

# The City Record

Official Publication of the Council of the City of Cleveland



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January the Twenty-Sixth, Two Thousand and Five

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**Jane L. Campbell**  
Mayor

**Frank G. Jackson**  
President of Council

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

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

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Containing	PAGE
City Council	3
The Calendar	12
Board of Control	13
Civil Service	15
Board of Zoning Appeals	16
Board of Building Standards and Building Appeals	16
Public Notice	16
Public Hearings	16
City of Cleveland Bids	17
Adopted Resolutions and Ordinances	22
Committee Meetings	22
Index	23

# DIRECTORY OF CITY OFFICIALS

## CITY COUNCIL – LEGISLATIVE

President of Council – Frank G. Jackson

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

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

### MAYOR – Jane L. Campbell

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. Martinez, 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 – Myrna Branche, Commissioner, Room 128  
 Printing and Reproduction – Michael Hewitt, Commissioner, 1735 Lakeside Avenue  
 Taxation – Nassim Lynch, Tax Administrator, 1701 Lakeside Avenue

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

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

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

Cleveland Hopkins International Airport, 5300 Riverside Drive  
 Burke Lakefront Airport – Khalid 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 – \_\_\_\_\_, Commissioner  
 Correction – Robert Taskey, Commissioner, Cleveland House of Corrections, 4041 Northfield Rd.  
 Environment – Willie Bess, Acting Commissioner, Mural Building, 1925 St. Clair Ave.  
 Health – Dr. Wendy Johnson, Acting Commissioner, Mural Building, 1925 St. Clair Ave.

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

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

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

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

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

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

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

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

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

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

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

DEPT. OF CONSUMER AFFAIRS – Kenya Taylor, Director

COMMUNITY RELATIONS BOARD – Room 11, Jeffrey D. Johnson, Director; Mayor Jane

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

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

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

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

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

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

Margaret Hopkins, Ozell Dobbins, Joan Shaver Washington, 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 W. Burke, Lawrence A. Lumpkin, Gloria Jean Pinkney, Rev. Sam Edward Small, Councilman Joseph Cimperman.

FAIR EMPLOYMENT WAGE BOARD – Room 210 – Gerald Meyer, Chair; Angela

Caldwell, Vice Chair; Patrick Gallagher, Kathryn Jackson, Draydean McCaleb, Council Member Nelson Cintron, Ed Romero.

HOUSING ADVISORY BOARD – Room 310 – Keith Brown, Terri Hamilton Brown, Vickie

Eaton-Johnson, Mike Foley, Eric Hodderson, Janet Loehr, Mark McDermott, Marcia Nolan, David Perkowski, Joan Shaver Washington, Keith Sutton, Council Member Merle Gordon.

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

Doris Honsa, Richard Lenard.

CLEVELAND BOXING AND WRESTLING COMMISSION – Robert Jones, Chairman;

Clint Martin, Mark Rivera.

MORAL CLAIMS COMMISSION – Law Director Teresa M. Beasley; Chairman; Finance

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

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

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

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

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

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

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

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

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

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

# The City Record



OFFICIAL PUBLICATION OF THE COUNCIL OF THE CITY OF CLEVELAND

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WEDNESDAY, JANUARY 26, 2005

No. 4755

## CITY COUNCIL

MONDAY, JANUARY 24, 2005

### The City Record

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Address all communications to

**VALARIE J. McCALL**

City Clerk, Clerk of Council  
216 City Hall

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

#### MONDAY

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

#### MONDAY—Alternating

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

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

#### MONDAY

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

#### TUESDAY

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

#### TUESDAY—Alternating

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

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

#### WEDNESDAY—Alternating

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

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

#### WEDNESDAY—Alternating

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

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

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

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

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

### OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio

Monday, January 24, 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, Gordon, Johnson, Jones, Lewis, O'Malley, Pierce Scott, Polensek, Reed, Rybka, Sweeney, Westbrook and White.

Also present were Mayor Campbell, Chief Operating Officer Brown, Chief of Staff C. Ronayne, Directors Beasley, Ciaccia, Ricchiuto, Carroll, Watson, N. Ronayne, Rush, Williams, Routen, Huth, Fumich, Taylor, Johnson, Brown, Appolito and Margreat Jackson, Legislative Affairs Liaison.

Pursuant to Ordinance No. 2926-76, prayer was offered by Minister Keith Timco, of The Cleveland Chapel, located at 6400 Denison Avenue in Ward 17. Pledge of Allegiance.

#### MOTION

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

#### File No. 83-05.

January 24, 2005

Sandra Franklin  
First Assistant Clerk  
Cleveland City Council  
601 Lakeside Avenue  
Cleveland, Ohio 44114

Dear Ms. Franklin:

In the absence of Clerk Valarie J. McCall, you are hereby requested to serve as Clerk of Council Pro Tempore for the purposes of the Council meeting of January 24, 2005.

Your assistance is appreciated.

Sincerely,  
Frank G. Jackson, President  
Cleveland City Council

Received.

Without objection, Sandra Franklin is appointed Clerk of Council Pro Tempore for the reasons set forth in the letter.

#### COMMUNICATIONS

##### File No. 84-05.

From Division of Purchases and Supplies — Mayor's Emergency Purchases — emergency shoring to back drive of Willard Garage. Received.

##### File No. 85-05.

From Vorys, Sater, Seymour and Pease LLP — re: PUCO Case No. 01-1526-CC-AEC, 89-6015-CC-TRF, 02-2758-HT-AEC, 02-2759-HT-AEC, 02-2760-HT-AEC, 04-255-HT-AEC, 04-1788-HT-AEC, and 89-6014-HT-TRF. Received.

##### File No. 86-05.

From the Office of Equal Opportunity — re: Certified MBEs and FBES, Reporting Period: Fourth Quarter, 2004. Received.

##### File No. 87-05.

From the Office of Equal Opportunity — Denials of Certification — Fourth Quarter, 2004. Received.

##### File No. 88-05.

From the Early Settlers Association of the Western Reserve — letter opposing renaming of Cleveland Hopkins Airport. Received.

##### File No. 89-05.

From Bialosky + Partners — Firm Overview, Crocker Park. Received.

##### File No. 90-05.

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

**File No. 91-05.**

From Early Settlers Association of the Western Reserve — The Pioneer Newsletter, Winter 2004, Issue No. 140. Received.

**File No. 92-05.**

From Case Western Reserve University — Case Magazine, Winter 2005 Vol. 17. Received.

**FROM DEPARTMENT OF LIQUOR CONTROL****File No. 93-05.**

Re: New Application — 7274254 — Reham Food Mart, Inc., d.b.a. Clark Oil, 7910 Harvard Avenue. (Ward 2). Received.

**File No. 94-05.**

Re: New Application — 65916750010 — Ossie, Inc. d.b.a., Lee Harvard Shell, 4060 Lee Road. (Ward 1). Received.

**File No. 95-05.**

Re: Transfer of Ownership Application — 7401657 — Rite Beverage, Inc., d.b.a. Kinsman Shoprite, 7515 Kinsman Road. (Ward 5). Received.

**File No. 96-05.**

Re: Transfer of Ownership Application — 0717802 — Bill's Lounge, Inc., d.b.a., Bill's Lounge, 14045 St. Clair Avenue. (Ward 10). Received.

**File No. 97-05.**

Re: Transfer of Ownership Application — 1993697 — Gordon R. & Betty M. Dean, d.b.a. Eichorn Beverage, 3484 West 50th Street, first floor rear. (Ward 14). Received.

**File No. 98-05.**

Re: Transfer of Ownership Application — 8836172 — Telecom Acquisition Corp. I, Inc., d.b.a. Jimmy's in the Flats, 1061 Old River Road, first floor and patio. (Ward 13). Received.

**File No. 99-05.**

Re: Transfer of Ownership Application — 4462671 — Kaos in the Flats, Inc., d.b.a. Kaos, 1204 Old River Road, Mezzanine & patio. (Ward 13). Received.

**File No. 100-05.**

Re: Transfer of Ownership Application — 4895630 — Krupa Three, Inc., d.b.a. Old Brooklyn Food Market, 4785 Pearl Road. (Ward 16). Received.

**File No. 101-05.**

Re: Transfer of Ownership and Location Application — 00104760005 — A. & L. Restaurants, Inc., d.b.a. Heck's Cafe, 2927 Bridge Avenue. (Ward 13). Received.

**File No. 102-05.**

Re: Transfer of Ownership and Location Application — 8845715 — Tequila Ranch, LLC, d.b.a. Killer Burrito, 1229 West 6th Street. (Ward 13). Received.

**OATH OF OFFICE****File No. 103-05.**

Christopher S. Ronayne — oath of office — Secretary to the Mayor. Received.

**File No. 104-05.**

Robert N. Brown — oath of office — City Planning Director. Received.

**CONDOLENCE RESOLUTIONS**

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

- Res. No. 106-05**—Mary J. Zone.  
**Res. No. 107-05**—Andrew M. Kyovsky.  
**Res. No. 108-05**—Detective Louis J. Deck.  
**Res. No. 109-05**—John S. Pestotnik.  
**Res. No. 110-05**—Dorothy Neal.  
**Res. No. 111-05**—Linda Louise Echols Davis.  
**Res. No. 112-05**—Richard Szalesnik.  
**Res. No. 113-05**—Leola Perkins.  
**Res. No. 114-05**—Baxter Hill.  
**Res. No. 115-05**—Cleophus Judkins.  
**Res. No. 116-05**—Daniel Cardenas.  
**Res. No. 117-05**—Dorsey Brown.  
**Res. No. 118-05**—Paul Dickey.  
**Res. No. 119-05**—Peter Sims.

**CONGRATULATION RESOLUTIONS**

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

- Res. No. 120-05**—Fannie M. Flewelon.  
**Res. No. 121-05**—Rev. Chelton C. Flanagan.  
**Res. No. 122-05**—Detective Maurice Hamilton.

**RECOGNITION RESOLUTIONS**

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

- Res. No. 123-05**—Thomas Patrick Corrigan.  
**Res. No. 124-05**—David E. Gilbert.

**FIRST READING EMERGENCY ORDINANCES REFERRED**

**Ord. No. 71-05.**  
**By Council Members Gordon and Jackson (by departmental request).**  
**An emergency ordinance authorizing the Director of Community Development to apply for and accept grants from the United States Department of Housing and Urban Development for the CDBG Year 31 under the Title I of the Housing and Community Development Act of 1974, for the 2005 Federal HOME Grant Program, Emergency Shelter Program, and the Housing Opportunities for Persons with AIDS Program.**

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

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

**Section 1.** That the Director of Community Development is authorized to apply for and accept grants from the U. S. Department of Housing and Urban Development (HUD) in the following approximate amounts: \$27,429,753 to conduct the Year 31 Community Development Block Grant Program; \$6,892,578 to conduct the Federal HOME Grant Program; \$1,061,646 to conduct the Emergency Shelter Grant Program; and \$822,000 for the Housing Opportunities for Persons with AIDS (HOPWA) Program, for the purposes set forth in the budgets and according thereto and in compliance with the requirements of Title I of the Housing and Community Development Act of 1974 and applicable rules and regulations. That the Director of Community Development is authorized to file all papers and execute all documents necessary to

receive the funds under the grants, and that the funds are appropriated for the purposes set forth in the budgets for the grants.

**Section 2.** That the budgets for the grants, placed in File No. 71-05-A, made a part hereof as if fully rewritten herein, are approved in all respects.

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

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

**Ord. No. 72-05.**

**By Council Member Jackson.**  
**An emergency ordinance to clarify the deposit of transfer fees, payments, and contributions from CT Acquisitions I and Dominion Cleveland Thermal, Inc. described in Ordinance No. 1519-04, passed October 25, 2004.**

Whereas, this Council passed Ordinance No. 1519-04 on October 25, 2004, authorizing the transfer of the franchise for the transmission and supply of steam and water for heating, cooling, and power purposes from Dominion Cleveland Thermal, Inc. to CT Acquisitions I Inc.; and

Whereas, Section 2 of Ordinance No. 1519-04 describes the franchise agreement, as amended, in its entirety; and

Whereas, Section 1A, Transfer Fee, and Section 1B, Payments, of the franchise agreement, as described in Section 2 of Ordinance No. 1519-04, provide that the transfer fee and payments by CT Acquisitions I Inc., together with any payments or contributions made by Dominion Cleveland Thermal, Inc. and not yet expended, shall be deposited in the City's general fund and expended only through legislation passed by City Council; and

Whereas, this Council desires to clarify the deposit of transfer fees, payments, and contributions from CT Acquisitions I Inc. and Dominion Cleveland Thermal, Inc. described in Section 2 of Ordinance No. 1519-04; 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 transfer fees and payments under the franchise agreement with CT Acquisitions I Inc., and the payments or contributions made by Dominion Cleveland Thermal, Inc. and not yet expended, described under Section 1A and Section 1B in Section 2 of Ordinance No. 1519-04, passed October 25, 2004, shall be deposited in Fund No. 10 SF 350 and shall be expended only through legislation passed by City Council.

**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 Finance, Law; Committee on Finance.

**Ord. No. 73-05.****By Council Members Cimperman, Sweeney and Jackson (by departmental request).****An emergency ordinance authorizing the Director of Public Service to issue a permit to St. Vitus Development Corporation to encroach into the public right-of-way of 6111 Lausche Avenue with one closed circuit camera for surveillance to be attached to Cleveland Public Power utility poles (by separate permission).**

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

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

**Section 1.** That the Director of Public Service is authorized to issue a permit, revocable at the will of Council, to St. Vitus Development Corporation (6111 Lausche Avenue) ("Permittee") to encroach into the public right-of-way above Lausche Avenue by installing, using, and maintaining one closed circuit camera for surveillance to be attached to Cleveland Public Power utility poles (by separate permission), for the period starting January 1, 2005 and ending December 31, 2005, at the location more fully described as follows:

<u>LOCATION</u>	<u>POLE NUMBER</u>	<u>POLE OWNER</u>
6111 Lausche Avenue	40	CPP

Permittee may assign the permit only with the written consent of the Director of Public Service.

**Section 2.** That nothing in this ordinance grants or shall be considered to grant to Permittee any right, privilege, or permission to use, or to attach or affix any object to, poles; Permittee shall obtain such permission from the respective pole owner.

**Section 3.** That Permittee shall install the encroaching structures only conforming to plans and specifications approved by the Commissioner of Engineering and Construction. That the Permittee shall obtain all other required permits, including but not limited to Building Permits, before installing the encroachment.

**Section 4.** That the Director of Law shall prepare the permit authorized by this ordinance and shall include such additional provisions as the director determines necessary to protect and benefit the public interest. The Permit shall be issued only when, in the opinion of the Director of Law, the City has been properly indemnified against any loss which may result from the encroachment permitted.

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

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

**Ord. No. 74-05.****By Council Member Cimperman.****An emergency ordinance establishing the Ohio City Historic District (Map Change No. 2145, Sheet No. 1) and Repealing Ordinance No. 708-04 Passed May 17, 2004.**

Whereas, the Cleveland Landmarks Commission (the "Commission") under Chapter 161 of the Codified Ordinances of Cleveland, Ohio, 1976, has proposed the designation of the Ohio City Historic District as a landmark; and

Whereas, the Cleveland City Council adopted Ordinance 708-04 on May 17, 2004, establishing the Ohio City Historic District; and

Whereas, the Commission has proposed the expansion of the boundaries of the Ohio City Historic District established by Ordinance 708-04; and

Whereas, the Commission has determined that the character, interest, and value of the proposed Ohio City Historic District is part of the development, heritage, and cultural characteristics of the City of Cleveland; and

Whereas, the proposed Ohio City Historic District is identified with persons who significantly contributed to the culture and development of the City of Cleveland; and

Whereas, the proposed Ohio City Historic District exemplifies the cultural, economic, social, and historic heritage of the City of Cleveland; and

Whereas, the proposed Ohio City Historic District is identified with the work of architects and master builders whose individual work has influenced the development of the City of Cleveland; and

Whereas, the owners of the properties within the boundaries of the proposed Ohio City Historic District have been properly notified under Section 161.04 of the Codified Ordinances of Cleveland, Ohio, 1976; and

Whereas, a public hearing under Chapter 161.04 (b) subsections (2) and (3) was held on August 26, 2004 to discuss the proposed expansion of the Ohio City Historic District; and

Whereas, the Commission has recommended designation of the Ohio City Historic District as a landmark and has set forth certain findings of fact constituting the basis for its decision; and

Whereas, this ordinance constitutes an emergency measure providing for the immediate preservation of the public peace, property, health, and safety in that the immediate protection of the historic landmark is necessary to safeguard the special historical, community, or aesthetic interest or value in the landmark; now therefore

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

**Section 1.** That the following area, outlined in red on the attached map is designated the Ohio City Historic District:

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being a part of the Original Brooklyn Township Lot Nos. 49, 50, 51, 52, 69, and 70 described as follows:

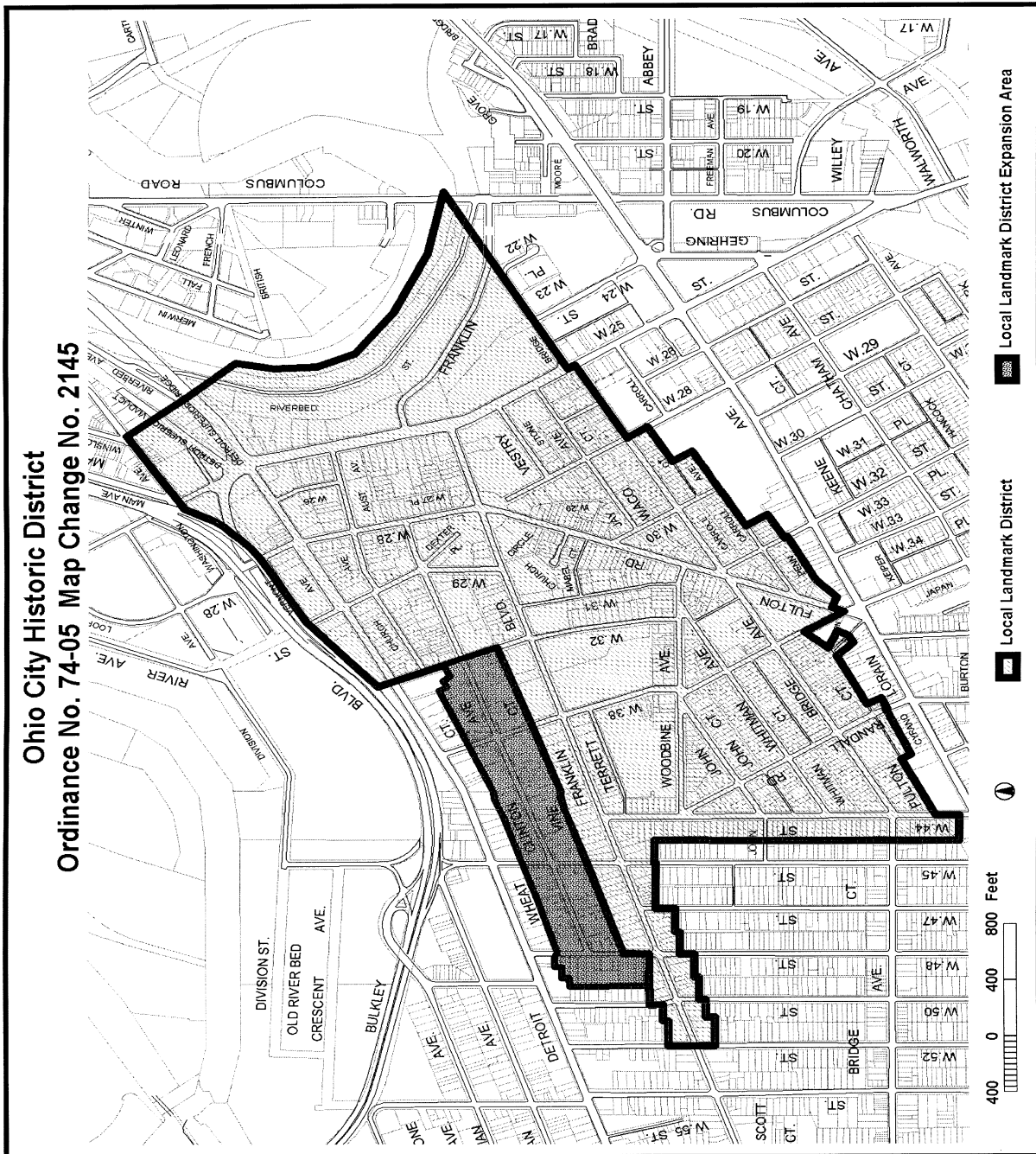
Beginning at the intersection of the centerlines of West 28th Street and Bridge Avenue N.W.; thence Northeasterly along the centerline of Bridge Avenue N.W. and its Northeasterly prolongation to the centerline of the Cuyahoga River; thence Northwesterly and Northerly along the centerline of said river to its intersection with the Southeasterly prolongation of the centerline of West 24th Street; thence Northwesterly along the Southeasterly prolongation and along the centerline of West 24th Street, to its intersection with the centerline of Washington Avenue N.W.; thence Southwesterly along the centerline of Washington Avenue N.W. to its intersection with the Southerly right-of-way line of the Cleveland Memorial Shoreway, N.W.; thence Southwesterly along said right-of-way to its intersection with the Northerly prolongation of the centerline of West 32nd Street; thence South-easterly along the Northerly prolongation and along the centerline of West 32nd Street to its intersection with the Northeasterly prolongation of the most Southerly Line of Parcel "A" as shown by the Recorded Plat in Vol-

ume 311, Page 50 of Cuyahoga County Records; thence Southwesterly, Northwesterly, and Southwesterly along said Northeasterly prolongation and Southerly Line of Parcel "A" and its Southwesterly prolongation to its intersection with the Centerline of West 33rd Street (16 feet wide); thence Northwesterly along said Centerline of West 33rd Street to its intersection with the Centerline of Wheat Court to its intersection with the centerline of West 38th Street (66 feet wide); thence continuing Southwesterly along the Centerline of Wheat Court (16.5 feet wide) to its intersection with the Centerline of West 45th Street (60 feet wide); thence continuing Southwesterly along said Centerline of Wheat Court to its intersection with the Centerline of West 48th Street (60 feet wide); thence Northerly along said Centerline of West 48th Street to its intersection with the Easterly prolongation of the Northerly Line of a Parcel of Land conveyed to Aga Gas Inc. by Deed Dated Dec. 24, 2002 and recorded in AFN 2002-12240415 of Cuyahoga County Records, also known as PPN 002-14-002; thence Westerly, Northerly, and Westerly along said Easterly prolongation and Northerly Line of PPN 002-14-002 to its intersection with the Easterly Line of Parcel "A" as shown by the Recorded Lot Consolidation Plat in Volume 272, Page 33 of Cuyahoga County Records; thence Southerly along said Easterly Line of Parcel "A" to the Southeasterly Corner thereof; thence Westerly, Southerly, and Westerly along the Southerly Line of said Parcel "A" to its Intersection with the Westerly Line of Jacob Perkins Allotment as shown by the Recorded Plat in Volume 1, Page 19 of Cuyahoga County Records; thence Southerly along said Westerly Line of Jacob Perkins Allotment to its intersection with the most Northerly Line of a Parcel of Land conveyed to Mark M. Bouguerra by Deed Dated Dec. 8, 2003 and recorded in AFN 200312080687 of Cuyahoga County Records, also known as PPN 002-14-047; thence Westerly, Southerly, and Westerly along said Northerly Line of PPN 002-14-047 to the Northeast Corner of a Parcel of Land conveyed to Edward Raffel by Deed Dated Jan. 9, 1992 and recorded in AFN 00192752 of Cuyahoga County Records, also known as PPN 002-14-046; thence Westerly along the Northerly Line and its Westerly prolongation of said PPN 002-14-047 to its intersection with the Centerline of West 50th Street (50 feet wide); thence Southerly along said Centerline of West 50th Street to its intersection with the Easterly prolongation of the Southerly line of Sublot number 128 in said Baldwin Subdivision; thence Westerly along the Easterly prolongation and Southerly line of said Sublot number 128 to its intersection with the Easterly line of Sublot number 8 in the C.W. Schmidt Allotment as shown by the recorded plat in Volume 2 page 36 of Cuyahoga County records; thence Southerly along the Easterly line of Sublot number 8 in said allotment to the Southeast corner thereof; thence Westerly along the Southerly line of said Sublot number 8 and its Westerly prolongation to its intersection with the centerline of West 52nd Street; thence Southerly along the centerline of said West 52nd Street to its intersection with the Westerly prolongation of the Northerly line of Sublot number 16 in the C.W. Schmidt allotment as aforesaid; thence Easterly along the Westerly prolongation and Southerly line of said Sublot number 16 to the Westerly line of Sublot number 118 in the Dudley Baldwin Subdivision as shown by the recorded plat in Volume 2 page 51 of Cuyahoga County records; thence Northerly along the Westerly line of Sublot numbers 118 and 119 in said Subdivision to the Northwest corner thereof; thence Easterly along the Northerly line of said Sublot number 119 and its Easterly prolongation to its intersection with the centerline of West 50th Street; thence Northerly along the centerline of said West 50th Street to its intersection with the centerline of Wales Court; thence in a general Easterly direction along the centerline of said Wales Court and passing through West 49th Place, West 48th Street, West 48th Place, West 47th Street and West 46th Place to its intersection with the centerline of West 45th Street; thence Northerly along the centerline of said West 45th Street to its intersection with the Westerly prolongation of the Northerly line of Sublot number 1 in the Dudley Baldwin Subdivision as aforesaid; thence Easterly along the Westerly prolongation and Northerly line of said Sublot number 1 to the Westerly line of Original Brooklyn Township Lot number 52; thence Southerly along said Original Lot number 52 to the Southerly line of Sublot number 929 in the Barber & Lord Subdivision as shown by the recorded plat in Volume 11 page 26 of Cuyahoga County records; thence Easterly along the Southerly line of said Sublot 929 and its Easterly prolongation to its intersection with the centerline of West 44th Street; thence Northerly along the centerline of said West 44th Street to its intersection with the centerline of Fulton Court, N.W.; thence Northeasterly along the centerline of said Fulton Court, N.W., to its intersection with the centerline of West 42nd Place; thence Southeasterly along the centerline of said West 42nd Place to its intersection with the centerline of Cyrano Court, N.W.; thence Easterly along the centerline of said Cyrano Court, N.W., to its intersection with the centerline of Randall Road, N.W.; thence Southerly along the centerline of said Randall Road, N.W., to its intersection with the Westerly prolongation of the Southerly line of a parcel of land conveyed to Donald A. and Rose M. Straw by deed dated October 1, 1996 and recorded in AFN 00348567 of Cuyahoga County Records and also known as PPN 003-35-076; thence Northeasterly along the Westerly prolongation and Southerly line of said parcel conveyed to Donald A. and Rose M. Straw to the Southeasterly corner thereof; thence Northwesterly along the Easterly line of said parcel and the Easterly line of a parcel of land conveyed to Roger S. Zonal by deed recorded in AFN 200310301018 on Oct. 30, 2003 and known as PPN 003-35-077 and its Northerly prolongation to the centerline of Fulton Court, N.W., as aforesaid; thence Northeasterly along the centerline of said Fulton Court, N.W., to its intersection with the Northerly prolongation of the Westerly line of land conveyed to Charles A. Fridrich by deed recorded in AFN 00050942 on July 10, 1995 and also known as PPN 003-35-049; thence Southeasterly along the Northerly prolongation and Westerly line of said Fridrich parcel to the Southwesterly corner thereof; thence Northeasterly along the Southerly line of said Fridrich parcel and its Easterly prolongation to the centerline of Fulton Place, N.W. (16 feet wide); thence Southeasterly along the centerline of said Fulton Place, N.W., to its intersection with the centerline of an unnamed 12 foot alley about 125 feet North of Lorain Avenue; thence Northeasterly along the centerline of said unnamed alley to the Westerly line of Library Park also known as PPN 003-36-066; thence Northwesterly along the Westerly line of said Library Park and its Northerly prolongation to the centerline of Fulton Court, N.W., as aforesaid; thence Northeasterly along the centerline of said Fulton Court, N.W., to its intersection with the centerline of West 38th Street; thence Southeasterly along the centerline of West 38th Street to its intersection with the centerline of Fulton Road, N.W.; thence Northeasterly along the centerline of said Fulton Road, N.W., to its intersection with the centerline of Penn Court, N.W.; thence Southeasterly and Easterly along the centerline of said Penn Court, N.W., to its intersection with the Southerly prolongation of the Easterly line of property conveyed to St. Ignatius High School by Deed dated June 29, 1999 and recorded in AFN 00758473 of Cuyahoga County and also known as PPN 003-37-047; thence Northwesterly along the Southerly prolongation and the Easterly line of said property and its Northwesterly prolongation to its intersection with the centerline of Carroll Avenue, N.W. (50 feet wide); thence Northeasterly along the centerline of said Carroll Avenue, N.W., to its intersection with the southeasterly extension of West 29th Place; thence northwesterly along said southeasterly extension and along said centerline of West 29th Place and along its northwesterly extension to the centerline of Carroll Court, N.W.; thence north-easterly along said centerline of Carroll Court, N.W., to its intersection with the centerline of West 28th Street (66 feet wide); thence Northwesterly along the centerline of said West 28th Street to the centerline of Bridge Avenue, N.W., and the place of beginning.

**Section 2.** That the Ohio City Historic District, which in its entirety is a property having special character or special historical or aesthetic value as part of the development, heritage, or cultural characteristics of the City, State, or the United States, is designated a landmark under Chapter 161 of the Codified Ordinances of Cleveland, Ohio, 1976.

**Section 3.** That the designation of the area described above as the Ohio City Historic District shall be noted on the Building Zone Maps of the City of Cleveland on file in the office of the City Planning Commission by the appropriate person designated for that purpose by the City Planning Commission. Further, a copy of the map attached shall be available for public inspection in the office of the Cleveland Landmarks Commission. Ordinance No. 708-04 passed May 17, 2004 is repealed.

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



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

**Ord. No. 75-05.**

**By Council Member Cimperman.**  
**An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Section 347.17 thereof, relating to large scale retail stores.**

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

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

**Section 1.** That the Codified Ordinances of Cleveland, Ohio, 1976, are hereby supplemented by enacting new Section 347.17 thereof, to read as follows:

**Section 347.17 Large-Scale Retail Stores**

(a) Purpose. Council recognizes that development of large-scale retail stores often increases traffic volumes, strains the existing street network, and discourages pedestrian travel. In addition, such large-scale retail stores often adversely affect the viability of small-scale, pedestrian-friendly neighborhood commercial areas and the health of smaller retail businesses including grocery stores and supermarkets. Given this, Council seeks to limit the negative impacts that large-scale retail stores have on traffic circulation, land use patterns and the economic and social health of neighborhood commercial areas by limiting the percentage of total sales floor area that a large-scale retail store may devote to the sale of non-taxable merchandise.

**(b) Definitions.**

(1) "Large-scale retail store" means a single retail business with a gross floor area of 90,000 square feet or larger, including wholesale clubs and other business establishments that charge membership dues or otherwise restrict merchandise sales to fee-paying customers.

(2) "Non-taxable merchandise" means products, commodities or items not subject to Ohio state sales tax. Pharmacy medications requiring a doctor's prescription shall not be counted as a non-taxable item.

(3) "Sales floor area" means interior building space devoted to the sale of merchandise, but excludes office space, pharmacy areas not open to the public, storage space, automobile service centers, open-air garden centers and restrooms.

(c) Non-taxable merchandise limitation. No large-scale retail store shall devote more than 5% of its total sales floor area to the sale of non-taxable merchandise.

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

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

**Ord. No. 105-05.**

**By Council Member Reed.**  
**An emergency ordinance to amend Section 628.02 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 2661-91, passed November 18, 1991, relating to possession or sale of assault weapons.**

Whereas, the State of California recently banned the .50 caliber rifle; and

Whereas, the .50 caliber rifle is a combat weapon; and

Whereas, according to a Senate report, a bullet from the .50 caliber rifle, even at 1.5 miles ways, destroys a target with more energy than a bullet fired at point-blank range from Dirty Harry's famous .44 Magnum; and

Whereas, the standard .50 caliber bullet is four times heavier than the .30 caliber bullet and ten times heavier than the M16 bullet; and

Whereas, 60 Minutes recently produced and aired a segment on the power of the .50 caliber rifle and the dangers associated with the availability of the rifle; and

Whereas, such dangers include the possibility that the .50 caliber rifle could be used in a terrorist attack; and

Whereas, one such specific danger is the use of the .50 caliber rifle to impair a commercial airline during takeoff or landing; and

Whereas, this Council is concerned about the use of the .50 caliber rifle in non-combat zones and the potential for use in a terrorist attack; 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 628.02 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 2661-91, passed November 18, 1991, is hereby amended to read as follows:

**Section 628.02 Definitions**

For the purpose of this chapter:

(a) "Assault weapon" means:

(1) any semiautomatic action, **any .50 caliber rifle**, center fire rifle or carbine that accepts a detachable magazine with a capacity of 20 rounds or more;

(2) any semiautomatic shotgun with a magazine capacity of more than six rounds;

(3) any semi-automatic handgun that is:

A. a modification of a rifle described in division (a) (1), or a modification of an automatic firearm; or

B. originally designed to accept a detachable magazine with a capacity of more than 20 rounds.

(4) any firearm which may be restored to an operable assault weapon as defined in divisions (a) (1), (a) (2) or (a) (3).

(5) any part, or combination of parts, designed or intended to convert a firearm into an assault weapon as defined in divisions (a) (1), (a) (2) or (a) (3), or any com-

ination of parts from which an assault weapon as defined in divisions (a) (1), (a) (2) or (a) (3), may be readily assembled if those parts are in the possession or under the control of the same person.

(b) Assault weapon does not include any of the following:

(1) any firearm that uses .22 caliber rimfire ammunition with a detachable magazine with a capacity of 30 rounds or less.

(2) any assault weapon which has been modified to either render it permanently inoperable or to permanently make it a device no longer defined as an assault weapon.

(c) "Automatic firearm" means any firearm designed or specially adapted to fire a succession of cartridges with a single function of the trigger.

(d) "Deadly weapon" means any instrument, device or thing capable of inflicting death, and designed or specially adapted for use as a weapon, or possessed, carried or used as a weapon.

(e) "Firearm" means any deadly weapon capable of expelling or propelling one or more projectiles by the action of an explosive or combustible propellant. "Firearm" includes an unloaded fire arm, and any firearm which is inoperable but which can readily be rendered operable.

(f) "Handgun" means any firearm designed to be fired while being held in one hand.

(g) "Person" means any individual, corporation, company, association, firm, partnership, club or society, including wholesale and retail gun dealers.

(h) "Rifle" means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of the explosive in a fixed metallic cartridge to fire only a single projectile through a rifled bore for each single pull of the trigger.

(i) "Semiautomatic firearm" means any firearm designed or specially adapted to fire a single cartridge and automatically chamber a succeeding cartridge ready to fire, with a single function of the trigger.

(j) "Shotgun" means a firearm, whether or not it is intended to be fired from the shoulder, that is designed or redesigned, made or remade, to fire a fixed shotgun shell.

**Section 2.** That existing Section 628.02, of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 2661-91, passed November 18, 1991, 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.

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



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

**Ord. No. 76-05.**

**By Council Member Dolan.**

**An emergency ordinance to amend the title and Section 1 of Ordinance No. 1813-03, passed September 15, 2003, as amended by Ordinance No. 1941-03, passed October 6, 2003 and to amend Section 2 of Ordinance No. 1813-03, passed September 15, 2003, relating to the West Park Cleveland Police and Firefighters Memorial Project.**

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

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

**Section 1.** That the Title and Section 1 of Ordinance No. 1813-03, passed September 15, 2003, as amended by Ordinance No. 1941-03, passed October 6, 2003, is hereby amended to read as follows:

An emergency ordinance authorizing the **Director of Economic Development** to enter into an agreement with Cleveland Public Art, Incorporated for the West Park Cleveland Police and Firefighters Memorial Project through the use of **Urban Development Action Grant Funds.**

**Section 1.** That the **Director of Economic Development** is authorized to enter into an agreement with Cleveland Public Art, Incorporated for the West Park Cleveland Police and Firefighters Memorial Project for the public purpose of recognizing the contribution of those individuals who have served in the ranks of the City of Cleveland Police and Fire Safety Forces through the use of **Urban Development Action Grant Funds.**

**Section 2.** That the Title and Section 1 of Ordinance No. 1813-03, passed September 15, 2003, as amended by Ordinance No. 1941-03, passed October 6, 2003, are hereby repealed.

**Section 3.** That Section 2 of Ordinance No. 1813-03, passed September 15, 2003, is hereby amended to read as follows:

**Section 2.** That the cost of said contract shall be in an amount not to exceed \$5,000 and shall be paid from Fund No. **17 SF 006.**

**Section 4.** That Section 2 of Ordinance No. 1813-03, passed September 15, 2003, is hereby repealed.

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

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

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

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

**Res. No. 77-05.**

**By Council Member Cimperman.**

**An emergency resolution withdrawing objection to the transfer of Liquor License of a D1, D2, D3 and D3A Liquor Permit at 1213 West 6th Street and repealing Resolution No. 18-05, objecting to said transfer.**

Whereas, this Council objected to the transfer of Liquor License of a D1, D2, D3, and D3A Liquor Permit to 1213 West 6th Street by Resolution No. 18-05 adopted by the Council on January 10, 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 Liquor License of a D1, D2, D3 and D3A Liquor Permit to Flo Café, LLC, 1213 West 6th Street, Cleveland, Ohio 44113, Permanent Number 2786257 be and the same is hereby withdrawn and Resolution No. 18-05, 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.

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

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

**Res. No. 78-05.**

**By Council Member Dolan.**

**An emergency resolution withdrawing objection to the renewal of a D5 Liquor Permit at 17004 Lorain Avenue and repealing Resolution No. 1561-04, objecting to said renewal.**

Whereas, this Council objected to a D5 Liquor Permit to 17004 Lorain Avenue by Resolution No. 1561-04 adopted by the Council on August 11, 2004; and

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

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

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

**Section 1.** That objection to a D5 Liquor Permit to Smedley's LLC, DBA Smedley's Bar & Grill, 17004 Lorain Avenue, Cleveland, Ohio 44111, Permanent Number 8249886 be and the same is hereby withdrawn and Resolution No. 1561-04, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

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

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

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

**Res. No. 79-05.**

**By Council Member Dolan.**

**An emergency resolution withdrawing objection to the renewal of a D5 and D6 Liquor Permit at 15715 Lorain Avenue and repealing Resolution No. 1325-04, objecting to said renewal.**

Whereas, this Council objected to a D5 and D6 Liquor Permit to 15715 Lorain Avenue by Resolution No. 1325-04 adopted by the Council on August 11, 2004; and

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

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

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

**Section 1.** That objection to a D5 and D6 Liquor Permit to Bartley's Tavern, Inc., DBA Bartley's Tavern, 15715 Lorain Avenue, Cleveland, Ohio 44111, Permanent Number 0489299 be and the same is hereby withdrawn and Resolution No. 1325-04, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

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

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

**Res. No. 80-05.**

**By Council Member Jones.**

**An emergency resolution objection to a New C2 Liquor Permit at 4060 Lee Road.**

Whereas, Council has been notified by the Department of Liquor Control of an application for a New C2 Liquor Permit at Ossie, Inc., DBA Lee Harvard Shell, 4060 Lee Road, Cleveland, Ohio 44128, Permanent Number 65916750010; 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 C2 Liquor Permit at Ossie, Inc., DBA Lee Harvard Shell, 4060 Lee Road, Cleveland, Ohio 44128, Permanent Number 65916750010; and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

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

**Res. No. 81-05.**

**By Council Members Polensek, Westbrook, White, Sweeney, Brady, Zone, Reed and Cintron.**

**An emergency resolution strongly opposing the parking fees proposed by the Ohio Department of Natural Resources and encouraging the Ohio General Assembly to adequately fund the Ohio Department of Natural Resources.**

Whereas, the Ohio Department of Natural Resources is seeking approval to charge a parking fee at the 74 State Parks in Ohio; and

Whereas, the proposed parking fee is \$5.00 for Ohio residents, \$4.00 for seniors with a Golden Buckeye Card, and \$6.00 for nonresidents; and

Whereas, the parking fee proposal also includes an annual pass option for \$25.00; and

Whereas, the proposed parking fee may discourage the public from enjoying parks; and

Whereas, the parking fee proposal does not indicate that fees will be used to provide enhanced service, improved maintenance, and public improvements to Ohio's State Parks; and

Whereas, funds necessary to maintain and operate State Parks should be allocated from state tax dollars and taxpayers should not be required to pay an additional fee to utilize public parks; and

Whereas, approval of the parking fee proposal will encourage users of State Parks to park on streets bordering State Parks and, thereby, result in increased traffic, noise, and disruption to citizens residing near State Parks; 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 is strongly opposed to the parking fees proposed by the Ohio Department of Natural Resources and encourages the Ohio General Assembly to adequately fund the Ohio Department of Natural Resources.

**Section 2.** That the Clerk of Council is hereby directed to transmit a certified copy of this resolution to Ohio Governor Bob Taft, the Director of the Ohio Department of Natural Resources, the President of the Ohio Senate, the Speaker of the Ohio House, the Northeast Ohio delegation to the Ohio General Assembly, and the Ohio Municipal League.

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

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

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

**Res. No. 82-05.**

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

**An emergency resolution supporting maintenance of the Local Government Fund, Local Government Revenue Assistance Fund and Library and Local Government Support Funds at current levels and encouraging the Ohio Legislature to once again establish a predictable, statutory formula for distribution of such funds.**

Whereas, for seven decades there has been a strong tie between state and local government funds provided by the state to local governments and libraries, namely, the Local Government Fund, Local Government Revenue Assistance Fund and Library and Local Government Support Funds ("LGF"); and

Whereas, the future of that critical partnership has been severely threatened during the last two state budgets; and

Whereas, in Ohio 939 cities and villages depend on the LGF as vital sources of revenues that, among other things, keep hundreds of police officers and firefighters on duty and provide critical safety services to millions of Ohioans; and

Whereas, these funds support other important municipal services, from health and sanitation to parks and recreation and, without these funds, many of these services could not be provided through locally generated revenues; and

Whereas, because LGF is distributed on the basis of need, any further erosion into these funds will hit hardest the communities adversely affected by recent economic bad times and may plunge these same communities into fiscal emergency; and

Whereas, all three LGF's were on a statutory formula that goes up and down with the rise and fall of state revenue and the last two state budgets removed the established formula and subjected the funds to cuts and freezes, resulting in local governments and libraries suffering a loss in state aid of \$673 million over a four-year period; 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 the maintenance of the LGF's at current levels as these funds are used to provide vital services to citizens.

**Section 2.** That this Council encourages the Ohio Legislature to once again establish a predictable, statutory formula for distribution of LGF funds.

**Section 3.** That the Clerk of Council is hereby directed to transmit a certified copy of this resolution to Ohio Governor Bob Taft, the President of the Ohio Senate, the Speaker of the Ohio House, the Northeast Ohio delegation to the Ohio General Assembly, and the Ohio Municipal League.

**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 20. Nays 0. Read second time. Read third time in full. Adopted. Yeas 20. Nays 0.

**SECOND READING EMERGENCY ORDINANCES PASSED****Ord. No. 1661-04.**

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

An emergency ordinance to amend Sections 531.01 and 531.50 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended and enacted by various ordinances, relating to service installations by the Division of Water and persons authorized to make connections.

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

1. In Section 1, at amended Section 531.01, line 9, and at amended Section 531.50, line 5, after "upon the approval" strike "by" and insert "of and under the direction of" in both places.

2. Insert new Sections 3, 4, and 5 to read as follows:

**"Section 3. That the Director of Public Utilities shall submit a report to the Committee of Public Utilities on the status of the codified ordinances amended by Ordinance No. 1661-04 in January 2006.**

**Section 4. That, unless Council authorizes legislation to the contrary, Sections 531.01 and 531.50 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1661-04, are repealed on February 28, 2006.**

**Section 5. That, unless Council authorizes legislation to the contrary, on February 28, 2006, the Codified Ordinances of Cleveland, Ohio, 1976, are supplemented by enacting new Sections 531.01 and 531.50 to read as follows:**

**Section 531.01 Service Installations by the Division of Water**

All service connections and service pipes from all distribution mains within the metropolitan area to approximately two feet back of the curb line, or proposed curb line, including the stop cock or valve and stop cock or valve box, and the tapping of the main, shall be installed only by properly authorized employees of the Division of Water acting under the direction of the Commissioner of Water. Installations shall be made in trenches to be excavated by the applicant, his agent or contractor, or within the City by the Division.

**Section 531.50 Persons Authorized to Make Connections**

No person other than the properly authorized employees of the Division of Water, acting under the direction of the Commissioner of Water, shall be permitted to tap or make any connection with the main or distributing pipes of the Division."

3. Renumber existing Section 3 to new "Section 6".

Amendments agreed to.

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

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

**Ord. No. 2202-04.**

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

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to accept a cash gift from the living trust of Lillian C. Alten to be used solely for the maintenance and operation of the Rockefeller Park Greenhouse; and authorizing the director to enter into one or more standard or written requirements contracts for utilization of the funds.

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

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

**Ord. No. 2236-04.**

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

An emergency ordinance authorizing the Director of Port Control to enter into an amendment to Contract No. 53694 with Parsons Infrastructure and Technology Group, Inc. for program management, engineering and construction management services for the completion of the Airport Expansion Program, for the Division of Cleveland Hopkins International Airport, Department of Port Control.

Approved by Directors of Port Control, Finance, Law; Passage recommended by Committees on Aviation and Transportation, Finance; when amended as follows:

1. Insert new Section 4 to read as follows:

**"Section 4. That a copy of Contract No. 53695 with Parsons, including all contract amendments, are placed in File No. 2236-04-A."**

2. Renumber existing Section 4 to new "Section 5".

Amendments agreed to.

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

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

**Ord. No. 2237-04.**

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

An emergency ordinance authorizing the purchase by one or more requirement contracts of labor and materials necessary to maintain and repair automatic doors, for the various divisions of the Department of Port Control.

Approved by Directors of Port Control, Finance, Law; Passage recommended by Committees on Aviation and Transportation Finance.

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

**Ord. No. 2289-04.**

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 or replace various water, sewer, and gas lines, for the Division of Cleveland Public Power, Department of Public Utilities, for a two-year period.

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

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

**Ord. No. 2290-04.**

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 and maintain T.V. inspection trucks, for the Division of Water Pollution Control, Department of Public Utilities.

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

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

**Ord. No. 2291-04.**

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

An emergency ordinance authorizing the purchase by one or more requirement contracts of paper products, for the Division of Water, Department of Public Utilities.

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

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

**Ord. No. 2296-04.**

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

An emergency ordinance authorizing the purchase by one or more requirement contracts of labor and materials to make pavement improvements on ramps, curbs, and aprons, for the Division of Cleveland Hopkins International Airport, Department of Port Control.

Approved by Directors of Port Control, Finance, Law; Passage recommended by Committees on Aviation and Transportation, Finance.

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

**Ord. No. 2297-04.**

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

An emergency ordinance authorizing the purchase by one or more

requirement contracts of labor and materials needed to install and maintain restroom odor control drip system and restroom deodorizers at Cleveland Hopkins International Airport and the off-site car rental facility, for the Department of Port Control.

Approved by Directors of Port Control, Finance, Law; Passage recommended by Committees on Aviation and Transportation, Finance.

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

**Ord. No. 2298-04.**

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

An emergency ordinance authorizing the Director of Port Control to enter into one or more requirement contracts without competitive bidding with KONE, Inc. for labor and materials necessary for maintenance of KONE elevators, escalators and moving walkways, for the Department of Port Control.

Approved by Directors of Port Control, Finance, Law; Passage recommended by Committees on Aviation and Transportation, Finance.

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

**Ord. No. 2303-04.**

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

An emergency ordinance to amend Sections 241.05 and 241.35 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended and enacted by various ordinances, relating to food shop licenses and fees, food vehicle permit and categories and fees.

Approved by Directors of Public Health, Finance, Law; Relieved of Committees on Health and Human Services, Legislation; Approved by Committee on Finance.

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

**Ord. No. 2308-04.**

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

An emergency ordinance authorizing the purchase by one or more contracts of not to exceed three hundred seventeen electronic parking meters, for the Division of Parking Facilities, Department of Parks, Recreation and Properties.

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 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

**Ord. No. 2320-04.**

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

An emergency ordinance authorizing the Director of Public Utilities to apply for and accept grants

from the George Gund Foundation and the Cleveland Foundation for the Sustainability Program; and authorizing the Mayor, or any director or directors authorized by her to employ one or more professional consultants to develop and implement the Sustainability Program.

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

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

**Ord. No. 2365-04.**

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

An emergency ordinance to amend Section 9 of Ordinance No. 2151-03, passed December 15, 2003, as amended by Ordinance No. 1308-04, passed August 11, 2004, relating to designing and constructing, rehabilitating, renovating, replacing or otherwise improving parks and recreation facilities, including site improvements.

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

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

**Ord. No. 2370-04.**

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

An emergency ordinance authorizing the continuation of the Department of Building and Housing past January 31, 2005.

Approved by Directors of Community Development, Finance, Law; Passage recommended by Committees on Community and Economic Development, Legislation, Finance; when amended as follows:

1. In the title, line 3, and in Section 1, line 2, strike "past January 31, 2005" and insert "to January 31, 2006".

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

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

**Ord. No. 1-05.**

By Council Member Jackson (by departmental request).

An emergency ordinance authorizing the Director of Finance to pay as Moral Claims the sums opposite the names of the claimants.

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

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

**Ord. No. 4-05.**

By Council Member Jackson (by departmental request).

An emergency ordinance authorizing the Director of Finance to em-

ploy one or more professional consultants to assess, develop, implement, and test a citywide comprehensive disaster recovery plan for the various departments of City government and the Cleveland Municipal Court.

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

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

**Ord. No. 9-05.**

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

An emergency ordinance authorizing the Director of Port Control to enter into one or more contracts with Cuyahoga Community College for professional services necessary to train employees on the Baldrige Award concepts.

Approved by Directors of Port Control, Finance, Law; Passage recommended by Committees on Aviation and Transportation, Finance; when amended as follows:

1. In the title, at the end, strike the period and insert "for a period of one year, with two one-year options to renew."

2. In Section 1, line 4, after "December 9, 2004," insert "for a period of one year, with two options to renew for additional one year terms, exercisable by the Director or Port Control upon reporting to the Aviation Committee of Council,".

Amendments agreed to.

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

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

**MOTION**

By Council Member Pierce Scott, seconded by Council Member Westbrook and unanimously carried that the absence of Council Member Zone, be and is hereby authorized.

**MOTION**

The Council Meeting adjourned at 7:56 p.m. to meet on Monday, January 31, 2005 at 7:00 p.m. in the Council Chambers.



Clerk of Council Pro Tempore

**THE CALENDAR**

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

NONE

**BOARD OF CONTROL**

January 19, 2005

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, January 19, 2005, at 10:30 a.m. with Acting Mayor Beasley presiding.

Present: Acting Mayor and Director Beasley, Directors Baker, Ciaccia, Acting Director Williams, Directors Ricchiuto, Carroll, Acting Director Smith, Directors Ronayne, Rush, Routen, Huth, Fumich, Taylor and Williams.

Absent: None.

Others: Jim Hardy, Acting 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. 19-05.**

By Director Baker.

Resolved, by the Board of Control of the City of Cleveland that all bids received on December 8, 2004, for the purchase of an estimated quantity of industrial paper products & cloth wipers, (item nos. 1-15), for the various divisions of City government, pursuant to the authority of Ordinance No. 1658-04, passed by the Council of the City of Cleveland on October 4, 2004 be and the same are hereby rejected.

Yeas: Acting Mayor and Director Beasley, Directors Baker, Ciaccia, Acting Director Williams, Directors Ricchiuto, Carroll, Acting Director Smith, Directors Ronayne, Rush, Routen, Huth, Fumich, Taylor and Williams.

Nays: None.

Absent: None.

**Resolution No. 20-05.**

By Director Baker.

Resolved, by the Board of Control of the City of Cleveland that the bid of AmSan/Hough Supply, for an estimated quantity of paper products & cloth wipers, group A, part 2, for the various divisions of City government, for the period of one (1) year beginning from the date of execution of a contract, received on December 8, 2004, under the authority of Ordinance No. 1658-04, passed October 4, 2004, which on the basis of the estimated quantity would amount to Fifty Nine Thousand Eight Hundred Fifty and 00/100 Dollars (\$59,850.00) (Net, 20 Days), is affirmed and approved as the lowest and best bid, and the Director of Finance is requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 155738

which shall be certified against such contract in the sum of Fifteen Thousand and 00/100 Dollars (\$15,000.00).

The requirement contract shall further provide that the Contractor shall furnish the remainder of the City's requirements for such goods

and/or services, whether more or less than the estimated quantity, as may be ordered under subsequent requisitions separately certified against the contract.

Yeas: Acting Mayor and Director Beasley, Directors Baker, Ciaccia, Acting Director Williams, Directors Ricchiuto, Carroll, Acting Director Smith, Directors Ronayne, Rush, Routen, Huth, Fumich, Taylor and Williams.

Nays: None.

Absent: None.

**Resolution No. 21-05.**

By Director Baker.

Resolved, by the Board of Control of the City of Cleveland that the bid of Emerald Supply, Inc., for an estimated quantity of paper products & cloth wipers, group A, part 3-item no. 1 for the various divisions of City government, for the period of one (1) year beginning from the date of execution of a contract, received on December 8, 2004, under the authority of Ordinance No. 1658-04 passed October 4, 2004, which on the basis of the estimated quantity would amount to Thirty Two Thousand Four Hundred Seventy-Two and 00/100 Dollars (\$32,472.00) (1%, 5 Days), is affirmed and approved as the lowest and best bid, and the Director of Finance is requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 149051

which shall be certified against such contract in the sum of Fifteen Thousand and 00/100 Dollars (\$15,000.00).

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

Yeas: Acting Mayor and Director Beasley, Directors Baker, Ciaccia, Acting Director Williams, Directors Ricchiuto, Carroll, Acting Director Smith, Directors Ronayne, Rush, Routen, Huth, Fumich, Taylor and Williams.

Nays: None.

Absent: None.

**Resolution No. 22-05.**

By Director Baker.

Resolved, by the Board of Control of the City of Cleveland that the bid of Carnegie Textile Co., for an estimated quantity of paper products & cloth wipers, group A, part 3-item no. 2, for the various divisions of City government, for the period of one (1) year beginning from the date of execution of a contract, received on December 8, 2004, under the authority of Ordinance No. 1658-04, passed October 4, 2004, which on the basis of the estimated quantity would amount to Thirteen Thousand Four Hundred Fifty-Five and 00/100 Dollars (\$13,455.00) (Net, 30 Days), is affirmed and approved as the low-

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

Requisition No. 149050

which shall be certified against such contract in the sum of Five Thousand and 00/100 Dollars (\$5,000.00).

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

Yeas: Acting Mayor and Director Beasley, Directors Baker, Ciaccia, Acting Director Williams, Directors Ricchiuto, Carroll, Acting Director Smith, Directors Ronayne, Rush, Routen, Huth, Fumich, Taylor and Williams.

Nays: None.

Absent: None.

**Resolution No. 23-05.**

By Director Mok.

Resolved by the Board of Control of the City of Cleveland, that all bids received on August 18, 2004, for labor and materials to apply a protective coating on existing glass areas for the Division of Cleveland Hopkins International Airport, Department of Port Control, pursuant to the authority of Ordinance No. 1597-02 and 2226-03, passed by the Council of the City of Cleveland on August 14, 2002 and February 2, 2004, respectively, be and the same are rejected.

Yeas: Acting Mayor and Director Beasley, Directors Baker, Ciaccia, Acting Director Williams, Directors Ricchiuto, Carroll, Acting Director Smith, Directors Ronayne, Rush, Routen, Huth, Fumich, Taylor and Williams.

Nays: None.

Absent: None.

**Resolution No. 24-05.**

By Director Ricchiuto.

Resolved, by the Board of Control of the City of Cleveland that the bid of Cleveland Peterbilt, LLC for an estimated quantity of cab/chassis with fuel tanker body, for the various divisions of City government, for the period of one (1) year beginning with the date of execution of a contract, received on December 8, 2004, pursuant to the authority of Ordinance No. 1683-03, passed by the Council of the City of Cleveland on September 22, 2003, which on the basis of the estimated quantity would amount to One Hundred Eighty-Nine Thousand Five Hundred Seventy-Eight and 00/100 Dollars (\$189,578.00) (Net-30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 154002 which shall be certified against such contract in the sum of One Hundred Eighty-Nine Thousand Five Hundred Seventy-Eight and 00/100 Dollars (\$189,578.00).

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

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by Cleveland Peterbilt, LLC for the above mentioned purchase is hereby approved:

Independent Brokers, Ltd.  
MBE — \$500.00 per unit — 0.26%

Boston Steel & Mfg. Co.  
\$89,490.00 per unit — 47.20%

All Points Systems, Ltd.  
\$2,550.00 per unit — 1.35%

Yeas: Acting Mayor and Director Beasley, Directors Baker, Ciaccia, Acting Director Williams, Directors Ricchiuto, Carroll, Acting Director Smith, Directors Ronayne, Rush, Routen, Huth, Fumich, Taylor and Williams.

Nays: None.  
Absent: None.

**Resolution No. 25-05.**

By Director Ricchiuto.  
Be it resolved, by the Board of Control of the City of Cleveland that the bid of Universal Oil, Inc. for an estimated quantity of diesel fuel item 2 (a, b, c) and item 4 (a), for the Division of Motor Vehicle Maintenance, Department of Public Service, for the period of one year beginning with the later date of execution of a contract or February 24, 2005, received on December 8, 2004, pursuant to the authority of Ordinance No. 764-04, passed by the Council of the City of Cleveland on May 17, 2004, which on the basis of the estimated quantity would amount to Seven Hundred Forty Thousand Four Hundred Two and no/100 Dollars (\$740,402.00) (Net), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 154035 which shall be certified against such contract in the sum of Two Hundred Fifty Thousand and no/100 Dollars (\$250,000.00).

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

Yeas: Acting Mayor and Director Beasley, Directors Baker, Ciaccia, Acting Director Williams, Directors Ricchiuto, Carroll, Acting Director Smith, Directors Ronayne, Rush, Routen, Huth, Fumich, Taylor and Williams.

Nays: None.  
Absent: None.

**Resolution No. 26-05.**

By Director Ricchiuto.  
Be it resolved, by the Board of Control of the City of Cleveland that the bid of Petroleum Traders Corporation for an estimated quantity of diesel fuel item 1 (a, b) and item 3 (a, b, c), for the Division of Motor Vehicle Maintenance, Department of Public Service, for the period of two years beginning with the later date of execution of a contract or February 13, 2005, received on December 8, 2004, pursuant to the authority of Ordinance No. 764-04, passed by the Council of the City of Cleveland on May 17, 2004, which on the basis of the estimated quantity would amount to One Million Two Hundred Seventy Six Thousand Five Hundred Twenty One and 60/100 Dollars (\$1,276,521.60) (0% Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 154034 which shall be certified against such contract in the sum of Four Hundred Thousand and no/100 Dollars (\$400,000.00).

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

Yeas: Acting Mayor and Director Beasley, Directors Baker, Ciaccia, Acting Director Williams, Directors Ricchiuto, Carroll, Acting Director Smith, Directors Ronayne, Rush, Routen, Huth, Fumich, Taylor and Williams.

Nays: None.  
Absent: None.

**Resolution No. 27-05.**

By Director Ricchiuto.  
Be it resolved by the Board of Control of the City of Cleveland that the bid of M-A Building & Maintenance Company, for the public improvement of the Ridge Road Transfer Station plating, and repair to concrete tipping walls, base bid, for the Department of Public Service, received on December 23, 2004, pursuant to the authority of Ordinance No. 2146-03, passed February 9, 2004, for a gross price for the improvement in the aggregate amount of One Hundred Eighty Six Thousand Five Hundred Twenty Eight and no/100 Dollars (\$186,528.00), is affirmed and approved as the lowest responsible bid, and the Director of Public Service is authorized to enter into con-

tract for said improvement with said bidder.

Be it further resolved, by the Board of Control of the City of Cleveland that the employment of the following subcontractors by M-A Building & Maintenance Company, is approved:

<u>Subcontractor</u>	<u>Amount</u>
<u>MBE/FBE</u>	<u>Percentage</u>
Comm Steel Company	
MBE	\$12,657 6.79%
Lee Infrastructure	
FBE	\$10,000 5.37%
Kenfab Welding	
	\$15,285 8.19%
Dot Drilling	
	\$ 400 .2%

Yeas: Acting Mayor and Director Beasley, Directors Baker, Ciaccia, Acting Director Williams, Directors Ricchiuto, Carroll, Acting Director Smith, Directors Ronayne, Rush, Routen, Huth, Fumich, Taylor and Williams.

Nays: None.  
Absent: None.

**Resolution No. 28-05.**

By Director Watson.  
Resolved by the Board of Control of the City of Cleveland that the bid of Schwarz Uniform Corporation for an estimated quantity of uniform clothing, Item Nos. 1, 2, 7, 8, 9, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 27, 28, 35, 35A, 35B, 36, 36A, 37, 38, 41, 43, 44, 45, 46, 47, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 76, 79, 80, 80A, 83, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 100, 100A, 101, 102, 103, 104, 105, 106, 107, 111, 111A, 112, 114, 115, 116, 117, 118, 129, 130, 132, 133, 134, 135, 136, 137, 138, 139, 141, 153, 154, 155, 156, 157, 164 and 165, for the Department of Public Safety, Division of Police, for the period of one (1) year beginning with the date of execution of a contract, received on November 19, 2004, under Section 135.06 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to Eight Hundred Ninety-Four Thousand Four Hundred Ninety-Five and 50/100 Dollars (\$894,495.50), 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 such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 145205  
An estimated quantity of turnout clothing which shall be certified against such contract in the sum of Forty-Four Thousand Nine Hundred Fifty-Two and 50/100 Dollars (\$44,952.50).

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: Acting Mayor and Director Beasley, Directors Baker, Ciaccia, Acting Director Williams, Directors Ricchiuto, Carroll, Acting Director Smith, Directors Ronayne, Rush, Routen, Huth, Fumich, Taylor and Williams.

Nays: None.

Absent: None.

**Resolution No. 29-05.**

By Director Watson.

Resolved by the Board of Control of the City of Cleveland that the bid of Cleveland Uniform, Inc. for an estimated quantity of uniform clothing, Item Nos. 24 and 24A, for the Department of Public Safety, Division of Police, for the period of one (1) year beginning with the date of execution of a contract, received on November 19, 2004, under Section 135.06 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to Two Thousand and 00/100 Dollars (\$2,000.00), 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 such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

**Requisition No. 145209**

An estimated quantity of turnout clothing which shall be certified against such contract in the sum of One Hundred and 00/100 Dollars (\$100.00).

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: Acting Mayor and Director Beasley, Directors Baker, Ciaccia, Acting Director Williams, Directors Ricchiuto, Carroll, Acting Director Smith, Directors Ronayne, Rush, Routen, Huth, Fumich, Taylor and Williams.

Nays: None.

Absent: None.

**Resolution No. 30-05.**

By Director Watson.

Resolved by the Board of Control of the City of Cleveland that the bid of Standard Law Enforcement Supply Company, for an estimated quantity of uniform clothing, Item Nos. 3, 4, 5, 6, 29, 32, 33, 39, 39A, 40, 42, 48, 84, 108, 131 and 163, for the Department of Public Safety, Division of Police, for the period of one (1) year beginning with the date of execution of a contract, received on November 19, 2004, under Section 135.06 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to One Hundred Ninety-Three Thousand Fifty and 00/100 Dollars (\$193,050.00), 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 such goods and/or services, which shall provide for the

immediate purchase as the initial amount of such contract of the following:

**Requisition No. 145206**

An estimated quantity of turnout clothing which shall be certified against such contract in the sum of Nine Thousand Four Hundred Twenty-Five and 00/100 Dollars (\$9,425.00).

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: Acting Mayor and Director Beasley, Directors Baker, Ciaccia, Acting Director Williams, Directors Ricchiuto, Carroll, Acting Director Smith, Directors Ronayne, Rush, Routen, Huth, Fumich, Taylor and Williams.

Nays: None.

Absent: None.

**Resolution No. 31-05.**

By Director Watson.

Resolved by the Board of Control of the City of Cleveland that the bid of Atwell's Police & Fire Equipment Company, Inc. for an estimated quantity of uniform clothing, Item Nos. 10, 23, 25, 26, 30, 31, 34 and 152, for the Department of Public Safety, Division of Police, for the period of one (1) year beginning with the date of execution of a contract, received on November 19, 2004, under Section 135.06 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to Eighty-Three Thousand Three Hundred Seventeen and 50/100 Dollars (\$83,317.50), 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 such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

**Requisition No. 145207**

An estimated quantity of turnout clothing which shall be certified against such contract in the sum of Four Thousand One Hundred Twenty-Five and 00/100 Dollars (\$4,125.00).

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: Acting Mayor and Director Beasley, Directors Baker, Ciaccia, Acting Director Williams, Directors Ricchiuto, Carroll, Acting Director Smith, Directors Ronayne, Rush, Routen, Huth, Fumich, Taylor and Williams.

Nays: None.

Absent: None.

**Resolution No. 32-05.**

By Director Watson.

Resolved by the Board of Control of the City of Cleveland that the bid of B.P. Britches, Inc. for an esti-

mated quantity of uniform clothing, Item Nos. 75, 77, 78, 81 and 82, for the Department of Public Safety, Division of Police, for the period of one (1) year beginning with the date of execution of a contract, received on November 19, 2004, under Section 135.06 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to Eighty-Six Thousand Six Hundred and 00/100 Dollars (\$86,600.00), 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 such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

**Requisition No. 145208**

An estimated quantity of turnout clothing which shall be certified against such contract in the sum of Four Thousand Three Hundred Eighty and 00/100 (\$4,380.00).

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: Acting Mayor and Director Beasley, Directors Baker, Ciaccia, Acting Director Williams, Directors Ricchiuto, Carroll, Acting Director Smith, Directors Ronayne, 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 slated in the examination announcement.

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

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

REYNALDO GALINDO,  
President

## SCHEDULE OF THE BOARD OF ZONING APPEALS

**MONDAY, FEBRUARY 7, 2005**

**9:30 A.M.**

**Calendar No. 05-3:** 11021 Edgewater Drive (Ward 18)

Craig Brown, owner, appeals to erect a 7' x 15' wooden trellis and construct a circular driveway and apron in the frontage of a one family dwelling, situated on a 91' x 198' lot located in an AA1 One-Family District on the south side of Edgewater Drive at 11021 Edgewater Drive; subject to the limitations of Section 337.18(c)(1), one driveway is permitted for each 100' of frontage and 91' is provided and Section 337.14 requires that all parking space be located behind the building setback line; the proposed trellis and piers are contrary to Section 357.13, where required yard spaces shall be maintained and free of obstructions; and nonconforming sideyards require the Board of Zoning Appeals approval, as stated in Section 359.01 of the Codified Ordinances.

**Calendar No. 05-4:** 6850 Brookpark Road (Ward 16)

Denny's Restaurant c/o Kris Hohl, owner, appeals to install an additional freestanding, 44 s/f double face, illuminated identification sign at the northwest side of an entrance drive to a commercial building, situated on the north side of acreage located in General Retail Business and Semi-Industry Districts at 6850 Brookpark Road; contrary to the Sign Regulations, the additional sign is proposed where only one freestanding identification sign per lot is allowed, as stated in Section 350.14(b) of the Codified Ordinances.

**Calendar No. 05-5:** 3181 West 41st Street (Ward 14)

The Catholic Diocese of Cleveland and St. Procop Catholic Church c/o Sister Annette Amendolia SND, owner, appeal to install a 4' x 7' freestanding, illuminated church bulletin sign in the frontage of a 270' x 315' lot in a Multi-Family District on the southeast corner of West 41st Street and Trent Avenue at 3181 West 41st Street; as proposed, the replacement sign is 5' from the front property line, where a minimum distance of 25' is required as stated in Section 350.13(b) of the Codified Ordinances.

**Calendar No. 05-6:** 4072 East 108th Street (Ward 2)

Cleveland Housing Network, owner, and Elizabeth Lee, tenant, appeal to expand a one family dwelling house by including a Type A day care in the premises, situated on a 40' x 140' lot in a B1 Two-Family District on the west side of East 108th Street at 4072 East 108th Street; the proposed expansion is subject to the limitations of Section 337.03(b) and by reference, as regulated in a One-Family District (Section 337.02(f)(3)), a day care is required to be 30' from any adjoining premises in a Residence District

not used for a similar purpose and requires the Board of Zoning Appeals approval.

**Calendar No. 05-7:** 1428 East 110th Street (Ward 9)

Beth-El A.M.E. Zion Church c/o Reverend Charles Tyler, Sr., owner, appeals to install a 5' wide freestanding, illuminated reader board sign in the front of an existing church building situated on an 80' x 120' corner lot in a B Two-Family District on the northwest corner of East 110th Street and Lee Road at 1428 East 110th Street; as proposed, the sign is to be placed 7' from the front property line, where the minimum distance of 25' is required, as stated in Section 350.13(b) of the Codified Ordinances.

Secretary

## REPORT OF THE BOARD OF ZONING APPEALS

**MONDAY, JANUARY 24, 2005**

At the meeting of the Board of Zoning Appeals on Monday, January 24, 2005, the following appeals were heard by the Board:

The following appeals were **Approved:**

**Calendar No. 04-327:** 3547 East 93rd Street

Gill Taylor appealed to establish use for a tow truck storage and a dispatch office in a General Retail Business District; subject to conditions.

**Calendar No. 04-329:** 2820 Detroit Avenue

Detroit Avenue Lofts LLC appealed to establish for a use as dwelling units an existing four-story building in a Semi-Industry District.

The following appeals were **Denied:**

**None.**

The following appeal was **Reinstated:**

**Calendar No. 04-322:** 11415-39 St. Clair Avenue

City of Cleveland Land Bank, owner, and Dave All, prospective purchaser, appealed to construct a parking lot in a Local Retail Business District.

The following appeals were **Postponed:**

**Calendar No. 04-328:** appeal of North Coast Payphones, Inc. postponed to February 14, 2005.

**Calendar No. 04-331:** 10733 Leuer Avenue postponed to February 14, 2005.

**Calendar No. 04-332:** 2120 West 55th Street postponed to February 14, 2005.

**Calendar No. 04-333:** 2010 West 3rd Street postponed to February 14, 2005.

**Calendar No. 04-334:** 3185 Independence Road postponed to February 14, 2005.

In Executive Session on January 24, 2005, the following appeals heard by the Board on January 18, 2005 were adopted and approved.

The following appeals were **Approved:**

**Calendar No. 04-320:** 12705 Buckeye Road

Christian Valley Baptist Church appealed to erect a one-story addition to the east side of a church building in a Residence Office District.

**Calendar No. 04-324:** 4700 Marcie Drive

Thomas and Carolyn Bennett appealed to install 24' of 6' high wooden fence facing east and north along portions of a corner lot in an A1 One-Family District.

Secretary

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

NO MEETING

## PUBLIC NOTICE

NONE

## NOTICE OF PUBLIC HEARING

### ESTABLISHMENT OF THE PLAYHOUSE SQUARE COMMUNITY ENTERTAINMENT DISTRICT

Notice is hereby given in accordance with Chapter 699A of the Codified Ordinances of the City of Cleveland and Section 4301.80 of the Ohio Revised Code that the City of Cleveland will hold a Public Hearing on:

Date: Wednesday, February 2, 2005

Time: 1:00 P.M.

Place: Cleveland City Council,  
Room 220  
Cleveland City Hall  
601 Lakeside Avenue  
Cleveland, Ohio 44114

for the purpose of soliciting public comment on a proposal to establish a Community Entertainment District in the Playhouse Square area of downtown Cleveland (Ordinance No. 45-05). A copy of the application is on file and is available for public inspection during normal business hours in the office of the Clerk of City Council and in the office of the City Planning Commission in Cleveland City Hall, 601 Lakeside Avenue, Cleveland, Ohio.

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

January 19, 2005 and January 26, 2005



**NOTICE OF PUBLIC HEARING****Notice of Public Hearing  
By the Council Committee  
On City Planning**

**Mercedes Cotner  
Committee Room 217  
City Hall, Cleveland, Ohio  
On Monday, February 7, 2005  
9:00 A.M.**

Notice is hereby given to all interested property owners that the Council Committee on City Planning will hold a public hearing in the Mercedes Cotner Committee Room 217, City Hall, Cleveland, Ohio, on Monday, February 7, 2005, at 9:00 A.M., to consider the following ordinance now pending in the Council:

**Ord. No. 2415-04.**

By Council Members Coats and Cimperman.

An ordinance to amend Ordinance No. 1689-2000 establishing the Aberdeen Homes Planned Unit Development Overlay District (PUD) to exclude a parcel of land known as Phase 2 Parcel.

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

JOSEPH C. CIMPERMAN,  
Chairman  
Committee on City Planning

January 26, 2005 and February 2, 2005

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

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

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

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

**Where invitations for bids are advertised, the following notice shall be included in the advertisement: "Pursuant to the MBE/FBE Code, each prime bidder, each minority business enterprise ("MBE") and each female business enterprise ("FBE") must be certified before doing business with the City. Therefore, any prime contractor wishing to receive credit for using an MBE or FBE should ensure that applications for certification as to MBE or FBE status compliance with the Code, affirmative action in employment and, if applicable, joint venture status, are submitted to the**

**Office of Equal Opportunity ("OEO") prior to the date of bid opening or submission of proposals or as specified by the Director. Failure to comply with the business enterprise code or with representations made on these forms may result in cancellation of the contract or other civil or criminal penalties."**

**WEDNESDAY, FEBRUARY 2, 2005**

**Luke Easter Playground Site Improvements**, for the Division of Research, Planning & Development, Department of Parks, Recreation and Properties, as authorized by Ordinance Nos. 1114-02 and 2151-03, passed by the Council of the City of Cleveland, June 17, 2002 and December 15, 2003, respectively.

**THERE WILL BE A REFUNDABLE FEE FOR PLANS/SPECIFICATIONS IN THE AMOUNT OF TWENTY-FIVE DOLLARS (\$25.00) IN THE FORM OF A CASHIER'S CHECK AND/OR MONEY ORDER.**

**THERE WILL BE A NON-MANDATORY PRE-BID MEETING, THURSDAY, JANUARY 27, 2005 AT 10:00 A.M., BURKE LAKEFRONT AIRPORT, 2ND FLOOR CONFERENCE ROOM, 1501 NORTH MARGINAL ROAD, CLEVELAND, OHIO 44114.**

January 19, 2005 and January 26, 2005

**THURSDAY, FEBRUARY 3, 2005**

**Franklin Avenue/West 25th Street Area Sewer Replacement**, for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Ordinance No. 841-04, passed by the Council of the City of Cleveland, June 14, 2004.

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

**THERE WILL BE A NON-MANDATORY PRE-BID MEETING, FRIDAY, JANUARY 28, 2005 AT 10:00 A.M., DIVISION OF WATER POLLUTION CONTROL, 12302 KIRBY AVENUE, CLEVELAND, OHIO 44108.**

January 19, 2005 and January 26, 2005

**FRIDAY, FEBRUARY 4, 2005**

**Hot Water Heaters**, for the Division of Convention Center and Stadium, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 1273-04, passed by the Council of the City of Cleveland, August 11, 2004.

**THERE WILL BE A NON-MANDATORY PRE-BID MEETING, THURSDAY, JANUARY 27, 2005 AT 10:00 A.M., CONVENTION CENTER, 500 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.**

**Contract 1: Repairing and Constructing Curb Ramps in Areas of the City of Cleveland**, for the Division of Engineering & Construction, Department of Public Service, as authorized

by Ordinance No. 2301-04 pending.

**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, JANUARY 27, 2005 AT 11:00 A.M., CITY HALL, ROOM 518, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.**

**Tree Planting**, for Various Divisions Throughout the City of Cleveland, Department of Parks, Recreation and Properties, as authorized by Ordinance Nos. 152-02 and 2059-04, passed by the Council of the City of Cleveland, January 28, 2002 and November 15, 2004, respectively.

**THERE WILL BE A MANDATORY PRE-BID MEETING, FRIDAY, JANUARY 28, 2005 AT 11:00 A.M., URBAN FORESTRY, 1ST FLOOR CONFERENCE ROOM, 750 EAST 88TH STREET, CLEVELAND, OHIO.**

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

January 19, 2005 and January 26, 2005

**WEDNESDAY, FEBRUARY 9, 2005**

**One (1) Cable Pulling Device Rehabilitation**, for the Various Divisions of City Government, Department of Public Service, as authorized by Ordinance No. 1481-04, passed by the Council of the City of Cleveland, October 11, 2004.

**THERE WILL BE A NON-MANDATORY PRE-BID MEETING, TUESDAY, FEBRUARY 1, 2005 AT 3:00 P.M., DIVISION OF MOTOR VEHICLE MAINTENANCE, BUILDING #1, 4150 EAST 49TH STREET, CLEVELAND, OHIO 44105.**

**Mower Parts and Labor**, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 927-04, passed by the Council of the City of Cleveland, August 11, 2004.

**THERE WILL BE A NON-MANDATORY PRE-BID MEETING, TUESDAY, FEBRUARY 1, 2005 AT 3:30 P.M., DIVISION OF MOTOR VEHICLE MAINTENANCE, BUILDING #1, 4150 EAST 49TH STREET, CLEVELAND, OHIO 44105.**

January 19, 2005 and January 26, 2005

**FRIDAY, FEBRUARY 25, 2005**

**Sodium Hypochloride Solution**, for the Division of Water, Department of Public Utilities, as authorized by Section 129.24, of the Codified Ordinances of Cleveland, Ohio, 1976.

**THERE WILL BE A MANDATORY PRE-BID MEETING, FRIDAY, FEBRUARY 4, 2005 AT 1:30 P.M., PUBLIC UTILITIES BUILDING, 1201 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.**

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

January 19, 2005 and January 26, 2005

**WEDNESDAY, FEBRUARY 9, 2005**

**Scrap Metals**, for the Various Divisions of City Government, Department of Finance, as authorized by Section 181.19, of the Codified Ordinances of Cleveland, Ohio, 1976.

January 26, 2005 and February 2, 2005

**FRIDAY, FEBRUARY 11, 2005**

**Contract 2: Repairing and Constructing Curb Ramps in Areas of the City of Cleveland**, for the Division of Engineering & Construction, Department of Public Service, as authorized by Ordinance No. 2301-04 pending.

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, FEBRUARY 3, 2005 AT 11:00 A.M., CITY HALL, ROOM 518, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

**West 105th Street Rehabilitation**, for the Division of Engineering & Construction, Department of Public Service, as authorized by Ordinance Nos. 1980-02 and 2330-03,

passed by the Council of the City of Cleveland, October 21, 2002 and February 9, 2004.

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

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING**, THURSDAY, FEBRUARY 3, 2005 AT 10:00 A.M., CITY HALL, ROOM 518, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

**Industrial Paper Products & Cloth Wipers (Re-Bid Part 1)**, for the Various Divisions of City Government, Department of Finance, as authorized by Ordinance No. 1658-04, passed by the Council of the City of Cleveland, October 4, 2004.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING**, THURSDAY, FEBRUARY 3, 2005 AT 10:00 A.M., CITY HALL, ROOM 518, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

January 26, 2005 and February 2, 2005

**THURSDAY, FEBRUARY 17, 2005**

**Collinwood Community Center Renovation**, for the Division of Engineering & Construction, Department of Public Service, as authorized by Ordinance No. 2142-04, passed by the Council of the City of Cleveland, February 9, 2004.

THERE WILL BE A **REFUNDABLE FEE FOR PLANS/SPECIFICATIONS** IN THE AMOUNT OF

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

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING**, THURSDAY, FEBRUARY 3, 2005 AT 2:00 P.M., COLLINWOOD COMMUNITY CENTER, 813 EAST 152nd STREET, CLEVELAND, OHIO.

January 26, 2005 and February 2, 2005

**FRIDAY, FEBRUARY 18, 2005**

**Microfiche and CD-ROM Services**, for the Various Divisions of City Government, Department of Finance, as authorized by Ordinance No. 2006-04, passed by the Council of the City of Cleveland, November 8, 2004.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING**, TUESDAY, FEBRUARY 8, 2005 AT 10:30 A.M., CITY HALL, DIVISION OF PURCHASES & SUPPLIES, ROOM 128, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

**Kronos Timekeeping Hardware & Maintenance**, for the Various Divisions of City Government, Department of Finance, as authorized by Ordinance No. 2302-03, passed by the Council of the City of Cleveland, December 15, 2003.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING**, TUESDAY, FEBRUARY 8, 2005 AT 10:00 A.M., CITY HALL, DIVISION OF ACCOUNTS, ROOM 19, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

January 26, 2005 and February 2, 2005

**Certified MBEs and FBEs  
Reporting Period: Fourth Quarter, 2004**

Pursuant to Chapter 187 of the Codified Ordinances of the City of Cleveland, Ohio, listed below are the firms that have been certified as Minority Business Enterprises (MBEs) and Female Business Enterprises (FBEs) by the Mayor's Office of Equal Opportunity during the Fourth Quarter of 2004.

Company	MBE/FBE	Certdate	Description
A.L.L.S., Inc.	MBE	10/27/2004	General Contractor specializing in residential rehab; excavation and asphalt of driveways
Aamco Transmissions	FBE	10/22/2004	Repair transmissions & driveline (ales, cv boots, mounts, etc.) including 4wds, clutches, transfer cases for domestic & foreign cars, light trucks, vans for both automatic & standard shift vehicles
Abele Davis Corp.	FBE	11/16/2004	Law enforcement supplies
Aberdeen Mechanical, Inc.	FBE	10/13/2004	HVAC and mechanical contractor
Action Travel Center, Inc.	FBE	11/30/2004	Full service travel agency including business travel management services
Advanced Federated Protection	MBE	11/10/2004	Installation of alarm & fire systems; closed circuit TV, card access, sprinkler systems
Alpha Builders, Inc.	MBE	12/13/2004	General contractor specializing in renovation, remodeling, carpentry and painting
Ames Street Ltd.	MBE	11/2/2004	General contractor on commercial and residential rehab; acquisitions and property development
An-Gay, Inc. dba A.C. Lock and Key Services	MBE	12/1/2004	Key and lock service: repair & replace locks and keys
Aries Distribution	FBE	11/7/2004	Distributor: janitorial supplies including paper products
ASC Group, Inc.	FBE	12/29/2004	Cultural resource surveys including archaeology & architectural history; also, ecological and wetland surveys, site assessment screening

Ballast Construction dba Ballast Fence	FBE	11/15/2004	Fencing contractor
Bay-West Electric Co., Inc.	FBE	10/24/2004	Electrical contractor
Beachwood Title, Inc.	MBE/FBE	10/8/2004	Full title & escrow services including, closings, lien searches, legal and tax info
Brown, Flynn Communications, Ltd.	FBE	12/13/2004	Strategic marketing communications specializing in community relations management
Builders Square Construction Corp.	MBE	10/22/2004	General contractor specializing in rehab
Burgan's Cleaning Service	MBE	12/26/2004	Janitorial services
Burrows Travel Group, The	MBE	10/26/2004	Travel agency
C.E.A.K. Interiors	MBE	11/17/2004	General contractor specializing in installation of drywall and plastering
Caver Brothers, Inc.	MBE	12/28/2004	Landscaping: planting of trees and shrubs, maintenance for residential and commercial property
CCS Training Services, Inc.	MBE/FBE	11/30/2004	Consultant for skill building, training programs, organization development, wellness programs
Century Photography	FBE	12/28/2004	Photographer
Clark Enterprises, Inc.	MBE	11/8/2004	Contractor specializing in HVAC
Classic Teleproductions, Inc.	FBE	11/23/2004	Provides audio, video, advertising and marketing services
Cleveland City Blue Print Co., LLC	FBE	11/7/2004	Reprographic, blueprinting, copying, mounting and lamination
Coleman Development, Inc.	MBE	12/10/2004	Lead abatement, mechanical dismantling and interior wrecking
Coleman Trucking, Inc.	MBE	10/26/2004	Asbestos abatement contractor including consulting, inspection for encapsulation and removal; lead abatement, mechanical dismantling and interior wrecking
Corporate Choice Staffing Services, Inc.	MBE/FBE	12/30/2004	Office support staffing specializing in direct hire; also, bi-lingual
Cosmos Industrial Services, Inc.	FBE	10/21/2004	General contractor specializing in industrial & commercial painting, sheeting, lead & asbestos abatement, sandblasting, foam insulation
Creative Home Solutions, Inc.	MBE	12/28/2004	General contractor specializing in drywall, paint, and carpentry
D.B.G. Construction Co., Inc.	MBE	11/18/2004	Contractor specializing in installing screens, lawn clean-up, maintenance & repair work, interior demolition
Daniel's Electric & Construction, Inc.	MBE	10/25/2004	General contractor doing business as electric contractor for heating, air conditioning, installation and repairs, including refrigeration
DAR Public Relations, Inc.	MBE/FBE	11/13/2004	Public relations, marketing, communications, media relations, advertising, training seminars, special events management and promotions
Davenport's Crafts & Crafts	MBE	10/22/2004	Digital imagery, photography and graphic design
David G. Hill & Associates, Co., LPA	MBE	11/17/2004	Legal services
Dawn Underground Engineering, Inc.	FBE	12/28/2004	Tunnels and underground structures consultants and engineering services including geotechnical
DDC + , Inc.	MBE	11/11/2004	Electrical contractor
Debt Credit Services & Associates, Inc.	MBE/FBE	10/4/2004	Full service collection agency
Dentz Painting, Inc.	FBE	12/17/2004	Painting Contractor
Do-It-All Construction	MBE	12/29/2004	General contractor specializing in remodeling, painting, drywall, roofing, carpentry, plumbing and electrical
Drummond Design	FBE	10/5/2004	Full service graphic design and marketing firm; corporate identity, advertising, signage, annual reports, public relations, web designs
Dunlop Industries, Inc.	FBE	12/27/2004	Steel erection
EdArch Associates	MBE	10/1/2004	Construction consulting and management services
Emerald Supply, Inc.	MBE/FBE	10/11/2004	Supplier of industrial maintenance and janitorial supplies
Environmental Affairs Management Consultants	MBE	12/14/2004	Environmental consultants: EPA & OSHA related, training of safety, facilities support management, geotech, specialized training programs
Environmental Control Laboratories	MBE	10/20/2004	Environmental testing for water, wastewater, soil, solid waste, hazardous materials, asbestos sampling
E-ProToCall Marketing Solutions	MBE/FBE	11/26/2004	Marketing consultant including community services, events & media planner, public relations, public service and promotions
ETNA Parking	MBE	11/10/2004	Provide exclusive right, privilege & obligation of administrative, marketing and operational services of garage parking and surface lots

Ferrous Metal Transfer Co.	MBE	11/8/2004	Trucking: transfer of steel coils, sheets and scrap steel
Forbes Brick Company	FBE	12/9/2004	Brick, masonry, distributor; retail and wholesale
Future Unlimited, Inc.	FBE	10/18/2004	Permanent placement, recruitment and temporary staffing
G. Stephens, Inc.	MBE	12/6/2004	General contractor specializing in donstruction management, inspection, regulations, contract administration; including site development; carpentry
Genley Transfer, Inc.	MBE	12/2/2004	Dump truck hauling
HCIR dba 64 Sun Rise Builders	MBE	12/2/2004	General contractor specializing in carpentry, painting and rehab
Heckaman, Maria and Associates, Inc.	FBE	10/22/2004	Employment services
Institute of Technology Consulting, Inc., The	FBE	12/18/2004	Telecommunications consulting, management & education services, telephone courtesy courses, long distance services
Interconnect Cabling Network Services, Inc.	FBE	10/21/2004	Installation of telecommunication networks: LAN, WAN, WIN; design & consulting of networks, supply network hardware
Italia Plumbing, Inc.	FBE	11/22/2004	Plumbing contractor: supply, install, maintenance & repair; back flow inspections
J.B. Neal Associates	MBE/FBE	10/22/2004	Consultant: employee relations, workforce education
J.C. Antioch Concrete Co., Inc.	MBE	11/4/2004	Concrete and masonry work including parking lots, curbs, basement floors, streets, sideways, handicap ramps & loading docks
Janitorial Services, Inc.	MBE	11/22/2004	Janitorial services: cleaning of walls, windows, carpet, light fixtures; building maintenance
Jay's Boom Trucking	MBE	11/22/2004	Boom trucking and material handling
Johmyell Contractors, Inc.	MBE/FBE	12/30/2004	General contractor
JVS Interiors, Inc.	FBE	10/6/2004	General contractor specializing in metal framing, drywall, acoustical and carpentry
Klean Sweep Commercial Services	MBE	10/7/2004	Commercial cleaning services
L.C. Electrical Services	MBE	10/5/2004	Contractor specializing in all levels of electrical work
L.M.R. Construction Co., Inc.	FBE	12/7/2004	Masonry contractor
Lee Infrastructure Restoration, Inc.	MBE/FBE	12/9/2004	Infrastructure rehab including manholes, storage tanks, flooring, walls, highways; materials for casting, rings, risers
Lito Trucking, Inc.	MBE/FBE	10/18/2004	Trucking: hauling and dumping services; supplier: aggregates, stone, salt
M. Rivera Construction	MBE	12/30/2004	General contractor specializing in concrete work, pipe insulation and carpentry, interior demolition and construction clean-up & iron work
Mac Installation & Consulting, LLC	MBE	11/4/2004	Install, repair, service & design telecommunication structured cabling system to include installation of low voltage comuncations, Telco equipment, fiber optic cable and equipment
Master Builders Construction Co.	MBE	12/28/2004	General contractor specializing in rehab, residential & commercial; HVAC & Plumbing
Mckinney Plumbing & Heating Co., Inc.	MBE	11/18/2004	Plumbing and heating contractor specializing in residential, commercial and industrial
MCM Company, Inc.	FBE	11/12/2004	General contractor, constructment management, project management services
MGL, Inc.	MBE	10/7/2004	Supplier: janitorial and cleaning supplies
Micro - Plus	MBE	12/11/2004	Supplier: computer hardware, software, & peripherals (printers, modems, monitors, diskettes)
Midwest Cable & Wireways, Inc.	MBE	12/29/2004	General contractor specializing in electrical contracting
Ming's Heating & Air Conditioning, Inc.	MBE	12/16/2004	General contractor specializing in rehab and heating, ventilation and air conditioning
Minority Electric Company	MBE/FBE	10/23/2004	Electrical contractor
Montalvo, Inc.	MBE	12/12/2004	General contractor specializing in interior & exterior improvements and renovations; residential & commercial; supplier: plumbing, mechanical, interior finishes, construction materials
Moss-Card Consulting, Inc.	MBE/FBE	12/9/2004	Information technologies in computer services offering training, programming & software development
Nancy Devins Yetman, Inc. dba Creative Cater	FBE	12/10/2004	Catering services

Nielsen Group, The	FBE 11/29/2004	Management and consulting services, including human resources
Nolan Contracting, Inc.	MBE 11/19/2004	General contractor specializing in interior rehab & demolition, masonry, concrete and carpentry
Nowak Mechanical Services, Inc.	FBE 12/14/2004	HVAC contractor including sprinkler & fire protection, boilers, hydronics & temp controls, service, install, repair
Nurturing Restorations, Inc.	FBE 12/11/2004	Ecosystems restoration consultant
Office Imaging	FBE 11/20/2004	Supplier of ink, toners and fax cartridges
Ohio Diversified Services	FBE 10/20/2004	General contractor: site work, flagging, demolition, excavation, asphalt, concrete, steel erection, landscaping, painting, carpentry, construction management
Orion Painting & Contracting, Inc.	FBE 11/16/2004	Commercial painting contractor including painting, prep of structural steel, sandblasting, lead abatement, concrete patching and sealing
Outside In, Inc., The	MBE 12/9/2004	Interior and exterior landscaping. Landscape architectural services: planning & urban design, site, park, recreational and transportation design, environmental designs and studies
Oxbow Engineering, Inc.	FBE 10/25/2004	Civil engineering design services including highway design, traffic, water lines storm and sanitary designs
P & L Industries, Inc.	FBE 10/7/2004	HVAC contractor
Personalized Data Corporation	MBE 10/13/2004	Computer design, consulting, data entry, conversions, word processing, disaster recovery, clerical
Phil & Partners Trucking Corp.	MBE 10/12/2004	Complete trucking: hauling, delivery and transfer service
Phillip Q. Hatcher & Associates Landscaping, Inc.	MBE 11/17/2004 FBE 10/6/2004	Landscape design, installation and maintenance Interior plant and floral contracting and maintenance service
Pneumatic Specialties, Inc.	FBE 11/18/2004	Air dryers, air compressors, fittings, tubing for pressurization of cables within the telecommunications industry
Pollmet, Inc.	MBE 10/18/2004	Market analysis, survey research, polling, staff development, focus group studies
Polytech, Inc.	MBE 12/15/2004	Engineering: mechanical, electrical, structural, environmental, transportation and civil engineering; consulting architectural, planning and construction management
Post Painting, Inc.	FBE 11/7/2004	Commercial painting and wallcovering contractor
Prime Engineering & Architecture, Inc.	MBE/FBE 12/13/2004	Architectural & engineering services: civil, structural, geotechnical, material testing and site development
Prime Services & Management Co., Inc.	MBE 12/28/2004	General contractor specializing in masonry, concrete, utility work, excavation, HVAC and plumbing
Pro Construction, Inc.	MBE 12/15/2004	General highway construction, paving, rigid, grading, site clearing, excavation, embankment, pavement removal, drainage & structures
PS Promotions	MBE/FBE 10/8/2004	Advertising and promotional items
Quality Ribbons and Supplies Co.	FBE 11/17/2004	Office and computer supplies, equipment; janitorial supplies
Quick Employment	MBE/FBE 11/12/2004	Employment services: skilled labor, general labor, medical, office, etc.; pre-employment screening
R. Heard Painting	MBE 12/27/2004	Painter: exterior and interior
R.A. Energy International, Inc.	MBE 12/28/2004	design & install energy systems, complete energy audits on building, energy systems & manufacturer of solar systems
Ramsay Construction Corporation	MBE 10/13/2004	General contractor specializing in rehab, carpentry, painting, drywall, glass glazing, clean-up, construction management, asbestos & lead abatement
Relocation Specialists, Inc.	FBE 12/24/2004	Office and industrial relocation, management & consulting
Renco Printing, Inc.	FBE 10/22/2004	Commercial printing
Ribway Engineering Group, Inc.	MBE 11/30/2004	Engineering and construction specializing in civil, environmental, water & wastewater transportation, mechanical & structural engineering

Rockport Construction & Materials	FBE 11/18/2004	General contractor specializing in rigid paving, structural concrete, underground utility work; recycled materials: sand, soil, etc.
Roger's Towing, Inc.	FBE 12/3/2004	Towing of automobiles and trucks
September & Associates	FBE 12/24/2004	Commercial and residential real estate appraising
SKM Creations, Inc.	MBE/FBE 10/7/2004	Printing desktop, commercial graphics, social papers
Suburban Janitorial Service, Inc.	FBE 10/24/2004	Janitorial and cleaning services
Tesco Builders, Inc.	FBE 12/7/2004	General contractor
Texcel, Incorporated	MBE 12/14/2004	Computer system integration and services including consulting
TG Consulting, Inc.	FBE 10/20/2004	Scheduling services for construction projects including highway and building
Thermo-Tec Insulation, Inc.	FBE 11/12/2004	Insulation contractor
Thomas Arts, Inc.	MBE 11/26/2004	Full service of printing, advertising and promotional items
Thomas Bros. Landscaping, Inc.	MBE 11/6/2004	Landscaping and snowplowing
Tiffany Electric & Supply Company	MBE/FBE 11/26/2004	Electrical contractor
Triple A Builders, Inc.	MBE 11/18/2004	General contractor specializing in residential, commercial, new construction renovations and restoration
Triple Lady's Agency, Inc. dba TL Express	FBE 11/4/2004	Freight trucking services
Tucker, Young, Jackson, Tull, Inc.	MBE 11/22/2004	Consulting Engineers/designers: highway, electrical, mechanical, structural, civil, environmental, waste and water treatment
United Engineering Associates, LLC	MBE 10/7/2004	Consulting engineering services and construction management in the fields of building design & bridge design and inspections
VND3, Inc.	FBE 12/28/2004	Trucking: transport of asphalt, dirt, stpme amd excavation debris
Wilco Information Management	MBE 11/16/2004	Software systems integration and design. Software development, project management; education and training
World Waste	MBE 11/23/2004	Dump truck and trash removal for commerical, industrial & construction business

**MBEs/FBEs DELETED FROM OEO'S DATABASE  
Fourth Quarter, 2004**

The attached firms, that were previously certified as a MBE and/or FBE have been dropped from the MBE/FBE database. The firms listed were sent at least two (2) letters and elected not to re-certify for various reasons, including going out of business and changes in geographic location.

MBE/FBE	Company
FBE	Civic Builders, LLC
FBE	Nello's Trucking, Inc.
FBE	Robin's Trucking & Supply Co.
MBE	Kemron Environmental Services, Inc.
MBE	Meroe Contracting & Supply Co.
MBE	Northcoast Business Systems, Inc.
MBE	Northcoast Mechanical Company
MBE	Polk Photography
MBE	Short Steel Erection, Inc.
MBE/FBE	Chem-Ty Environment, Inc.
MBE/FBE	Choice Construction Co., Inc.
MBE/FBE	Inglesi Asphalt & Cement
MBE/FBE	LDW Construction Company

**ADOPTED RESOLUTIONS  
AND ORDINANCES**

NONE

**COUNCIL COMMITTEE  
MEETINGS**

**Monday, January 24, 2005  
9:30 a.m.**

**Public Parks, Property & Recreation Committee:** Present: Johnson, Chair; White, Vice Chair; Dolan,

Jones, Rybka, Sweeney. *Authorized Absence:* Cimperman.

**11:00 a.m.**

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

**2:00 p.m.**

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

**Wednesday, January 26, 2005  
10:00 a.m.**

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

**1:30 p.m.**

**Public Utilities Committee:** Present: Coats, Chair; O'Malley, Vice Chair; Brady, Cintron, Jones, Polensek, Sweeney, Westbrook. *Authorized Absence:* 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

**AIDS**

Housing Opportunities for Persons with AIDS Program — grants — Community Development  
 (O 71-05) ..... 60

**Board of Control — Cleveland Hopkins International Airport Division**

Protective coat in on glass areas — per Ord. 1597-02, 2226-03 — all bids rejected — Dept.  
 of Port Control (BOC Res. 23-05) ..... 69

**Board of Control — Finance Department**

Paper products and cloth wipers — contract per Ord. 1658-04 to AmSan/Hough Supply  
 (BOC Res. 20-05) ..... 69  
 Paper products and cloth wipers — contract per Ord. 1658-04 to Emerald Supply, Inc.  
 (BOC Res. 21-05) ..... 69  
 Paper products and cloth wipers — contract per Ord. 1658-04 to Carnegie Textile Co.  
 (BOC Res. 22-05) ..... 69  
 Paper products, industrial and cloth wipers — per Ord. 1658-04 — all bids rejected  
 (BOC Res. 19-05) ..... 69

**Board of Control — Motor Vehicle Maintenance Division**

Diesel fuel — contract per Ord. 764-04 to Petroleum Traders Corporation — Dept. of Public  
 Service (BOC Res. 26-05) ..... 70  
 Diesel fuel — contract per Ord. 764-04 to Universal Oil, Inc. — Dept. of Public Service  
 (BOC Res. 25-05) ..... 70

**Board of Control — Police Division**

Clothing, uniform — contract per C.O. Sec. 135.06 to Atwell's Police  
 & Fire Equipment Company, Inc. — Dept. of Public Safety  
 (BOC Res. 31-05) ..... 71  
 Clothing, uniform — contract per C.O. Sec. 135.06 to Cleveland Uniform, Inc. — Dept. of  
 Public Safety (BOC Res. 29-05) ..... 71  
 Clothing, uniform — contract per C.O. Sec. 135.06 to SB.P. Britches, Inc. — Dept.  
 of Public Safety (BOC Res. 32-05) ..... 71  
 Clothing, uniform — contract per C.O. Sec. 135.06 to Schwarz Uniform Corporation — Dept.  
 of Public Safety (BOC Res. 28-05) ..... 70  
 Clothing, uniform — contract per C.O. Sec. 135.06 to Standard Law Enforcement Supply  
 Company — Dept. of Public Safety (BOC Res. 30-05) ..... 71

**Board of Control — Port Control Department**

Protective coat in on glass areas — per Ord. 1597-02, 2226-03 — all bids  
 rejected — Division of Cleveland Hopkins International Airport  
 (BOC Res. 23-05) ..... 69

**Board of Control — Public Improvement Contracts**

Ridge Road Transfer Station plating and repair of concrete tipping walls — contract per  
 Ord. 2146-03 to M-A Building & Maintenance Company — Dept. of Public Service  
 (BOC Res. 27-05) ..... 70

**Board of Control — Public Safety Department**

Clothing, uniform — contract per C.O. Sec. 135.06 to Atwell's Police  
 & Fire Equipment Company, Inc. — Division of Police  
 (BOC Res. 31-05) ..... 71  
 Clothing, uniform — contract per C.O. Sec. 135.06 to Cleveland Uniform, Inc. — Division  
 of Police (BOC Res. 29-05) ..... 71  
 Clothing, uniform — contract per C.O. Sec. 135.06 to SB.P. Britches, Inc. — Division of  
 Police (BOC Res. 32-05) ..... 71  
 Clothing, uniform — contract per C.O. Sec. 135.06 to Schwarz Uniform Corporation —  
 Division of Police (BOC Res. 28-05) ..... 70  
 Clothing, uniform — contract per C.O. Sec. 135.06 to Standard Law Enforcement Supply  
 Company — Division of Police (BOC Res. 30-05) ..... 71

**Board of Control — Public Service Department**

Cab / chassis with fuel tanker body — contract per Ord. 1683-03 to Cleveland Peterbilt, LLC (BOC Res. 24-05) ..... 69

Diesel fuel — contract per Ord. 764-04 to Petroleum Traders Corporation — Division of Motor Vehicle Maintenance (BOC Res. 26-05) ..... 70

Diesel fuel — contract per Ord. 764-04 to Universal Oil, Inc. — Division of Motor Vehicle Maintenance (BOC Res. 25-05) ..... 70

Ridge Road Transfer Station plating and repair of concrete tipping walls — contract per Ord. 2146-03 to M-A Building & Maintenance Company (BOC Res. 27-05) ..... 70

**Board of Control — Requirement Contracts**

Cab / chassis with fuel tanker body — contract per Ord. 1683-03 to Cleveland Peterbilt, LLC — Dept. of Public Service (BOC Res. 24-05) ..... 69

Clothing, uniform — contract per C.O. Sec. 135.06 to Atwell’s Police & Fire Equipment Company, Inc. — Division of Police, Dept. of Public Safety (BOC Res. 31-05)..... 71

Clothing, uniform — contract per C.O. Sec. 135.06 to Cleveland Uniform, Inc. — Division of Police, Dept. of Public Safety (BOC Res. 29-05)..... 71

Clothing, uniform — contract per C.O. Sec. 135.06 to S.B.P. Britches, Inc. — Division of Police, Dept. of Public Safety (BOC Res. 32-05) ..... 71

Clothing, uniform — contract per C.O. Sec. 135.06 to Schwarz Uniform Corporation - Division of Police, Dept. of Public Safety (BOC Res. 28-05) ..... 70

Clothing, uniform — contract per C.O. Sec. 135.06 to Standard Law Enforcement Supply Company — Division of Police, Dept. of Public Safety (BOC Res. 30-05) ..... 71

Diesel fuel — contract per Ord. 764-04 to Petroleum Traders Corporation — Division of Motor Vehicle Maintenance, Dept. of Public Service (BOC Res. 26-05) ..... 70

Diesel fuel — contract per Ord. 764-04 to Universal Oil, Inc. — Division of Motor Vehicle Maintenance, Dept. of Public Service (BOC Res. 25-05) ..... 70

Paper products and cloth wipers — contract per Ord. 1658-04 to AmSan/Hough Supply — Dept. of Finance (BOC Res. 20-05)..... 69

Paper products and cloth wipers — contract per Ord. 1658-04 to Emerald Supply, Inc. — Dept. of Finance (BOC Res. 21-05) ..... 69

Paper products and cloth wipers — contract per Ord. 1658-04 to Carnegie Textile Co. — Dept. of Finance (BOC Res. 22-05) ..... 69

**Board of Control — Ridge Road Transfer Station**

Plating and repair of concrete tipping walls — contract per Ord. 2146-03 to M-A Building & Maintenance Company — Dept. of Public Service (BOC Res. 27-05)..... 70

**Board of Zoning Appeals — Report**

Buckeye Road, 12705, (Ward 6) — Christian Valley Baptist Church, owner, c/o Deacon Sammie Johnson — appeal granted and adopted on 1/24/05 (Cal. 04-320) ..... 72

Detroit Avenue, 2820, (Ward 13) — Detroit Avenue Lofts LLC and James Sosan, owners — appeal heard on 1/24/05 (Cal. 04-329)..... 72

East 93rd Street, 3547, (Ward 3) — Gill Taylor, owner — appeal heard on 1/24/05 (Cal. 04-327)..... 72

Independence Road, 3185, (Ward 13) — Wheeling & Lake Erie Rail Road c/o Clarence Jaeger, owner and Clear Channel Outdoor, lessee — appeal postponed to 2/14/05 on 1/24/05 (Cal. 04-334)..... 72

Leuer Avenue, 10733, (Ward 8) — Liberty Self-Storage c/o Rebecca Doty, owner and Clear Channel Outdoor, lessee — appeal postponed to 2/14/05 on 1/24/05 (Cal. 04-331)..... 72

Marcie Drive, 4700, (Ward 15) — Thomas and Carolyn Bennett, owners — appeal granted and adopted on 1/24/05 (Cal. 04-324) ..... 72

North Coast Payphones, Inc., owner, and Howard Meister — appeal postponed to 2/14/05 on 1/24/05 (Cal. 04-328)..... 72

St. Clair Avenue, 11415-39, (Ward 9) — City of Cleveland Land Bank, owner, and Dave Ali, prospective purchaser — appeal reinstated on 1/24/05 (Cal. 04-322) ..... 72

West 3rd Street, 2019, (Ward 13) — United Garage and Service Corporation, c/o Terry Gump, owner and Clear Channel Outdoor, lessee — appeal postponed to 2/14/05 on 1/24/05 (Cal. 04-333)..... 72

West 55th Street, 2120, (Ward 17) — Valley Associates c/o Ted Soberay, owner and Clear Channel Outdoor, lessee — appeal postponed to 2/14/05 on 1/24/05 (Cal. 04-332)..... 72



**Board of Zoning Appeals — Schedule**

Brookpark Road, 6850, (Ward 16) — Denny’s Restaurant, c/o Kris Hohl, owner — appeal to be heard on 2/7/05 (Cal. 05-4)..... 72

East 108th Street, 4072, (Ward 2) — Cleveland Housing Network, owner and Elizabeth Lee, tenant — appeal to be heard on 2/7/05 (Cal. 05-6) ..... 72

East 110th Street, 1428, (Ward 9) — Beth-El A.M.E. Zion Church c/o Reverend Charles Tyler, Sr., owner — appeal to be heard on 2/7/05 (Cal. 05-7)..... 72

Edgewater Drive, 11021, (Ward 18) — Craig Brown, owner — appeal to be heard on 2/7/05 (Cal. 05-3) ..... 72

West 41st Street, 3181, (Ward 14) — Catholic Diocese of Cleveland and St. Procop Catholic Church c/o Sister Annette Amendolia SND, owner — appeal to be heard on 2/7/05 (Cal. 05-5)..... 72

**Building and Housing Department**

Building and Housing Dept. — continuation of the department (O 2370-04)..... 68

**Case Western Reserve University**

Case Magazine, Winter 2005 Vol. 17 (F 92-05)..... 60

**City Council**

Franklin, Sandra — Clerk of Council Pro Tempore — January 24, 2005 Council meeting (F 83-05) ..... 59

**City of Cleveland Bids**

Cable pulling device rehabilitation — Department of Parks, Recreation and Properties - per Ord. 1481-04 — bid due February 9, 2005 (advertised 1/19/2005 and 1/26/2005)..... 73

Collinwood Community Center renovation — Department of Public Service — Division of Engineering and Construction — per Ord. 2142-04 — bid due February 17, 2005 (advertised 1/26/2005 and 2/2/2005) ..... 74

Curb ramp repair (Contract 1) — Department of Public Service — Division of Engineering and Construction — per Ord. 2301-04 — bid due February 4, 2005 (advertised 1/19/2005 and 1/26/2005)..... 73

Curb ramp repair (Contract 2) — Department of Public Service — Division of Engineering and Construction — per Ord. 2301-04 — bid due February 11, 2005 (advertised 1/26/2005 and 2/2/2005) ..... 74

Franklin Avenue/West 25th Street area sewer replacement — Department of Public Utilities — Division of Water Pollution Control — per Ord. 841-04 — bid due February 3, 2005 (advertised 1/19/2005 and 1/26/2005)..... 73

Hot water heaters — Department of Parks, Recreation and Properties — Division of Convention Center and Stadium — per Ord. 1273-04 — bid due February 4, 2005 (advertised 1/19/2005 and 1/26/2005)..... 73

Kronos timekeeping hardware and maintenance — Department of Finance — per Ord. 2302-03 — bid due February 18, 2005 (advertised 1/26/2005 and 2/2/2005) ..... 74

Luke Easter Park playground site improvements — Department of Parks, Recreation and Properties — Division of Research, Planning and Development — per Ord. 1114-02, 2151-03 — bid due February 2, 2005 (advertised 1/19/2005 and 1/26/2005) ..... 73

Microfiche and CD-rom services — Department of Finance — per Ord. 2006-04 — bid due February 18, 2005 (advertised 1/26/2005 and 2/2/2005) ..... 74

Mower parts and labor — Department of Public Service — Division of Motor Vehicle Maintenance — per Ord. 927-04 — bid due February 9, 2005 (advertised 1/19/2005 and 1/26/2005)..... 73

Paper products, industrial and cloth wipers — Department of Finance — per Ord. 1658-04 — bid due February 11, 2005 (advertised 1/26/2005 and 2/2/2005) ..... 74

Scrap metals — Department of Finance — per C.O. Sec. 181.19 — bid due February 9, 2005 (advertised 1/26/2005 and 2/2/2005) ..... 74

Sodium hypochlorite solution — Department of Public Utilities — Division of Water — per C.O. Sec. 129.24 — bid due February 25, 2005 (advertised 1/19/2005 and 1/26/2005) ..... 73

Tree planting — Department of Parks, Recreation and Properties — per Ord. 152-04, 2059-04 — bid due February 4, 2005 (advertised 1/19/2005 and 1/26/2005) ..... 73

West 105th Street rehabilitation — Department of Public Service — Division of Engineering and Construction — per Ord. 1980-02, 2330-03 — bid due February 11, 2005 (advertised 1/26/2005 and 2/2/2005) ..... 74

**City Planning Commission**

Aberdeen Homes Planned Unit Development Overlay District — establishing — amend Ord. No. 1689-2000 (O 2415-04).....	73
Brown, Robert N. — oath of office — City Planning Director (F 104-05) .....	60
Ohio City Historic District — establish — Repealing Ord. No. 708-04 (O 74-05).....	61

**Cleveland Hopkins International Airport**

Airport Expansion Program — amendment to Contract No. 53694 — Parsons Infrastructure and Technology Group, Inc. (O 2236-04) .....	67
Pavement improvements on ramps, curbs, and aprons (O 2296-04) .....	67
Restroom odor control drip system — restroom deodorizers (O 2297-04).....	67

**Cleveland Municipal Court**

Disaster recovery plan — citywide — assess, develop, implement, and test — professional consultants (O 4-05).....	68
--	----

**Cleveland Public Power**

Water, sewer, and gas lines — repair or replace (O 2289-04) .....	67
---	----

**Codified Ordinances**

Food shop licenses and fees, food vehicle permit — categories and fees — amend Sects. 241.05 and 241.35 (O 2303-04).....	68
Large scale retail stores — new Section 347.17 (O 75-05) .....	64
Possession or sale of assault weapons — amend Sec. 628.02 (O 105-05) .....	64
Service installations by the Division of Water — persons authorized to make connections — amend Sections 531.01 and 531.50 (O 1661-04).....	67

**Communications**

Bialosky + Partners — Firm Overview, Crocker Park (F 89-05).....	59
Case Western Reserve University — Case Magazine, Winter 2005 Vol. 17 (F 92-05) .....	60
Cleveland Public Library — Director's Report, December 16, 2004 (F 90-05).....	59
Early Settlers Association of the Western Reserve — The Pioneer — Winter 2004 (F 91-05) .....	60
Early Settlers Association of the Western Reserve, The — opposing renaming of Cleveland Hopkins Airport (F 88-05) .....	59
Franklin, Sandra — Clerk of Council Pro Tempore — January 24, 2005 Council meeting (F 83-05) .....	59
Office of Equal Opportunity — Certified MBEs and FBEs, Reporting Period: Fourth Quarter, 2004 (F 86-05).....	59
Office of Equal Opportunity — Denials of Certification — Fourth Quarter, 2004 (F 87-05) .....	59
Vorys, Sater, Seymour and Pease LLP — various PUCO Cases (F 85-05) .....	59

**Community Development**

Building and Housing Dept. — continuation of the department (O 2370-04).....	68
Housing Opportunities for Persons with AIDS Program — grants (O 71-05) .....	60

**Condolences**

Brown, Dorsey (R 117-05).....	60
Cardenas, Daniel (R 116-05).....	60
Deck, Detective Louis J. (R 108-05) .....	60
Dickey, Paul (R 118-05) .....	60
Echols Davis, Linda Louis (R 111-05) .....	60
Hill, Baxter (R 114-05) .....	60
Judkins, Cleophus (R 115-05) .....	60
Kyovsky, Andrew M. (R 107-05).....	60
Neal, Dorothy (R 110-05).....	60
Perkins, Leola (R 113-05).....	60
Pestotnik, John S. (R 109-05) .....	60
Sims, Peter (R 119-05).....	60
Szalesnik, Richard (R 112-05).....	60
Zone, Mary J. (R 106-05).....	60

**Congratulations**

Flanagan, Rev. Chelton C. (R 121-05)..... 60  
 Flewelon, Fannie M. (R 120-05) ..... 60  
 Hamilton, Detective Maurice (R 122-05)..... 60

**Contracts**

Airport Expansion Program — amendment to Contract No. 53694 — Parsons Infrastructure  
 and Technology Group, Inc. — Cleveland Hopkins International Airport (O 2236-04) ..... 67  
 Baldridge Award concepts — training — Cuyahoga Community College — Port Control (O 9-05) ..... 68

**Cuyahoga Community College**

Baldridge Award concepts — training — Port Control (O 9-05) ..... 68

**Economic Development Department**

West Park Cleveland Police and Firefighters Memorial Project — amend Ord. No. 1813-03  
 (O 76-05) ..... 65

**Emergency Purchases**

Mayor's Emergency Purchases — emergency shoring to back drive of Willard Garage (F 84-05) ..... 59

**Fees**

Dominion Cleveland Thermal, Inc. & CT Acquisitions I — transfer fees, payments, and  
 contributions — clarify the deposit (O 72-05) ..... 60  
 Food shop licenses and fees, food vehicle permit — categories and fees — amend Sects.  
 241.05 and 241.35 (O 2303-04) ..... 68  
 Parking fees — proposed by the Ohio Department of Natural Resources — Council's oppose  
 (R 81-05) ..... 66

**Finance Department**

Disaster recovery plan — citywide — assess, develop, implement, and test —  
 professional consultants (O 4-05)..... 68  
 Dominion Cleveland Thermal, Inc. & CT Acquisitions I — transfer fees, payments, and  
 contributions — clarify the deposit (O 72-05) ..... 60  
 Moral Claims — pay (O 1-05) ..... 68

**Funds**

Local Government Fund, Local Government Revenue Assistance Fund and Library and Local  
 Government Support Funds — supporting maintenance (R 82-05) ..... 66

**Grants**

Housing Opportunities for Persons with AIDS Program — Community Development (O 71-05) ..... 60

**Historic Landmark District**

Ohio City Historic District — establish — Repealing Ord. No. 708-04 (O 74-05) ..... 61

**Liquor Permits**

Bridge Ave., 2927 — transfer (Ward 13) (F 101-05) ..... 60  
 Harvard Ave., 7910 — new (Ward 2) (F 93-05) ..... 60  
 Kinsman Rd., 7515 — transfer (Ward 5) (F 95-05) ..... 60  
 Lee Rd., 4060 — new (Ward 1) (F 94-05)..... 60  
 Lee Rd., 4060 — objection (Ward 1) (R 80-05) ..... 65  
 Lorain Ave., 15715 — objection — withdraw (Ward 21) (R 79-05)..... 65  
 Lorain Ave., 17004 — objection — withdraw (Ward 21) (R 78-05)..... 65  
 Old River Rd., 1061 — transfer (Ward 13) (F 98-05) ..... 60  
 Old River Rd., 1204 — transfer (Ward 13) (F 99-05) ..... 60  
 Pearl Rd., 4785 — transfer (Ward 16) (F 100-05)..... 60  
 St. Clair Ave., 14045 — transfer (Ward 10) (F 96-05)..... 60  
 W. 50th St., 3484 — transfer (Ward 14) (F 97-05) ..... 60  
 W. 6th St., 1213 — objection — withdraw (Ward 13) (R 77-05) ..... 65  
 W. 6th St., 1229 — transfer (Ward 13) (F 102-05) ..... 60

**Mayor's Office**

Ronayne, Chriss — oath of office — Secretary to the Mayor (F 103-05) ..... 60

**Moral Claims**

Moral Claims — pay (O 1-05) ..... 68

**Oath of Office**

Brown, Robert N. — City Planning Director (F 104-05) ..... 60  
 Ronayne, Chriss — Secretary to the Mayor (F 103-05) ..... 60

**Office of Equal Opportunity**

Certified MBEs and FBEs, Reporting Period: Fourth Quarter, 2004 (F 86-05) ..... 59  
 Denials of Certification — Fourth Quarter, 2004 (F 87-05) ..... 59

**Ohio Department of Natural Resources**

Parking fees — proposed by the Ohio Department of Natural Resources — Council's oppose  
 (R 81-05) ..... 66

**Parking**

Parking fees — proposed by the Ohio Department of Natural Resources — Council's oppose  
 (R 81-05) ..... 66

**Parking Facilities Division**

Electronic parking meters (317) — purchase — Division of Parking Facilities (O 2308-04) ..... 68

**Parking Meters**

Electronic parking meters (317) — purchase — Division of Parking Facilities (O 2308-04) ..... 68

**Parks**

Parks and recreation facilities — improvements — amend Ord. No. 2151-03 (O 2365-04) ..... 68

**Parks, Recreation and Properties Department**

Electronic parking meters (317) — purchase — Division of Parking Facilities  
 (O 2308-04) ..... 68  
 Lillian C. Alten living trust — cash gift — maintenance and operation of the  
 Rockefeller Park Greenhouse (O 2202-04) ..... 67  
 Parks and recreation facilities — improvements — amend Ord. No. 2151-03 (O 2365-04) ..... 68

**Permits**

Food shop licenses and fees, food vehicle permit — categories and fees — amend Sects.  
 241.05 and 241.35 (O 2303-04) ..... 68  
 St. Vitus Development Corporation — public right-of-way — 6111 Lousche Ave. — one  
 closed circuit camera (O 73-05) ..... 61

**Port Control Department**

Airport Expansion Program — amendment to Contract No. 53694 — Parsons Infrastructure  
 and Technology Group, Inc. — Cleveland Hopkins International Airport (O 2236-04) ..... 67  
 Automatic doors — maintain and repair — various divisions (O 2237-04) ..... 67  
 Baldrige Award concepts — training — Cuyahoga Community College  
 (O 9-05) ..... 68  
 KONE elevators, escalators and moving walkways — maintenance — KONE, Inc. (O 2298-04) ..... 68  
 Pavement improvements on ramps, curbs, and aprons — Cleveland Hopkins International  
 Airport (O 2296-04) ..... 67  
 Restroom odor control drip system — restroom deodorizers — Cleveland Hopkins  
 International Airport (O 2297-04) ..... 67

**Public Utilities Commission (PUCO)**

Vorys, Sater, Seymour and Pease LLP — various PUCO Cases (F 85-05) ..... 59

**Purchases and Supplies Division**

Mayor's Emergency Purchases — emergency shoring to back drive of Willard Garage  
(F 84-05) ..... 59

**Recognition**

Corrigan, Thomas Patrick (R 123-05) ..... 60  
Gillbert, David E. (R 124-05) ..... 60

**Recreation Centers**

Parks and recreation facilities — improvements — amend Ord. No. 2151-03  
(O 2365-04) ..... 68

**Resolutions — Miscellaneous**

Local Government Fund, Local Government Revenue Assistance Fund and Library  
and Local Government Support Funds — supporting maintenance  
(R 82-05) ..... 66  
Parking fees — proposed by the Ohio Department of Natural Resources — Council's oppose  
(R 81-05) ..... 66

**Rockefeller Greenhouse**

Lillian C. Alten living trust — cash gift — maintenance and operation  
(O 2202-04) ..... 67

**Safety Department**

Dominion Cleveland Thermal, Inc. & CT Acquisitions I — transfer fees, payments, and  
contributions — clarify the deposit (O 72-05) ..... 60

**Service Department**

St. Vitus Development Corporation — permit — public right-of-way — 6111 Lousche Ave.  
— one closed circuit camera (O 73-05) ..... 61

**Utilities Department**

Paper products — purchase — Division of Water (O 2291-04) ..... 67  
Service installations by the Division of Water — persons authorized to make connections  
— amend Sections 531.01 and 531.50 (O 1661-04) ..... 67  
Sustainability Program — grants — George Gund Foundation — Cleveland Foundation  
(O 2320-04) ..... 68  
T.V. inspection trucks — repair and maintain — Division of Water Pollution Control  
(O 2290-04) ..... 67  
Water, sewer, and gas lines — repair or replace — Cleveland Public Power  
(O 2289-04) ..... 67

**Ward 01**

Flewelon, Fannie M. — congratulation (R 120-05) ..... 60  
Kyovsky, Andrew M. — condolence (R 107-05) ..... 60  
Lee Rd., 4060 — new — liquor permit (F 94-05) ..... 60  
Lee Rd., 4060 — objection — liquor permit (R 80-05) ..... 65  
Perkins, Leola — condolence (R 113-05) ..... 60  
Zone, Mary J. — condolence (R 106-05) ..... 60

**Ward 02**

Flanagan, Rev. Chelton C. — congratulation (R 121-05) ..... 60  
Harvard Ave., 7910 — new — liquor permit (F 93-05) ..... 60  
Kyovsky, Andrew M. — condolence (R 107-05) ..... 60  
Zone, Mary J. — condolence (R 106-05) ..... 60

**Ward 03**

Kyovsky, Andrew M. — condolence (R 107-05) ..... 60  
Zone, Mary J. — condolence (R 106-05) ..... 60

**Ward 04**

Brown, Dorsey — condolence (R 117-05)	60
Kyovsky, Andrew M. — condolence (R 107-05)	60
Zone, Mary J. — condolence (R 106-05)	60

**Ward 05**

Deck, Detective Louis J. — condolence (R 108-05)	60
Dickey, Paul — condolence (R 118-05)	60
Kinsman Rd., 7515 — transfer — liquor permit (F 95-05)	60
Kyovsky, Andrew M. — condolence (R 107-05)	60
Zone, Mary J. — condolence (R 106-05)	60

**Ward 06**

Kyovsky, Andrew M. — condolence (R 107-05)	60
Neal, Dorothy — condolence (R 110-05)	60
Zone, Mary J. — condolence (R 106-05)	60

**Ward 07**

Hill, Baxter — condolence (R 114-05)	60
Judkins, Cleophus — condolence (R 115-05)	60
Kyovsky, Andrew M. — condolence (R 107-05)	60
Zone, Mary J. — condolence (R 106-05)	60

**Ward 08**

Kyovsky, Andrew M. — condolence (R 107-05)	60
Lillian C. Alten living trust — cash gift — maintenance and operation of the Rockefeller Park Greenhouse (O 2202-04)	67
Sims, Peter — condolence (R 119-05)	60
Zone, Mary J. — condolence (R 106-05)	60

**Ward 09**

Kyovsky, Andrew M. — condolence (R 107-05)	60
Zone, Mary J. — condolence (R 106-05)	60

**Ward 10**

Aberdeen Homes Planned Unit Development Overlay District — establishing — amend Ord. No. 1689-2000 (O 2415-04)	73
Echols Davis, Linda Louis — condolence (R 111-05)	60
Kyovsky, Andrew M. — condolence (R 107-05)	60
St. Clair Ave., 14045 — transfer — liquor permit (F 96-05)	60
Zone, Mary J. — condolence (R 106-05)	60

**Ward 11**

Kyovsky, Andrew M. — condolence (R 107-05)	60
Pestotnik, John S. — condolence (R 109-05)	60
Zone, Mary J. — condolence (R 106-05)	60

**Ward 12**

Kyovsky, Andrew M. — condolence (R 107-05)	60
Zone, Mary J. — condolence (R 106-05)	60

**Ward 13**

Aberdeen Homes Planned Unit Development Overlay District — establishing — amend Ord. No. 1689-2000 (O 2415-04)	73
Bridge Ave., 2927 — transfer — liquor permit (F 101-05)	60
Corrigan, Thomas Patrick — recognition (R 123-05)	60
Gillbert, David E. — recognition (R 124-05)	60
Kyovsky, Andrew M. — condolence (R 107-05)	60
Ohio City Historic District — establish — Repealing Ord. No. 708-04 (O 74-05)	61
Old River Rd., 1061 — transfer — liquor permit (F 98-05)	60

Old River Rd., 1204 — transfer — liquor permit (F 99-05)..... 60  
 St. Vitus Development Corporation — permit — public right-of-way — 6111 Lousche Ave.  
     — one closed circuit camera (O 73-05) ..... 61  
 W. 6th St., 1213 — objection — withdraw (R 77-05) ..... 65  
 W. 6th St., 1229 — transfer — liquor permit (F 102-05)..... 60  
 Zone, Mary J. — condolence (R 106-05)..... 60

**Ward 14**

Cardenas, Daniel — condolence (R 116-05)..... 60  
 Kyovsky, Andrew M. — condolence (R 107-05)..... 60  
 W. 50th St., 3484 — transfer — liquor permit (F 97-05)..... 60  
 Zone, Mary J. — condolence (R 106-05)..... 60

**Ward 15**

Kyovsky, Andrew M. — condolence (R 107-05)..... 60  
 Szalesnik, Richard — condolence (R 112-05) ..... 60  
 Zone, Mary J. — condolence (R 106-05)..... 60

**Ward 16**

Kyovsky, Andrew M. — condolence (R 107-05)..... 60  
 Pearl Rd., 4785 — transfer — liquor permit (F 100-05) ..... 60  
 Zone, Mary J. — condolence (R 106-05)..... 60

**Ward 17**

Cardenas, Daniel — condolence (R 116-05)..... 60  
 Kyovsky, Andrew M. — condolence (R 107-05)..... 60  
 Zone, Mary J. — condolence (R 106-05)..... 60

**Ward 18**

Hamilton, Detective Maurice — congratulation (R 122-05) ..... 60  
 Kyovsky, Andrew M. — condolence (R 107-05)..... 60  
 Zone, Mary J. — condolence (R 106-05)..... 60

**Ward 19**

Kyovsky, Andrew M. — condolence (R 107-05)..... 60  
 Zone, Mary J. — condolence (R 106-05)..... 60

**Ward 20**

Kyovsky, Andrew M. — condolence (R 107-05)..... 60  
 Zone, Mary J. — condolence (R 106-05)..... 60

**Ward 21**

Kyovsky, Andrew M. — condolence (R 107-05)..... 60  
 Lorain Ave., 15715 — objection — withdraw (R 79-05)..... 65  
 Lorain Ave., 17004 — objection — withdraw (R 78-05)..... 65  
 West Park Cleveland Police and Firefighters Memorial Project — amend Ord. No. 1813-03  
     (O 76-05) ..... 65  
 Zone, Mary J. — condolence (R 106-05)..... 60

**Water Division**

Paper products — purchase (O 2291-04)..... 67  
 Service installations by the Division of Water — persons authorized to make connections  
     — amend Sections 531.01 and 531.50 (O 1661-04)..... 67

**Water Pollution Control Division**

T.V. inspection trucks — repair and maintain (O 2290-04) ..... 67

**Weapons**

Possession or sale of assault weapons — amend Sec. 628.02 (O 105-05) ..... 64