 NEF (O 1679-05)..... **2092**

**Appreciation**

Adams, Deacon Lee (R 1824-05) ..... 2058

**Appropriations**

Enterprise Funds — (\$6,800,000) (O 1494-05) ..... 2071

E. 105th St. — City bridge No. 4:017M — highway and bridge improvement — appropriate  
 property (O 1661-05)..... **2089**

E. 185th St. & Neff Rd. — intention to appropriate — redevelopment and/or rehabilitation  
 (R 1669-05) ..... **2082**

**Banners**

Coral Company, The — celebration of Shaker Square (O 1674-05) ..... **2091**

Fairview Lutheran Foundation — WestFest (O 1790-05) ..... 2068

Muhammad Mosque #18 — Million Family March (O 1791-05) ..... 2068

Spanish American Committee — Summer Latino Unity Festival (O 1675-05)..... **2091**

**Blight**

E. 185th St. & Neff Rd. — intention to appropriate — redevelopment and/or rehabilitation  
 (R 1669-05) ..... **2082**

**Board of Control — Burke Lakefront Airport Division**

Runway 6R Safety Area taxiways, ramps, runway improvements — per Ord. 2376-02 — all bids  
 rejected — Dept. of Port Control (BOC Res. 510-05)..... 2074

**Board of Control — Community Development Department**

Villas of Woodhaven project, Phase II — contract per Ord. 1079-05 to Fabrizi Trucking  
 and Paving Company, Inc. — Division of Engineering and Construction  
 (BOC Res. 511-05) ..... 2074

**Board of Control — Engineering and Construction Division**

East 93rd Street rehabilitation (Miles Ave. to Union Ave.) — contract per Ord. 1524-03  
 to Vandra Brothers Construction — Dept. of Public Service  
 (BOC Res. 512-05) ..... 2074

Villas of Woodhaven project, Phase II — contract per Ord. 1079-05 to Fabrizi Trucking and  
 Paving Company, Inc. — Depts. of Public Service, Community Development and Public  
 Utilities (BOC Res. 511-05) ..... 2074

**Board of Control — Finance Department**

Doors, overhead, maintain and repair — rescind BOC Res. 355-05 — reject all bids  
 (BOC Res. 505-05) ..... 2073

Insurance, blanket employee dishonesty coverage — amend BOC Res. 397-05  
 (BOC Res. 504-05) ..... 2073

**Board of Control — Fire Division**

Cab / chassis with air/light unit body with trade-in — contract per Ord. 1086-04 to Super Vacuum Mfg./SVI Trucks — Dept. of Public Safety (BOC Res. 514-05) .....	2074
Hazmat response van bodies — contract per Ord. 1089-04 to Supreme Corporation — Dept. of Public Safety (BOC Res. 513-05) .....	2074

**Board of Control — Port Control Department**

Runway 6R Safety Area taxiways, ramps, runway improvements — per Ord. 2376-02 — all bids rejected — Division of Burke Lakefront Airport (BOC Res. 510-05) .....	2074
---	------

**Board of Control — Professional Service Contracts**

Public Safety Systems Automation Project — Fire/EMS CAD and Mobile Data System — contract per Ord. 1086-04 to Intergraph Public Safety, Inc. — Dept. of Public Safety (BOC Res. 515-05) .....	2075
---	------

**Board of Control — Public Improvement Contracts**

East 93rd Street rehabilitation (Miles Ave. to Union Ave.) — contract per Ord. 1524-03 to Vandra Brothers Construction — Division of Engineering and Construction, Dept. of Public Service (BOC Res. 512-05) .....	2074
East 94th Street sewer replacement — contract per Ord. 645-05 to Fabrizi Trucking & Paving Co., Inc. — Division of Water Pollution Control, Dept. of Public Utilities (BOC Res. 506-05) .....	2073
Villas of Woodhaven project, Phase II — contract per Ord. 1079-05 to Fabrizi Trucking and Paving Company, Inc. — Division of Engineering and Construction, Depts. of Public Service, Community Development and Public Utilities (BOC Res. 511-05) .....	2074

**Board of Control — Public Safety Department**

Cab / chassis with air/light unit body with trade-in — contract per Ord. 1086-04 to Super Vacuum Mfg./SVI Trucks — Division of Fire (BOC Res. 514-05) .....	2074
Hazmat response van bodies — contract per Ord. 1089-04 to Supreme Corporation — Division of Fire (BOC Res. 513-05) .....	2074
Public Safety Systems Automation Project — Fire/EMS CAD and Mobile Data System — contract per Ord. 1086-04 to Intergraph Public Safety, Inc. (BOC Res. 515-05) .....	2075

**Board of Control — Public Service Department**

East 93rd Street rehabilitation (Miles Ave. to Union Ave.) — contract per Ord. 1524-03 to Vandra Brothers Construction — Division of Engineering and Construction (BOC Res. 512-05) .....	2074
Villas of Woodhaven project, Phase II — contract per Ord. 1079-05 to Fabrizi Trucking and Paving Company, Inc. — Division of Engineering and Construction (BOC Res. 511-05) .....	2074

**Board of Control — Public Utilities Department**

East 94th Street sewer replacement — contract per Ord. 645-05 to Fabrizi Trucking & Paving Co., Inc. — Division of Water Pollution Control (BOC Res. 506-05) .....	2073
Liquid alum and aluminum blend coagulants — contract per C.O. Sec. 129.24 to General Chemical Performance Products, LLC — Division of Water (BOC Res. 507-05) .....	2073
Liquid alum and aluminum blend coagulants — contract per C.O. Sec. 129.24 to Delta Chemical Corporation — Division of Water (BOC Res. 508-05) .....	2073
Liquid alum and aluminum blend coagulants — contract per C.O. Sec. 129.24 to GAC MidAmerica, Inc. — Division of Water (BOC Res. 509-05) .....	2073
Villas of Woodhaven project, Phase II — contract per Ord. 1079-05 to Fabrizi Trucking and Paving Company, Inc. — Division of Engineering and Construction (BOC Res. 511-05) .....	2074



**Board of Control — Requirement Contracts**

Cab / chassis with air/light unit body with trade-in — contract per Ord. 1086-04 to Super Vacuum Mfg./SVI Trucks — Division of Fire, Dept. of Public Safety (BOC Res. 514-05) ..... 2074

Doors, overhead, maintain and repair — rescind BOC Res. 355-05 — reject all bids — Dept. of Finance (BOC Res. 505-05) ..... 2073

Hazmat response van bodies — contract per Ord. 1089-04 to Supreme Corporation — Division of Fire, Dept. of Public Safety (BOC Res. 513-05) ..... 2074

Liquid alum and aluminum blend coagulants — contract per C.O. Sec. 129.24 to General Chemical Performance Products, LLC — Division of Water, Dept. of Public Utilities (BOC Res. 507-05) ..... 2073

Liquid alum and aluminum blend coagulants — contract per C.O. Sec. 129.24 to Delta Chemical Corporation — Division of Water, Dept. of Public Utilities (BOC Res. 508-05) ..... 2073

Liquid alum and aluminum blend coagulants — contract per C.O. Sec. 129.24 to GAC MidAmerica, Inc. — Division of Water, Dept. of Public Utilities (BOC Res. 509-05) ..... 2073

**Board of Control — Standard Purchase Contracts**

Insurance, blanket employee dishonesty coverage — amend BOC Res. 397-05 — Dept. of Finance (BOC Res. 504-05) ..... 2073

**Board of Control — Water Division**

Liquid alum and aluminum blend coagulants — contract per C.O. Sec. 129.24 to General Chemical Performance Products, LLC — Dept. of Public Utilities (BOC Res. 507-05) ..... 2073

Liquid alum and aluminum blend coagulants — contract per C.O. Sec. 129.24 to Delta Chemical Corporation — Dept. of Public Utilities (BOC Res. 508-05) ..... 2073

Liquid alum and aluminum blend coagulants — contract per C.O. Sec. 129.24 to GAC MidAmerica, Inc. — Dept. of Public Utilities (BOC Res. 509-05) ..... 2073

**Board of Control — Water Pollution Control Division**

East 94th Street sewer replacement — contract per Ord. 645-05 to Fabrizi Trucking & Paving Co., Inc. — Dept. of Public Utilities (BOC Res. 506-05) ..... 2073

**Board of Zoning Appeals — Report**

Broadway Avenue, 7460, (Ward 12) — The Gurdjieff Foundation of Ohio, owner, and Barney Taxel, agent — appeal heard on 9/19/05 (Cal. 05-258)..... 2077

Carnegie Avenue, 8110, (Ward 6) — Regin Schalchet, owner — appeal withdrawn on 9/19/05 (Cal. 05-261) ..... 2077

East 140th Street, 3404, (Ward 3) — Zenobia Cummings, owner — appeal denied and adopted on 9/19/05 (Cal. 05-252) ..... 2077

East 93rd Street, 3374, (Ward 5) — George Williams, owner — appeal heard on 9/19/05 (Cal. 05-264) ..... 2077

Gertrude Avenue, 6918, (Ward 12) — Walter and Nancy Eddy, owners — appeal granted and adopted on 9/19/05 (Cal. 05-251)..... 2077

Groewood Avenue, 17218, (Ward 11) — Marlon Davis, owner — appeal heard on 9/19/05 (Cal. 05-256) ..... 2077

Henritze Avenue, 4518, (Ward 16) — Angelic Nicola, owner — appeal heard on 9/19/05 (Cal. 05-262) ..... 2077

Kenmore Avenue, 9010-9110, (Ward 7) — Kenmore Village Limited Partnership, owner, and Dennis Robinson, agent — appeal granted and adopted on 9/19/05 (Cal. 05-235)..... 2077

Rudwick Road, 1852, (Ward 10) — Juanita Mainor, owner — appeal heard on 9/19/05 (Cal. 05-260) ..... 2077

Sandusky Avenue, 10515, (Ward 2) — Anthony and Robin Pruitt, owners — appeal postponed to 10/17/05 on 9/19/05 (Cal. 05-239) ..... 2077

Sprecher Avenue, 12300, (Ward 20) — Timco Rubber Products, Inc., owner, and David Smik,  
agent — appeal granted and adopted on 9/19/05 (Cal. 05-257) ..... 2077

West 117th Street, 1499, (Ward 18) — Columbo Enterprises, owner, and Anthony Costanzo,  
agent — appeal denied and adopted on 9/19/05 (Cal. 05-254)..... 2077

West 198th Street, 4724, (Ward 20) — Rose Varquez, owner — appeal heard on 9/19/05  
(Cal. 05-270)..... 2077

West 73rd Street, 2092, (Ward 17) — Orin Martin, owner — appeal heard on 9/19/05  
(Cal. 05-265)..... 2077

West Park Road, 3608, (Ward 21) — Mary Ellen Schmittlein, owner — appeal heard on 9/19/05  
(Cal. 05-259)..... 2077

Windward Road, 17800, (Ward 11) — James Fraser, owner — appeal heard on 9/19/05  
(Cal. 05-263)..... 2077

**Board of Zoning Appeals — Schedule**

East 93rd Street, 1344, (Ward 7) — Bertha Lee Hunter, owner — appeal to be heard on  
10/3/05 (Cal. 05-274)..... 2075

Livingston Road, 3090, (Ward 4) — Livingston Apartments, owner, and prospective lessee,  
T-Mobile and John Sindela, agent — appeal to be heard on 10/3/05  
(Cal. 05-273)..... 2075

State Road, 4669, (Ward 16) — Mark Heil, owner — appeal to be heard on 10/3/05  
(Cal. 05-272)..... 2075

Union Avenue, 7018, (Ward 12) — Ransom McDowell, owner — appeal to be heard on 10/3/05  
(Cal. 05-268)..... 2075

West 5th Street, 2242, (Ward 13) — Sammy Catania, owner — appeal to be heard on 10/3/05  
(Cal. 05-294)..... 2076

West 5th Street, 2246, (Ward 13) — Sammy Catania, owner — appeal to be heard on 10/3/05  
(Cal. 05-295)..... 2076

West 5th Street, 2252, (Ward 13) — Sammy Catania, owner — appeal to be heard on 10/3/05  
(Cal. 05-296)..... 2076

West 5th Street, 2258, (Ward 13) — Sammy Catania, owner — appeal to be heard on 10/3/05  
(Cal. 05-297)..... 2077

West 6th Street, 2261, (Ward 13) — Sammy Catania, owner — appeal to be heard on 10/3/05  
(Cal. 05-285)..... 2075

West 6th Street, 2267, (Ward 13) — Sammy Catania, owner — appeal to be heard on 10/3/05  
(Cal. 05-289)..... 2076

West 6th Street, 2273, (Ward 13) — Sammy Catania, owner — appeal to be heard on 10/3/05  
(Cal. 05-286)..... 2075

West 6th Street, 2279, (Ward 13) — Sammy Catania, owner — appeal to be heard on 10/3/05  
(Cal. 05-287)..... 2075

West 6th Street, 2285, (Ward 13) — Sammy Catania, owner — appeal to be heard on 10/3/05  
(Cal. 05-288)..... 2076

West 6th Street, 2309, (Ward 13) — Sammy Catania, owner — appeal to be heard on 10/3/05  
(Cal. 05-290)..... 2076

West 6th Street, 2313, (Ward 13) — Sammy Catania, owner — appeal to be heard on 10/3/05  
(Cal. 05-291)..... 2076

West 6th Street, 2317, (Ward 13) — Sammy Catania, owner — appeal to be heard on 10/3/05  
(Cal. 05-292)..... 2076

West 6th Street, 2323, (Ward 13) — Sammy Catania, owner — appeal to be heard on 10/3/05  
(Cal. 05-293)..... 2076

**Bridges**

E. 105th St. — City bridge No. 4:017M — highway and bridge improvement — appropriate  
property (O 1661-05)..... **2089**

**Building and Housing Department**

Demolition and Board-Up programs — Madonna Hall — amend Ord. 653-05  
(O 1672-05)..... **2091**

**City Council**

Codified Ordinances — Parts IV and VI supplements — update, print, index and bind — City Contract No. 60428 — West Services, Inc. (O 1671-05).....	2090
Iron Mountain Records Management — City Contract Nos. 62298 & 62354 — amendment (O 1670-05).....	2090
Jackson, Council President Frank — new Ward 1 Council Member (F 1800-05) .....	2057

**City of Cleveland Bids**

Archmere Park site improvements — Department of Parks, Recreation and Properties — Division of Research, Planning and Development — per Ord. 2151-03 — bid due October 5, 2005 (advertised 9/21/2005 and 9/28/2005) .....	2080
Automotive / truck parts and labor — Department of Public Service — Division of Motor Vehicle Maintenance — per Ord. 470-04 — bid due October 5, 2005 (advertised 9/14/2005 and 9/21/2005).....	2079
Demolition of East 40th Street, 1407 — Department of Building and Housing — Division of Construction Permitting — per Ord. 653-05 — bid due October 5, 2005 (advertised 9/14/2005 and 9/21/2005) .....	2079
Demolition of East 83rd Street, 2060 — Department of Building and Housing — Division of Construction Permitting — per Ord. 653-05 — bid due October 5, 2005 (advertised 9/14/2005 and 9/21/2005) .....	2079
Diagnostic equipment for Olympus BX-51 microscope — Department of Public Safety — Division of Fire — per Ord. 1086-04 — bid due October 6, 2005 (advertised 9/14/2005 and 9/21/2005).....	2079
Gardenview Hill and Grant Park site improvements — Department of Parks, Recreation and Properties — Division of Research, Planning and Development — per Ord. 2151-03 — bid due September 28, 2005 (advertised 9/14/2005 and 9/21/2005) .....	2079
Residential Sound Insulation Program (RSIP), Phase II, 2005, Group A-05-1 — General Construction — Group A-05-2 — HVAC/Electrical (Re-Bid) — Department of Port Control — Division of Cleveland Hopkins International Airport — per Ord. 930-95, 469-98, 327-2000 — bid due October 19, 2005 (advertised 9/21/2005 and 9/28/2005).....	2080
Scrap metals — Department of Finance — per C.O. Sec. 181.19 — bid due October 7, 2005 (advertised 9/21/2005 and 9/28/2005).....	2080
Snow removal equipment, tow behind broom/blower units — Department of Public Service — per Ord. 829-05 — bid due October 7, 2005 (advertised 9/14/2005 and 9/21/2005).....	2080
Throckley Avenue storm sewer replacement project — Department of Public Utilities — Division of Water Pollution Control — per Ord. 647-05 — bid due October 7, 2005 (advertised 9/21/2005 and 9/28/2005).....	2080
West 162nd Street storm sewer replacement project — Department of Public Utilities — Division of Water Pollution Control — per Ord. 649-05 — bid due October 7, 2005 (advertised 9/21/2005 and 9/28/2005).....	2080
Wireless audio / video system — Department of Public Safety — Division of Fire — per Ord. 1086-04 — bid due October 6, 2005 (advertised 9/14/2005 and 9/21/2005) .....	2079

**City Planning Commission**

Chester Ave., E. 40th St., E. 97th St. & Carnegie Ave. (properties bounded by) — Change the zoning — Midtown Mixed Use Districts 1, 2, 3, and 4 (O 1785-05) .....	2061
Downtown Cleveland Improvement District — additional security — cleaning and maintenance — collective economic development and marketing (R 1387-05) .....	2080
St. Clair between Ruple Rd. & Rondel Rd. — change the zoning — One Family Residential District — establish a Planned Unit Development Overlay District PUD (O 1786-05).....	2065
W. 9th St., Front Ave., W. 10th St., the Cuyahoga River & the CSX Railroad — change the zoning — amend Ord. 1162-05 (O 1662-05).....	2089

**Civil Service Commission**

Promotional examinations — professional consultants — develop, administer and grade — Division of Police (O 1782-05).....	2060
---	------

**Clerk of Council**

Codified Ordinances — Parts IV and VI supplements — update, print, index and bind — City Contract No. 60428 — West Services, Inc. (O 1671-05) .....	2090
Iron Mountain Records Management — City Contract Nos. 62298 & 62354 — amendment (O 1670-05).....	2090

**Cleveland Municipal School District**

Steelyard Commons LLC — Tax Increment Financing Agreement — payments — Steelyard Commons TIF Fund — creation (O 1780-05) .....	2059
---	------

**Cleveland Public Power**

Cleveland Public Power System Improvement First Mortgage Revenue Bonds — defeasance — Ord. No. 1886-02 (O 1526-05) .....	2088
---	------

**Cleveland Theater District**

Cleveland Theater District Development Corporation — continue to exist — Revised Code Chapter 1702 (R 1667-05) .....	2082
---	------

**Codified Ordinances**

Parts IV and VI supplements — update, print, index and bind — City Contract No. 60428 — West Services, Inc. (O 1671-05) .....	2090
--	------

**Communications**

Center for Community Solutions, The — Cleveland neighborhood asset maps and resource lists (F 1802-05) .....	2057
Fair Campaign Finance Commission — Public Notice — City's voluntary expenditure limits (F 1801-05) .....	2057
Jackson, Council President Frank — new Ward 1 Council Member (F 1800-05) .....	2057

**Community Development**

Cleveland Action to Support Housing, Inc. — contracts — housing rehabilitation, new housing construction — commercial redevelopment loan & grant programs (O 1518-05).....	2071
Demolition and Board-Up programs — Madonna Hall — amend Ord. 653-05 (O 1672-05).....	2091
Emerald Commons housing project — Community Development Block Grant Float Loan — HOME loan — EDEN, Inc. (O 1519-05) .....	2071
Fairview/Lutheran Foundation — WestFest Expo — Wards 21, 13, 14, 15, 16, 17, 18, 19 and 20 NEF (O 1795-05).....	2069
Harlem Ave. — Land Reutilization Program — Pasko Perkovic (O 1528-05).....	2071
Home Builders Association of Greater Cleveland — Land Reutilization Program — scattered sites (Ward 8) (O 1535-05).....	2071
Hurricane Katrina evacuees — assistance — amend Ord. 1696-05 (O 1783-05).....	2060
Hurricane Katrina evacuees — contracts — provide financial assistance —relocation — reimbursement from State (O 1696-05) .....	2092
Lockyear Ave. — Land Reutilization Program — Cecelia White Pinkston (O 1529-05).....	2071
St. Clair — Land Reutilization Program — Collinwood and Nottingham Village Development Corporation (O 1779-05).....	2059
St. Michael's Hospital site — Nurses Building and the Main Hospital Building — demolition and environmental remediation (O 1664-05).....	2090
Taxable Urban Renewal Temporary Refunding Bonds — issuance and sale — \$4,375,000 — refund and pay (O 943-05) .....	2070
Tremont West Development Corporation — Student Theatre Enrichement Program — amend Ord. 1313-05 — Ward 13 NEF (O 1793-05).....	2069

**Condolences**

King, Houston (R 1811-05) .....	2058
Mitchell, Horace (R 1810-05) .....	2058

**Congratulations**

Beth-El African Methodist Episcopal Zion Church (R 1819-05) .....	2058
Cleary, Patrick (R 1816-05) .....	2058
Eliza Bryant Village Auxiliary II (R 1821-05) .....	2058
Johnson, Mr. Willie (R 1820-05) .....	2058
Kepler, Marc V. (R 1813-05) .....	2058
Khan, Mr. Ali (R 1822-05) .....	2058
Meggas, Dale M. (R 1817-05) .....	2058
Stone, Alva G. (R 1814-05) .....	2058
Swrydenko, Walter (R 1815-05) .....	2058
The Organization of Chinese Americans of Greater Cleveland (R 1818-05) .....	2058
Zone, Councilman Matthew (R 1812-05) .....	2058

**Contracts**

Cleveland Action to Support Housing, Inc. — housing rehabilitation, new housing construction — commercial redevelopment loan & grant programs (O 1518-05) .....	2071
Codified Ordinances — Parts IV and VI supplements — update, print, index and bind — City Contract No. 60428 — West Services, Inc. (O 1671-05) .....	2090
Emerald Commons housing project — Community Development Block Grant Float Loan — HOME loan — EDEN, Inc. (O 1519-05) .....	2071
Fiber optic cable between the Third District Police Station & 205 St. Clair Ave. — install — amend Ord. 1257-04 — American Fiber Systems, Inc. — amend Contract No. 63727 (O 1495-05) .....	2088
Iron Mountain Records Management — City Contract Nos. 62298 & 62354 — amendment (O 1670-05) .....	2090
St. Michael's Hospital site — Nurses Building and the Main Hospital Building — demolition and environmental remediation (O 1664-05) .....	2090

**County Budget Commission**

Tax Budget, 2006 — adopt and declare — submit (R 1796-05) .....	2067
---	------

**Cuyahoga Community College**

Basketball and More; A Village Experience Program — amend Ord. 1179-05 — Ward 5 NEF (O 1792-05) .....	2069
--	------

**Dominion East Ohio**

Deed of easement — property located at Dock 32 (O 1778-05) .....	2058
--	------

**Easements**

Big Creek Watershed Stormwater Management Project — state funding — Ohio Public Works Commission — amend Ord. No. 952-05 (O 1784-05) .....	2067
Dominion East Ohio Gas — deed of easement — property located at Dock 32 (O 1778-05) .....	2058

**Economic Development Department**

Blue Seas Restaurant — agreement — Blue Seas Restaurant Development Project — Ward 5 NEF (O 1680-05) .....	2092
E. 185th St. & Neff Rd. — intention to appropriate — redevelopment and/or rehabilitation (R 1669-05) .....	2082
Steelyard Commons LLC — Tax Increment Financing Agreement — payments — Cleveland City School District — Steelyard Commons TIF Fund — creation (O 1780-05) .....	2059
Tops Market, LLC — new supermarket — 18501 Neff Rd. — Repeal Ord. 2449-02 (O 1522-05) .....	2071

**Enterprise Funds**

Appropriations — (\$6,800,000) (O 1494-05) ..... 2071

**Enterprise Zone Agreement**

Tops Market, LLC — new supermarket — 18501 Neff Rd. — Repeal Ord. 2449-02  
(O 1522-05)..... 2071

**Finance Department**

Appropriations — (\$6,800,000) — Enterprise Funds (O 1494-05)..... 2071  
Cleveland Public Power System Improvement First Mortgage Revenue Bonds — defeasance —  
Ord. No. 1886-02 (O 1526-05) ..... 2088  
Fiber optic cable between the Third District Police Station & 205 St. Clair Ave. —  
install — amend Ord. 1257-04 — American Fiber Systems, Inc. — amend Contract No.  
63727 (O 1495-05)..... 2088  
Hurricane Katrina evacuees — assistance — amend Ord. 1696-05  
(O 1783-05)..... 2060  
Mail system — amend Ord. 809-05 — Division of Printing and Reproduction  
(O 1632-05)..... 2072  
Tax Budget, 2006 — adopt and declare — submit — County Budget Commission  
(R 1796-05) ..... 2067  
Taxable Urban Renewal Temporary Refunding Bonds — issuance and sale — \$4,375,000  
— refund and pay (O 943-05) ..... 2070

**Fire Division**

Hazmat equipment and supplies — gift (O 1781-05) ..... 2060

**Flats District**

W. 9th St., Front Ave., W. 10th St., the Cuyahoga River & the CSX Railroad — change the  
zoning — amend Ord. 1162-05 (O 1662-05)..... 2089

**Funds**

Hurricane Katrina evacuees — assistance — amend Ord. 1696-05  
(O 1783-05)..... 2060  
Hurricane Katrina evacuees — contracts — provide financial assistance —relocation —  
reimbursement from State (O 1696-05) ..... 2092  
St. Michael's Hospital site — Nurses Building and the Main Hospital Building  
— demolition and environmental remediation (O 1664-05)..... 2090  
Steelyard Commons LLC — Tax Increment Financing Agreement — payments —  
Cleveland City School District — Steelyard Commons TIF Fund — creation  
(O 1780-05)..... 2059

**General Fund**

Appropriation — 2006 — devote 1% to create youth employment programs  
(R 1787-05) ..... 2067

**Gifts**

Hazmat equipment and supplies — Division of Fire (O 1781-05) ..... 2060

**Glenville Recreation Center**

Glenville — James Hubbard Recreation Center — change the name  
(O 1537-05)..... 2072

**Grants**

St. Michael's Hospital site — Nurses Building and the Main Hospital Building  
— demolition and environmental remediation (O 1664-05)..... 2090

**Land Banks Reutilization Program**

Harlem Ave. — Pasko Perkovic (O 1528-05).....	2071
Home Builders Association of Greater Cleveland — scattered sites (Ward 8) (O 1535-05).....	2071
Lockyear Ave. — Cecelia White Pinkston (O 1529-05) .....	2071
St. Clair — Collinwood and Nottingham Village Development Corporation (O 1779-05).....	2059

**Liquor Permits**

Brookpark Rd., 2180 — objection — withdraw (Ward 16) (R 1691-05) .....	2086
Clark Ave., 5110 — objection (Ward 17) (R 1692-05).....	2086
Clark Ave., 5601 — objection (Ward 17) (R 1695-05).....	2087
Dolof Rd., 5351-53 — objection — withdraw (Ward 5) (R 1690-05) .....	2086
Dudley Ave., 7520 — objection — withdraw (Ward 17) (R 1694-05).....	2087
E. 140th St., 625 — objection (Ward 10) (R 1687-05).....	2085
E. 185th St., 870 — transfer (Ward 11) (F 1806-05).....	2057
E. 71st St., 3869 — objection (Ward 12) (R 1684-05) .....	2084
Euclid Ave., 11313 — objection — withdraw (Ward 9) (R 1689-05) .....	2086
Euclid Ave., 1375 — new (Ward 13) (F 1804-05) .....	2057
Euclid Ave., 18029 — objection (Ward 10) (R 1688-05).....	2085
Fleet Ave., 5509 — objection (Ward 12) (R 1685-05).....	2084
Lorain Rd., 14910 — transfer (Ward 21) (F 1803-05).....	2057
Old River Rd., 1187 — objection (Ward 13) (R 1799-05).....	2070
Storer Ave., 5404 — objection (Ward 17) (R 1693-05) .....	2087
Superior Ave., 4829 — objection (Ward 13) (R 1798-05) .....	2070
Superior Ave., 4829 — transfer (Ward 13) (F 1807-05) .....	2057
Superior Ave., 6029 — objection — withdraw (Ward 13) (R 1686-05) .....	2085
Triskett Rd., 13932 — transfer (Ward 20) (F 1805-05) .....	2057

**Mayor's Office**

Oakes Rd. & Metro Parks Blvd. (between) — City-owned property — sell to City of Brecksville (O 1491-05) .....	2071
--	------

**National League of Cities**

Race Equality Week — September 26-30 — racial equality and justice — commitment (R 1794-05) .....	2069
--	------

**Neighborhood Equity Funds**

Blue Seas Restaurant — agreement — Blue Seas Restaurant Development Project — Ward 5 (O 1680-05).....	2092
Cleveland Public Art, Inc. — agreement — West 28th Street Bridge Mural Project — Ward 13 (O 1679-05).....	2092
Cuyahoga Community College — Basketball and More; A Village Experience Program — amend Ord. 1179-05 — Ward 5 (O 1792-05) .....	2069
Fairview/Lutheran Foundation — WestFest Expo — Wards 21, 13, 14, 15, 16, 17, 18, 19 and 20 (O 1795-05).....	2069
Tremont West Development Corporation — Student Theatre Enrichement Program — amend Ord. 1313-05 — Ward 13 (O 1793-05) .....	2069

**Oath of Office**

Cox, Michael E. — Assistant Director of Parks, Recreation and Properties (F 1809-05) .....	2057
Thompson, Antonette — Director of Parks, Recreation and Properties (F 1808-05) .....	2057

**Ohio General Assembly**

Excessive pricing of prescription drugs — violation of State law — enact legislation (R 1677-05).....	2083
--	------

**Parks, Recreation and Properties Department**

Cox, Michael E. — oath of office — Assistant Director (F 1809-05) .....	2057
Cuyahoga Community College — Basketball and More; A Village Experience Program — amend Ord. 1179-05 — Ward 5 NEF (O 1792-05) .....	2069
Dominion East Ohio Gas — deed of easement — property located at Dock 32 (O 1778-05) .....	2058
Glenville Recreation Center — change the name — Glenville · James Hubbard Recreation Center (O 1537-05) .....	2072
Salvation Army — lease or sale of certain property — community center — amend Ord. 1121-05 (O 1640-05) .....	2072
Thompson, Antionette — oath of office — Director (F 1808-05) .....	2057

**Permits**

America's Walk for Diabetes — American Diabetes Association (O 1673-05) .....	2091
Diabetes Association of Greater Cleveland — Charity Costume 10K Run/Walk (O 1789-05) .....	2068
Walk for Disabilities, 28th Annual — Disability Services and Disability Ministries of Catholic Charities Services. (O 1788-05) .....	2068

**Police Division**

Promotional examinations — professional consultants — develop, administer and grade (O 1782-05) .....	2060
Search warrant process — establish a supervisory review (R 1797-05) .....	2067

**Port Control Department**

Dominion East Ohio Gas — deed of easement — property located at Dock 32 (O 1778-05) .....	2058
--	------

**Printing and Reproduction Division**

Mail system — amend Ord. 809-05 (O 1632-05) .....	2072
---	------

**Purchases and Supplies Division**

Oakes Rd. & Metro Parks Blvd. (between) — City-owned property — sell to City of Brecksville (O 1491-05) .....	2071
--	------

**Recognition**

The HELP Program (R 1823-05) .....	2058
------------------------------------	------

**Resolutions — Miscellaneous**

Cleveland Theater District Development Corporation — continue to exist — Revised Code Chapter 1702 (R 1667-05) .....	2082
Excessive pricing of prescription drugs — violation of State law — Ohio General Assembly — enact legislation (R 1677-05) .....	2083
General fund appropriation — 2006 — devote 1% to create youth employment programs (R 1787-05) .....	2067
Ohio's election laws — Issues 2, 3, 4, and 5 — support (R 1683-05) .....	2083
Race Equality Week — September 26-30 — racial equality and justice — commitment (R 1794-05) .....	2069
Search warrant process — establish a supervisory review (R 1797-05) .....	2067
Senate Bill 13 — Council's support — prohibiting tax money to go toward outsourcing of Ohio jobs (R 1676-05) .....	2082
State Issue 1 — issuance of general obligations — finance local government public infrastructure capital improvements — Council's support (R 1682-05) .....	2083
State Issue 1 — Council's support (R 1665-05) .....	2081



**Safety Department**

Hazmat equipment and supplies — gift — Division of Fire  
 (O 1781-05).....2060  
 Promotional examinations — professional consultants — develop, administer and grade —  
 Division of Police (O 1782-05).....2060

**Salvation Army**

Community center — lease or sale of certain property — amend Ord. 1121-05 (O 1640-05).....2072

**Senate Bills**

Senate Bill 13 — Council’s support — prohibiting tax money to go toward outsourcing of  
 Ohio jobs (R 1676-05).....2082

**Service Department**

America’s Walk for Diabetes — permit — American Diabetes Association  
 (O 1673-05).....2091  
 Cleveland Public Art, Inc. — agreement — West 28th Street Bridge Mural Project — Ward  
 13 NEF (O 1679-05).....2092  
 Coral Company, The — banners — celebration of Shaker Square  
 (O 1674-05).....2091  
 Diabetes Association of Greater Cleveland — permit — Charity Costume 10K Run/Walk  
 (O 1789-05).....2068  
 Downtown Cleveland Improvement District — additional security — cleaning and  
 maintenance — collective economic development and marketing  
 (R 1387-05) .....2080  
 E. 105th St. — City bridge No. 4:017M — highway and bridge improvement — appropriate  
 property (O 1661-05).....2089  
 East Tower City Drive — W. 2nd St. from Prospect Ave. to Huron Rd. — West Tower City  
 Drive — W. 3rd St. from Prospect Ave. to Huron Rd. — secondary and honorary  
 designation (O 1301-05).....2071  
 Fairview Lutheran Foundation — banners — WestFest (O 1790-05) .....2068  
 Francesca K. Bleick — catch basin — installing, repairing, and maintaining  
 (O 1777-05).....2058  
 Holmden Court S.W. — intention to vacate (R 1668-05).....2082  
 Muhammad Mosque #18 — banners — Million Family March  
 (O 1791-05).....2068  
 Play House Plaza — designating — E. 83rd St., Euclid Ave., Carnegie Ave.  
 (R 1666-05) .....2081  
 Spanish American Committee — banner — Summer Latino Unity Festival  
 (O 1675-05).....2091  
 Walk for Disabilities, 28th Annual — permit — Disability Services and Disability  
 Ministries of Catholic Charities Services. (O 1788-05) .....2068

**Spanish American Committee**

Summer Latino Unity Festival — banner (O 1675-05) .....2091

**Street Vacation**

Holmden Court S.W. — intention to vacate (R 1668-05).....2082

**Streets — Name**

East Tower City Drive — W. 2nd St. from Prospect Ave. to Huron Rd. — West Tower City  
 Drive — W. 3rd St. from Prospect Ave. to Huron Rd. — secondary and honorary  
 designation (O 1301-05).....2071

**Tax Budget**

Adopt and declare — 2006 — submit — County Budget Commission  
 (R 1796-05) .....2067

**Utilities Department**

Big Creek Watershed Stormwater Management Project — state funding — Ohio Public Works Commission — amend Ord. No. 952-05 (O 1784-05).....	2067
Cleveland Public Power System Improvement First Mortgage Revenue Bonds — defeasance — Ord. No. 1886-02 (O 1526-05) .....	<b>2088</b>
Treelawns — repair — landscaping services — Water and Water Pollution Control facilities (O 1024-05).....	2071

**Ward 01**

Jackson, Council President Frank — new Council Member (F 1800-05) .....	2057
--	------

**Ward 02**

Francesca K. Bleick — catch basin — installing, repairing, and maintaining (O 1777-05).....	2058
--	------

**Ward 03**

Khan, Mr. Ali — congratulation (R 1822-05) .....	2058
Muhammad Mosque #18 — banners — Million Family March (O 1791-05).....	2068

**Ward 04**

Coral Company, The — banners — celebration of Shaker Square (O 1674-05).....	<b>2091</b>
---	-------------

**Ward 05**

Adams, Deacon Lee — appreciation (R 1824-05).....	2058
Blue Seas Restaurant — agreement — Blue Seas Restaurant Development Project — NEF (O 1680-05) .....	<b>2092</b>
Chester Ave., E. 40th St., E. 97th St. & Carnegie Ave. (properties bounded by) — Change the zoning — Midtown Mixed Use Districts 1, 2, 3, and 4 (O 1785-05).....	2061
Cuyahoga Community College — Basketball and More; A Village Experience Program — amend Ord. 1179-05 — NEF (O 1792-05).....	2069
Dollof Rd., 5351-53 — objection — withdraw — liquor permit (R 1690-05) .....	<b>2086</b>
Eliza Bryant Village Auxiliary II — congratulation (R 1821-05) .....	2058
Robinson, Dr. Donald R. — welcome (R 1825-05) .....	2058
St. Michael's Hospital site — Nurses Building and the Main Hospital Building — demolition and environmental remediation (O 1664-05).....	<b>2090</b>
The HELP Program — recognition (R 1823-05) .....	2058
The Organization of Chinese Americans of Greater Cleveland — congratulation (R 1818-05) .....	2058
Zone, Councilman Matthew — congratulation (R 1812-05).....	2058

**Ward 06**

Chester Ave., E. 40th St., E. 97th St. & Carnegie Ave. (properties bounded by) — Change the zoning — Midtown Mixed Use Districts 1, 2, 3, and 4 (O 1785-05).....	2061
E. 105th St. — City bridge No. 4:017M — highway and bridge improvement — appropriate property (O 1661-05).....	<b>2089</b>
Play House Plaza — designating — E. 83rd St., Euclid Ave., Carnegie Ave. (R 1666-05) .....	<b>2081</b>

**Ward 07**

Chester Ave., E. 40th St., E. 97th St. & Carnegie Ave. (properties bounded by) —  
 Change the zoning — Midtown Mixed Use Districts 1, 2, 3, and 4  
 (O 1785-05).....2061  
 Demolition and Board-Up programs — Madonna Hall — amend Ord. 653-05  
 (O 1672-05).....**2091**  
 Eliza Bryant Village Auxiliary II — congratulation (R 1821-05) ..... 2058  
 Harlem Ave. — Land Reutilization Program — Pasko Perkovic  
 (O 1528-05).....2071  
 Johnson, Mr. Willie — congratulation (R 1820-05) ..... 2058  
 King, Houston — condolence (R 1811-05) ..... 2058  
 Lockyear Ave. — Land Reutilization Program — Cecelia White Pinkston  
 (O 1529-05)..... 2071

**Ward 08**

Beth-El African Methodist Episcopal Zion Church — congratulation  
 (R 1819-05) ..... 2058  
 Home Builders Association of Greater Cleveland — Land Reutilization Program —  
 scattered sites (O 1535-05) ..... 2071  
 Salvation Army — lease or sale of certain property — community center —  
 amend Ord. 1121-05 (O 1640-05)..... 2072

**Ward 09**

Euclid Ave., 11313 — objection — withdraw — liquor permit  
 (R 1689-05) ..... **2086**  
 Glenville Recreation Center — change the name — Glenville · James Hubbard Recreation  
 Center (O 1537-05)..... 2072

**Ward 10**

E. 140th St., 625 — objection — liquor permit (R 1687-05) ..... **2085**  
 Euclid Ave., 18029 — objection — liquor permit (R 1688-05) ..... **2085**  
 Mitchell, Horace — condolence (R 1810-05)..... 2058

**Ward 11**

E. 185th St. & Neff Rd. — intention to appropriate — redevelopment  
 and/or rehabilitation (R 1669-05)..... **2082**  
 E. 185th St., 870 — transfer — liquor permit (F 1806-05) ..... 2057  
 St. Clair — Land Reutilization Program — Collinwood and Nottingham Village Development  
 Corporation (O 1779-05)..... 2059  
 St. Clair between Ruple Rd. & Rondel Rd. — change the zoning — One Family Residential  
 District — establish a Planned Unit Development Overlay District PUD  
 (O 1786-05)..... 2065  
 Tops Market, LLC — new supermarket — 18501 Neff Rd. — Repeal Ord. 2449-02  
 (O 1522-05)..... 2071

**Ward 12**

E. 71st St., 3869 — objection — liquor permit (R 1684-05)..... **2084**  
 Fleet Ave., 5509 — objection — liquor permit (R 1685-05)..... **2084**

**Ward 13**

Chester Ave., E. 40th St., E. 97th St. & Carnegie Ave. (properties bounded by) — Change  
 the zoning — Midtown Mixed Use Districts 1, 2, 3, and 4  
 (O 1785-05)..... 2061  
 Cleveland Public Art, Inc. — agreement — West 28th Street Bridge Mural Project — NEF  
 (O 1679-05)..... **2092**  
 Diabetes Association of Greater Cleveland — permit — Charity Costume 10K Run/Walk  
 (O 1789-05)..... 2068

Downtown Cleveland Improvement District — additional security — cleaning and maintenance — collective economic development and marketing (R 1387-05) .....	<b>2080</b>
East Tower City Drive — W. 2nd St. from Prospect Ave. to Huron Rd. — West Tower City Drive — W. 3rd St. from Prospect Ave. to Huron Rd. — secondary and honorary designation (O 1301-05) .....	2071
Euclid Ave., 1375 — new — liquor permit (F 1804-05) .....	2057
Fairview/Lutheran Foundation — WestFest Expo — Wards 21, 13, 14, 15, 16, 17, 18, 19 and 20 NEF (O 1795-05) .....	2069
Holmden Court S.W. — intention to vacate (R 1668-05) .....	<b>2082</b>
Old River Rd., 1187 — objection — liquor permit (R 1799-05) .....	2070
Superior Ave., 4829 — objection — liquor permit (R 1798-05) .....	2070
Superior Ave., 4829 — transfer — liquor permit (F 1807-05) .....	2057
Superior Ave., 6029 — objection — withdraw — liquor permit (R 1686-05) .....	<b>2085</b>
Tremont West Development Corporation — Student Theatre Enrichement Program — amend Ord. 1313-05 — NEF (O 1793-05) .....	2069
W. 9th St., Front Ave., W. 10th St., the Cuyahoga River & the CSX Railroad — change the zoning — amend Ord. 1162-05 (O 1662-05) .....	<b>2089</b>
Walk for Disabilities, 28th Annual — permit — Disability Services and Disability Ministries of Catholic Charities Services. (O 1788-05) .....	2068

**Ward 14**

Fairview/Lutheran Foundation — WestFest Expo — Wards 21, 13, 14, 15, 16, 17, 18, 19 and 20 NEF (O 1795-05) .....	2069
--	------

**Ward 15**

Fairview/Lutheran Foundation — WestFest Expo — Wards 21, 13, 14, 15, 16, 17, 18, 19 and 20 NEF (O 1795-05) .....	2069
--	------

**Ward 16**

Brookpark Rd., 2180 — objection — withdraw — liquor permit (R 1691-05) .....	<b>2086</b>
Fairview/Lutheran Foundation — WestFest Expo — Wards 21, 13, 14, 15, 16, 17, 18, 19 and 20 NEF (O 1795-05) .....	2069

**Ward 17**

Clark Ave., 5110 — objection — liquor permit (R 1692-05) .....	<b>2086</b>
Clark Ave., 5601 — objection — liquor permit (R 1695-05) .....	<b>2087</b>
Dudley Ave., 7520 — objection — withdraw — liquor permit (R 1694-05) .....	<b>2087</b>
Emerald Commons housing project — Community Development Block Grant Float Loan — HOME loan — EDEN, Inc. (O 1519-05) .....	2071
Fairview Lutheran Foundation — banners — WestFest (O 1790-05) .....	2068
Fairview/Lutheran Foundation — WestFest Expo — Wards 21, 13, 14, 15, 16, 17, 18, 19 and 20 NEF (O 1795-05) .....	2069
Spanish American Committee — banner — Summer Latino Unity Festival (O 1675-05) .....	<b>2091</b>
Storer Ave., 5404 — objection — liquor permit (R 1693-05) .....	<b>2087</b>

**Ward 18**

Cleary, Patrick — congratulation (R 1816-05) .....	2058
Fairview/Lutheran Foundation — WestFest Expo — Wards 21, 13, 14, 15, 16, 17, 18, 19 and 20 NEF (O 1795-05) .....	2069
Kepler, Marc V. — congratulation (R 1813-05) .....	2058
Meggas, Dale M. — congratulation (R 1817-05) .....	2058
Stone, Alva G. — congratulation (R 1814-05) .....	2058
Swyrydenko, Walter — congratulation (R 1815-05) .....	2058

**Ward 19**

Fairview/Lutheran Foundation — WestFest Expo — Wards 21, 13, 14, 15, 16, 17, 18, 19 and  
 20 NEF (O 1795-05).....2069

**Ward 20**

Fairview/Lutheran Foundation — WestFest Expo — Wards 21, 13, 14, 15, 16, 17, 18, 19 and  
 20 NEF (O 1795-05).....2069  
 Triskett Rd., 13932 — transfer — liquor permit (F 1805-05).....2057

**Ward 21**

Fairview/Lutheran Foundation — WestFest Expo — Wards 21, 13, 14, 15, 16, 17, 18, 19 and  
 20 NEF (O 1795-05).....2069  
 Lorain Rd., 14910 — transfer — liquor permit (F 1803-05) .....2057

**Water Division**

Treelawns — repair — landscaping services — Water and Water Pollution  
 Control facilities (O 1024-05).....2071

**Water Pollution Control Division**

Treelawns — repair — landscaping services — Water and Water Pollution  
 Control facilities (O 1024-05).....2071

**Welcome**

Robinson, Dr. Donald R. (R 1825-05).....2058

**Zoning**

Chester Ave., E. 40th St., E. 97th St. & Carnegie Ave. (properties bounded by) — Change  
 the zoning — Midtown Mixed Use Districts 1, 2, 3, and 4  
 (O 1785-05).....2061  
 St. Clair between Ruple Rd. & Rondel Rd. — change the zoning — One Family Residential  
 District — establish a Planned Unit Development Overlay District PUD  
 (O 1786-05).....2065  
 W. 9th St., Front Ave., W. 10th St., the Cuyahoga River & the CSX Railroad — change the  
 zoning — amend Ord. 1162-05 (O 1662-05).....2089