

# The City Record

Official Publication of the Council of the City of Cleveland



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September the Twentieth, Two Thousand and Six

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**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  
Correction – Robert Tasky, 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

# The City Record



OFFICIAL PUBLICATION OF THE COUNCIL OF THE CITY OF CLEVELAND

Vol. 93

WEDNESDAY, SEPTEMBER 20, 2006

No. 4841

## CITY COUNCIL

MONDAY, SEPTEMBER 18, 2006

### The City Record

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Address all communications to

**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

Bohemian National Hall  
4939 Broadway Avenue, Ward 5  
Cleveland, Ohio

Monday, September 18, 2006

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

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

Also present were Ken Silliman, Chief of Staff; Darnell Brown, Chief Operating Officer; Debra Linn Talley, Director of Equal Opportunity; Rebecca Schaltenbrand, Legislative Affairs; Directors Triozzi, Dumas, Wasik, Smith, Cox, Rush, Hutchinson, Reilly, Fumich, Guzman, Brown, Griffin and Interim Directors Ciaccia, Carroll and Rybka.

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

Evonne Conner of Broadway United Methodist Church, located at 5246 Broadway Avenue in Ward 5. Pledge of Allegiance.

#### MOTION

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

#### FROM DEPARTMENT OF LIQUOR CONTROL

##### File No. 1561-06.

Re: New Application — 9115407 — 2221 LLC, d.b.a. Lago, 2221 Professor Avenue first floor and rear. (Ward 13). Received.

##### File No. 1562-06.

Re: Transfer of Ownership Application — 5208023 — Linda's Beverage and Deli, Inc., 8708 Denison Avenue. (Ward 18). Received.

##### File No. 1563-06.

Re: Transfer of Ownership Application — 0023886 — Abdul 5816, Inc., d.b.a. One Stop, 5816 Superior Avenue. (Ward 7). Received.

##### File No. 1564-06.

Re: Transfer of Ownership Application — 7173816 — Rain Gas, Inc. d.b.a. CITGO, 3350 East 116th Street. (Ward 3). Received.

##### File No. 1565-06.

Re: Transfer of Location Application — 73466300002 — Andrew Rick, d.b.a. Rich Quick Stop, 15310 Kinsman Road. (Ward 3). Received.

##### File No. 1566-06.

Re: Liquor Agency Contract — 0023886 — Abdul 5816, Inc., d.b.a. One Stop, 5816 Superior Avenue. (Ward 7). Received.

#### PLATS

##### File No. 1517-06.

Valleyview Homes Hope VI Subdivision Phase One. (Ward 13).

Approved by Committees on Public Service and City Planning.

Without objection, plat approved. Yeas 18. Nays 0.

#### CONDOLENCE RESOLUTION

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

**Res. No. 1567-06** — Climon Banks, Sr.

**CONGRATULATION RESOLUTIONS**

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

**Res. No. 1568-06**—Beth-El African Methodist Episcopal Zion Church.

**Res. No. 1569-06**—Paul J. Volpe.

**Res. No. 1570-06** — Juana Maria Cruz.

**Res. No. 1571-06** — Margot James Copeland.

**Res. No. 1572-06**—Rev. Sterling E. Glover.

**RECOGNITION RESOLUTIONS**

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

**Res. No. 1573-06**—Third & Fourth Police Districts.

**Res. No. 1574-06**—North Broadway Scrap Yard Committee.

**Res. No. 1575-06** — Willis "Tip" Nichols.

**FIRST READING EMERGENCY ORDINANCES REFERRED**

**Ord. No. 1546-06.**

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

**An emergency ordinance authorizing the purchase by one or more requirement contracts of labor and materials needed to provide landscaping and weed control services, for the Division of Cleveland Public Power, 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 labor and materials needed to provide landscaping and weed control 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 Cleveland Public Power, 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 158158)

**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. 1547-06.**

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

**An emergency ordinance to amend Section 1 of Ordinance No. 1067-01, passed July 18, 2001, relating to the acquisition of one or more software licenses for operation of a payroll software system and a human resources software application system, a timekeeping system, and other contracts necessary to implement the systems.**

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

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

**Section 1.** That Section 1 of Ordinance No. 1067-01, passed July 18, 2001, is amended to read as follows:

**Section 1.** That the Director of Finance is hereby authorized to acquire by contract with one or more computer software developers or vendors or one or more firms of computer software developers or vendors for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland one or more licenses for a payroll software system and a human resources software application system, including implementation, training, and technical support services for a period of one (1) year with **nine (9)** options, exercisable by the Director of Finance, to renew for additional consecutive one (1) year terms, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for

the Division of Accounts, Department of Finance.

The selection of said software developers or vendors consultants for such service shall be made by the Board of Control upon the nomination of the Director of Finance from a list of qualified software developers or vendors available for such employment as may be determined after a full and complete canvass by the Director of Finance for the purpose of compiling such a list. The compensation to be paid for such services shall be fixed by the Board of Control. The contract herein authorized shall be prepared by the Director of Law, approved by the Director of Finance, and certified by the Director of Finance.

**Section 2.** That existing Section 1 of Ordinance No. 1067-01, passed July 18, 2001, is repealed.

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

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

**Ord. No. 1548-06.**

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

**An emergency ordinance authorizing the Director of Parks, Recreation and Properties to lease certain property to Community United Head Start and Day Care, Inc. for a term of one year, with five one year options to renew, at the Earle B. Turner Recreation Center located at 11300 Miles Avenue, for the purpose of operating a day care.**

Whereas, the City of Cleveland owns certain property known as the Earle B. Turner Recreation Center located at 11300 Miles Avenue, which is suitable for lease and operation by another party for a public use; and

Whereas, Community United Head Start and Day Care, Inc. has proposed to lease the property from the City; 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 Parks, Recreation and Properties is authorized to lease to Community United Head Start and Day Care, Inc ("Lessees"), certain property more fully described in File No. 1548-06-A, which is suitable for lease and operation by another party for the public purpose of operating a day care facility for the term of the lease.

**Section 2.** That the term of the lease authorized by this ordinance shall not exceed one year, with five

one year options to renew exercisable by the Director of Parks, Recreation and Properties and the Lessees, beginning September 1, 2006 and ending August 31, 2007.

**Section 3.** That the property described above shall be leased at a rental of \$1,266.67 per month which is determined to be fair market value. Any changes to the rental amount shall be fixed by the Board of Control at the fair market rate.

**Section 4.** That the lease may authorize the Lessees to make improvements to the leased premises subject to the approval of appropriate City agencies and officials.

**Section 5.** 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 6.** That the Director of Parks, Recreation and Properties, 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 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.

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

**Ord. No. 1559-06.**

**By Council Member Johnson.**

**An emergency ordinance to amend Section 133.09 of the Codified Ordinances of the City of Cleveland, 1976, as amended by Ordinance 1500-03 passed October 6, 2003, relating to duties and qualifications of Commissioner of Recreation.**

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 133.09 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1500-03, passed October 6, 2003, is hereby amended to read as follows:

**Section 133.09 Duties and Qualifications of Commissioner of Recreation**

The Commissioner of Recreation shall have charge and management of all recreational property and activities of the City, including without limitation playgrounds, ball fields, tennis courts, skating rinks, Camp George L. Forbes and the operation and maintenance of all City golf courses. The Commissioner shall administer permits under

the same terms and conditions as those set forth in Section 133.021 for the use of any property under his charge and management which is not subject to the authority of the Manager of Special Events under Section 133.03. The Commissioner may enter into agreements with the owners of premises in the vicinity of City playgrounds for the storage of playground equipment on such terms and conditions as may be approved by the Board of Control. The Commissioner is authorized to post at all recreation centers owned by the City information regarding convicted sex offenders that live within two (2) miles of any City-owned recreation center. The Commissioner shall have a degree in recreation, physical education or a related field.

**Section 2.** That existing Section 133.09 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1500-03, passed October 6, 2003 is hereby repealed.

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

Referred to Directors of Parks, Recreation and Properties, Finance, Law; Committees on Public Parks, Property and Recreation, Legislation, Finance.

**FIRST READING ORDINANCES REFERRED**

**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).**

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

**Section 1.** That the Use Districts of lands bounded and described as follows:

Beginning at the centerline of East 140th Street and its intersection with the easterly prolongation of the southerly line of Sublot Number 54 in the H.C. Wick Annex as shown on the recorded plat in Volume 87, Page 25 of Cuyahoga County Map Records;

Thence westerly along said easterly prolongation of said southerly line and along its westerly prolongation to its intersection with the southerly prolongation of the centerline of East 136th Street;

Thence northerly along said centerline to its intersection with the easterly prolongation of the centerline of Kuhlman Avenue;

Thence westerly along said centerline and along its westerly prolongation to its intersection with the westerly line of East 133rd Street;

Thence southerly along said westerly line and along its southerly prolongation to its intersection with the westerly prolongation of the southerly line of Kuhlman Avenue;

Thence westerly along said westerly prolongation to its intersection with the City of Cleveland/ Village of Bratenahl boundary line;

Thence southerly along said boundary line and along its southerly prolongation in a straight line to its intersection with the westerly prolongation of the centerline of Maxwell Avenue;

Thence easterly along said prolongation of said centerline to its intersection with the southerly prolongation of the centerline of East 137th Street;

Thence northerly along said prolongation of said centerline to its intersection with the westerly prolongation of the southerly line of Sublot Number 182 in the H.C. McDowell, Brayton Et. Al. Subdivision as shown on the recorded plat in Volume 10, Page 23 of Cuyahoga County Records;

Thence easterly along said westerly prolongation of said southerly line and along its easterly prolongation to its intersection with the centerline of East 138th Place;

Thence northerly along said centerline to its intersection with the westerly prolongation of the southerly line of Sublot Number 115 in said H.C. McDowell, Brayton Et. Al. Subdivision;

Thence easterly along said prolongation of said southerly line and along its easterly prolongation to its intersection with the centerline of East 139th Street;

Thence northerly along said centerline to its intersection with the westerly prolongation of the southerly line of Sublot Number 112 in said H.C. McDowell, Brayton Et. Al. Subdivision;

Thence easterly along said southerly line and along its easterly prolongation to its intersection with the centerline of East 140th Place;

Thence northerly along said centerline and along its northerly prolongation to its intersection with the centerline of Aspinwall Avenue;

Thence northeasterly along said centerline to its intersection with the centerline of East 140th Street;

Thence easterly along said centerline of Aspinwall Avenue to its intersection with the centerline of Saranac Road;

Thence northeasterly along said centerline of Saranac Road to its intersection with the centerline of East 152nd Street;

Thence northerly along said centerline of East 152nd Street to its intersection with the easterly prolongation of the northwesterly line of the H.F. Walworth Subdivision as shown on the recorded plat in Volume 8, Page 6 of Cuyahoga County Map Records;

Thence southwesterly along said northwesterly line and along its southwesterly prolongation to its intersection with the centerline of East 143rd Street;

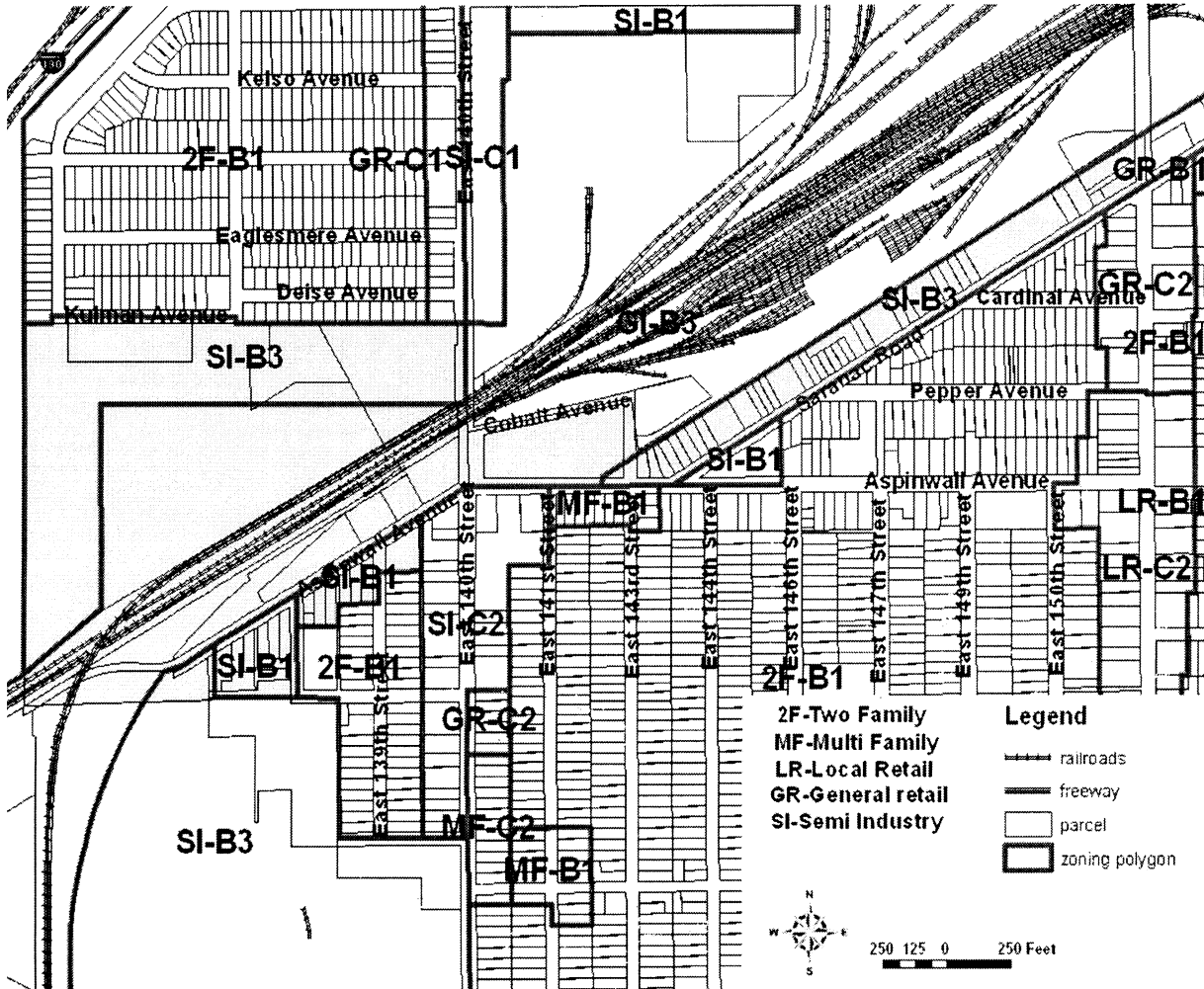
Thence northerly along the centerline of East 143rd Street and its northerly prolongation to its intersection with the centerline of Cobalt Avenue;

Thence southwesterly along said centerline of Cobalt Avenue and its westerly prolongation to its intersection with the centerline of East 140th Street;

Thence northerly along said centerline to its intersection with the easterly prolongation of the southerly line of Sublot Number 54 in the H.C. Wick Annex as shown on the recorded plat in Volume 87, Page 25 of Cuyahoga County Map Records said point also being known as the principal place of beginning. and as shaded on the attached map is changed to a Residence Industry District.

**Section 2.** That the changed designation of lands described in Section 1 shall be identified as Map Change No. 2192, Sheet No. 7 and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for this purpose by the City Planning Commission.

**Section 3.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.



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

**Ord. No. 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).**

Whereas, the Board of Trustees of the Union Miles Development Corporation has submitted a written request dated August 24th, 2006, to the City Planning Commission for expansion of the Union Miles Business Revitalization District, established by Ordinance Number 1456-04, in accordance with the procedures outlined in Chapter 303 of the Codified Ordinances of the City of Cleveland; and

Whereas, such request is accompanied by a map identifying the boundaries of the proposed District; and

Whereas, the City Planning Commission has determined that the proposed expansion area meets the criteria for designation contained in Section 303.04 of Chapter 303 of the Codified Ordinances of the City of Cleveland, Ohio, 1976, now, therefore,

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

**Section 1.** That the Union Miles Business Revitalization District is hereby Expanded to include a portion of East 116th Street between Benham Avenue and Corlett Avenue as shown on the map attached and in File No. 1550-06-A.

**Section 2.** That the designation of the area described in Section 1 hereof as the Union Miles Business Revitalization District shall be noted on the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for such purpose by the City Planning Commission.

**Section 3.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

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

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

**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.

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. 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.

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. 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.

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. 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.

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. 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.

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. 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.

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. 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 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 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.

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. 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 Con-

trol 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. 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.

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. 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.

Approved by Directors of Public Safety, Finance, Law; Relieved of Committee on Public Safety; 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.

**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.

Approved by Directors of Public Safety, Finance, Law; Relieved of Committee on Public Safety; 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.

**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.

Approved by Directors of Public Safety, Finance, Law; Relieved of Committee on Public Safety; 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.

**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.

Approved by Directors of Public Safety, Finance, Law; Relieved of Committee on Public Safety; 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.

**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.

Approved by Directors of Community Development, City Planning Commission, 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.

**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.

Approved by Directors of Public Safety, Finance, Law; Relieved of Committee on Public Safety; 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.

**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.

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

1. In Section 3, line 3, after "\$1,000 per year" insert "**subject to annual appropriation**".

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. 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.

Approved by Directors of Community Development, City Planning Commission, 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.

**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.

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

1. In the third whereas clause, line 4, strike "now, therefore" and insert "**and**".

2. Insert a fourth whereas clause to read as follows:

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

3. In Section 2, line 1, strike "That" and insert "**That upon receipt of an engineering study satisfactory to the City,**".

Amendments 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.

**SECOND READING EMERGENCY  
RESOLUTION ADOPTED**

**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.

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

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

**LAID ON THE TABLE**

**Ord. No. 1279-06.**

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

An emergency ordinance authorizing the Director of Community Development to pay the City's share of the costs of acquisition and other expenses related to the 2005 acquisition by the County of the homeless shelter located at 2100 Lakeside Avenue.

Without objection, Ordinance No. 1279-06 was 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. 1279-06 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, Joe Cimperman and Joseph Santiago, be and is hereby authorized.

**MOTION**

The Council Meeting adjourned at 7:45 p.m. to meet Monday, September 25, 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 13, 2006

The special meeting of the Board of Control convened in the Mayor's office on Wednesday, September 13, 2006, at 10:00 a.m. with Mayor Jackson presiding.

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

Absent: Director Hutchinson.

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. 424-06.**

By Interim Director Ciaccia. Whereas, Board of Control Resolution No. 721-04, adopted December 22, 2004, and Resolution No. 335-05, adopted June 22, 2005, under authority of Ordinance No. 834-04, passed by the Council of the City of Cleveland on June 14, 2004, approved The Great Lakes Construction Co. for the public improvement of the Nottingham Backwash Clarifier Project in the amount of \$7,731,265.41 and further approved the employment of Nationwide Protective Services, as a subcontractor, for the Division of Water, Department of Public Utilities; and

Whereas, The Great Lakes Construction Co. notified the City that Nationwide Protective Services was unable to comply with the complete range of security specifications and requirements called for with this project; and

Whereas, the Office of Equal Opportunity has approved the request of The Great Lakes Construction Co. to substitute R-Cap Security for Nationwide Protective Services for the remaining portion of the original MBE participation award amount; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that Resolution No. 721-04, adopted December 22, 2004, and Resolution No. 335-05, adopted June 22, 2005, under the authority of Ordinance No. 834-04, passed by the Council of the City of Cleveland on June 14, 2004, approving The Great Lakes Construction Co. for the public improvement of the Nottingham Backwash Clarifier Project, for the Division of Water, Department of Public Utilities, is amended by substituting R-Cap Security (MBE) \$27,000.00 (.35%) for Nationwide Protective Services (MBE) \$45,000.00 (.58%).

Be it further resolved that all other provisions of said Resolution No. 335-05 and Resolution No. 721-04 not expressly amended above shall remain unchanged and in full force and effect.

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

Nays: None.

Absent: Director Hutchinson.

**Resolution No. 425-06.**

By Interim Director Ciaccia. Whereas, by Resolution No. 315-06, adopted July 26, 2006, this Board of Control authorized the Director of Public Utilities to enter into a contract with Libby Construction Co., Inc. for a two year term to provide the necessary items of labor and materials needed to repair or replace water mains, fire hydrants, and service connections and appurtenances — Area C for the Division of Water, Department of Public Utilities; and

Whereas, Resolution No. 315-06 incorrectly stated the contract term as 2 years instead of 1 year in the Invitation to Bid; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that Resolution No. 315-06, adopted July 26, 2006, under the authority of Ordinance No. 1018-05, passed by the Council of the City of Cleveland on August 3, 2005, approving Libby Construction Co., Inc. as the firm to be employed by requirement contract to provide the city's requirements for labor and materials to repair or replace water mains, fire hydrants, and service connections and appurtenances — Area C for the Division of Water, Department of Public Utilities, is amended by changing the contract term stated in the resolution to 1 year, where appearing.

Be it further resolved that all other provisions of Resolution No. 315-06 not expressly amended above shall remain unchanged and in full force and effect.

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

Nays: None.

Absent: Director Hutchinson.

**Resolution No. 426-06.**

By Interim Director Ciaccia. Whereas, by Resolution No. 316-06, adopted July 26, 2006, this Board of Control authorized the Director of Public Utilities to enter into a contract with Noce Enterprises, Inc., for a two year term to provide the necessary items of labor and materials needed to repair or replace water mains, fire hydrants, and service connections and appurtenances — Area D for the Division of Water, Department of Public Utilities; and

Whereas, Resolution No. 316-06 incorrectly stated the contract term as 2 years instead of 1 year in the Invitation to Bid; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that Resolution No. 316-06, adopted July 26, 2006, under the authority of Ordinance No. 1018-05, passed by the Council of the City of Cleveland on August 3, 2005, approving Noce Enterprises, Inc., as the firm to be employed by requirement contract to provide the city's requirement for labor and materials to repair or replace water mains, fire hydrants, and service connections and appurtenances — Area D for the Division of Water, Department of Public Utilities, is amended by changing the contract term stated in the resolution to 1 year, where appearing.

Be it further resolved that all other provisions of Resolution No. 316-06 not expressly amended above shall remain unchanged and in full force and effect.

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

Nays: None.

Absent: Director Hutchinson.

**Resolution No. 427-06.**

By Interim Director Ciaccia.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Konecranes Inc., d.b.a. Crane Pro Services for an estimated quantity of crane and hoist maintenance and repair, all items, for various divisions, Department of Public Utilities, for a period of two years beginning with the date of execution of a contract, received on July 19, 2006, under the authority of Ordinance No. 1027-05, passed July 13, 2005, which on the basis of the estimated quantity would amount to \$162,140.00 (Net, 30 Days), is approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into a requirement contract for the goods and/or services, which shall provide for the immediate purchase as the initial amount of the contract of the following:

Requisition No. 158178

which shall be certified against the contract in the sum of \$25,000.00

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 estimate 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, Interim Director Carroll, Directors Flask, Cox, Rush, Reilly, Fumich, Guzman and Interim Director Rybka.

Nays: None.

Absent: Director Hutchinson.

**Resolution No. 428-06.**

By Interim Director Ciaccia.

Be it resolved, by the Board of Control of the City of Cleveland that all bids received on April 13, 2006 for an estimated quantity of plumbing repairs to lines damaged by pole replacement for the Division of Cleveland Public Power, Department of Public Utilities, under the authority of Ordinance No. 2289-04, passed January 24, 2005, are rejected.

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

Nays: None.

Absent: Director Hutchinson.

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 Com-

mission and filed at the office of the commission not later than the final closing date stated in the examination announcement.

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

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

REYNALDO GALINDO,  
President

**SCHEDULE OF THE BOARD OF ZONING APPEALS**

MONDAY, OCTOBER 2, 2006

9:30 A.M.

**Calendar No. 06-172:** 15929 Saranac Road (Ward 11)

Sadie Blount, d.b.a. Saranac Lounge, LLC, appeals under the authority of Section 76-6 of the Charter of the City of Cleveland from the decision of the Public Safety Department to disapprove an application for a Music Permit for the premises at 15929 Saranac Road, as issued in the notice dated August 3, 2006 from the Commissioner of the Cleveland Division of Assessments and Licenses.

**Calendar No. 06-174:** 1255 East 58th Street (Ward 13)

Chi Hang Chang, owner, appeals to enclose an existing 8' x 20' open front porch of one-family dwelling, situated on a 40' x 125' parcel located in a Two-Family District on the east side of East 58th Street at 1255 East 58th Street; contrary to the permitted yard encroachments, an 8' projection is proposed where an enclosed porch shall not project more than 4' as stated in Section 357.13(b)(4) of the Codified Ordinances.

**Calendar No. 06-175:** 1767 West 30th Street (Ward 13)

George Rubic, owner appeals to install 142 lineal feet of 6' high wooden fence and gate and 62 lineal feet of 4' high wooden fence and gate at the perimeters of an irregular shaped corner parcel, located in a Two-Family District at the northeast corner of West 30th Street and Fulton Road at 1767 West 30th Street; contrary to the Fence Regulations, the proposed wooden fence is less than 50% open and the gate swings toward the sidewalk, where Section 358.03(a) requires that a fence located along and parallel to a driveway within 15' of a public sidewalk shall be at least 75% open; and contrary to Section 358.04(a), the proposed 6' high wooden fence in the actual interior side yard is less than a 6' distance from an adjoining residential building and

no fence shall be higher than its distance from a residential building on an adjoining lot; and the finished side of a fence shall face toward the adjoining property and street as stated in Section 358.06(b) of the Codified Ordinances.

**Calendar No. 06-176:** 6524 St. Clair Avenue (Ward 13)

Adrienne Goodson, d.b.a. ARA Enterprises, Inc. appeals under the authority of Section 76-6 of the Charter of the City of Cleveland from the decision of the Public Safety Department to disapprove an application for a Music Permit for the premises at 6524 St. Clair Avenue, as issued in the notice dated August 3, 2006 from the Commissioner of the Cleveland Division of Assessments and Licenses.

**Calendar No. 06-177:** 11501 Avon Avenue (Ward 2)

The Bethany Christian Church, owner, and Betty Harris, agent, appeal to change the use of a residential dwelling for a period of 18 months to a church office, situated on a 50' x 86' parcel located in a Two-Family District on the north side of Avon Avenue at 11501 Avon Avenue; the proposed temporary use not being permitted in a Two-Family District and subject to the limitations of Section 337.03 of the Codified Ordinances.

**Calendar No. 06-178:** 1376 East 85th Street (Ward 7)

Nitaya McDonald, owner, appeals to change to a group home the use of an existing two-story, one dwelling unit, situated on a 40' x 102' parcel located in a Two-Family District on the west side of East 85th Street at 1356 East 85th Street; the proposed group home being first permitted in a Multi-Family District and not permitted in a Two-Family District under the provisions of Section 337.03 of the Codified Ordinances.

**Calendar No. 06-180:** 11003 Superior Avenue (Ward 9)

Maher Suleiman, owner, appeals to add and expand an existing store to include a drive through beverage pick-up service, proposed to be situated on an 83.70' x 121.50' corner parcel, located in a Multi-Family District on the northwest corner of Superior Avenue and Parkwood Drive at 11003 Superior Avenue; contrary to Sections 347.16(d)(3) and (4), no markings are shown and all drive through and by pass lanes that require a minimum width of 10' shall be striped or marked, and pedestrian routes between the entrance to the principal structure and any parking areas or sidewalk, which require the crossing of a drive through lane, shall be clearly identified to pedestrians and motorists by pavement markings or signage; and contrary to Section 347.16(f), a minimum lot area of 10,180 square feet is proposed where a drive through establishment shall have a minimum lot area of not less than 12,000 square feet; and the addition and expansion of a non-conforming use require the Board of Zoning Appeals approval, as stated in Section 359.01 of the Codified Ordinances.

Secretary

**REPORT OF THE BOARD OF ZONING APPEALS**

**MONDAY, SEPTEMBER 18, 2006**

At the meeting of the Board of Zoning Appeals on Monday, September 18, 2006, the following appeals were heard by the Board:

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:** 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.

The following appeal was **Withdrawn:**

None.

The following appeal was **Dismissed:**

None.

The following appeals were **Postponed:**

**Calendar No. 06-159:** 485 East 140th Street postponed to October 23, 2006.

**Calendar No. 06-165:** 6104 Carnegie Avenue postponed to October 2, 2006.

**Calendar No. 06-122:** 3201 Chatham Avenue postponed to October 23, 2006.

**Calendar No. 06-144:** 2608 Chatham Avenue postponed to October 23, 2006.

In Executive Session on Monday, September 18, 2006, the following appeals heard by the Board on September 11, 2006 were adopted and approved.

The following appeals were **Approved:**

**Calendar No. 06-158:** 3051 East 65th Street

Fred Schaeffer appealed for an expansion of use as a carry-out

restaurant/deli in a mixed use building located in a Two-Family District.

**Calendar No. 06-161:** 1426-28 East 41st Street

Baird Lair LLC appealed to construct a parking lot in a Multi-Family District for an existing office building.

**Calendar No. 06-162:** 1377-87 West 87th Street

Felicia and Virgil Tent appealed to change to a group home the use of a two-story multiple dwelling unit building located in a Two-Family District; subject to conditions.

**Calendar No. 06-140:** 4134 East 119th Street

Marvin Wolfe appealed to install a 6' high wooden privacy fence in the actual front and side street yards of a corner parcel in a Two-Family District.

**Calendar No. 06-146:** 10108 St. Clair Avenue

Emerald Alliance LP II, appealed to construct a parking lot for 27 spaces in a Local Retail business District.

**Calendar No. 06-147:** 10004 St. Clair Avenue

Emerald Alliance LP II appealed to construct a four-story, 72 dwelling units building in a Local Retail Business District.

The following appeal heard by the Board on June 12, 2006, was adopted and approved.

The following appeal was **Approved:**

**Calendar No. 06-82:** 15430 Waterloo Road

Jerry Kelly, owner, and Miesha Nelson, prospective tenant, appealed to change from a retail store to a use for aerobic classes in a two-story stores and flats building in a Local Retail Business District; with conditions.

The following appeal heard by the Board on June 5, 2006 was adopted and approved:

The following appeal was **Denied:**

**Calendar No. 06-80:** 19726 Parkmount Avenue

Robert Roberts appealed to install 100 lineal feet of 6' high privacy fence in the actual front yard of a triangular parcel in a One-Family District.

Secretary

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

NO MEETING

**PUBLIC NOTICE**

NONE

1721

**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**

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

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

187.10 Negotiated contracts; Notice required in Advertisement for Bids.

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

**FRIDAY, SEPTEMBER 29, 2006**

**East 128th Street Sewer Replacement Project**, for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Ordinance No. 876-06, passed by the Council of the City of Cleveland, July 12, 2006.

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

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING**, FRIDAY, SEPTEMBER 22, 2006 AT 10:00 A.M., DIVISION OF WATER POLLUTION CONTROL, 12302 KIRBY AVENUE, CLEVELAND, OHIO 44108.

**Westdale Avenue Sewer Replacement Project**, for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Ordinance No. 872-06, passed by the Council of the City of Cleveland, July 12, 2006.

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

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING**, FRIDAY, SEPTEMBER 22, 2006 AT 10:30 A.M., DIVISION OF WATER POLLUTION CONTROL, 12302 KIRBY AVENUE, CLEVELAND, OHIO 44108.

September 13, 2006 and September 20, 2006

**THURSDAY, OCTOBER 5, 2006**

**Modular Office**, for the Division of Air Quality, Department of Public Health, as authorized by Ordinance 1033-05, passed by the Council of the City of Cleveland, June 6, 2005.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** TUESDAY, SEPTEMBER 26, 2006, DIVISION OF ARCHITECTURE, ROOM 517, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

September 13, 2006 and September 20, 2006

**FRIDAY, OCTOBER 6, 2006**

**Marcella Road Sanitary Sewer Relining Project**, for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Ordinance No. 871-06, passed by the Council of the City of Cleveland, July 12, 2006.

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

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING**, FRIDAY, SEPTEMBER 22, 2006 AT 10:00 A.M., DIVISION OF WATER POLLUTION CONTROL, 12302 KIRBY AVENUE, CLEVELAND, OHIO 44108.

**Various Vehicle and Equipment Parts and Repairs**, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 501-06, passed by the Council of the City of Cleveland, May 1, 2006.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** THURSDAY, SEPTEMBER 14, 2006 AT 2:00 P.M., 4150 EAST 49TH STREET, BUILDING #1 (ONE), CLEVELAND, OHIO 44105.

September 13, 2006 and September 20, 2006

**WEDNESDAY, OCTOBER 11, 2006**

**Construction and Demolition Debris (Contract "C & D")**, for the Division of Waste Collection and Disposal, Department of Public Service, as authorized by Ordinance No. 303-06, passed by the Council of the City of Cleveland, March 20, 2006.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** TUESDAY, SEPTEMBER 26, 2006 AT 10:00 A.M., DIVISION OF WASTE COLLECTION, 5600 CARNegie AVENUE, CLEVELAND, OHIO 44103.

September 13, 2006 and September 20, 2006

**WEDNESDAY, OCTOBER 11, 2006**

**Guard Rail Elements**, for the Division of Streets, 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 LAKE-SIDE 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**, TUESDAY, OCTOBER 3, 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

**ADOPTED RESOLUTIONS AND ORDINANCES**

**Res. No. 1474-06.**

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

**An emergency resolution supporting Cuyahoga County's proposed ballot resolution to place before the voters a health and human services tax levy that, if passed by the voters at the November 7, 2006 election, will replace an existing 3.0 mill tax levy and reduce it by 0.1 mills for a rate not to exceed 2.9 mills for the purpose of supplementing the general fund appropriation for health and human or social services for a period of four years.**

Whereas, on July 27, 2006, the Board of County Commissioners of Cuyahoga County adopted a resolution declaring it necessary to replace a portion of an existing 3.0 mill tax levy and reduce such levy by 0.1 mills to constitute a tax levy at a rate not to exceed 2.9 mills, for four years, and requesting the County Auditor to certify the total current tax valuation of the County and the dollar amount of revenue that would be generated by the 2.9 mill replacement and reduction levy; and

Whereas, on July 27, 2006, the County Auditor certified that the total current tax valuation of the County is \$29,416,835,136 and the dollar amount of revenue that would be generated by that 2.9 mill replacement and reduction levy would be \$87,217,392 annually during the life of the levy, assuming that the total current tax valuation remains the same throughout the life of the levy; and

Whereas, on August 17, 2006, the Board of County Commissioners of Cuyahoga County adopted a resolution that submitted the proposed health and human services levy to the electors of the County on November 7, 2006, after determining that the amount of taxes which may be raised by the County within the ten-mill limitation by levies on the current tax duplicate will be insufficient to provide for the necessary requirements of the County; and

Whereas, the County's proposed health and human services levy would replace and reduce the current 3.0 mill levy that has been in place at the same level since approved in 1989; and

Whereas, the County's proposed health and human services levy is necessary to continue funding human services that range from the early childhood "Invest in Children" program that prepares Cleveland's youngest residents to enter school healthy and prepared, to the "Options" and "Passport" programs that provide home health care to Cleveland senior citizens; and

Whereas, the County's proposed health and human services levy is necessary to continue base funding for child welfare, public assistance, senior citizen, homeless prevention, foster care, adoption, and at-risk children services used by Cleveland citizens; and

Whereas, the proposed health and human services levy is necessary to continue annual County subsidies to the MetroHealth System, the Cuyahoga County Community Mental Health Board, and the Cuyahoga County Alcohol and Drug Service used by Cleveland citizens; and

Whereas, the proposed health and services levy, if passed, will benefit the City of Cleveland by continuing to provide a basic safety net of services to meet the increasing needs in our 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 supports Cuyahoga County's ballot resolution to place before the voters a health and human services tax levy that, if passed by the voters at the November 7, 2006 election, will replace an existing 3.0 mill tax levy and reduce it by 0.1 mills for a rate not to exceed 2.9 mills for the purpose of supplementing the general fund appropriation for health and human or social services for a period of four years.

**Section 2.** That the Clerk of Council is hereby directed to transmit certified copies of this resolution to County Commissioners Dimora, Hagan, Jones, County Prosecutor Bill Mason, 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.

Adopted September 11, 2006.  
Effective September 15, 2006.

**Res. No. 1475-06.**

**By Council Member Polensek.**  
**An emergency resolution declaring this Council's support of the proposal of Northeast Shores Development Corporation to the Ohio Housing Finance Agency for the use of non-tax-credit gap financing for its Glen Cove Condominiums development.**

Whereas, each year the Ohio Housing Finance Agency allocates gap financing for affordable housing developments throughout Ohio using a competitive proposal process; and

Whereas, Northeast Shores Development Corporation is proposing to develop 6 housing units in its Glen Cove Condominiums development at 231-235 East 156th Street in Ward 11 in the City of Cleveland; and

Whereas, 100% of these homes will be occupied by families at or below 80% of the area median income and no housing units will be market rate; and

Whereas, 40% of these housing units will be occupied by families at or below 50% of the area median income; and

Whereas, the proposed development does not serve a particular target population; and

Whereas, the Northeast Shores Development Corporation 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 Northeast Shores Development Corporation to the Ohio Housing Finance Agency for the use of non-tax-credit gap financing for its Glen Cove Condominiums development.

**Section 2.** That the Clerk of Council is hereby directed to transmit two certified copies of this resolution to the Executive Director of Northeast Shores Development Corporation.

**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 11, 2006.  
Effective September 15, 2006.



**Res. No. 1481-06.****By Council Member Polensek.**

**An emergency resolution declaring this Council's support of the proposal of Northeast Shores Development Corporation to the Ohio Housing Finance Agency for the use of non-tax-credit gap financing for its North Shores development.**

Whereas, each year the Ohio Housing Finance Agency allocates gap financing for affordable housing developments throughout Ohio using a competitive proposal process; and

Whereas, Northeast Shores Development Corporation is proposing to develop 12 housing units in its North Shores development at 16002 Corsica Avenue, 16016 Corsica Avenue, 16020 Corsica Avenue, 16014 Arcade Avenue, 16014 Huntmere Avenue and 7 other addresses to be determined, all in Ward 11 in the City of Cleveland; and

Whereas, 100% of these homes will be occupied by families at or below 80% of the area median income and no housing units will be market rate; and

Whereas, 40% of these housing units will be occupied by families at or below 50% of the area median income; and

Whereas, the proposed development does not serve a particular target population; and

Whereas, the Northeast Shores Development Corporation 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 Northeast Shores Development Corporation to the Ohio Housing Finance Agency for the use of non-tax-credit gap financing for its North Shores development.

**Section 2.** That the Clerk of Council is hereby directed to transmit two certified copies of this resolution to the Executive Director of Northeast Shores Development Corporation.

**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 11, 2006.

Effective September 15, 2006.

**Res. No. 1486-06.****By Council Members Zone, Britt, Cummins, Brancatelli, Cimperman, Dolan, Polensek, Conwell, Santiago, Cleveland, Turner, Brady and Coats.**

**An emergency resolution encouraging the Jackson administration to join the Plug-in Partners National Campaign and to develop a program to purchase flexible-fuel plug-in hybrid vehicles, including fleet orders; supporting local, state and federal policies that will promote flexible-fuel plug-in hybrid vehicles;**

**and supporting the advocacy by local government and other community members for the purchase of flexible-fuel plug-in hybrid vehicles.**

Whereas, the over-reliance of America on foreign oil has become a growing and serious threat to the economic vitality and national security interest of the United States; and

Whereas, automobile emissions are a major contributing factor to global warming and to smog in our cities, which threaten the health of our citizens and the sustainability of our planet; and

Whereas, the imbalance between gasoline resources and worldwide demand is causing gasoline prices to escalate at an alarming rate to levels that overburden commerce, hurt economic growth and cause serious hardship on our citizens; and

Whereas, the technology exists today to build a flexible-fuel plug-in hybrid electric automobile that could reduce oil imports, fuel costs to our citizens and our economy and emissions by dramatic margins; and

Whereas, Cleveland City Council encourages the City of Cleveland to partner with Austin, Texas and others of some of the nation's largest cities, to urge automakers to mass produce plug-in hybrid vehicles for the substantial economical, environmental and strategic reasons set forth herein; and

Whereas, Cleveland City Council is officially launching "Plug-In Cleveland", a community-wide campaign to promote the mass production of plug-in hybrid vehicles; 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 Jackson administration to join the Plug-in Partners National Campaign and to develop a program to purchase flexible-fuel plug-in hybrid vehicles, including fleet orders.

**Section 2.** That this Council supports local, state and federal policies that will promote flexible-fuel plug-in hybrid vehicles.

**Section 3.** That this Council further supports the advocacy by local government and other community members for the purchase of flexible-fuel plug-in hybrid vehicles.

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

Adopted September 11, 2006.

Effective September 15, 2006.

**Res. No. 1489-06.****By Council Member Cimperman.**

**An emergency resolution objecting to the transfer of ownership of a D5 and D6 Liquor Permit to 620 Frankfort Avenue.**

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

transfer of ownership of a D5 and D6 Liquor Permit from Down River Specialties, Inc., 620 Frankfort Avenue, Cleveland, Ohio 44113, Permanent Number 2289880 to 620 Frankfort, LLC, 620 Frankfort Avenue, Cleveland, Ohio 44113, Permanent Number 8202241; and

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

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

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

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

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

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

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

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

**Section 1.** That Council does hereby record its objection to the transfer of ownership of a D5 and D6 Liquor Permit from Down River Specialties, Inc., 620 Frankfort Avenue, Cleveland, Ohio 44113, Permanent Number 2289880 to 620 Frankfort, LLC, 620 Frankfort Avenue, Cleveland, Ohio 44113, Permanent Number 8202241; 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 11, 2006.

Effective September 15, 2006.

**Res. No. 1490-06.****By Council Member Johnson.****An emergency resolution objecting to the transfer of ownership of a C2 and C2X Liquor Permit to 9621 Mt. Auburn Road.**

Whereas, Council has been notified by the Department of Liquor Control of an application for the transfer of ownership of a C2 and C2X Liquor Permit from Woddi II, Inc., DBA Cousins Superette, 9621 Mt. Auburn Road, Cleveland, Ohio 44104, Permanent Number 9725521 to Mt. Auburn Deli, Inc., DBA Woddi Market, 9621 Mt. Auburn Road, Cleveland, Ohio 44104, Permanent Number 6210878; 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 Woddi II, Inc., DBA Cousins Superette, 9621 Mt. Auburn Road, Cleveland, Ohio 44104, Permanent Number 9725521 to Mt. Auburn Deli, Inc., DBA Woddi Market, 9621 Mt. Auburn Road, Cleveland, Ohio 44104, Permanent Number 6210878; 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 11, 2006.

Effective September 15, 2006.

**Res. No. 1491-06.****By Council Member Johnson.****An emergency resolution withdrawing objection to the renewal of a D4 Liquor Permit at 2890 Woodhill Road, and repealing Resolution No. 1333-05, objecting to said renewal.**

Whereas, this Council objected to a D4 Liquor Permit to East End Democratic Club, 2890 Woodhill Road by Resolution No. 1333-05 adopted by the Council on July 13, 2005; 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 D4 Liquor Permit to East End Democratic Club, 2890 Woodhill Road, Cleveland, Ohio 44104, Permanent Number 2402359 be and the same is hereby withdrawn and Resolution No. 1333-05, 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 11, 2006.

Effective September 15, 2006.

**Res. No. 1492-06.****By Council Member Kelley.****An emergency resolution withdrawing objections to the renewal of a D5 Liquor Permit at 3837 Ridge Road, and repealing Resolution Nos. 1330-03 and 1342-05, objecting to said renewal.**

Whereas, this Council objected to a D5 Liquor Permit to O'Reilly's Nightclub, Inc., 3837 Ridge Road, Cleveland, Ohio 44144, Permanent Number 6571521-0005 by Resolution No. 1330-03 adopted by the Council on July 16, 2003 and by Resolution No. 1342-05 adopted by the Council on July 13, 2005; and

Whereas, this Council wishes to withdraw its objections 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 objections to a D5 Liquor Permit to O'Reilly's Nightclub, Inc., 3837 Ridge Road, Cleveland, Ohio 44144, Permanent Number 6571521-0005 be and the same is hereby withdrawn and Resolution Nos. 1330-03 and 1342-05, containing such objections, 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 11, 2006.

Effective September 15, 2006.

**Res. No. 1493-06.****By Council Member Lewis.****An emergency resolution withdrawing objection to the renewal of a C1 and C2 Liquor Permit at 8023 Superior Avenue and repealing Resolution No. 1382-05, objecting to said renewal.**

Whereas, this Council objected to a C1 and C2 Liquor Permit to 8023 Superior Avenue by Resolution No. 1382-05 adopted by the Council on July 13, 2005; 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 Henry J. Thomas, DBA Thomas Easy Food Store, 8023 Superior Avenue, Cleveland, Ohio 44103, Permanent Number 8883725 be and the same is hereby withdrawn and Resolution No. 1382-05, 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 11, 2006.

Effective September 15, 2006.

**Res. No. 1494-06.****By Council Member Polensek.****An emergency resolution withdrawing objection to the transfer of ownership of a D5 Liquor Permit at 731-3 East 185th Street, and repealing Resolution No. 1148-06, objecting to said transfer.**

Whereas, this Council objected to the transfer of ownership of a D5 Liquor Permit to Field Barnes, Inc., DBA Field's, 731-3 East 185th Street, Cleveland, Ohio 44119, Permanent

No. 2710507-0005, by Resolution No. 1148-06 adopted by the Council on July 12, 2006; and

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

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

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

**Section 1.** That objection to a D5 Liquor Permit to Field Barnes, Inc., DBA Field's, 731-3 East 185th Street, Cleveland, Ohio 44119, Permanent Number 2710507-0005 be and the same is hereby withdrawn and Resolution No. 1148-06, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate transfer thereof.

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

Adopted September 11, 2006.

Effective September 15, 2006.

**Res. No. 1495-06.**

**By Council Member Reed.**

**An emergency resolution withdrawing objections 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 695-97 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 objections 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 VCH, Inc., DBA Side by Side Bar & Deli, 3695-97 East 131st Street, Cleveland, Ohio 44120, Permanent Number 9179589 be and the same is hereby withdrawn and Resolution Nos. 1357-05 and 1327-06, containing such objections, 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 11, 2006.

Effective September 15, 2006.

**Res. No. 1496-06.**

**By Council Member Reed.**

**An emergency resolution withdrawing objection to the renewal of a D1, D2, D3, D3A and D6 Liquor Permit at 3560 East 93rd Street, and repealing Resolution No. 1323-06, objecting to said renewal.**

Whereas, this Council objected to a D1, D2, D3, D3A and D6 Liquor Permit to 3560 East 93rd Street by Resolution No. 1323-06 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, D3A and D6 Liquor Permit to Kirksey, Inc., DBA Hank's, 3560 East 93rd Street, Cleveland, Ohio 44105, Permanent Number 46687270001 be and the same is hereby withdrawn and Resolution No. 1323-06, 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 11, 2006.

Effective September 15, 2006.

**Res. No. 1497-06.**

**By Council Member Sweeney.**

**An emergency resolution withdrawing objection to the renewal of a C1 and C2 Liquor Permit at 4051 West 140th Street, and repealing Resolution No. 1152-06, objecting to said renewal.**

Whereas, this Council objected to a C1 and C2 Liquor Permit to 4051 West 140th Street by Resolution No. 1152-06 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 and C2 Liquor Permit to Jennifer, Inc., DBA Frank's Delicatessen, 4051 West 140th Street, Cleveland, Ohio 44135, Permanent Number 4275986 be and the same is hereby withdrawn and Resolution No. 1152-06, 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 11, 2006.

Effective September 15, 2006.

**Res. No. 1498-06.**

**By Council Member Turner.**

**An emergency resolution withdrawing objection to the transfer of ownership of a D2, D2X, D3, D3A and D6 Liquor Permit at 4170 Lee Road, and repealing Resolution No. 1081-06, objecting to said transfer.**

Whereas, this Council objected to the transfer of ownership of a D2, D2X, D3, D3A and D6 Liquor Permit to New Sir Rah House, LLC, 4170 Lee Road, Cleveland, Ohio 44128, Permanent No. 6367874, by Resolution No. 1081-06 adopted by the Council on June 12, 2006; and

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

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

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

**Section 1.** That objection to a D2, D2X, D3, D3A and D6 Liquor Permit to New Sir Rah House, LLC, 4170 Lee Road, Cleveland, Ohio 44128, Permanent Number 6367874 be and the same is hereby withdrawn and Resolution No. 1081-06, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate transfer thereof.

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

Adopted September 11, 2006.

Effective September 15, 2006.

**Res. No. 1499-06.**

**By Council Member Zone.**

**An emergency resolution objecting to a New C1 Liquor Permit at 4810 Bridge Avenue.**

Whereas, Council has been notified by the Department of Liquor Control of an application for a New C1 Liquor Permit at Lisa M. Dunlap, DBA Dunlap's Marathon, 4810 Bridge Avenue, Cleveland, Ohio 44102, Permanent Number 5227950; and

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

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

ordinances of this state or any other state; and

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

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

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

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

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

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

**Section 1.** That Council does hereby record its objection to a New C1 Liquor Permit at Lisa M. Dunlap, DBA Dunlap's Marathon, 4810 Bridge Avenue, Cleveland, Ohio 44102, Permanent Number 5227950 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 11, 2006.

Effective September 15, 2006.

**Ord. No. 1102-06.**  
**By Council Member Sweeney (by departmental request).**

**An emergency ordinance authorizing the Director of Finance to employ one or more consultants, computer software developers, or vendors or one or more firms of consultants, computer software developers, or vendors necessary to implement the Active Directory Implementation Project; and authorizing one or more requirement contracts for hardware, software, computer supplies, and other necessary supplies, equipment, and services necessary to implement the program for a period of two years, for the Department of Finance.**

Whereas, this ordinance constitutes an emergency measure provid-

ing for the usual daily operation of a municipal department; now, therefore,

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

**Section 1.** That the Director of Finance is authorized to employ by contract or contracts one or more consultants, computer software developers, or vendors or one or more firms of consultants, computer software developers, or vendors for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland for implementing the Active Directory Implementation Project (the "Project"), including but not limited to migrating to Windows 2003 Active Directory Infrastructure, upgrading various directory and e-mail services, and installing, designing, training, implementing, testing, integrating, maintaining, and for technical support and other related issues necessary to implement the Project, for the Department of Finance.

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

**Section 2.** That the Director of Finance is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two years of the necessary items of hardware, software, computer supplies, and other necessary supplies, equipment, and services which are not covered under the professional services contract authorized in this ordinance, necessary to implement the Project, including maintenance on the above 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 Department of Finance. 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 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 terms.

**Section 3.** That the costs of the contract or contracts be charged against the proper appropriation accounts, subject to annual appropriation, 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 142079)

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

**Section 5.** That the cost of the professional services shall be paid from Fund No. 11 SF 006 and from annual appropriation, Request No. 142079.

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

Passed September 11, 2006.

Effective September 15, 2006.

**Ord. No. 1103-06.**  
**By Council Member Sweeney (by departmental request).**

**An emergency ordinance authorizing the Director of Finance to enter into one or more contracts without competitive bidding with Data Compression Technology, Inc. for the purchase and installation of STAX software for records retrieval, for the Division of Taxation, Department of Finance, for a period of one year with two one-year options to renew.**

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

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

**Section 1.** That this Council determines that the within commodities are non-competitive and cannot be secured from any source other than Data Compression Technology, Inc. Therefore the Director of Finance is authorized to make one or more written contracts with Data Compression Technology, Inc., for the purchase and installation of STAX software for records retrieval, to be purchased by the Commissioner of Purchases and Supplies, for the Division of Taxation, Department of Finance, for a period of one year with two one-year options to renew.

**Section 2.** That the cost of the contract or contracts authorized shall be paid from Fund No. 81 SF 001, Request No. 127100.

**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 11, 2006.

Effective September 15, 2006.

**Ord. No. 1248-06.**  
By Council Member Sweeney (by departmental request).

An emergency ordinance authorizing the purchase by one or more requirement contracts to purchase network equipment, including but not limited to, switches, routers, software and software licenses, and maintenance for a period of two years with a one-year option to renew, for the Division of Information Technology and Services, Department of Finance.

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

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

**Section 1.** That the Director of Finance is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for a two year period with a one-year option to renew of the necessary items of purchase network equipment, including but not limited to, switches, routers, software and software licenses, and maintenance, 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 Information Technology and Services, Department of Finance. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

**Section 2.** That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director of Finance. (RL 142085)

**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 Finance 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.

Passed September 11, 2006.  
Effective September 15, 2006.

**Ord. No. 1249-06.**  
By Council Member Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Finance, on behalf of the Cleveland Municipal Court, to apply for and accept a grant from the Cuyahoga County Corrections Planning Board for the 2006-07 Domestic Intervention, Education and Training Program; and authorizing the purchase by one or more requirement contracts of materials, equipment, and supplies 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 Finance, on behalf of the Cleveland Municipal Court, is authorized to apply for and accept a grant in the amount of \$205,000, from the Cuyahoga County Corrections Planning Board to conduct the 2006-07 Domestic Intervention, Education and Training 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 2.** That the summary for the grant, File No. 1249-06-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 the Director of Finance, on behalf of the Cleveland Municipal Court, 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, and supplies necessary to implement the grant as described in the file, 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 Department of Finance, on behalf of the Cleveland Municipal Court. 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 4.** That the costs of the contract or 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 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 5.** That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed September 11, 2006.  
Effective September 15, 2006.

**Ord. No. 1250-06.**  
By Council Member Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Finance to employ one or more professional consultants to assess network security systems, processes, and policies, to recommend improvements, to design the accepted recommendations, to acquire any programs, and for training, support, and maintenance for a period of two years with an option to renew for one year; and authorizing one or more requirement contracts for hardware, software, computer supplies, and other necessary supplies, equipment, and services necessary to implement the accepted improvements to the City's network security systems, processes, and policies, for a period of two years with an option to renew for one year, for the Department of Finance.

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

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

**Section 1.** That the Director of Finance is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to assess network security systems, processes, and policies, to recommend improvements, to design the accepted recommendations, to acquire any programs, and for training, support, and maintenance for a period of two years with an option to renew for one year.

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

**Section 2.** That the Director of Finance 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 period of two years with an option to renew for one year, of the

necessary items of hardware, software not obtained under Section 1 of this ordinance, computer supplies, and other necessary supplies, equipment, and services necessary to implement the accepted improvements to the City's network security systems, processes, and policies, 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 Information Technology and Services, Department of Finance. 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 3.** That the costs of the contract or contracts shall be paid from Fund No. 11 SF 006 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. (142087)

**Section 4.** 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 Finance 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 5.** That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed September 11, 2006.  
Effective September 15, 2006.

**Ord. No. 1252-06.**  
**By Council Member Sweeney (by departmental request).**

**An emergency ordinance authorizing the Director of Finance to employ one or more professional consultants to continue maintenance support for the core equipment that supports the City of Cleveland's network for a period of one year with two options to renew for an additional one year term.**

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

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

**Section 1.** That the Director of Finance is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to continue maintenance support for the core equipment that supports the City of Cleveland's network for a period of one year with two options to renew for an additional one year term exercisable by the Director of Finance.

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

**Section 2.** That the cost of the contract or contracts authorized shall be paid from Fund No. 01-632000-151101, Request No. 142084.

**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 11, 2006.  
Effective September 15, 2006.

**Ord. No. 1253-06.**  
**By Council Member Sweeney (by departmental request).**

**An emergency ordinance authorizing the purchase by one or more contracts of a remote access system, including hardware, software, installation, training and maintenance, for the Division of Information Technology and Services, Department of Finance, for a period of two years with an option to renew for an additional year.**

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

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

**Section 1.** That the Director of Finance is authorized to make one or more written contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: a remote access system, including hardware, software, installation, training and maintenance, for a period of two years with an option to renew for an additional year, to be purchased by the Commissioner of Purchases and Supplies on a unit basis, for the Division of Information Technology and Services, Department of Finance.

**Section 2.** 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 Finance 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 contract or contracts with the vendors selected through that cooperative process.

**Section 3.** That the cost of the contract or contracts authorized shall be paid from Fund No. 11 SF 006, Request No. 142088.

**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 11, 2006.  
Effective September 15, 2006.

**Ord. No. 1436-06.**  
**By Council Member Sweeney (by departmental request).**

**An emergency ordinance authorizing the purchase by one or more contracts of an inventory bar code module, including maintenance for a period of one year, for the Division of Information Technology and Services, Department of Finance.**

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

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

**Section 1.** That the Director of Finance is authorized to make one or more written contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: inventory bar code module for the Helpdesk Suite, including maintenance for a period of one year, to be purchased by the Commissioner of Purchases and Supplies for a unit basis, for the Division of Information Technology and Service, Department of Finance.

**Section 2.** 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 Finance 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 contract or contracts with the vendors selected through that cooperative process.

**Section 3.** That the cost of the contract or contracts authorized shall be paid from Fund No. 11 SF 006, Request No. 142086.

**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 11, 2006.  
Effective September 15, 2006.

**Ord. No. 1471-06.**

**By Council Members Lewis and Sweeney (by departmental request).**

**An emergency ordinance to amend Section 45 of Ordinance No. 289-06, passed March 27, 2006, relating to compensation for various classifications.**

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 45 of Ordinance No. 289-06, passed March 27, 2006, is amended to read as follows:

**Section 45. Hourly Rate – Building & Construction Trades Council**

Compensation for all persons employed by the hour in any of the following classifications shall be fixed by the appointing authority within the limits established in the following schedule for each classification:

	<b>Effective Date</b>	<b>Minimum</b>	<b>Maximum</b>
1. Asbestos Worker.....	5/1/06	\$35.76	\$44.70
2. Boiler Maker.....	7/1/06	\$39.93	\$49.91
3. Bricklayer.....	5/1/06	\$30.62	\$38.27
4. Bricklayer Foreman.....	5/1/06	\$31.87	\$39.27
5. Carpenter.....	5/1/06	\$30.60	\$38.25
6. Carpenter Foreman.....	5/1/06	\$31.85	\$39.50
7. Carpenter Apprentice.....	5/1/04	\$14.45	\$18.06
8. Cement Finisher.....	5/1/06	\$30.85	\$38.56
9. Cement Finisher Foreman.....	5/1/06	\$32.10	\$39.31
10. Electrical Worker.....	5/1/06	\$37.25	\$46.56
11. Electrical Worker Foreman.....	5/1/06	\$38.50	\$46.56
12. Glazier.....	5/1/06	\$31.26	\$39.08
13. Ironworker.....	8/1/06	\$35.17	\$43.96
14. Ironworker Foreman.....	8/1/06	\$36.42	\$46.21
15. Painter.....	6/1/06	\$30.21	\$37.76
16. Painter – Apprentice.....	5/1/04	\$14.46	\$18.06
17. Painter Foreman.....	6/1/06	\$31.46	\$39.33
18. Pipefitter (Welder).....	5/1/06	\$36.62	\$45.77
19. Pipefitter Foreman.....	5/1/06	\$37.87	\$46.27
20. Plasterer.....	5/1/06	\$30.24	\$37.80
21. Plasterer Foreman.....	5/1/06	\$31.49	\$38.80
22. Plumber (Welder).....	5/1/06	\$36.76	\$45.95
23. Plumber Foreman.....	5/1/06	\$38.01	\$46.95
24. Roofer.....	5/1/06	\$31.14	\$38.93
25. Sheet Metal Worker.....	5/1/06	\$35.31	\$44.14
26. Sheet Metal Worker Foreman.....	5/1/06	\$36.56	\$45.64

**Section 2.** That existing Section 45 of Ordinance No. 289-06, passed March 27, 2006, is repealed.

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

Passed September 11, 2006.

Effective September 15, 2006.

**Ord. No. 1472-06.**

**By Council Member Cimperman.**

**An emergency ordinance to amend Section 2 of Ordinance No. 1890-05, passed October 31, 2005, relating to contract with Valleyview Phase I, L.P. to provide development assistance to partially finance the Valley View Hope VI Development Project Phase I located at the eastern edge of the Tremont neighborhood and I-490, and all other associated costs necessary to redevelop the property.**

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. 1890-05, passed October 31, 2005, is amended to read as follows:

Section 2. That the terms of the loan shall be according to the terms set forth in the Summary contained in File No. 1890-05-B, 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.

**Section 2.** That existing Section 2 of Ordinance No. 1890-05, passed October 31, 2005, is repealed.

**Section 3.** That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and

approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed September 11, 2006.

Effective September 15, 2006.

**Ord. No. 1476-06.**

**By Council Member Cleveland.**

**An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the Friendly Inn Settlement, Inc. to stretch a banner at 2549 East 55th & opposite 2549 East 55th Street, for the period from September 11, 2006 to October 9, 2006, inclusive, publicizing the Central Community Family Festival.**



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

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

**Section 1.** That notwithstanding the provision of Section 623.13 of the Codified Ordinances, of Cleveland, Ohio, 1976, the Director of the Department of Public Service is hereby authorized and directed to issue a permit to the Friendly Inn Settlement, Inc. to install, maintain and remove a banner at 2549 East 55th & opposite 2549 East 55th Street, for the period from September 11, 2006 to October 9, 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.

Passed September 11, 2006.

Effective September 15, 2006.

**Ord. No. 1482-06.**

**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 November 13, 2006 to December 12, 2006.**

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

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

**Section 1.** That 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.

Passed September 11, 2006.

Effective September 15, 2006.

**Ord. No. 1483-06.**

**By Council Member Britt.**

**An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to University Hospitals Health System to stretch a banner on the RTA Rail Bridge over Cedar Road, for the period from September 9, 2006 to October 8, 2006, inclusive, celebrating the Hospital's #4 ranking in Pediatrics.**

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 Hospitals Health System to install, maintain and remove a banner on the RTA Rail Bridge over Cedar Road for the period from September 9, 2006 to October 8, 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.

Passed September 11, 2006.

Effective September 15, 2006.

**Ord. No. 1485-06.**

**By Council Member Zone.**

**An emergency ordinance amending the Title and Section 1 of Ordinance No. 1072-06 passed June 12, 2006 as it pertains to the Great Lakes Community Expo Program through the use of Ward 17 Neighborhood Equity Funds.**

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

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

**Section 1.** That the Title and Section 1 of Ordinance No. 1072-06 passed June 12, 2006 are hereby amended to read as follows:

An emergency ordinance authorizing the Director of the Health Department to enter into an agreement with the Wendy Park Foundation for the Great Lakes Community Expo Program through the use of Ward 17 Neighborhood Equity Funds.

Section 1. That the Director of the Health Department is authorized to enter into an agreement with the Wendy Park Foundation for the Great Lakes Community Expo Program for the public purpose of providing an educational expo for city of Cleveland residents on the environmental history of the great lakes and educating them on the various services and programs that are offered by the many different nonprofit organizations and city departments through the use of Ward 17 Neighborhood Equity Funds.

**Section 2.** That the Title and Section 1 of Ordinance No. 1072-06 passed June 12, 2006 are hereby repealed.

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

Passed September 11, 2006.

Effective September 15, 2006.

**Ord. No. 1488-06.**

**By Council Member Zone.**

**An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to stretch a banner on the northwest corner of West 73rd & Detroit, for the period from September 11, 2006 to October 10, 2006, inclusive, announcing the opening of the Battery Park residential development.**

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

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

**Section 1.** That notwithstanding the provision of Section 623.13 of the Codified Ordinances, of Cleveland, Ohio, 1976, the Director of the Department of Public Service is here-

by authorized and directed to issue a permit to install, maintain and remove a banner on the northwest corner of West 73rd & Detroit, for the period from September 11, 2006 to October 10, 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.

Passed September 11, 2006.  
Effective September 15, 2006.

**COUNCIL COMMITTEE MEETINGS**

**Monday, September 11, 2006  
2:00 p.m.**

**Finance Committee:** Present: Sweeney, Chair; Cimperman, Vice Chair; Brancatelli, Brady, Conwell, Britt, Pierce Scott, Zone, Westbrook, Coats, White.

**Tuesday, September 12, 2006  
9:30 a.m.**

**Community and Economic Development Committee:** Present: Pierce Scott, Chair; Brancatelli, Vice Chair; Cummins, Coats, Westbrook, Brady, Lewis. *Authorized Absence:* Cimperman, Zone.

**Wednesday, September 13, 2006  
10:00 a.m.**

**Public Safety Committee:** CANCELLED.

**Monday, September 18, 2006  
9:30 a.m.**

**Public Parks, Property and Recreation Committee:** Present: Johnson, Chair; White, Vice Chair; Branca-

telli, Turner, Cummins, Kelley. *Authorized Absence:* Polensek.

**11:00 a.m.**

**Public Service Committee:** Present: Brady, Chair; Turner, Chair; Cleveland, Polensek, Cummins, White, Johnson. *Authorized Absence:* Santiago, Reed. *Pro-tem:* Lewis.

**2:00 p.m.**

**Finance Committee:** Present: Sweeney, Chair; Brady, Pierce Scott, Zone, Westbrook, Brancatelli, Coats, White. *Authorized Absence:* Cimperman, Vice Chair; Conwell, Britt. *Pro-tem:* Lewis, Polensek.

**Tuesday, September 19, 2006  
1:30 p.m.**

**Employment Affirmation Action and Training Committee:** Present: Lewis, Chair; Brancatelli, Turner, Coats, Conwell. *Authorized Absence:* Santiago, Vice Chair; Johnson.

**Wednesday, September 20, 2006  
10:00 a.m.**

**Aviation and Transportation Committee:** Present: Kelley, Chair; Westbrook, Vice Chair; Brancatelli, Dolan, Turner, Cleveland. *Authorized Absence:* Britt.

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