

The City Record

Official Publication of the Council of the City of Cleveland



September the Twenty-Seventh, Two Thousand and Six

Frank G. Jackson
Mayor

Martin J. Sweeney
President of Council

Emily Lipovan
City Clerk, Clerk of Council

Ward	Name
1	Nina Turner
2	Robert J. White
3	Zachary Reed
4	Kenneth L. Johnson
5	Phyllis E. Cleveland
6	Patricia J. Britt
7	Fannie M. Lewis
8	Sabra Pierce Scott
9	Kevin Conwell
10	Roosevelt Coats
11	Michael D. Polensek
12	Anthony Brancatelli
13	Joe Cimperman
14	Joseph Santiago
15	Brian J. Cummins
16	Kevin J. Kelley
17	Matthew Zone
18	Jay Westbrook
19	Dona Brady
20	Martin J. Sweeney
21	Michael A. Dolan

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DIRECTORY OF CITY OFFICIALS

CITY COUNCIL – LEGISLATIVE

President of Council – Martin J. Sweeney

Ward	Name	Residence	
1	Nina Turner.....	16204 Sunny Glen Avenue	44128
2	Robert J. White	9703 Cardwell Avenue	44105
3	Zachary Reed	3734 East 149th Street	44120
4	Kenneth L. Johnson.....	2948 Hampton Road	44120
5	Phyllis E. Cleveland.....	2369 East 36th Street	44105
6	Patricia J. Britt.....	12402 Britton Drive	44120
7	Fannie M. Lewis.....	7416 Star Avenue	44103
8	Sabra Pierce Scott.....	1136 East 98th Street	44108
9	Kevin Conwell.....	10647 Ashbury Avenue	44106
10	Roosevelt Coats.....	1775 Cliffview Road	44112
11	Michael D. Polensek.....	17855 Brian Avenue	44119
12	Anthony Brancatelli.....	6924 Ottawa Road	44105
13	Joe Cimperman.....	3053 West 12th Street	44113
14	Joseph Santiago.....	3169 West 14th Street	44109
15	Brian J. Cummins	3104 Mapledale Avenue	44109
16	Kevin J. Kelley	6608 Woodhaven Avenue	44144
17	Matthew Zone	1228 West 69th Street	44102
18	Jay Westbrook.....	1278 West 103rd Street	44102
19	Dona Brady.....	1272 West Boulevard	44102
20	Martin J. Sweeney.....	3632 West 133rd Street	44111
21	Michael A. Dolan.....	16519 West Park Road	44111

City Clerk, Clerk of Council – Emily Lipovan, 216 City Hall, 664–2840
First Assistant Clerk – Sandra Franklin

MAYOR – Frank G. Jackson

Ken Silliman, Secretary to the Mayor, Chief of Staff
Darnell Brown, Executive Assistant to the Mayor, Chief Operating Officer
Valarie J. McCall, Executive Assistant to the Mayor, Chief of Government Affairs
Tracy Y. Martin, Executive Assistant to the Mayor, Chief of Education
Maureen Harper, Executive Assistant to the Mayor, Chief of Communications
_____, Executive Assistant to the Mayor, Press Secretary
Debra Linn Talley, Director, Office of Equal Opportunity

DEPT. OF LAW – Robert J. Triozzi, Director, Richard F. Horvath, Chief Counsel, Rm. 106
Karen E. Martinez, Law Librarian, Room 100

DEPT. OF FINANCE – Sharon Dumas, Director, Room 104;
Frank Badalamenti, Manager, Internal Audit

DIVISIONS: Accounts – Richard W. Sensenbrenner, 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, 205 W. St. Clair Avenue
Purchases and Supplies – James E. Hardy, Commissioner, Room 128
Printing and Reproduction – Michael Hewitt, Commissioner, 1735 Lakeside Avenue
Taxation – Nassim Lynch, Tax Administrator, 205 W. St. Clair Avenue

DEPT. OF PUBLIC UTILITIES – Julius Ciaccia, Interim 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 – Ricky D. Smith, 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 – Jomarie Wasik, 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 – Matt Carroll, Interim Director, Mural Building, 1925 St. Clair Ave.
DIVISIONS: Air Quality – Richard L. Nemeth, Commissioner

Corrections – Robert Taskay, Commissioner, Cleveland House of Corrections, 4041 Northfield Rd.
Environment – Willie Bess, Commissioner, Mural Building, 1925 St. Clair Ave.
Health – Anjou Parekh, Commissioner, Mural Building, 1925 St. Clair Ave.

DEPT. OF PUBLIC SAFETY – Martin Flask, Director, Room 230

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

DEPT. OF PARKS, RECREATION & PROPERTIES – Michael Cox, 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 – Leigh Stevens, 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 – Kim Johnson, 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 – Edward W. Rybka, Interim Director, Room 500
DIVISIONS: Code Enforcement – Tyrone L. Johnson, Commissioner
Construction Permitting – Timothy R. Wolosz, Commissioner

DEPT. OF PERSONNEL AND HUMAN RESOURCES – Trudy Hutchinson, Director, Room 121

DEPT. OF ECONOMIC DEVELOPMENT – Brian A. Reilly, Director, Room 210

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

DEPT. OF CONSUMER AFFAIRS – Angel Guzman, Director

COMMUNITY RELATIONS BOARD – Room 11, Blaine Griffin, Director; Mayor Frank G. Jackson, Chairman Ex-Officio; Rev. Charles Lucas, Jr., Vice-Chairman; Councilman Kevin Conwell, Councilman Brian J. Cummins, Councilman Joe Santiago, 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; Lucille Ambroz, Secretary; Members: Diane M. Downing, Michael L. Nelson.

SINKING FUND COMMISSION – Frank G. Jackson, President; Council President Martin J. Sweeney; Betsy Hruby, Asst. Sec'y; Sharon Dumas, Director.

BOARD OF ZONING APPEALS – Room 516, Carol A. Johnson, Chairman; Members: John Myers, Ozell Dobbins, Joan Shaver Washington, Tim Donovan, _____, Secretary.

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

BOARD OF REVISION OF ASSESSMENTS – Law Director Robert J. Triozzi, President; Finance Director Sharon Dumas, Secretary; Council President Martin J. Sweeney.

BOARD OF SIDEWALK APPEALS – Service Director Jomarie Wasik, Law Director Robert J. Triozzi; Councilman _____.

BOARD OF REVIEW – (Municipal Income Tax) – Law Director Robert J. Triozzi; Utilities Director _____; Council President Martin J. Sweeney.

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

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

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

FAIR HOUSING BOARD – Charles See, Chair; _____, Vice Chair; Daniel Conway, Doris Honsa, Lisa Camacho.

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

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

MORAL CLAIMS COMMISSION – Law Director Robert J. Triozzi; Chairman; Finance Director Sharon Dumas; Council President Martin J. Sweeney; Councilman Kevin Kelley; Councilman Nina Turner.

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

CLEVELAND LANDMARKS COMMISSION – Room 519 – India Pierce Lee, Chair; Laura M. Noble, Vice Chair; Robert Brown, Thomas Coffey, Jennifer Coleman, Lee, Michael Rastatter, Jr., John Torres, Ari Maron, N. Kurt Wiebusch, Council Member Joe Cimperman, Robert Jackimowicz; Robert Keiser, Secretary.

AUDIT COMMITTEE – Robert Rawson, Chairman; Yvette Ittu, Debra Janik, Bracy Lewis, Don Neebes, Council President Martin J. Sweeney; Law Director Robert J. Triozzi.

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 Kathleen Ann Keough	13D
Judge Anita Laster Mays	14C
Judge Lauren C. Moore	14A
Judge Charles Patton, Jr.	12B
Judge Raymond L. Pianka (Housing Court Judge)	13B
Judge Michael Ryan	12A
Judge Angela R. Stokes	15C
Judge Joan Synenberg	13C
Judge Pauline H. Tarver	12C
Judge Joseph J. Zone	14D

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

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OFFICIAL PUBLICATION OF THE COUNCIL OF THE CITY OF CLEVELAND

Vol. 93

WEDNESDAY, SEPTEMBER 27, 2006

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CITY COUNCIL

MONDAY, SEPTEMBER 25, 2006

The City Record

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EMILY LIPOVAN

City Clerk, Clerk of Council
216 City Hall

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 2006-2009

MONDAY—Alternating

9:30 A.M. — **Public Parks, Property & Recreation Committee:** Johnson, Chair; White, Vice Chair; Brancatelli, Cummins, Kelley, Polensek, Turner.

9:30 A.M. — **Health & Human Services Committee:** Britt, Chair; Cleveland, Vice Chair; Conwell, Kelley, Reed, Santiago, Westbrook.

11:00 A.M. — **Public Service Committee:** Brady, Chair; Turner, Vice Chair; Cleveland, Cummins, Johnson, Polensek, Reed, Santiago, White.

11:00 A.M. — **Legislation Committee:** Cleveland, Chair; Dolan, Vice Chair; Cimperman, Lewis, Pierce Scott, Reed, White.

MONDAY

2:00 P.M. — **Finance Committee:** Sweeney, Chair; Cimperman, Vice Chair; Brady, Brancatelli, Britt, Coats, Conwell, Pierce Scott, Westbrook, White, Zone.

TUESDAY

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

1:30 P.M. — **Employment, Affirmative Action & Training Committee:** Lewis, Chair; Santiago, Vice Chair; Brancatelli, Coats, Conwell, Johnson, Turner.

WEDNESDAY—Alternating

10:00 A.M. — **Aviation & Transportation Committee:** Kelley, Chair; Westbrook, Vice Chair; Brancatelli, Britt, Cleveland, Dolan, Turner.

10:00 A.M. — **Public Safety Committee:** Conwell, Chair; Brady, Vice Chair; Britt, Coats, Cummins, Kelley, Polensek, Santiago, Turner.

WEDNESDAY—Alternating

1:30 P.M. — **Public Utilities Committee:** Zone, Chair; Reed, Vice Chair; Cleveland, Cummins, Dolan, Kelley, Polensek, Santiago, Westbrook.

1:30 P.M. — **City Planning Committee:** Cimperman, Chair; Westbrook, Vice Chair; Conwell, Dolan, Lewis, Reed, Zone.

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

Rules Committee: Sweeney, Chair; Cleveland, Kelley, Pierce Scott, Polensek.

Personnel and Operations Committee: Sweeney, Chair; Britt, Kelley, Pierce Scott, Santiago, Westbrook, White.

Mayor's Appointment Committee: Coats, Chair; Pierce Scott, Kelley, Sweeney, Westbrook.

OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio

Monday, September 25, 2006

The meeting of the Council was called to order, The President, Martin J. Sweeney, in the Chair.

Council Members present: Brady, Brancatelli, Cimperman, Cleveland, Coats, Conwell, Cummins, Dolan, Johnson, Kelley, Lewis, Polensek, Reed, Pierce Scott, Sweeney, Turner, Westbrook and White.

Also present were Mayor Frank G. Jackson, Ken Silliman, Chief of Staff; Darnell Brown, Chief Operating Officer; Valarie J. McCall, Chief of Government Affairs; Tracy Y. Martin, Chief of Education; Debra Linn Talley, Director of Equal Opportunity; Rebecca Schaltenbrand, Legislative Affairs; Directors Triozzi, Dumas, Smith, Wasik, Flash, Cox, Rush, Hutchinson, Reilly, Fumich, Guzman, Griffin, Brown and Interim Directors Ciaccia, Carroll and Rybka.

Pursuant to Ordinance No. 2926-76, prayer was offered by Council Mem-

ber Fannie M. Lewis of Ward 7. Pledge of Allegiance.

MOTION

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

FROM DEPARTMENT OF LIQUOR CONTROL

File No. 1598-06.

Re: Transfer of Ownership Application — 7679502 — Salbros, Inc., d.b.a. Gas City, 3074 West 14th Street. (Ward 13). Received.

File No. 1599-06.

Re: Transfer of Ownership and Location Application — 8865108 — 1330 Old River LLC, d.b.a. 1330 Old River, 1330 Old River Road. (Ward 13). Received.

File No. 1600-06.

Re: Transfer of Ownership and Location Application — 1579763 — Club Shadows LLC, d.b.a. Club Shadows, 1360 West 9th Street. (Ward 13). Received.

File No. 1601-06.

Re: Stock Transfer Application — 9116441 — 2 Wolves, Inc., 13429 Lakewood Heights Boulevard, first floor and basement. (Ward 19). Received.

PLAT

File No. 1602-06.

Lot Split and Dedication Plat of Lindazzo Avenue, East 14th Street and East 15th Street for Zarembo Avenue, LLC. (Ward 13). Received.

Referred to Committees on Public Service and City Planning.

CONDOLENCE RESOLUTIONS

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

Res. No. 1603-06—Linton Freeman.

Res. No. 1604-06—Rosa Llera Casiana.

Res. No. 1605-06—Johnny L. Baker.

Res. No. 1606-06—Lily R. Watkins.

CONGRATULATION RESOLUTIONS

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

Res. No. 1607-06 — City of Cleveland's Division of Water - 150th Anniversary.

Res. No. 1608-06—Kevin Scheiferstein.

Res. No. 1609-06—Erick Lupson.

Res. No. 1610-06 — Nicholas Georgalis.

Res. No. 1611-06 — Susan Santa Simon Marella.

Res. No. 1612-06—Rudolph E. Pugliese.

Res. No. 1613-06 — William A. Wynne.

RECOGNITION RESOLUTIONS

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

Res. No. 1614-06—Calvary Presbyterian Church.

Res. No. 1615-06—Casey Coleman.

FIRST READING EMERGENCY ORDINANCES REFERRED

Ord. No. 1576-06.

By Council Members Zone and Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Public Utilities to apply for and accept grants from various entities to implement the Security Improvement Project; authorizing the Director to apply for and accept grants from the Ohio Emergency Management Agency for security improvements to the Baldwin and Crown Water Treatment Plants in conjunction with the Security Improvement Project; authorizing the purchase by one or more requirement contracts of materials, equipment, supplies, or services needed to implement the Project; determining the method of making the public improvement of implement the Project; and authorizing the Director of Public Utilities to enter into one or more public improvement contracts for the making of the improvement to implement the Project.

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

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

Section 1. That the Director of Public Utilities is authorized to apply for and accept grants from various entities to conduct the Security Improvement Project. That the Director is further authorized to file all papers and execute all documents necessary to receive the funds under this ordinance, and on acceptance of the funds by the director, they shall be appropriated for the purposes contained in this ordinance.

Section 2. That the Director of Public Utilities is authorized to apply for and accept grants in the approximate amount of \$50,000 each, and any other funds that may become available during the grant term from the Ohio Emergency Management Agency to conduct security improvements to the Baldwin and Crown Water Treatment Plants in conjunction with the Security Improvement Project Program; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are

appropriated for the purposes described in the summary for the grant contained in the file described below.

Section 3. That the summary for the grant, File No. 1576-06-A, made a part of this ordinance as if fully rewritten, as presented to the Finance Committee of this Council at the public hearing on this legislation, is approved in all respects and shall not be changed without additional legislative authority.

Section 4. That the Director of Public Utilities is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements during the grant term of the necessary items of materials, equipment, supplies, or services needed to implement one or more grants accepted under this ordinance in conjunction with the Security Improvement Project, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Division of Water, Department of Public Utilities. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 5. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director of Finance.

Section 6. That under Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative agreements using state procedures. The Director of Public Utilities may sign all documents with the State of Ohio or any of its political subdivisions that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process.

Section 7. That, under Section 167 of the Charter of the City of Cleveland, this Council determines to make the public improvement needed to implement one or more grants accepted under this ordinance in conjunction with the Security Improvement Project, for the Division of Water, Department of Public Utilities, by one or more contracts duly let to the lowest responsible bidder or bidders after competitive bidding on a unit basis for the improvement.

Section 8. That the Director of Public Utilities is authorized to enter into one or more contracts for the making of the public improvement with the lowest responsible bidder or bidders after competitive bidding on a unit basis for the improvement, provided, however,

that each separate trade and each distinct component part of the improvement may be treated as a separate improvement, and each, or any combination, of the trades or components may be the subject of a separate contract on a unit basis.

Section 9. That the costs of the contract or contracts authorized by this ordinance shall be paid from the fund or funds to which are credited the grant proceeds which are accepted under this ordinance.

Section 10. 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 Utilities, City Planning Commission, Finance, Law; Committees on Public Utilities, City Planning, Finance.

Ord. No. 1577-06.

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

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to sell City-owned property no longer needed for public use located at the east corner of Huron Road and East 4th Street to System Property Development Company, Inc., or its designee; and authorizing the Director of Community Development to cause payment to System Parking Development Company, Inc.

Whereas, the Director of Community Development has requested the sale of the City-owned property to System Property Development Company, Inc., or its designee (the "Redeveloper") no longer needed for public use and located at the east corner of Huron Road and East 4th Street; and

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

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

Section 1. That notwithstanding and as an exception to the provisions of Chapter 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, it is found and determined that the following described property is no longer needed for public use:

P. P. No. 101-28-032

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being a part of a parcel of land in Original Two Acre Lots Nos. 100 and 101 which was conveyed by the Champion Realty Company to the Cleveland Trust Company by deed recorded in Volume 3273, Page 606 Cuyahoga County Deed Records and is bounded and described as follows:

The beginning point is on the Easterly line of East 4th Street (60 feet wide) at its intersection with the Northerly line of Huron Road, SE.:

Course 1. Thence North 00° 00' 30" West along said Easterly line of East 4th Street, 61.45 feet to the Southwesterly, corner of land conveyed by the Champion Realty Company to Edward Bresin and Morris Purer by deed dated April 1, 1953 and recorded in Volume 7802, Page 181, Cuyahoga County Deed Records.

Course 2. Thence East along the Southerly line of land conveyed to Edward Bresin and Morris Purer as aforesaid it being along the center of a party wall now existing and situated partially upon the premises hereby conveyed and partly upon lands of said Edward Bresin and Morris Purer, 68.01 feet to the Easterly line of land conveyed to the Cleveland Trust Company as aforesaid.

Course 3. Thence South 00° 14' 50" West along the Easterly line of said Cleveland Trust Company's land 61.45 feet to said Northerly line of Huron Road.

Course 4. Thence West along said Northerly line of Huron Road, 67.75 feet to the beginning.

Together with a right to the joint use of the aforementioned party wall and subject to a similar right of use for premises next North as granted in deed from the Champion Realty Company to Edward Bresin and Morris Purer dated April 1, 1953 and recorded in Volume 7802, Page

181 of Cuyahoga County Records. It being intended that the Grantee herein and the owner of the premises next North shall have reciprocal rights and the common use of the said party wall, and that the respective rights and burdens shall pass as an appurtenance with the respective properties.

Further, the Grantee in consideration of the execution and delivery of this deed agrees that all other party wall right's, if any, except those herein established and created and as established and created in the aforementioned deed recorded in Volume 7802, Page 181, shall be, and the same hereby are, terminated and cancelled, be the same more or less, but subject to all legal highways.

Section 2. That by and at the direction of the Board of Control, the Commissioner of Purchases and Supplies is authorized to sell the above-described property to the Redeveloper at a price not less than the fair market value, which has been determined, by appraisal to be \$387,000, taking into account all restrictions, reversionary interests and similar encumbrances placed by the City of Cleveland in the deed of conveyance.

Section 3. That the conveyance shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed

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

Section 4. That the Director of Community Development is authorized to cause payment to System Parking Development Company, Inc. in the amount of \$147,686.03 from Fund No. 17 SF 652, under the terms and conditions of Contract No. 48145, authorized by this Council under the authority of Ordinance Nos. 2261-93, passed February 14, 1993 and 1503-93, passed November 14, 1993, Request No. 103827.

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 Community Development, City Planning Commission, Finance, Law; Committees on Community and Economic Development, City Planning, Finance.

Ord. No. 1579-06.

By Council Members Zone and Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Public Utilities to make alterations and modifications in Contract No. 62701 with Wagner Smith Company for the Ridge Road Substation Project, for the Department of Public Utilities.

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 Utilities is authorized to make the following alterations and modifications in Contract No. 62701 with Wagner Smith Company for the Ridge Road Substation Project, for the Department of Public Utilities:

Subsidiary Additions

1.	Redesign and reengineering of transmission poles and foundations (TL-8)	\$ 44,869.00
2.	Fabrication of redesigned transmission poles (TL-1)	143,572.00
3.	Additional hardware for added poles (TL-2a1)	1,443.00
4.	Added pole erection costs (TL-6)	70,000.00
4.	Redesigned transmission pole foundations installation requirements (TL-3)	74,511.00
5.	CPP requested additional transmission pole conductor hardware (TL-2b)	<u>11,056.00</u>
	TOTAL SUBSIDIARY ADDITIONS	\$345,451.00

Original Contract Amount	\$5,678,200.00
Total Subsidiary Additions	<u>+ 345,451.00</u>
TOTAL REVISED CONTRACT AMOUNT	\$6,023,651.00

which alteration has been recommended in writing by the Director of Public Utilities, countersigned by the Mayor, and consented to by the surety on the contract, which price to be paid has been agreed on in writing and signed by the Director of Public Utilities and the Contractor. This alteration will cause an increase in the amount of the original contract in the sum of \$345,451.00, payable from Fund Nos. 58 SF 001 and 58 SF 002, Request No. 157887.

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

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

Ord. No. 1580-06.
By Council Members Cimperman, Brady and Sweeney (by departmental request).

An emergency ordinance authorizing the purchase by one or more requirement contracts of the disposal of debris at landfills, for the Divisions of Water, Cleveland Public Power, and Water Pollution Control, Department of Public Utilities.

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 Utilities is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for a one or two-year period of the necessary items of disposal of debris at landfills, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Divisions of Water, Cleveland Public Power, and Water Pollution Control, Department of Public Utilities. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term. The Director of Public Utilities is authorized to enter into one or more contracts with a term of two years instead of one year when there is a financial advantage to the City. For purposes of this ordinance, a financial advantage shall be determined by the Director of Public Utilities by comparing the bids received for both terms.

Section 2. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director of Finance. (RL 171328)

Section 3. That under Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative agreements using state procedures. The Director of Public Utilities may sign all documents with the State of Ohio or any of its political subdivisions that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process.

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

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

Ord. No. 1581-06.
By Council Members Britt and Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Aging to apply for and accept a grant from the Fairhill Center for the Benefits Enrollment Expansion Project.

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

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

Section 1. That the Director of Aging is authorized to apply for and accept a grant in the approximate amount of \$20,000, and any other funds that may become available during the grant term from the Fairhill Center to conduct the Benefits Enrollment Expansion Project; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in the summary for the grant contained in the file described below.

Section 2. That the summary for the grant, File No. 1581-06-A, made a part of this ordinance as if fully rewritten, as presented to the Finance Committee of this Council at the public hearing on this legislation, is approved in all respects and shall not be changed without additional legislative authority.

Section 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 Aging, Finance, Law; Committees on Health and Human Services, Finance.

Ord. No. 1582-06.
By Council Members Britt and Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Aging to apply for and accept a grant from the Western Reserve Area Agency on Aging for the 2007 Western Reserve Area Agency on Aging 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 Aging is authorized to apply for and accept a grant in the approximate amount of \$107,000, and any other funds that may become available during the grant term from the Western Reserve Area Agency on Aging to conduct the 2007 Western Reserve Area Agency on Aging Program; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes set forth in the summary for the grant contained in the file described below.

Section 2. That the City resolves to assume all risk and responsibilities for which it may be legally liable, for acts or omissions by employees or volunteers working under this grant.

Section 3. That the summary for the grant, File No. 1582-06-A, made a part of this ordinance as if fully rewritten, as presented to the Finance Committee of this Council at the public hearing on this legislation, is approved in all respects and shall not be changed without additional legislative authority.

Section 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 Aging, Finance, Law; Committees on Health and Human Services, Finance.

Ord. No. 1583-06.
By Council Members Britt, Conwell, Johnson, Cleveland, Brady, Cimperman and Sweeney (by departmental request).

An emergency ordinance authorizing the Mayor to apply to the District One Public Works Integrating Committee for state funding for the Cornell Road Bridge, Woodland Avenue/Kinsman Road, East 30th Street, and Bellaire Road Rehabilitation Phase II Projects and state funding to obtain credit enhancements and loan assistance in support of the City's general obligation bonds issued for road and bridge improvements.

Whereas, under Article VIII, Section 2k of the Ohio Constitution, the State of Ohio is authorized to issue bonds and other obligations of the State for the purpose of financing public infrastructure capital improvements of political subdivisions as designated by law; and

Whereas, under Section 164.03 of the Revised Code, the District One Public Work Integrating Committee has been created to evaluate applications for state financing of capital improvement projects of local subdivisions in Cuyahoga County; 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 Mayor is authorized to apply to the District One Public Works Integrating Committee for state funding of the following infrastructure capital improvements:

1. Cornell Road Bridge (Bridge No. 4:009) between Circle Drive and Murray Hill.
2. Woodland Avenue/Kinsman Road rehabilitation from East 34th Street to East 93rd Street.
3. East 30th Street rehabilitation from Woodland Avenue to St. Clair Avenue.
4. Bellaire Road rehabilitation from West 130th Street to West 105th Street.

Section 2. That the Mayor is authorized to apply to the District

One Public Works Integrating Committee for state funding to obtain credit enhancements and loan assistance in support of the City's general obligation bonds issued for bridge and road improvements.

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

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

Ord. No. 1584-06.

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

An emergency ordinance appropriating UDAG repayment funds for the operation of the Anti-Predatory Lending Program; and authorizing the Director of Community Development to enter into one or more contracts under that 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 UDAG repayment funds in the amount of \$500,000 from Fund No. 19 SF 606 are appropriated as other expenses for the operation of the Anti-Predatory Lending Program, including all related services.

Section 2. That the Director of Community Development is authorized to establish the Anti-Predatory Lending Program to provide second mortgage assistance to eligible applicants and to enter into contracts with potential borrowers under that program, payable from Fund No. 19 SF 606, Request No. 149539.

Section 3. That the Director of Community Development is authorized to accept monies in repayment under the programs and to utilize the repayments, and other program income in a revolving fund for additional expenditures under these programs and administrative expenses, which repayments and program income are appropriated for those purposes.

Section 4. That the City is authorized to accept promissory notes, naming the City of Cleveland as payee, and mortgages, naming the City of Cleveland as mortgagee, and any other security instrument executed to evidence and secure repayment of loans made under this program.

Section 5. That the Director of Community Development is authorized to enter into forbearance agreements with any recipient of a validly existing loan administered by the City, and to charge and accept fees to cover costs incurred in the preparation of loan documents, closing, and servicing costs. Such fees shall be deposited into Fund No. 19 and are hereby appropriated for the purposes of the Low Interest Loan and Grant Program.

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

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

Ord. No. 1585-06.

By Council Member Conwell.

An emergency ordinance to change the name of East 117th Street between Durant and Whitmore to Leonard B. Jackson Street.

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

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

Section 1. That, notwithstanding and as an exception to the Codified Ordinances of the City of Cleveland, 1976, the name of East 117th Street between Durant and Whitmore shall be changed to Leonard B. Jackson Street.

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

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

FIRST READING EMERGENCY RESOLUTION REFERRED

Res. No. 1578-06.

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

An emergency resolution declaring the intent to vacate a portion of Stuber Court N.E.

Whereas, this Council is satisfied that there is good cause to vacate a portion of Stuber Court N.E., as described; and

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

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

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

Declaring the intent to vacate a portion of Stuber Court N.E. (16 feet wide) extending southerly from the northerly line of subplot number 46 in Joseph Perkins Re-allotment as shown in the recorded plat in Volume 9 Page 20 of Cuyahoga County Records, said line being also the southerly line of the Innerbelt Freeway so called, to the Westerly right of way line of East 30th Street (66 feet wide).

Legal Description approved by Greg Esber, Section Chief, Plats, Surveys and House Numbering Section.

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

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

FIRST READING EMERGENCY ORDINANCES READ IN FULL AND PASSED

Ord. No. 1586-06.

By Council Members Zone and Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Public Utilities to enter into one or more contracts without competitive bidding with Apple Enterprise for the purchase of not to exceed two computer based editing systems, editing and production software, training, installation, and appurtenances, for the Office of Cable TV 23, Department of Public Utilities, including, upgrades, maintenance, and support for a period of five years, with five one-year options to renew.

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

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

Section 1. That this Council determines that the within commodities are non-competitive and cannot be secured from any source other than Apple Enterprise. Therefore the Director of Public Utilities is authorized to make one or more written contracts with Apple Enterprise on the basis of its proposals dated August 30, 2006 and September 7, 2006, for the purchase of not to exceed two computer based editing systems, editing and production software, training, installation, and appurtenances, including, upgrades, maintenance, and support for a period of five years, with five one-year options to renew for additional one-year terms, exercisable by the Director of Public Utilities, to be purchased by the Commissioner of Purchases and Supplies, for the Office of Cable TV 23, Department of Public Utilities.

Section 2. That the cost of the contract or contracts authorized shall be paid from Fund No. 50 SF 001, Request No. 156499.

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.

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. Nays 0.

Ord. No. 1589-06.**By Council Member Sweeney.**

An emergency ordinance to amend Section 189.02 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 2009-A-99 passed June 19, 2000, relating to Fair Employment Wage.

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 189.02 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 2009-A-99 passed June 19, 2000 is hereby amended to read as follows:

Section 189.02 Fair Employment Wage

All Covered Employers shall pay no less than the Fair Employment Wage to Covered Employees. Determination of the Fair Employment Wage shall be in accordance with the following:

(a) Amount of Fair Employment Wage:

(1) The Fair Employment Wage shall be calculated on an hourly basis and shall be at least \$8.20 per hour beginning January 1, 2001; \$8.70 beginning October 1, 2001; and \$9.20 beginning October 1, 2002. Thereafter, the Fair Employment Wage shall be adjusted by the City of Cleveland on an annual basis, beginning October 1, 2003 and each year thereafter in proportion to the Consumer Price Index for Northeast Ohio, as published by the Bureau of Labor Statistics, U.S. Department of Labor. **As of October 1, 2006, the annual adjustment shall be suspended at the rate in effect on September 30, 2006, until further action is taken by Council.**

(2) Tipped employees, i.e., employees for whom a substantial portion of their compensation consists of tips or gratuities, shall be paid an hourly wage which, when combined with the compensation received in tips, will at least equal the Fair Employment Wage.

(b) All employees working for the City shall be paid at least a Fair Employment Wage. Work being performed by City employees at the time of the effective date of this Chapter may not be contracted out unless the contractor pays employees performing that work the Fair Employment Wage or the current wages and benefits being paid to workers doing that or similar work, whichever is higher, regardless of the number of employees.

(c) Any new jobs created by the City that are not currently being performed by City employees as of the effective date of this ordinance must be paid a fair employment wage if contracted out, regardless of the number of employees.

(d) Health Care Incentives:

(1) In order to encourage Covered Employers to provide reasonable health care coverage to their employees, the City shall provide the following incentives to Covered Employers:

(A) Applicable Departments shall consider the fact that a Service Contractor provides or agrees to provide during the course of the Service Contract reasonable health care insurance to Covered Employees working 30 or more hours a week as a factor in determining the lowest and best or lowest responsible bid for any Service Contract. If a Service Contractor can demonstrate that it has offered reasonable health care insurance to its employees but as a group the employees have refused the health care insurance coverage, the Service Contractor is entitled to the same consideration and treatment in the bidding process as a Service Contractor who provides or agrees to provide reasonable health care insurance. The Division of Purchases and Supplies shall promulgate regulations for the evaluation of bids and proposals that provide for meaningful consideration of the offering of reasonable health care insurance in determining the lowest and best or lowest responsible bid. Such regulations must be reviewed and approved by Cleveland City Council.

(B) Applicable Departments shall offer additional financial incentives to Recipients of Assistance who will provide reasonable health care insurance to their Covered Employees working 30 or more hours a week during the term of the contract for Assistance. Examples of such incentives include: more favorable terms for a loan, such as a lower interest rate; a higher percentage of taxes to be credited or abated; a higher amount for a grant, etc. Whether or not such incentives have been offered; the reasons for offering or not offering such incentives; the terms of such incentives, if offered; and any evidence of the intent of the proposed Recipient of Assistance to provide reasonable health care insurance shall be a part of the information provided by the Applicable Department to Cleveland City Council for consideration in connection with any ordinance authorizing a contract for Assistance.

(2) In order to qualify a Covered Employer for an incentive as provided in the previous section, the reasonable health care insurance provided to employees must be comparable to a family health care insurance plan provided by the City to its employees.

(3) Evidence of the offer or provision or the intent to provide or offer reasonable health care insurance benefits qualifying a Covered Employer for such incentives shall lie submitted to the Applicable Department upon request.

Section 2. That existing Section 189.02 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 2009-A-99 passed June 19, 2000, 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.

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. Nays 0.

Ord. No. 1592-06.**By Council Member Cimperman.**

An emergency ordinance consenting and approving the issuance of a permit for Race For The Cure, on October 14, 2006, scheduled by Hermes Sports & Events.

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

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

Section 1. That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of Race For The Cure, scheduled by Hermes Sports & Events on October 14, 2006, starting at East 9th & Eriesside, East 9th to Lakeside, Lakeside to East 13th, East 13th to Huron Road, Huron Road to Prospect, Prospect to East Huron, East Huron to West Huron, West Huron to West 9th, West 9th to St. Clair, St. Clair to West 3rd, West 3rd to Eriesside, Eriesside to finish, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. Nays 0.

Ord. No. 1593-06.**By Council Member Conwell.**

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to University Circle, Incorporated to stretch one banner at the intersection of Stearns & Chester, for the period from September 25, 2006 to October 24, 2006, inclusive, publicizing the Fall for the Circle event.

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

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

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances, of Cleveland, Ohio, 1976, the Director of the Department of Public Service is hereby authorized and directed to issue a permit to University Circle Incorporated to install, maintain and remove one banner the intersection of Stearns & Chester, for the period from September 25, 2006 to October 24, 2006, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

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

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. Nays 0.

Ord. No. 1594-06.

By Council Member Dolan.

An emergency ordinance consenting and approving the issuance of a permit for Fairview Hospital Reach Out and Run, on October 8, 2006, scheduled by Hermes Sports & Events.

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

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

Section 1. That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of the Fairview Hospital Reach Out and Run, scheduled by Hermes Sports & Events on October 8, 2006, starting at Fairview Hospital on Lorain Avenue; Lorain east to Rocky River Drive; Rocky River Drive to McKinley Avenue; turn around; repeat the route to finish at Fairview Hospital, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

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

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. Nays 0.

Ord. No. 1595-06.

By Council Member Reed.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the Friends of Mt. Pleasant to stretch banners on CPP utility poles along Woodhill Park; Kinsman Road, between East 108th & East 154th; and at Kingsberry, from December 13, 2006 to January 12, 2007.

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

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

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances, of Cleveland, Ohio, 1976, the Director of the Department of Public Service is hereby authorized and directed to issue a permit to the Friends of Mt. Pleasant to install, maintain and remove banners on CPP utility poles along Woodhill Park; Kinsman Road, between East 108th & East 154th; and at Kingsberry, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

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

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. Nays 0.

Ord. No. 1596-06.

By Council Member Cimperman.

An emergency ordinance consenting and approving the issuance of a permit for the 29th Annual Walk for Disabilities, on October 7, 2006, sponsored by the Disability Services and Disability Ministries of Catholic Charities Services.

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

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

Section 1. That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of the 29th Annual Walk for Disabilities sponsored by the Disability Services and Disability Ministries of Catholic Charities Services, on October 7, 2006, leave OLA/St. Joseph Center parking lot on Kenilworth; head east on Kenilworth to W. 11th Street; turn right on W. 11th to Starkweather; turn right on Starkweather to W. 14th Street; turn right on W. 14th to Kenilworth; turn right on Kenilworth to W. 11th; turn left onto W. 11th and walk to University Road; turn right on to University and walk to W. 10th Street; turn right on to W. 10th and walk to stop sign; veer left on to Professor Avenue — staying on the right hand side of the street and walk to Jefferson; turn right on to Jefferson and walk to Starkweather — cross W. 14th to the west side of W. 14th; turn right on to W. 14th Street — cross Kenilworth and return to OLA/St. Joseph Center on the left, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. Nays 0.

FIRST READING EMERGENCY RESOLUTIONS READ IN FULL AND ADOPTED

Res. No. 1587-06.

By Council Members Conwell, Sweeney, Pierce Scott, Brancatelli, Zone, Brady, Britt, Cimperman, Cleveland, Coats, Cummins, Dolan, Johnson, Kelley, Lewis, Polensek, Reed, Santiago, Turner, Westbrook and White.

An emergency resolution encouraging the Cuyahoga County Auditor's Office, Department of Weights and Measures and the City of Cleveland Department of Finance, Division of Weights and Measures to study testing fuel quality at fuel stations, and the State of Ohio to pass laws that require fuel quality testing.

Whereas, contaminated fuel sold at fuel stations causes motor vehicle damage; and

Whereas, some fuel stations sell low-octane fuel to customers at high-octane prices; and

Whereas, testing fuel quality is the only way to guarantee that consumers receive the fuel that they purchase, and to detect contaminated fuel; and

Whereas, Ohio is only one of four states that do not have laws that require testing fuel; and

Whereas, Summit County is the first and only county in Ohio to implement a Fuel Quality Testing Program; and

Whereas, Summit County authorized their Fiscal Officer in the Auditor's Office, Department of Weights and Measures to test fuel according to adopted national fuel testing regulations; and

Whereas, Fuel testing is needed for the consumer protection of the citizens of the State of Ohio, Cuyahoga County and the City of Cleveland; and

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

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

Section 1. That this Council hereby encourages the Cuyahoga County Auditor's Office, Department of Weights and Measures and the City of Cleveland, Department of Finance, Division of Weights and Measures to study testing fuel quality at fuel stations, and the State of Ohio to pass laws that require fuel quality testing.

Section 2. That the Aviation and Transportation Committee, chaired by Council Member Kelley, hold a hearing on fuel quality testing.

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 18. Nays 0. Read second time. Read third time in full. Adopted. Yeas 18. Nays 0.

Res. No. 1588-06.

By Council Members Polensek, Brancatelli, Sweeney, Brady, Britt, Cimperman, Cleveland, Coats, Conwell, Cummins, Dolan, Johnson, Kelley, Lewis, Pierce Scott, Reed, Santiago, Turner, Westbrook, White and Zone.

An emergency resolution urging the Administration, the Ohio Attorney General's Office and the United States Department of Justice, United States Attorney's Office to investigate whether Argent Mortgage Company and its subprime loan competitors are violating local, state, or federal predatory lending, fraud, and other laws pertaining to lending practices, and take legal action accordingly.

Whereas, Ohio has the worst foreclosure rate in the country, with a loan default rate more than three times the national average; and

Whereas, a risky, high-interest mortgage, called a subprime loan is 10 times more likely to default than a conventional, prime-rate loan; and

Whereas, 20 percent of subprime loans end up in foreclosure after five years; and

Whereas, one in five house-purchase loans made in 2005 by Cleveland's top mortgage lender, California-based Argent Mortgage Company ("Argent"), have already gone into foreclosure; and

Whereas, Argent's subprime loan competitors have comparable high foreclosure rates for Cleveland purchase loans in 2005, but lack the volume of Argent's 1,258 loans in 2005; and

Whereas, more than 70 percent of the 7,300 loans Argent wrote in Cleveland from 2003 through 2005 were on the East Side; and

Whereas, up to 20 percent of borrowers who received subprime loans had credit scores for lower-interest conventional mortgages; and

Whereas, Argent representatives have suggested how to doctor loan documents so that mortgages are approved by company underwriters, according to Plain Dealer investigation witnesses; and

Whereas, Argent rarely questions the validity of property appraisals or the source of down payments that are key components to getting mortgage loans approved; and

Whereas, the higher a borrower's risk of default or foreclosure, the higher the rate charged for a loan; and

Whereas, Argent's lax lending practices have allowed too many unqualified borrowers to get too many loans, resulting in foreclosures; and

Whereas, subprime lending and foreclosures contribute to the loss of population in Cleveland and Cuyahoga County; and

Whereas, subprime lending and foreclosures negatively impact Cleveland and Cuyahoga County homeowners and citizens by resulting in vacant and abandoned properties; and

Whereas, vacant properties often become a breeding ground for crime and fires, and require a disproportionate amount of government maintenance, from securing properties against criminal activity to removal of garbage and rodents to demolition, all at a cost to taxpayers; and

Whereas, vacant properties reduce city tax revenue in three ways: they are often tax delinquent; their low value means they generate little in taxes; and they depress property values across an entire neighborhood; and

Whereas, the cost of living in a neighborhood with many vacant and abandoned properties makes obtaining homeowner's insurance, mortgages and loans for home improvements more difficult; and

Whereas, vacant properties degrade and devalue the quality of life for remaining residents, isolating and weakening the neighborhood, and increasing the likelihood

that property values will continue to decline and further abandonment will set in; and

Whereas, it is incumbent upon the Administration, the Ohio Attorney General's Office and the United States Department of Justice, United States Attorney's Office to investigate and take legal action if warranted against Argent and other subprime loan competitors to eliminate illegal lending practices, in order to reduce rising foreclosure rates and the resulting abandoned and vacant properties in our neighborhoods; and

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

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

Section 1. That this Council hereby urges the Administration, the Ohio Attorney General's Office and the United States Department of Justice, United States Attorney's Office to investigate whether Argent Mortgage Company and its subprime loan competitors are violating local, state, or federal predatory lending, fraud, and other laws pertaining to lending practices, and take legal action accordingly.

Section 2. That the Clerk of Council is hereby directed to transmit copies of this resolution to Alberto Gonzales, the United States Attorney General, Gregory White, the United States Attorney for the Northern District of Ohio, Jim Petro, the Ohio Attorney General, Mark Bennett, Senior Deputy Attorney General, and Mayor Jackson.

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 18. Nays 0. Read second time. Read third time in full. Adopted. Yeas 18. Nays 0.

Res. No. 1590-06.

By Council Member Brady.

An emergency resolution withdrawing objection to the renewal of a C1 and C2 Liquor Permit at 11022 Bellaire Road, and repealing Resolution No. 1294-06, objecting to said renewal.

Whereas, this Council objected to a C1 and C2 Liquor Permit to 11022 Bellaire Road by Resolution No. 1294-06 adopted by the Council on August 9, 2006; and

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

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

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

Section 1. That objection to a C1 and C2 Liquor Permit to KBS Oil, Inc., DBA Uncle Sam's Beverage and Deli, 11022 Bellaire Road, Cleveland, Ohio 44111, Permanent Number 4424877 be and the same is hereby withdrawn and Resolution No. 1294-06, 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 18. Nays 0. Read second time. Read third time in full. Adopted. Yeas 18. Nays 0.

Res. No. 1591-06.

By Council Member Cimperman.

An emergency resolution objecting to the transfer of ownership of a C1 Liquor Permit to 3074 West 14th Street.

Whereas, Council has been notified by the Department of Liquor Control of an application for the transfer of ownership of a C1 Liquor Permit from Annie Salem, 3074 West 14th Street, Cleveland, Ohio 44113, Permanent Number 7680028 to Salbros, Inc., DBA Gas City, 3074 West 14th Street, Cleveland, Ohio 44113, Permanent Number 7679502; and

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

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

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

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

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

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

Whereas, this resolution constitutes an emergency measure providing for the immediate preservation of the public peace, prosperity, safety and welfare pursuant to Section 4303.26 of the Ohio Revised Code. Council's objection to said permit

must be received by the Director of Liquor Control within 30 days of notification; now, therefore,

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a C1 Liquor Permit from Annie Salem, 3074 West 14th Street, Cleveland, Ohio 44113, Permanent Number 7680028 to Salbros, Inc., DBA Gas City, 3074 West 14th Street, Cleveland, Ohio 44113, Permanent Number 7679502; 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 18. Nays 0. Read second time. Read third time in full. Adopted. Yeas 18. Nays 0.

Res. No. 1597-06.

By Council Member Cimperman.

An emergency resolution supporting the "Night of Free Theater" sponsored by the Cleveland Theater Collective on October 19, 2006.

Whereas, Cuyahoga County and the city of Cleveland nonprofit arts and culture industry generate \$1 billion dollars in economic activity; and

Whereas, 120 nonprofit arts and cultural organizations in Cuyahoga County and the City of Cleveland provide 3,200 full-time jobs; an estimated 5000 additional jobs are created locally by for-profit arts and culture organizations; and

Whereas, studies have shown that arts education makes a tremendous impact on the developmental growth of a child and helps to level the learning field across socio-economic boundaries; and

Whereas, the Cleveland Theater Collective (CTC), which includes the professional theater companies in Cleveland, is locally sponsoring the "Night of Free Theater" on October 19, 2006, during which theaters will commit 25% of their house to the program, offering an estimated 1,500 to 3,000 free tickets to the public; and

Whereas, although Cleveland is participating in this event for the first time, this is actually the second annual "Night of Free Theater" in the United States; the City of Cleveland joins Austin, Texas, San Francisco, Detroit, Seattle, Ashland, Oregon, Boston, Philadelphia, Wash-

ington, D.C., Los Angeles, and the states of Wisconsin, New Jersey and North Carolina, in offering this event; and

Whereas, the national "Night of Free Theater" is sponsored by the Theatre Communications Group which represents over 400 professional theaters in 47 states, working to strengthen, nurture and promote the professional not-for-profit American theater community; and

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

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

Section 1. That this Council hereby supports the "Night of Free Theater" sponsored by the Cleveland Theater Collective on October 19, 2006.

Section 2. That the Clerk of Council is hereby directed to transmit copies of this resolution to appropriate members of the Cleveland Theater Collective.

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 18. Nays 0. Read second time. Read third time in full. Adopted. Yeas 18. Nays 0.

SECOND READING EMERGENCY ORDINANCES PASSED

Ord. No. 1061-06.

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

An emergency ordinance authorizing the purchase by one or more contracts of four chilled water coils, including labor and materials necessary to remove, replace, and dispose of the existing coils, for the Division of Convention Center and Stadium, Department of Parks, Recreation and Properties.

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. Nays 0.

Ord. No. 1114-06.

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

An emergency ordinance authorizing the purchase by one or more requirement contracts of labor and materials necessary to maintain City Hall elevators, for the Division of Property Management, Department of Parks, Recreation and Properties.

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. Nays 0.

Ord. No. 1234-06.

By Council Member Lewis.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 1467 East 65th Street to Deborah Gray.

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. Nays 0.

Ord. No. 1266-06.

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

An emergency ordinance determining the method of making the public improvement of rehabilitating, renovating, reconstructing, or otherwise improving Cleveland Browns Stadium; authorizing the Director of Public Service to enter into one or more public improvement contracts to construct the improvement; and authorizing the director to employ one or more professional consultants necessary to design the improvement.

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 17. Nays 1.

Those voting yea, Council Members: Sweeney, Brady, Brancatelli, Cimperman, Cleveland, Coats, Conwell, Cummins, Johnson, Kelley, Lewis, Pierce Scott, Turner, Westbrook and White.

Those voting nay, Council Member: Polensek.

Absent: Council Members: Britt, Santiago and Zone.

Ord. No. 1267-06.

By Council Members Brady and Sweeney (by departmental request).

An emergency ordinance to amend Section 1 of Ordinance No. 718-2000, passed May 22, 2000, relating to cause payment of the City's share of the Ohio Department of Transportation for the cost of the rehabilitation of the Stokes Boulevard Bridge.

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

1. In Section 1, at amended Section 1, at the end, after "175039," insert the following: "**The estimated amount of the City's final payment is \$134,223.26.**"

Amendment agreed to.

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. 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. 1365-06

By Council Member Brady and Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Public Service to enter into an agreement with the Board of County Commissioners to maintain a portion of the Fulton Road Bridge No. 251 over Big Creek in the City of Cleveland.

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. Nays 0.

Ord. No. 1447-06.

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

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to sell City-owned property no longer needed for public use located at East 30th Street off of Hamilton Avenue to State Industrial Products, Inc. or its designee.

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. Nays 0.

Ord. No. 1465-06.

By Council Members Cleveland, Pierce Scott and Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into an Empowerment Zone Section 108 loan and an Economic Development Initiative Grant Agreement with Joseph M. Stern Company to provide economic development assistance to partially finance the interior renovations and improvements to the property located at 1968 East 66th Street, and other associated costs necessary to redevelop the property.

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. Nays 0.

LAID ON THE TABLE

Ord. No. 1433-92.

By Council Member Westbrook. An ordinance to change the zoning of lands on the east side of West 117th Street south of Detroit Avenue, N.W. to Franklin Boulevard, N.W. (Map Change No. 1819, Sheet No. 1).

Ord. No. 1069-2000.

By Mayor White.

An emergency ordinance designating the Cozad-Bates House as a Cleveland Landmark.

Ord. No. 2416-01.

By Council Member Cintron.

An ordinance to change the Use District of lands on the west side of West 44th Street, north of Lorain Avenue from Two-Family to Local Retail (Map Change No. 2038, Sheet No. 1).

Ord. No. 1026-04.

By Council Member Cimperman.

An ordinance to change the zoning of properties bounded on the west by Marquette Street, on the north by Hamilton Street, on the east by East 55th Street and on the south by St. Clair Avenue from a Semi-Industry Use District to a Local Retail Business Use District (Map Change No. 2125, Sheet No. 4).

Ord. No. 1000-06.

By Council Members Kelley and Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Port Control to enter an amendment to the Amended and Restated Food and Beverage Concession Agreement No. 33958 with Host International, Inc. for the continuation of food and beverage services at Cleveland Hopkins International Airport.

Without objection, Ordinance No. 1433-92, Ordinance No. 1069-2000, Ordinance No. 1416-01, Ordinance No. 1026-04 and Ordinance No. 1000-06 were relieved of further consideration of all committees and laid on the table pursuant to the Rules of Council.

The rules were suspended. Yeas 18. Nays 0. Ordinance No. 1433-92, Ordinance No. 1069-2000, Ordinance No. 1416-01, Ordinance No. 1026-04 and Ordinance No. 1000-06 laid on the table.

MOTION

By Council Member Lewis, seconded by Council Member Cleveland and unanimously carried that the absence of Council Members Patricia J. Britt, Joseph Santiago and Matthew Zone, be and is hereby authorized.

MOTION

The Council Meeting adjourned at 7:50 p.m. to meet Monday, October 2, 2006 at 7:00 p.m. in the Council Chambers.



City Clerk, Clerk of Council

THE CALENDAR

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

NONE

BOARD OF CONTROL

September 20, 2006

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, September 20, 2006, at 10:30 a.m. with Mayor Jackson presiding.

Present: Mayor Jackson, Directors Triozzi, Dumas, Interim Director Ciaccia, Directors Smith, Wasik, Acting Director Bialostosky, Directors Flask, Cox, Rush, Hutchinson, Reilly, Fumich, Guzman and Interim Director Rybka.

Absent: None.

Others: Jim Hardy, Commissioner, Purchases and Supplies.

Debra Linn Talley, Commissioner, Office of Equal Opportunity.

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

Resolution No. 429-06.

By Interim Director Ciaccia.

Be it resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractor for the contract awarded to Spaulding DeDecker Associates, Inc. under Ordinance No. 1025-05, passed August 3, 2005 and Board of Control Resolution No. 394-06, adopted on August 30, 2006 for the professional services necessary to perform general engineering services for the Division of Water Pollution Control, Department of Public Utilities, is approved:

<u>Subcontractor</u>	<u>Work</u>
<u>MBE/FBE</u>	
HZW Environmental Consultants, Inc.	
FBE	\$3,937.50 (2.19%)

Yeas: Mayor Jackson, Directors Triozzi, Dumas, Interim Director Ciaccia, Directors Smith, Wasik, Acting Director Bialostosky, Directors Flask, Cox, Rush, Hutchinson, Reilly, Fumich, Guzman and Interim Director Rybka.

Nays: None.

Absent: None.

Resolution No. 430-06.

By Interim Director Ciaccia.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Granger Trucking, Inc. for an estimated quantity of disposal of catch basin debris, all items, for the Division of Water Pollution Control, Department of Public Utilities, for a period of one (1) year beginning with the execution of a contract, received on August 11, 2006, under the authority of Section 129.29 of the Codified Ordinances of Cleveland, Ohio 1976, which on the basis of the estimated quantity would amount to \$299,625.00 is affirmed and approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into a requirement contract for the commodities, which shall provide for the immediate purchase as the initial amount of the contract of the following:

Requisition No. 155173 which shall be certified against the contract in the sum of \$100,000.00.

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

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by Granger Trucking, Inc. for the above-mentioned requirement is approved:

<u>SUBCONTRACTOR</u>	<u>WORK</u>
<u>MBE/FBE</u>	
Lito Trucking, Inc.	
MBE	\$11,250.00 (03.75%)
Interstate Safety & Services	
FBE	\$ 3,750.00 (01.25%)

Yeas: Mayor Jackson, Directors Triozzi, Dumas, Interim Director Ciaccia, Directors Smith, Wasik, Acting Director Bialostosky, Directors Flask, Cox, Rush, Hutchinson, Reilly, Fumich, Guzman and Interim Director Rybka.

Nays: None.

Absent: None.

Resolution No. 431-06.

By Director Cox.

Be it resolved by the Board of Control of the City of Cleveland that, pursuant to Section 183.04 of the Codified Ordinances of Cleveland, Ohio 1976, the Director of Parks, Recreation and Properties is hereby authorized to enter into a concession agreement with the Greater Cleveland Muny Football League to operate a concession service for the Department of Parks, Recreation & Properties at the Collinwood Athletic Complex for a period not to exceed sixty (60) days. The Greater Cleveland Muny Football League shall pay the City a concession fee of the greater of \$500 per month or 5% of gross profits per month.

Be it further resolved, that the Director of Parks, Recreation and Properties is authorized to enter into a concession agreement with the Greater Cleveland Muny Football League for a period not to exceed sixty (60) days beginning with the date of execution of a contract, and the concession agreement shall be prepared by the Director of Law and shall contain such additional provisions as said Director deems necessary to protect and benefit public interest.

Yeas: Mayor Jackson, Directors Triozzi, Dumas, Interim Director Ciaccia, Directors Smith, Wasik, Acting Director Bialostosky, Directors Flask, Cox, Rush, Hutchinson, Reilly, Fumich, Guzman and Interim Director Rybka.

Nays: None.

Absent: None.

Resolution No. 432-06.

By Director Cox.

Whereas, under Ordinance No. 2151-03, passed by the Council of the City of Cleveland on December 15,

2003, and Resolutions Nos. 502-04 and 655-04 adopted by this Board on September 8, 2004 and November 17, 2004, respectively, the City entered into an agreement with Larsen Architects ("Consultant") for professional services necessary to design the Kenneth L. Johnson Recreation Center Outdoor Pool Improvements for a total cost of \$99,000.00, Contract No. 63858; and

Whereas, due to budgetary constraints, the City desires to revise the bid documents and bid package to reduce the improvements to be made at the Recreation Center; and

Whereas, Consultant has proposed by letter dated July 28, 2006 to render the additional professional services necessary to revise the bid package; and

Whereas, the City finds the Consultant's proposal acceptable and desires to modify Contract No. 63858 on the basis of the proposal to obtain the additional design and engineering services to revise the bid package accordingly; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that the Director of Parks, Recreation and Properties is authorized to enter into a first modification to Contract No. 63858 with Larsen Architects for additional professional services required for the Kenneth L. Johnson Recreation Center Outdoor Pool Improvements according to Consultant's July 28, 2006 proposal for a fee of \$13,500, thereby increasing the total contract amount to \$112,500. The modification authorized above shall be prepared by the Director of Law and shall include such additional provisions as the Director deems necessary to benefit and protect the public interest.

Be it further resolved that Resolution No. 502-04 is amended by increasing the subcontract amount and percentage for approved subcontractant Sandhu & Associates (MBE) to \$9,400 and 8.4% respectively.

Be it further resolved that all other provisions of Contract No. 63858 not expressly modified shall remain unchanged and in full force and effect.

Yeas: Mayor Jackson, Directors Triozzi, Dumas, Interim Director Ciaccia, Directors Smith, Wasik, Acting Director Bialostosky, Directors Flask, Cox, Rush, Hutchinson, Reilly, Fumich, Guzman and Interim Director Rybka.

Nays: None.

Absent: None.

Resolution No. 433-06.

By Director Cox.

Resolved, by the Board of Control of the City of Cleveland that the bid of Berbakos Enterprises, Inc. for an estimated quantity of Urban Forestry Property Maintenance Services (all items) for the Division of Park Maintenance and Properties, Department of Parks, Recreation and Properties, for a period not to exceed one year beginning with the date of execution of a contract, received on June 21, 2006, under the authority of Ordinance No. 255-06, passed March 20, 2006, which on the basis of the estimated quantity would amount to \$54,715.00, is affirmed and approved as the lowest and best bid, and the Director of

Parks, Recreation and Properties is requested to enter into requirement contract for the services, which shall provide for the immediate purchase as the initial amount of the contract of the following:

Requisition No. 136635 which shall be certified against the contract in the sum of \$47,780.00.

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

Yeas: Mayor Jackson, Directors Triozzi, Dumas, Interim Director Ciaccia, Directors Smith, Wasik, Acting Director Bialostosky, Directors Flask, Cox, Rush, Hutchinson, Reilly, Fumich, Guzman and Interim Director Rybka.

Nays: None.

Absent: None.

Resolution No. 434-06.

By Director Rush.

Whereas, under the authority of Ordinance No. 1203-04, passed by Cleveland City Council on August 11, 2004, the City, through the Director of Economic Development, selected, and entered into an agreement with, Partners Environmental Consulting, Inc., 31100 Solon Road, Suite G, Solon, OH 44139, City Contract No. 63935, to conduct Phase I and Phase II environmental assessments of the former St. Michael's Hospital site located at 5033 and 5163 Broadway Avenue; and

Whereas, there were insufficient funds under the Agreement with Partners Environmental Consulting to complete the Phase I and Phase II environmental assessments of the St. Michael's Hospital site and to perform other environmental services necessary for the management and reuse of the site; and

Whereas, Ordinance No. 2152-03, passed by Cleveland City Council on January 5, 2004, as amended and supplemented by Ordinance No. 744-06, passed June 12, 2006, authorizes the Director of Community Development to employ by contract one or more consultants to provide professional environmental services necessary for the management and reuse of the former St. Michael's Hospital site; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland, that under Ordinance No. 2152-03, passed by Cleveland City Council on January 5, 2004, as amended and supplemented by Ordinance No. 744-06, passed June 12, 2006, Partners Environmental Consulting, Inc. is selected upon the nomination of the Director of Community Development as the firm to be employed by contract for a period of two years to provide the professional environmental services necessary for the management and reuse of the former St. Michael's Hospital site.

Be it further resolved that the Director of Community Development is authorized to enter into contract with Partners Environmental Consulting, Inc., for the environmental services necessary for the management and reuse of the former St. Michael's Hospital site, based on its August 31, 2006 proposal, which con-

tract shall be prepared by the Director of Law, shall provide for the furnishing of professional services as described in the proposal for an aggregate fee not exceeding \$75,000, and shall contain such additional provisions as the Director of Law deems necessary to protect and benefit the public interest.

Yeas: Mayor Jackson, Directors Triozzi, Dumas, Interim Director Ciaccia, Directors Smith, Wasik, Acting Director Bialostosky, Directors Flask, Cox, Rush, Hutchinson, Reilly, Fumich, Guzman and Interim Director Rybka.

Nays: None.

Absent: None.

Resolution No. 435-06.

By Director Rush.

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

Whereas, City has acquired Permanent Parcel Nos. 107-06-034, 107-06-035, 107-06-101, 107-06-090, 107-06-084, 107-06-096, 107-06-037, 107-06-082 and 107-06-089, located at Pulaski and Sowinski Avenues under the Land Reutilization Program; and

Whereas, Ordinance No. 725-05 passed May 23, 2005, authorized the sale of the parcels for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Cleveland Municipal School District has proposed to the City to purchase and develop the parcels; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 725-05 passed May 23, 2005, by the Cleveland City Council, the Mayor is authorized to execute an official deed for and on behalf of the City of Cleveland with Cleveland Municipal School District for the sale and development of Permanent Parcel Nos. 107-06-034, 107-06-035, 107-06-101, 107-06-090, 107-06-084, 107-06-096, 107-06-037, 107-06-082 and 107-06-089, as described in the Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of the program.

Be it further resolved that the consideration for the parcels shall be \$28,800.00, which amount is hereby determined to be not less than the fair market value of the parcels for uses in accordance with the Land Reutilization Program.

Yeas: Mayor Jackson, Directors Triozzi, Dumas, Interim Director Ciaccia, Directors Smith, Wasik, Acting Director Bialostosky, Directors Flask, Cox, Rush, Hutchinson, Reilly, Fumich, Guzman and Interim Director Rybka.

Nays: None.

Absent: None.

Resolution No. 436-06.

By Director Rush.

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

Whereas, City has acquired Permanent Parcel Nos. 126-18-023, 126-18-

024 and 126-18-026, located at Buckeye Road under the Land Reutilization Program; and

Whereas, Ordinance No. 700-06 passed June 12, 2006, authorized the sale of the parcels for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Cleveland Municipal School District has proposed to the City to purchase and develop the parcels; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 700-06 passed June 12, 2006, by the Cleveland City Council, the Mayor is authorized to execute an official deed for and on behalf of the City of Cleveland with Cleveland Municipal School District for the sale and development of Permanent Parcel Nos. 126-18-023, 126-18-024 and 126-18-026, as described in the Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of the program.

Be it further resolved that the consideration for the parcels shall be \$14,200.00, which amount is hereby determined to be not less than the fair market value of the parcels for uses in accordance with the Land Reutilization Program.

Yeas: Mayor Jackson, Directors Triozzi, Dumas, Interim Director Ciaccia, Directors Smith, Wasik, Acting Director Bialostosky, Directors Flask, Cox, Rush, Hutchinson, Reilly, Fumich, Guzman and Interim Director Rybka.

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

CIVIL SERVICE NOTICE

**ANNOUNCEMENTS - 2006
9/29/06 - 10/5/06**

Announcement No.	Type Exam	Classification
39	WR	Accountant Clerk II (Open)
40	WR/EE	Assistant Administrator (Open)
41	WR	Assistant Buyer (Open)
42	WR	Automobile Repair Worker (Open)
43	WR	Customer Service Representative (Open)
44	WR	Income Tax Tracer (Open)
45	WR	Junior Clerk (Open)
46	WR	Public Health Sanitarian II (Open)
47	WR	Senior Clerk (Open)

PROOF OF CITY RESIDENCY

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

Lease - from rental agency.

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

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

Post Office change of address form properly date stamped.

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

Bank statements (Within last three months).

School registration of children.

Car insurance documents.

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

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

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

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

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

Library cards.

Voter registration cards.

Birth certificates.

Notarized letters or affidavits.

Social Security card.

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

**APPROVED C.S.C MINUTES
ANNOUNCEMENT NO. 39**

ACCOUNTANT CLERK II (OPEN)

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

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$10.00 - \$15.71 per Hour.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. **APPLICATIONS WILL BE RECEIVED FOR ENTRANCE TO THE EXAMINATION FROM 8:30 A.M. ON FRIDAY, SEPTEMBER 29, 2006 UNTIL 4:30 P.M. ON THURSDAY, OCTOBER 5, 2006.**

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M ON THURSDAY, OCTOBER 5, 2006.

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

EXAMINATION INFORMATION

TYPE: WRITTEN EXAMINATION

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

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

REMOVAL FROM THE ELIGIBLE LIST.

DUTIES OF THE POSITION

Under supervision, to perform accounting and auditing work manually or when required to operate a bookkeeping machine and to perform related duties as required.

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

A High School Diploma or GED is required. Two (2) years of full time paid experience in Accounting, Bookkeeping, Banking, or a closely related position in the record-keeping field is required. (Substitution: One (1) year of college accounting courses may substitute for each year of experience lacking.) Must have a valid State of Ohio Driver's License or State ID card. Must be able to lift and carry a minimum of thirty (30) pounds.

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

NOTE: Returned in person. All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Civil Service Commission will make copies for a standard fee.

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

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

AN EQUAL OPPORTUNITY EMPLOYER

**APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 40**

ASSISTANT ADMINISTRATOR (NON-COMP)

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

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$20,800.00 - \$59,835.36 per Year.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE RECEIVED FOR ENTRANCE TO THE EXAMINATION FROM 8:30 A.M. ON FRIDAY, SEPTEMBER 29, 2006 UNTIL 4:30 P.M. ON THURSDAY, OCTOBER 5, 2006.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON THURSDAY, OCTOBER 5, 2006.

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

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

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

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

DUTIES OF THE POSITION

Under general direction, performs major daily and project/program based administrative duties. Recommends and administers divisional/departmental policies and procedures. Prepares regular and special reports related to divisional/departmental operations. Performs other job related duties as required.

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

A High School Diploma or G.E.D. is required. A Bachelor's Degree in Business/Public Relations or closely related field from a four (4) year accredited College or University is required. Two (2) years of full time paid experience in government or private industry office administration is required. (Substitution: Two (2) years of full time experience may substitute for each year of college education lacking.) Must be able to operate a personal computer with Microsoft Office Suites.

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

NOTE: Applications must be returned in person. All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Civil Service Commission will make copies for a standard fee.

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

AN EQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 41

ASSISTANT BUYER (OPEN)

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

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$10,000 - \$18.83 per Hour.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE RECEIVED FOR ENTRANCE TO THE EXAMINATION FROM 8:30 A.M. ON FRIDAY, SEPTEMBER 29, 2006 UNTIL 4:30 P.M. ON THURSDAY, OCTOBER 5, 2006.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON THURSDAY, OCTOBER 5, 2006.

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

EXAMINATION INFORMATION

TYPE: WRITTEN EXAMINATION:

NOTE: THE CIVIL SERVICE COMMISSION RESERVES THE RIGHT TO REVIEW AND EVALUATE ANY AND ALL INFORMATION CONTAINED IN THE APPLICATION OR RESUME. LACK OF HONESTY

WILL RESULT IN IMMEDIATE REMOVAL FROM THE ELIGIBLE LIST.

DUTIES OF THE POSITION

Under supervision, performs a variety of routine standard purchasing procedures to procure a variety of materials, equipment, and services for the various City departments. Assists Buyers in contacting departments to verify specifications, delivery dates, and other information. Tabulates and determines best bids. Follows up on purchase orders. Maintains records of vendors, commodities and prices. Prepares specifications, Prepares purchase requisitions. Processes payments to vendors and maintains record. Provides information to vendors, division of accounts/Purchasing, inter-divisional and user division personnel. Receives information from superintendents and unit leaders on requirements for non-contracted materials, equipment and services. Receives and processes inter-divisional orders for materials, equipment and services. Receives, review, maintains and distributes Purchase Orders information. Tracks purchase order and contract balances. Prepares vendor orders. Reviews vendor invoices and process vendor tallies for payment. Resolves purchasing and/or invoicing problems. Performs other job related duties as required.

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

A High School Diploma or G.E.D. is required. Five (5) years of full time paid government experience in the preparation and maintenance of requisitions, purchase orders, and invoices is required. A Bachelor's Degree in Accounting or related field from an accredited College or University is preferred. (Substitution: An Associate's Degree in accounting or related field may substitute for two years of directly related experience.) Must be able to operate office automated equipment including, but not limited to, personal computers, printers, fax machines, and copiers. Must be familiar with various financial software packages and Microsoft Office Suites (Excel, Access, and Word).

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

(10) days after the date of examination.

NOTE: Applications must be returned in person. All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Civil Service Commission will make copies for a standard fee.

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

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

AN EQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 42

**AUTOMOBILE REPAIR WORKER
(OPEN)**

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

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$12.60 - \$ 19.37 per Hour.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE RECEIVED FOR ENTRANCE TO THE EXAMINATION FROM 8:30 A.M. ON MONDAY, UNTIL 4:30 P.M. ON FRIDAY, SEPTEMBER 29, 2006.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON THURSDAY, OCTOBER 5, 2006.

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

EXAMINATION INFORMATION

TYPE: WRITTEN EXAMINATION

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

DUTIES OF THE POSITION

Under supervision, inspects, repairs, adjusts, and services automobiles, trucks, and other motorized equipment. Makes minor repairs and adjustments to secondary units. Performs related duties as required.

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

A High School Diploma or GED is required, a diploma from a High School or Trade School specializing in automotive repair is preferred. Two (2) years of full time paid experience in Automotive Repair is required. Must possess the required tools to perform the duties of the job. Must be able to lift and carry a minimum of fifty (50) pounds. A valid State of Ohio Driver's License is required.

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

NOTE: Applications must be returned in person. All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Civil Service Commission will make copies for a standard fee.

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

AN EQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 43

CUSTOMER SERVICE REPRESENTATIVE (OPEN)

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

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$10.30 - \$15.70 per Hour.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE RECEIVED FOR ENTRANCE TO THE EXAMINATION FROM 8:30 A.M. ON FRIDAY, SEPTEMBER 29, 2006 UNTIL 4:30 P.M. ON THURSDAY, OCTOBER 5, 2006.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON THURSDAY, OCTOBER 5, 2006.

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

EXAMINATION INFORMATION

TYPE: WRITTEN EXAMINATION

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

DUTIES OF THE POSITION

Under supervision, is responsible for responding to utilities customers' inquiries and contacts. Coordinates the collection unit as well as the various repair units within the Public Utilities Department. Offers general information as to rates as well as detailed consumption investigations as well as the closing and opening of utilities accounts, and performs other job related duties as required.

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

A High School Diploma or GED is required. One (1) year of full time paid experience dealing with customer service or customer relations is required. Must be computer proficient and have good verbal, written, and computer skills.

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

NOTE: All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing.

ing. Civil Service Commission will make copies for a standard fee.

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

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

AN EQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 44

INCOME TAX TRACER (OPEN)

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

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$10.40 - \$15.87 per Hour.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE RECEIVED FOR ENTRANCE TO THE EXAMINATION FROM 8:30 A.M. ON FRIDAY, SEPTEMBER 29, 2006 UNTIL 4:30 P.M. ON THURSDAY, OCTOBER 5, 2006.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON THURSDAY, 5, 2006.

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

EXAMINATION INFORMATION

TYPE: WRITTEN EXAMINATION

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

DUTIES OF THE POSITION

Verifies income tax returns for mathematical accuracy. Totals and corrects income, place of employment, and residence. Codes and batches income tax returns and verifies scanned payment information on CRTs. Receives and applies pay-

ments on delinquent accounts. Performs other related duties within or outside the tax office.

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

A High School Diploma or GED is required. Two (2) years of post-secondary schooling from an accredited college or university is required, six (6) credit hours of which must be in accounting. Must demonstrate exceptional mathematical ability.

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

NOTE: Applications must be returned in person. All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Civil Service Commission will make copies for a standard fee.

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

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

AN EQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 45

JUNIOR CLERK (OPEN)

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

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$10.00 - \$12.57 per Hour.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue,

Room 119. No other form will be accepted. APPLICATIONS WILL BE RECEIVED FOR ENTRANCE TO THE EXAMINATION FROM 8:30 A.M. ON FRIDAY, SEPTEMBER 29, 2006 UNTIL 4:30 P.M. ON THURSDAY, OCTOBER 5, 2006.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON THURSDAY, 5, 2006.

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

EXAMINATION INFORMATION

TYPE: WRITTEN EXAMINATION

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

DUTIES OF THE POSITION

Under immediate supervision, does clerical work of a routine nature. Performs related duties as required.

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

A High School Diploma or GED is required. One (1) year of full time paid experience in an office setting with a working knowledge of Microsoft Office is required. Must be able to lift and carry at least thirty (30) pounds.

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

NOTE: Applications must be returned in person. All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Civil Service Commission will make copies for a standard fee.

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

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

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

AN EQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C MINUTES
ANNOUNCEMENT NO. 46

PUBLIC HEALTH SANITARIAN II (OPEN)

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

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$14.35 - \$19.33 per hour.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE RECEIVED FOR ENTRANCE TO THE EXAMINATION FROM 8:30 A.M. ON FRIDAY SEPTEMBER 29, 2006 UNTIL 4:30 P.M. ON THURSDAY, OCTOBER 5, 2006.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON THURSDAY, OCTOBER 5, 2006.

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

EXAMINATION INFORMATION

TYPE: WRITTEN EXAMINATION

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

DUTIES OF THE POSITION

Conducts both routine and "troubleshooter" inspections in private homes to insure proper environmental hygiene. Issues orders, notices, or referrals to other departments, and re-inspects to insure compliance. Directs field teams involved in both surveying areas for rat infection and baiting rat burrows in those areas. Inspects barber shops, swimming pools (public and private), marinas, schools (private and public), institutions, places of assembly, trailer parks, motels, hotels, laundries, and other recreation facilities. Investigates citizens' complaints relative to garbage and refuse, vacant lots, sewage, animals, weeds, and grass. Inspects and evaluates food shops and instructs industry personnel in proper sanitation methods. Helps train and supervise first level sanitarians, environmental technicians, and sanitarian aides. Counsels residents in sanitation methods. Helps plans programs and work schedules.

enforces both state and city health codes. Must be familiar with court procedures and methods or licenses revocation regarding code violations.

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

High School Diploma or G.E.D. is required. A Bachelor's Degree with at least thirty (45) credits hours in science, math, or chemistry is required. Must be a Sanitarian-In-Training or become one within ninety (90) days of the date of hire. Must become a Registered Sanitarian within five (5) years of the date of hire. A valid State of Ohio Driver's License is required. Must own or have access to a properly registered and insured vehicle available for business use.

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

NOTE: Applications must be returned in person. All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Civil Service Commission will make copies for a standard fee.

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

AN EQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C MINUTES
ANNOUNCEMENT NO. 47

SENIOR CLERK (OPEN)

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

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$10.29 - \$15.17 per Hour.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE RECEIVED FOR ENTRANCE TO THE EXAMINATION FROM 8:30 A.M. ON FRIDAY, SEPTEMBER 29, 2006 UNTIL 4:30 P.M. ON THURSDAY, OCTOBER 5, 2006.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON THURSDAY, OCTOBER 5, 2006.

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

EXAMINATION INFORMATION

TYPE: WRITTEN

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

DUTIES OF THE POSITION

Under general supervision, performs responsible work in the maintaining of office records and conducts other office procedures. In some cases, supervises a small group of employees concerned with routine office work. Calculates, prepares, and processes bills, invoices, and other financial records according to established procedures. Maintains computerized and other office records and logs. Performs receptionist duties as needed performs related work as required

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

A High School Diploma or GED is required. Three (3) years of full time paid clerical experience is required. Should have a working knowledge of computers and good customer service skills.

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

NOTE: All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Civil Service Commission will make copies for a standard fee.

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

AN EQUAL OPPORTUNITY EMPLOYER

REYNALDO GALINDO,
President

September 27, 2006

**SCHEDULE OF THE BOARD
OF ZONING APPEALS**

MONDAY, OCTOBER 9, 2006

9:30 A.M.

Calendar No. 06-181: 4467 Broadview Road (Ward 15)

Tim Tsirambidis, owner, appeals to change the use from one store and two dwelling units to three dwelling units in an existing two-story building, situated on a 35.80' x 117.41' parcel located in a Local Retail Business District on the east side of Broadview Road at 4467 Broadview Road; contrary to Section 355.04(b), a minimum lot size of 4,063 square feet is provided where 7,200 square feet is required with 1,452 square feet provided where the requirement is 2,400 square feet for each dwelling unit; and contrary to Section 357.09(2)C, a 4' interior side yard is provided where 8' required with a distance of 9' where no building shall be less than 10' from a main building on an adjoining lot, as stated in Section 357.09(2)A of the Codified Ordinances.

Calendar No. 06-182: 3000 Bridge Avenue (Ward 13)

The West Side Community House, owner, and Blue 3000 LLC, prospective purchaser, appeal to change an existing four-story building from a community center to apartments and stores, situated on a 126' x 107' corner parcel located in a B1 Two-Family District on the northwest corner of Bridge Avenue and West 30th Street at 3000 Bridge Avenue; subject to the limitations of Section 337.03, the proposed change to apartments is first permitted in a Multi-Family District and the use for stores is first allowed in a Local Retail District; and contrary to Section 355.04, a maximum lot area of 26,125 square feet is proposed and one half of the lot area, or 6,235 square feet is permitted; and a 68' building height is proposed contrary to Section 353.01 where a height of 35' is the maximum allowed; and no setback is proposed contrary to Section 357.07(a) where a specific front yard setback of 10' is established by the zoning map; with no side street yards contrary to Section 357.05(a) where 5' is required on each side; and a 40' rear yard is proposed contrary to Section 357.08(b)(1) with 15 off-street parking spaces contrary Section 349.02 where 21 spaces are required; and a 4' rather than a 6' wide landscape strip is proposed between Bridge Avenue and the parking lot contrary to Section 352.10 of the Codified Ordinances.

Calendar No. 06-183: 2425 Arlington Avenue (Ward 9)

Karim Salman, owner, appeals to change from a restaurant to a service station an existing one-story building, situated on a 40' x 119' parcel located in a Local Retail Business District on the north side of Arlington Avenue at 2425 Arlington Avenue; subject to the limitations of Section 343.01, the proposed change of use is not permitted but is first permitted in a General Retail Business District, as stated in Section 343.11(b)(2)(I)(5) of the Codified Ordinances.

Calendar No. 06-184: 3545 Ridge Road (Ward 16)

Arnold Lee, owner, appeals to erect a 100 square foot, 22' high, free standing sign in the parking lot of an acreage parcel, located in a Semi-Industry District on the east side of Ridge Road at 3545 Ridge Road; the proposed sign exceeds the limit of 50 square feet, the maximum square footage that is allowed, as stated in Section 350.15(b) of the Codified Ordinances.

Calendar No. 06-185: 2042-44 East 4th Street (Ward 13)

Krause Project Partners LLC, owner, appeal to change the use from offices to apartments in an existing six-story building, situated on a 25' x 100' parcel located in a General Retail Business District on the west side of West 4th Street at 2042-44 East 4th Street; contrary to Section 355.04(b), a proposed maximum gross floor area of approximately 11,150 square feet is proposed and 3,750 square feet is allowed; and a rear yard of 20' is required under Section 357.08Z(b)(2) in connection with a building of residential occupancy and an interior side yard shall not be less than 8' as stated in Section 357.09(b)(2)C of the Codified Ordinances.

Calendar No. 06-193: 6816 Superior Avenue (Ward 7)

The Inner City Development and Personal Growth Foundation, owner, appeal from the decision of the Cleveland Zoning Administrator to deny a Final Certificate of Occupancy for the use and occupancy of a 44 seat restaurant, for which Building Permit No. B06000015 was issued on March 31, 2006, for an existing two-story building situated on an approximate 174' x 122' parcel in a Local Retail Business District on the southeast corner of Superior Avenue and East 68th Street at 6816 Superior Avenue; the use and occupancy being subject to the Off-Street Parking and Loading Requirements, and a gravel parking lot is proposed where accessory off-street parking spaces and maneuvering areas must be properly graded for drainage within the lot, and surfaced with concrete, asphalt, or asphaltic concrete, as stated in Section 349.07(a) of the Codified Ordinances.

Secretary

**REPORT OF THE BOARD
OF ZONING APPEALS**

MONDAY, SEPTEMBER 25, 2006

At the meeting of the Board of Zoning Appeals on Monday, September 25, 2006, the following appeals were heard by the Board:

The following appeals were **Approved**:

Calendar No. 06-169: 11600 Berea Road

Thomas Kilbane appealed to expand outdoor storage use to include an office and residential unit building in a General Industry District; with a condition.

Calendar No. 06-170: 12833 Lorain Avenue

Max A. Beyer, owner, and Cecilia Cayson, tenant, appealed to change a one-story building from a church hall to a day care center in a General Retail Business District.

The following appeals were **Denied**:

Calendar No. 06-104: 5107 Lorain Avenue

Enrique Maldonado appealed to change a store and two dwelling units to a used car lot business in a Local Retail Business District.

Calendar No. 06-151: 13600 Deise Avenue

Northern Lakes Management Company, owner, and Northern Ohio Scrap Service Corporation, tenant, appealed to establish use as a metal wire recycling facility in a General Industry District.

The following appeal was **Withdrawn**:

None.

The following appeal was **Dismissed**:

None.

The following appeals were **Postponed**:

Calendar No. 06-171: 2487 West 25th Street postponed to October 30, 2006.

Calendar No. 06-165: 6104 Carnegie Avenue postponed to October 30, 2006.

Calendar No. 06-173: 7218 Hough Avenue postponed to October 23, 2006.

In Executive Session on Monday, September 25, 2006, the following appeals heard by the Board on September 18, 2006 were adopted and approved.

The following appeals were **Approved**:

Calendar No. 06-163: 15601 Holmes Avenue

Daniel Wortor appealed to expand a store and one dwelling unit building to include a use for a carryout restaurant in a Two-Family District; with conditions.

Calendar No. 06-166: 2170 West 104th Street

Miguel Ortiz appealed to install 55 lineal feet of 4' high chain link fence in the actual front yard of a dwelling unit in a Two-Family District.

Calendar No. 06-167: 17500 Fairville Avenue

Pamela Owen appealed to install 39 lineal feet of 4' high chain link fence in the actual front yard of a dwelling unit in a One-Family District.

The following appeal was **Denied**:

Calendar No. 06-152: 12820 Brookpark Road

DTRG, Inc. owner, and their attorney Kenneth Seminatore, appealed to change to an adult cabaret the use of an existing building in a General Industry District.

Secretary

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

Re: Report of the Meeting of September 20, 2006

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

* * *

Docket A-80-06.

RE: Appeal of FPT Cleveland Real Estate LLC/FPT Cleveland LLC, Owner of the Property located on the premises known as 8501 Aetna Road from a NOTICE OF VIOLATION — UNAUTHORIZED USE of the Director of the Department of Building and Housing, dated July 6, 2006, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

No action this date, the docket will be rescheduled for October 4, 2006.

* * *

Docket A-S1-06.

RE: Appeal of FPT Cleveland Real Estate LLC/FPT Cleveland LLC, Owner of the Property located on the premises known as 8550 Aetna Road from a NOTICE OF VIOLATION — UNAUTHORIZED USE of the Director of the Department of Building and Housing, dated June 29, 2006, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

No action this date, the docket will be rescheduled for October 4, 2006.

* * *

Docket A-S2-06.

RE: Appeal of FPT Cleveland Real Estate LLC/FPT Cleveland LLC, Owner of the Property located on the premises known as 8500 Aetna Road from a NOTICE OF VIOLATION — UNAUTHORIZED USE of the Director of the Department of Building and Housing, dated June 29, 2006, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

No action this date, the docket will be rescheduled for October 4, 2006.

* * *

Docket A-S4-06.

RE: Appeal of Richard M. Berg and Douglas Link, Owners of the Property located on the premises known as 3210 East 65th Street from a NOTICE OF VIOLATION — GENERAL MAINTENANCE of the Director of the Department of Building and Housing, dated June 27, 2006, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

No action this date, the docket will be rescheduled in six (6) weeks (November 1, 2006).

* * *

Docket A-90-06.

RE: Appeal of Richard Lindsley, Owner of the One Story Masonry Multiple Uses Property located on the premises known as 11610 Madison Avenue from a NOTICE OF VIOLATION — ILLEGAL USE, dated July 21, 2006, from a NOTICE OF VIOLATION — ELECTRICAL, dated July 28, 2006 of the Director of the Department of Building and Housing, and from a NOTICE OF VIOLATION — FIRE, dated July 25, 2006, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to require the Appellant to obtain all required permits within thirty (30) days and to grant the Appellant up to a year to complete abatement of all the violations on the property, noting that progress must be made and reported to the inspector during that period of time; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Bradley.

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

* * *

Docket A-93-06.

RE: Appeal of Pebblebrook Properties, Inc., Owner of the One Dwelling Unit Single Family Residential Property located on the premises known as 10301 Dickens Avenue from a NOTICE OF VIOLATION — GENERAL MAINTENANCE of the Director of the Department of Building and Housing, dated August 1, 2006, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to DISMISS the violation, noting that the seller has disclosed to the buyer that the condition does exist; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Gallagher.

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

* * *

APPROVAL OF RESOLUTIONS:

Separate motions were entered by Mr. Saunders and seconded by Mr. Bradley for Approval and Adoption of the Resolution as presented by the Secretary for the following Docket, subject to the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC):

A-10-06 — David N. Myers University.

Yeas: Messrs. Denk, Saunders, Gallagher, Bradley. Nays: None. Not Voting: Mr. Saab.

* * *

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

- A-91-06 — St. George Antiochian Church.
- A-92-06—The Virtual Schoolhouse.

Yeas: Messrs. Denk, Saunders, Saab, Bradley. Nays: None. Not Voting: Mr. Gallagher.

* * *

APPROVAL OF MINUTES:

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

September 6, 2006

Yeas: Messrs. Denk, Saunders, Saab, Bradley. Nays: None. Not Voting: Mr. Gallagher.

* * *

Secretary

PUBLIC NOTICE

NONE

NOTICE OF PUBLIC HEARING

Notice of Public Hearing By the Council Committee on City Planning

Mercedes Cotner Committee Room 217 City Hall, Cleveland, Ohio On Wednesday, October 4, 2006 1:00 p.m.

Notice is hereby given to all interested property owners that the Council Committee on City Planning will hold a public hearing in the Mercedes Cotner Committee Room 217, City Hall, Cleveland, Ohio, on Wednesday, October 4, 2006, at 1:00 p.m., to consider the following ordinances now pending in the Council:

Ord. No. 1214-06.

By Council Member Cleveland. An ordinance to change the Use and Area Districts of lands on the westerly side of East 55th Street between Sweeney Avenue (vacated) and Track Road to a Residence Industry District and a 'B' Area District (Map Change No. 2188, Sheet No. 5).

Ord. No. 1284-06.

By Council Members Cleveland and Johnson.

An ordinance establishing the Burten Bell Carr Business Revitalization District (Map Change No. 2090, Sheet Nos. 5 & 6).

Ord. No. 1285-06.

By Council Member Coats.

An Ordinance changing the Use Districts of parcels fronting on East 140th Street from Lakeshore Boulevard to Saint Clair Avenue as shaded on the map from General Retail and Semi-Industry to Local Retail Business (Map Change Number 2189, Sheet 7).

Ord. No. 1549-06.

By Council Member Coats.

An ordinance changing the Use Districts of parcels bounded by Deise Avenue, Maxwell Avenue, Aspinwall Avenue, E. 140th Street and including portions of Cobalt Avenue and Saranac Road as shown on the attached map from Semi-Industry and General Industry to Residence Industry (Map Change Number 2192, Sheet 7).

Ord. No. 1550-06.

By Council Members Reed and Johnson.

An ordinance expanding the Union Miles Business Revitalization District by designating a portion of East 116th Street between Benham Avenue and Corlett Avenue as shown on the attached map (Map Change No. 2191, Page 10).

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

September 20, 2006 and September 27, 2006

CITY OF CLEVELAND BIDS**For All Departments**

Scaled bids will be received at the office of the Commissioner of Purchases and Supplies, Room 12S, City Hall, in accordance with the appended schedule, and will be opened and read in Room 12S, City Hall, immediately thereafter.

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

187.10 Negotiated contracts; Notice required in Advertisement for Bids.

Where invitations for bids are advertised, the following notice shall be included in the advertisement: "Pursuant to the MBE/FBE Code, each prime bidder, each minority business enterprise ("MBE") and each female business enterprise ("FBE") must be certified before doing business with the City. There-

fore, 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, OCTOBER 11, 2006

Guard Rail Elements, for the Division of Street Maintenance, Department of Public Service, as authorized by Ordinance No. 305-06, passed by the Council of the City of Cleveland, March 27, 2006. THERE WILL BE A **NON-MANDATORY PRE-BID MEETING**, THURSDAY, SEPTEMBER 28, 2006 AT 10:00 A.M., ROOM 25 CONFERENCE ROOM, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

Liquid Deicer, for the Division of Streets, Department of Public Service, as authorized by Ordinance No. 306-06, passed by the Council of the City of Cleveland, March 27, 2006.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING**, THURSDAY, SEPTEMBER 28, 2006 AT 10:30 A.M., ROOM 25 CONFERENCE ROOM, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

Autocad Software Upgrade, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 191-06, passed by the Council of the City of Cleveland, April 3, 2006.

THERE WILL BE A **MANDATORY PRE-BID MEETING**, WEDNESDAY, OCTOBER 4, 2006 AT 10:00 A.M., CLEVELAND PUBLIC POWER, 1300 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

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

September 20, 2006 and September 27, 2006

THURSDAY, OCTOBER 12, 2006

Labor and Materials Necessary to Clean the West Side Market, for the Division of Convention Center and Stadium, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 370-06, passed by the Council of the City of Cleveland, March 20, 2006.

THERE WILL BE A **MANDATORY PRE-BID MEETING**, MONDAY, OCTOBER 2, 2006 AT 10:00 A.M., WEST SIDE MARKET, 1979 WEST 25TH STREET, CLEVELAND, OHIO 44113.

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

September 20, 2006 and September 27, 2006

FRIDAY, OCTOBER 13, 2006

Hauling and Disposing of Water Plant Residuals (Re-Bid), for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 2232-05, passed by the Council of the City of Cleveland, January 23, 2006.

THERE WILL BE A **MANDATORY PRE-BID MEETING**, FRIDAY, SEPTEMBER 29, 2006 AT 2:30 P.M., CARL B. STOKES 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.

Pipe Repair Couplings - Group B (Couplings 20-inch through 48 inch), for the Division of Water, Department of Public Utilities, as authorized by Section 129.25 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **MANDATORY PRE-BID MEETING**, FRIDAY, OCTOBER 13, 2006 AT 10:30 A.M., DIVISION OF WATER DISTRIBUTION AND MAINTENANCE FACILITY, PIPE REPAIR CONFERENCE ROOM, 4600 HARVARD AVENUE, NEWBURGH HEIGHTS, OHIO 44105.

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

Electrical Supplies, for the Division of Property Management, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 883-06, passed by the Council of the City of Cleveland, June 12, 2006.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING**, FRIDAY, SEPTEMBER 29, 2006 AT 11:00 A.M., PROPERTY MANAGEMENT, 4150 EAST 49TH STREET, BUILDING #2 CONFERENCE ROOM, CLEVELAND, OHIO 44105.

September 20, 2006 and September 27, 2006

WEDNESDAY, OCTOBER 11, 2006

Treadway Creek Greenway Restoration, for the Division of Research, Planning and Development, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 1263-03, as amended by Ordinance Nos. 1297-04 and 1513-05, passed by the Council of the City of Cleveland, July 16, 2003, July 14, 2004 and October 17, 2005, respectively.

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 PAYABLE TO THE CITY OF CLEVELAND.**

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING**, THURSDAY, OCTOBER 5, 2006 AT 10:00 A.M., BURKE LAKEFRONT AIRPORT, 1ST FLOOR CONFERENCE ROOM, 1501 NORTH MARGINAL ROAD, CLEVELAND, OHIO 44114.

September 27, 2006 and October 4, 2006

THURSDAY, OCTOBER 12, 2006

Part 2 Re-Bid Industrial Paper Products, for the Division of Purchases and Supplies, Department of Finance, as authorized by Ordinance No. 2131-05, passed by the Council of the City of Cleveland, November 28, 2005.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING, MONDAY, OCTOBER 9, 2006 AT 10:00 A.M., CITY HALL, DIVISION OF PURCHASES & SUPPLIES, ROOM, 128, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

September 27, 2006 and October 4, 2006

THURSDAY, OCTOBER 19, 2006

Prisoner Meals, for the Division of Police, Department of Public Safety, as authorized by Ordinance No. 1048-06, passed by the Council of the City of Cleveland, July 12, 2006.

THERE WILL BE A MANDATORY PRE-BID MEETING, MONDAY, OCTOBER 9, 2006 AT 2:00 P.M., CITY HALL, ROOM, 128, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

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

September 27, 2006 and October 4, 2006

**ADOPTED RESOLUTIONS
AND ORDINANCES**

Res. No. 1469-06.

By Council Member Sweeney (by departmental request).

An emergency resolution to adopt and declare a Tax Budget for the City of Cleveland for the year 2007 and submit it to the County Budget Commission as required by State Law, Chapter 5705 of the Revised Code.

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

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

Section 1. That the Council, under the provisions of Chapter 5705 of the Revised Code, after public hearings as required by law, does adopt the statements of the year 2007 requirements for the several funds of the City of Cleveland as being the budget required by state law to be submitted to the County Budget Commission, which requirements are contained in File No. 1469-06-A.

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

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

Adopted September 18, 2006.
Effective September 22, 2006.

Res. No. 1552-06.

By Council Member Zone.

An emergency resolution declaring this council's support of the proposal of the Cuyahoga Community Land Trust to the Ohio Housing Finance Agency for Housing Development Assistance Program funding.

Whereas, the Ohio Housing Finance Agency's Housing Development Assistance Program provides financing for affordable housing developments throughout Ohio using a competitive proposal process; and

Whereas, the Cuyahoga Community Land Trust in partnership with Detroit Shoreway Community Development Organization is proposing to develop four housing units at 6711 Bridge Avenue, 1854 W. 58th St, and 1956-1962 W. 58th St; and

Whereas, 100% of these homes will be affordable homes and none will be market rate; and

Whereas, the homes will be designed to be adaptable for a special needs population with mobility impairments, and outreach and marketing efforts will target people who have a special need for accessible housing; and

Whereas, this proposal will benefit the citizens of the City; and

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

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

Section 1. That this Council hereby declares its support of the proposal of Cuyahoga Community Land Trust to the Ohio Housing Finance Agency for Housing Development Assistance Program funding.

Section 2. That the Clerk of Council is hereby directed to transmit two certified copies of this resolution to the Executive Director of the Cuyahoga Community Land Trust.

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

Adopted September 18, 2006.
Effective September 22, 2006.

Res. No. 1554-06.

By Council Member Cleveland.

An emergency resolution objecting to the transfer of ownership of a C2 and C2X Liquor Permit to 3314 East 93rd Street.

Whereas, Council has been notified by the Department of Liquor Control of an application for the transfer of ownership of a C2 and C2X Liquor Permit from Lester Sinclair, DBA Cross Town Beverage, 3314 East 93rd Street, Cleveland, Ohio 44104, Permanent Number 81853120002 to Ronell Murray Davis, DBA Dee and Vees Beverage, 3314 East 93rd Street, Cleveland, Ohio 44104, Permanent Number 1977502; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a C2 and C2X Liquor Permit from Lester Sinclair, DBA Cross Town Beverage, 3314 East 93rd Street, Cleveland, Ohio 44104, Permanent Number 81853120002 to Ronell Murray Davis, DBA Dee and Vees Beverage, 3314 East 93rd Street, Cleveland, Ohio 44104, Permanent Number 1977502; and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted September 18, 2006.
Effective September 22, 2006.

Res. No. 1555-06.

By Council Member Dolan.

An emergency resolution withdrawing objection to the renewal of a C1, C2 and D6 Liquor Permit at 14120 Lorain Avenue, and repealing Resolution No. 1176-06, objecting to said renewal.

Whereas, this Council objected to a C1, C2 and D6 Liquor Permit to 14120 Lorain Avenue by Resolution

No. 1176-06 adopted by the Council on July 12, 2006; and

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

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

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

Section 1. That objection to a C1, C2 and D6 Liquor Permit to Mustafa Ali, DBA Anne's Beverage, 14120 Lorain Avenue, Cleveland, Ohio 44111, Permanent Number 0118682 be and the same is hereby withdrawn and Resolution No. 1176-06, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

Adopted September 18, 2006.

Effective September 22, 2006.

Res. No. 1556-06.

By Council Member Pierce Scott.

An emergency resolution objecting to the transfer of liquor license of a C1 and C2 Liquor Permit to 907 East 105th Street.

Whereas, Council has been notified by the Department of Liquor Control of an application for the transfer of liquor license of a C1 and C2 Liquor Permit from Eddie's Mini Mart, Inc., 1014 East 105th Street, Cleveland, Ohio 44108, Permanent Number 2434438 to Eddie's Mini Mart, Inc., DBA Eddie's Mini Mart, 907 East 105th Street, Cleveland, Ohio 44108, Permanent Number 24344380001; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of a liquor license of a C1 and C2 Liquor Permit from Eddie's Mini Mart, Inc., 1014 East 105th Street, Cleveland, Ohio 44108, Permanent Number 2434438 to Eddie's Mini Mart, Inc., DBA Eddie's Mini Mart, 907 East 105th Street, Cleveland, Ohio 44108, Permanent Number 24344380001, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted September 18, 2006.

Effective September 22, 2006.

Res. No. 1557-06.

By Council Member Reed.

An emergency resolution objecting to the transfer of ownership of a C2 and C2X Liquor Permit to 3350 East 116th Street.

Whereas, Council has been notified by the Department of Liquor Control of an application for the transfer of ownership of a C2 and C2X Liquor Permit from Cleveland Speedway, Inc., DBA Citgo, 3350 East 116th Street, Cleveland, Ohio 44120, Permanent Number 1550346 to Rain Gas, Inc., DBA Citgo, 3350 East 116th Street, Cleveland, Ohio 44120, Permanent Number 7173816; and

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

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

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

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

sonable access to the establishment; and

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a C2 and C2X Liquor Permit from Cleveland Speedway, Inc., DBA Citgo, 3350 East 116th Street, Cleveland, Ohio 44120, Permanent Number 1550346 to Rain Gas, Inc., DBA Citgo, 3350 East 116th Street, Cleveland, Ohio 44120, Permanent Number 7173816, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted September 18, 2006.

Effective September 22, 2006.

Res. No. 1558-06.

By Council Member Reed.

An emergency resolution objecting to the transfer of Liquor License of a C1 and C2 Liquor Permit to 15310 Kinsman Road.

Whereas, Council has been notified by the Department of Liquor Control of an application for a transfer of Liquor License of a C1 and C2 Liquor Permit from Andrew Rich, DBA Rich Quick Stop, 12210 Imperial Avenue, 1st floor and basement, Cleveland, Ohio 44120, Permanent Number 73466300001 to Andrew Rich, DBA Rich Quick Stop, 15310 Kinsman Road, Cleveland, Ohio 44120, Permanent Number 73466300002; and

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

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

ordinances of this state or any other state; and

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to a transfer of Liquor License of a C1 and C2 Liquor Permit from Andrew Rich, DBA Rich Quick Stop, 12210 Imperial Avenue, 1st floor and basement, Cleveland, Ohio 44120, Permanent Number 73466300001 to Andrew Rich, DBA Rich Quick Stop, 15310 Kinsman Road, Cleveland, Ohio 44120, Permanent Number 73466300002, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted September 18, 2006.

Effective September 22, 2006.

Res. No. 1560-06.

By Council Member Reed.

An emergency resolution withdrawing objection to the renewal of a D1, D2, D3 and D3A Liquor Permit at 3695-97 East 131st Street and repealing Resolution Nos. 1357-05 and 1327-06, objecting to said renewal.

Whereas, this Council objected to a D1, D2, D3 and D3A Liquor Permit to 3695-97 East 131st Street by Resolution No. 1357-05 adopted by the Council on July 13, 2005 and Resolution No. 1327-06 adopted by the Council on August 9, 2006; and

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

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

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

Section 1. That objection to a D1, D2, D3 and D3A Liquor Permit to Roy E. Middlebrooks, 3695-97 East 131st Street, 1st floor and basement, Cleveland, Ohio 44120, Permanent Number 5924195 be and the same is hereby withdrawn and Resolution Nos. 1357-05 and 1327-06, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

Adopted September 18, 2006.

Effective September 22, 2006.

Ord. No. 881-06.

By Council Members Conwell and Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the United States Department of Justice, Bureau of Justice Assistance, for the 2006 Bulletproof Vest Grant, and authorizing the Director of Public Safety to enter into one or more requirement contracts for the purchase of equipment necessary to implement the grant.

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

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

Section 1. That the Director of Public Safety is authorized to apply for and accept a grant in the amount of \$203,906.25, from the United States Department of Justice, Bureau of Justice Assistance, to conduct the 2006 Bulletproof Vest Grant; that the Director of Public Safety is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in the application for the grant contained in the file described below.

Section 2. That the application for the grant, File No. 881-06-A, made a part of this ordinance as if fully rewritten, including the obligation of the City to provide \$203,906.25 in cash matching funds from Fund Nos. 10 SF 025, 20 SF 027, and 10 SF 049, as presented to the Finance Committee of this Council at the public hearing on this legislation, is approved in all respects and shall not be changed without additional legislative authority.

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

if the extension does not involve an increase in the dollar amount of the grant specified above.

Section 4. That the Director of Public Safety is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of the grant term for the necessary items of equipment necessary to implement the grant, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Department of Finance. Bids shall be taken in a manner which permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the grant term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire grant term.

Section 5. That the cost of the contracts shall be paid from the fund or funds to which are credited the proceeds of the grant accepted under this ordinance and shall be charged against the proper appropriation account and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director of Finance.

Section 6. That under Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative agreements using state procedures. The Director of Public Safety may sign all documents with the State of Ohio or any of its political subdivisions that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process.

Section 7. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed September 18, 2006.

Effective September 22, 2006.

Ord. No. 987-06.

By Council Members Conwell and Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the Federal Emergency Management Agency for the 2006 Assistance to Firefighters Grant; and to enter into one or more requirement contracts necessary for the purchase of materials, equipment, supplies, and training necessary to implement the grant.

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

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

Section 1. That the Director of Public Safety is authorized to apply for and accept a grant in the amount of \$399,300.00, from Federal Emergency Management Agency to conduct the 2006 Assistance to Firefighters Grant; that the Director of Public Safety is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes set forth in the application for the grant contained in the file described below.

Section 2. That the application for the grant, File No. 987-06-A, made a part of this ordinance as if fully rewritten, including the obligation of the City of Cleveland to provide \$99,825.00 in cash matching funds from Fund No. 01-600300-639905, as presented to the Finance Committee of this Council at the public hearing on this legislation, and shall not be changed without additional legislative authority, is approved in all respects.

Section 3. That the Director of Public Safety shall have the authority to extend the term of the grant if the extension does not involve an increase in the dollar amount of the grant specified above.

Section 4. That the Director of Public Safety is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements during the grant term of the necessary items of materials, equipment, supplies, and training needed to implement the grant, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Department of Public Safety. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control shall determine. Alternate bids for a period less than the grant term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 5. That the costs of the contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director.

Section 6. That under Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative agreements using state procedures. The Director of Public Safety may sign all documents with the State of Ohio or any of its political subdivisions that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process.

Section 7. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed September 18, 2006.
Effective September 22, 2006.

Ord. No. 1112-06.
By Council Members Conwell and Sweeney (by departmental request).
An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from Ohio Office of Criminal Justice Services for the FY 2006 State Byrne Memorial Justice Assistance Program in conjunction with the Caribbean Gang Task Force project; and authorizing the purchase by one or more requirement contracts of equipment, supplies, and services needed to implement the grant, for the Division of Police, Department of Safety.

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

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

Section 1. That the Director of Public Safety is authorized to apply for and accept a grant in the amount of \$81,000.00, from Ohio Office of Criminal Justice Services to conduct the FY 2006 State Byrne Memorial Justice Assistance Program in conjunction with the Caribbean Gang Task Force project; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in the application for the grant contained in the file described below.

Section 2. That the application for the grant, File No. 1112-06-A, made a part of this ordinance as if fully rewritten, as presented to the Finance Committee of this Council at the public hearing on this legislation, including the obligation of the City of Cleveland to provide cash matching funds in the amount of \$27,000.00 from Fund Nos. 10 SF 025, 10 SF 027, and 10 SF 049, is approved in all respects and shall not be changed without additional legislative authority.

Section 3. That the Director of Public Safety shall have the authority to extend the term of the grant if the extension does not involve an increase in the dollar amount of the grant specified above.

Section 4. That the Director of Public Safety is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements during the grant term of the necessary items of equipment, supplies, and services, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Division of Police, Department of Public Safety. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 5. That the costs of the contract or contracts shall be paid from the grant proceeds accepted under this ordinance, the cash match authorized in this ordinance,

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

Section 6. That under Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative agreements using state procedures. The Director of Public Safety may sign all documents with the State of Ohio or any of its political subdivisions that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process.

Section 7. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed September 18, 2006.
Effective September 22, 2006.

Ord. No. 1113-06.
By Council Members Conwell and Sweeney (by departmental request).
An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the United States Department of Justice for the 2006 Paul Coverdell Forensic Science Improvement Program and authorizing the purchase by one or more requirement contracts of materials, supplies, and equipment necessary to implement the grant.

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

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

Section 1. That the Director of Public Safety is authorized to apply for and accept a grant in the amount of \$95,000, from the United States Department of Justice to conduct the 2006 Paul Coverdell Forensic Science Improvement Program; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in the application for the grant contained in the file described below.

Section 2. That the application for the grant, File No. 1113-06-A, made a part of this ordinance as if fully rewritten, as presented to the Finance Committee of this Council at the public hearing on this legislation and shall not be changed without additional legislative authority, is approved in all respects.

Section 3. That the Director of Public Safety shall have the authority to extend the term of the grant if the extension does not involve an increase in the dollar amount of the grant specified above.

Section 4. That the Director of Public Safety is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the grant period of the necessary items of materials, supplies, and equipment necessary to implement the grant, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Department of Public Service. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 5. That the costs of the contract or contracts shall be charged from the fund or funds to which are credited the grant proceeds accepted under this ordinance against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director of Finance.

Section 6. That under Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative agreements using state procedures. The Director of Public Safety may sign all documents with the State of Ohio or any of its political subdivisions that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process.

Section 7. That the costs of the contract or contracts authorized by this ordinance shall be paid from the fund or funds to which are credited the grant proceeds which are accepted under this ordinance.

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

Passed September 18, 2006.

Effective September 22, 2006.

Ord. No. 1235-06.

By Council Member Lewis.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on East 82nd Street to Leemar Sutton.

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

Whereas, real property acquired under the City's Land Reutilization Program is acquired, held, adminis-

tered and disposed by the City of Cleveland through its Department of Community Development under the terms of Chapter 5722 of the Ohio Revised Code and Section 183.021 of Codified Ordinances of the City of Cleveland, 1976; and

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 107-09-065, as more fully described below, to Leemar Sutton.

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

P. P. No. 107-09-065

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being Sublot No. 70 in A.P. Cody's Superior Street Subdivision of part of Original One Hundred Acre Lot No. 383, as shown by the recorded plat in Volume 26 of Maps, Page 10 of Cuyahoga County Records, and being 33 feet front on the Westerly side of East 82nd Street, and extending back 75.83 feet on the Northerly line, 75.85 feet on the Southerly line, and having a rear line of 33 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

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

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

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

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

Passed September 18, 2006.

Effective September 22, 2006.

Ord. No. 1272-06.

By Council Members Conwell and Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the Ohio Department of Public Health for the FY 07 Regional Metropolitan Medical Response Program; and authorizing the purchase by one or more requirement contracts of equipment, supplies, and services; and authorizing the Director to enter into one or more contracts with various individuals, agencies, or entities to implement the grant.

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

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

Section 1. That the Director of Public Safety is authorized to apply for and accept a grant in the approximate amount of \$100,000, from the Ohio Department of Public Health to conduct the FY 07 Regional Metropolitan Medical Response Program; that the Director of Public Safety is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes set forth in the summary for the grant contained in the file described below.

Section 2. That the summary for the grant, File No. 1272-06-A, made a part of this ordinance as if fully rewritten, as presented to the Finance Committee of this Council at the public hearing on this legislation and shall not be changed without additional legislative authority, is approved in all respects.

Section 3. That the Director of Public Safety is authorized to enter into one or more contracts with various individuals, agencies, or entities to implement the grant as described in the file.

Section 4. That the Director of Public Safety is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements during the grant term of the necessary items of equipment, supplies, and services, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Department of Public Safety. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 5. That the costs of the contract or contracts shall be paid from the fund or funds which are credited the grant proceeds accepted under this ordinance and shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or con-

tracts certified by the Director of Finance.

Section 6. That under Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative agreements using state procedures. The Director of Public Safety may sign all documents with the State of Ohio or any of its political subdivisions that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process.

Section 7. That the Director of Public Safety shall have the authority to extend the term of the grant if the extension does not involve an increase in the dollar amount of the grant specified above.

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

Passed September 18, 2006.
Effective September 22, 2006.

Ord. No. 1275-06.

By Council Members Westbrook, Conwell, Cimperman, and Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Public Safety to lease certain property located at 9801 Walford Avenue from Walford Industrial Park, LLC, for a term of ten years, for the public purpose of operating an emergency medical services base station and for ancillary uses related to the base station.

Whereas, the City of Cleveland requires certain property located at 9801 Walford Avenue for the public purpose of operating an emergency medical services base station and for ancillary uses related to the base station; and

Whereas, Walford Industrial Park, LLC has proposed to lease the property to the City of Cleveland; and

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

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

Section 1. That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Safety is authorized to lease from Walford Industrial Park, LLC ("Walford"), certain property located at 9801 Walford Avenue (the "Premises").

Section 2. That the term of the lease authorized by this ordinance shall not exceed ten years.

Section 3. That the rent for the lease authorized by this ordinance shall be at no cost to the City, except for utilities. In addition to the payment of the utilities, the City shall reimburse Walford up to \$10,000 payable at a rate of \$1,000 per year subject to annual appropriation for the term of the lease for improvements Walford will make to the Premises, which is determined to be fair market value.

Section 4. That the lease may authorize the City to make improvements to the leased premises under terms to be determined by the parties to be consistent with the public purpose or purposes of operating an emergency medical services base station and for ancillary uses related to the base station.

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

Section 6. That the reimbursement to Walford for improvements made to the Premises shall be paid from Fund No. 01-600402-638000, Request No. 163535, and other fund or funds that the Director of Finance deems appropriate.

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

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

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

Passed September 18, 2006.
Effective September 22, 2006.

Ord. No. 1277-06.

By Council Member Lewis.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 1723-25 East 55th Street; 1733 East 55th Street and 5607 Lexington Avenue to Fellowship Missionary Baptist Church.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 104-18-010, 104-18-011 and 104-18-016, as more fully described below, to Fellowship Missionary Baptist Church.

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

P. P. No. 104-18-010

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being a part of Sublot No. 2 in Medway N.C. Water's Subdivision, as Guardian of Frank E. and Cora E. Waters of a part of Original One Hundred Acre Lot No. 340, as shown by the recorded plat of said Subdivision in Volume 7 of Maps, Page 13 of Cuyahoga County Records. Said Sublot No. 2 is bounded and described as follows:

Beginning at a point at the intersection of the Southerly line of Linwood Avenue, N.E., (formerly Lena Avenue), with the Easterly line of East 55th Street (formerly Willson Avenue); thence Southerly along the Easterly line of East 55th Street, 80 feet to the South line of Sublot No. 2; thence Easterly along the South line of Sublot No. 2, 109 feet to the West line of land conveyed by Samuel E. Dettelbach to Clarence M. Brockway, by deed recorded in Volume 1068, Page 66 of Cuyahoga County Records; thence Northerly parallel with the Easterly line of East 55th Street, 80 feet to the South line of Linwood Avenue, N.E.; thence Westerly along the South line of Linwood Avenue, N.E., 109 feet to place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways. Easement recorded in Volume 1238, Page 67 of Cuyahoga County Records.

P. P. No. 104-18-011

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Westerly 260 feet of Sublot No. three, in Medway, N.C. Waters, Guardian of Frank E. and Cora E. Waters' Subdivision of part of Original One Hundred Acre Lot No. 340, as shown by the recorded plat in said Subdivision in Volume 7 of Maps, Page 13 of Cuyahoga County Records. Said part of Sublot No. 3, forms a parcel of land having a frontage of 75 feet on the Easterly side of East 55th Street, (formerly Willson Avenue) and extending back between parallel lines, 260 feet, according to said plat, as appears by said plat, be the same more or less, but subject to all legal highways and subject to restrictions, conditions, limitations, rights, agreements, reservations, right of ways and easement of record if any, and zoning restrictions if any, which may have been imposed thereon.

Also subject to all zoning ordinances, if any.

P. P. No. 104-18-016

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Westerly 20 feet from front to rear of Sublot No. 2 in Luther and Arville Moses Allotment of part of Original One Hundred Acre Lot No. 340 as shown by the recorded plat in Volume 5 of Maps, Page 48 of Cuyahoga County Records, and part of Original One Hundred Acre Lot No. 340 and being bounded and described as follows:

Beginning at a point in the Northerly line of Lexington Avenue, N.E., 60 feet wide at a point distant Westerly as measured along said

Northerly line of Lexington Avenue, N.E., 20 feet from the Southeasterly corner of said Sublot No. 2; thence Westerly along said Northerly line of Lexington Avenue, N.E., 40 feet to a point; thence Northerly and parallel to the Westerly line of said Sublot No. 2, 150 feet to a point; thence Easterly and parallel to the Northerly line of Lexington Avenue, N.E., as aforesaid, 40 feet to a point; thence Southerly and parallel with said Westerly line of said Sublot No. 2, 150 feet to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

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

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

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

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

Passed September 18, 2006.
Effective September 22, 2006.

Ord. No. 1477-06.

By Council Member Cimperman.
An emergency ordinance authorizing the Directors of Parks, Recreation and Properties and Port Control to enter into a Second Amendment to the Mather Museum Lease Agreement with the Harbor Heritage Society to allow assignment of the Lease Agreement to The Great Lakes Museum of Science, Environment and Technology d/b/a The Great Lakes Science Center.

Whereas, The Great Lakes Science Center ("GLSC") and the Harbor Heritage Society ("HHS") have entered into a transaction to combine the business operations of the two organizations; and

Whereas, under the transaction, GLSC is acquiring from HHS substantially all of HHS' assets including sole ownership, operational authority, and responsibility for the historic Steamship William G. Mather Museum; and

Whereas, the Lease Agreement between the City of Cleveland and HHS, as amended, provides, in Section 15.1, that the Tenant may assign or transfer its interest in the Lease Agreement with the written consent of the City of Cleveland, which consent shall not be unreasonably withheld, conditioned or delayed; 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 Directors of Parks, Recreation and Properties and Port Control are authorized to enter into a Second Amendment to the Mather Museum Lease with the Harbor Heritage Society to provide for the assignment of the Lease Agreement to The Great Lakes Museum of Science, Environment and Technology, d/b/a The Great Lakes Science Center, an Ohio non-profit 501(c)(3) corporation.

Section 2. That upon receipt of an engineering study satisfactory to the City, the Second Amendment shall further provide for a release of the Tenant from responsibility for installing a supplemental in-water mooring system for the Mather Museum, which is permanently moored at Dock 32.

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

Passed September 18, 2006.
Effective September 22, 2006.

Ord. No. 1551-06.

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

An emergency ordinance authorizing the Director of Economic Development to enter into a grant agreement with the Greater Cleveland Media Development Corporation dba Greater Cleveland Film Commission to assist in the operations of the organization and to create a new marketing initiative to promote the City of Cleveland as a venue for film, television, and commercial productions.

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

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

Section 1. That the Director of Economic Development is authorized to enter into a grant agreement with the Greater Cleveland Media Development Corporation dba Greater Cleveland Film Commission to assist in the operations of the organization and to create a new marketing initiative to promote the City of Cleveland as a venue for film, television, and commercial productions.

Section 2. That the costs of the grant shall not exceed One Hundred Eighty-Five Thousand Dollars (\$185,000.00) and shall be paid from Fund No. 17 SF 652, Request No. 103552.

Section 3. That the Director of Law is authorized to prepare the grant agreement and other documents that may be appropriate to complete the transaction.

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

Passed September 18, 2006.
Effective September 22, 2006.

Ord. No. 1553-06.

By Council Member Kelley.

An emergency ordinance amending Section 2 of Ordinance No. 757-06 passed April 24, 2006 as it pertains to authorizing the Director of Building and Housing to secure bids for the demolition and remediation of the Memphis School through the use of Ward 16 Neighborhood Equity Funds.

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

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

Section 1. That Section 2 of Ordinance No. 757-06 passed April 24, 2006 is hereby amended to read as follows:

Section 2. That the cost of said contract shall be in an amount not to exceed \$157,200 and shall be paid from Fund No. 10 SF 166.

Section 2. That Section 2 of Ordinance No. 757-06 passed April 24, 2006 is hereby repealed.

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

Passed September 18, 2006.
Effective September 22, 2006.

COUNCIL COMMITTEE MEETINGS

**Monday, September 25, 2006
2:00 p.m.**

Finance Committee: Present: Sweeney, Chair; Cimperman, Vice Chair; Brady, Conwell, Pierce Scott, Brancatelli, Zone, Westbrook, White. *Authorized Absence:* Britt, Coats.

**Wednesday, September 27, 2006
10:00 a.m.**

Public Safety Committee: Present: Conwell, Chair; Brady, Vice Chair; Polensek, Coats, Kelley, Cummins, Turner. *Authorized Absence:* Britt, Santiago.

1:30 p.m.

Public Utilities Committee: Present: Zone, Chair, Polensek, Cummins, Dolan, Kelley, Westbrook. *Authorized Absence:* Cleveland, Santiago. *Unauthorized Absence:* Reed, Vice Chair.

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