

The City Record

Official Publication of the Council of the City of Cleveland



April the Twenty-First, Two Thousand and Four

Jane L. Campbell
Mayor

Frank G. Jackson
President of Council

Valarie J. McCall
City Clerk, Clerk of Council

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

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DIRECTORY OF CITY OFFICIALS

CITY COUNCIL – LEGISLATIVE

President of Council – Frank G. Jackson

Ward	Name	Residence	
1	Joseph T. Jones	4691 East 177th Street	44128
2	Robert J. White	3760 East 126th Street	44105
3	Zachary Reed	3734 East 149th Street	44120
4	Kenneth L. Johnson	2948 Hampton Road	44120
5	Frank G. Jackson	2327 East 38th Street	44115
6	Patricia J. Britt	12402 Britton Drive	44120
7	Fannie M. Lewis	7416 Star Avenue	44103
8	Sabra Pierce Scott	9212 Kempton Avenue	44108
9	Kevin Conwell	774 East 131st Street	44108
10	Roosevelt Coats	1775 Cliffview Road	44112
11	Michael D. Polensek	17855 Brian Avenue	44119
12	Edward W. Rybka	6832 Indiana Avenue	44105
13	Joe Cimperman	3053 West 12th Street	44113
14	Nelson Cintron, Jr.	3004 Vega Avenue	44113
15	Merle R. Gordon	1700 Denison Avenue	44109
16	Michael C. O'Malley	6710 Brookside Drive	44144
17	Matthew Zone	1228 West 69th Street	44102
18	Jay Westbrook	1278 West 103rd Street	44102
19	Dona Brady	1272 West Boulevard	44102
20	Martin J. Sweeney	3632 West 133rd Street	44111
21	Michael A. Dolan	16519 West Park Road	44111
	City Clerk, Clerk of Council – Valarie J. McCall, 216 City Hall, 664-2840		
	First Assistant Clerk – Sandra Franklin		
MAYOR – Jane L. Campbell			
	Debra M. Janik, Chief of Staff		
	Darnell Brown, Chief Operating Officer		
	Timothy Mueller, Executive Assistant		
	Craig Tame, Executive Assistant		
	Galen L. Schuerlein, Executive Assistant		
	_____, Director, Office of Equal Opportunity		
	Margreat A. Jackson, Legislative Affairs Liaison		
	Erik Janas, Inter-Governmental Affairs Officer		
	Lorna Wisham, Chief Public Affairs Officer		
DEPT. OF LAW – Subodh Chandra, Director, Teresa Beasley, Chief Counsel, Rm. 106			
	Karen E. Martines, Law Librarian, Room 100		
DEPT. OF FINANCE – Robert H. Baker, Director, Room 104;			
	Frank Badalamenti, Manager, Internal Audit		
	DIVISIONS: Accounts – Alan Schneider, Commissioner, Room 19		
	Assessments and Licenses – Dedrick Stephens, Commissioner, Room 122		
	City Treasury – Algeron Walker, Treasurer, Room 115		
	Financial Reporting and Control – James Gentile, Controller, Room 18		
	Information Technology and Services – James S. Higgins, Commissioner, 1404 East 9th Street		
	Purchases and Supplies – Myrna Branche, Commissioner, Room 128		
	Printing and Reproduction – Michael Hewitt, Commissioner, 1735 Lakeside Avenue		
	Taxation – Nassim Lynch, Tax Administrator, 1701 Lakeside Avenue		
DEPT. OF PUBLIC UTILITIES – Michael G. Konicek, Director, 1201 Lakeside Avenue			
	DIVISIONS – 1201 Lakeside Avenue		
	Cleveland Public Power – James F. Majer, Commissioner		
	Street Lighting Bureau – _____, Acting Chief		
	Utilities Fiscal Control – Dennis Nichols, Commissioner		
	Water – Julius Ciaccia, Jr., Commissioner		
	Water Pollution Control – Ollie Shaw, Commissioner		
DEPT. OF PORT CONTROL – John C. Mok, Director			
	Cleveland Hopkins International Airport, 5300 Riverside Drive		
	Burke Lakefront Airport – Khalid Bahhur, Commissioner		
	Cleveland Hopkins International Airport – Fred Szabo, Commissioner		
DEPT. OF PUBLIC SERVICE – Mark Ricchiuto, Director, Room 113			
	DIVISIONS: Architecture – Kurt Weibusch, Commissioner, Room 517		
	Engineering and Construction – Randall E. DeVaul, Commissioner, Room 518		
	Motor Vehicle Maintenance, Daniel A. Novak, Commissioner, Harvard Yards		
	Streets – Randell T. Scott, Commissioner, Room 25		
	Traffic Engineering – Robert Mavec, Commissioner, 4150 East 49th Street, Building #1		
	Waste Collection and Disposal – Ron Owens, Commissioner, 5600 Carnegie Avenue		
DEPT. OF PUBLIC HEALTH – Matthew Carroll, Director, Mural Building, 1925 St. Clair Ave.			
	DIVISIONS: Air Quality – _____, Commissioner		
	Correction – Robert Taskey, Commissioner, Cleveland House of Corrections, 4041 Northfield Rd.		
	Environment – Willie Bess, Acting Commissioner, Mural Building, 1925 St. Clair Ave.		
	Health – Dr. Wendy Johnson, Acting Commissioner, Mural Building, 1925 St. Clair Ave.		
DEPT. OF PUBLIC SAFETY – Sanford E. Watson, Director, Room 230			
	DIVISIONS: Dog Pound – John Baird, Chief Dog Warden, 2690 West 7th Street		
	Emergency Medical Service – Edward Eckart, Commissioner, 1708 South Pointe Drive		
	Fire – Kevin G. Gerrity, Chief, 1645 Superior Avenue		
	Police – Edward F. Lohm, Chief, Police Hdqtrs. Bldg., 1300 Ontario Street		
DEPT. OF PARKS, RECREATION & PROPERTIES – Natalie A. Ronayne, Director			
	Cleveland Convention Center, Clubroom A, 1220 East 6th Street		
	DIVISIONS: Convention Center & Stadium – James Glending, Commissioner		
	Public Auditorium, East 6th Street and Lakeside Avenue		
	Parking Facilities – Dennis Donahue, Commissioner		
	Public Auditorium, East 6th Street and Lakeside Avenue		
	Park Maintenance and Properties – Richard L. Silva, Commissioner		
	Public Auditorium – East 6th Street and Lakeside Avenue		
	Property Management – Tom Nagle, Commissioner, East 49th Street & Harvard		
	Recreation – Michael Cox, Commissioner, Room 8		
	Research, Planning & Development – Mark Fallon, Commissioner, 1501 N. Marginal Road		
	Burke Lakefront Airport		

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

DIVISIONS: Administrative Services – Terrence Ross, Commissioner

Neighborhood Services – Louise V. Jackson, Commissioner

Neighborhood Development – Joseph A. Sidoti, Commissioner

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

DIVISIONS: Code Enforcement – Tyrone L. Johnson, Commissioner

Construction Permitting – Timothy R. Wolosz, Commissioner

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

DEPT. OF ECONOMIC DEVELOPMENT – _____, Director, Room 210

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

DEPT. OF CONSUMER AFFAIRS – Kenya Taylor, Director

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

L. Campbell, Chairman Ex-Officio; Rev. Charles Lucas, Jr., Vice-Chairman; Councilman

Kevin Conwell, Councilman Matthew Zone, City Council Representatives; Charles L.

Patton, Jr., Paula Castleberry, Emmett Saunders, John Banno, Kathryn M. Hall, Evangeline

Hardaway, Janet Jankura, Gia Hoa Ryan, Rev. Jesse Harris, Magda Gomez, Fred J.

Livingstone, Margot James Copeland.

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

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

William Morrison.

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

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

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

Margreat Hopkins, Ozell Dobbins, Joan Shaver Washington, Christopher Carmody,

_____, Secretary.

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

Chairman; James Williams, Arthur Saunders, Alternate Members – D. Cox, P. Frank, E.

P. O'Brien, Richard Pace, J.S. Sullivan.

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

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

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

Subodh Chandra; Councilman Martin J. Sweeney.

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

Director Michael G. Konicek; Council President Frank G. Jackson.

CITY PLANNING COMMISSION – Room 501 – Christopher S. Ronayne, Director;

Anthony J. Coyne, Chairman; David Bowen, Lillian W. Burke, Lawrence A. Lumpkin,

Gloria Jean Pinkney, Rev. Sam Edward Small, Councilman Joseph Cimperman.

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

Vice Chair; Patrick Gallagher, Kathryn Jackson, Draydean McCaleb, Council Member

Nelson Cintron, Ed Romero.

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

Eaton-Johnson, Mike Foley, Eric Hodderson, Janet Loehr, Mark McDermott, Marcia

Nolan, David Perkowski, Joan Shaver Washington, Keith Sutton, Council Member Merle

Gordon.

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

Doris Honsa, Richard Lenard.

CLEVELAND BOXING AND WRESTLING COMMISSION – Robert Jones, Chairman;

Clint Martin, Mark Rivera.

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

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

Councilman Martin J. Sweeney.

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

Baulknight, Anton J. Eichmuller, J. Gilbert Steele, Raymond Ossovicki, Chief Electrical

Inspector; Laszlo V. Kemes, Secretary to the Board.

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

Alfred Fowler, Jozef Valencik, Lawrence Skule, Chief Plumbing Inspector; Laszlo V.

Kemes, Secretary to the Board.

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

Vice Chair; James Gibans, India Pierce Lee, Robert Madison, Randall B. Shorr, Chris

Ronayne, N. Kurt Wiebusch, Council Member Joe Cimperman, Dwayne J. Simpson; Robert

Keiser, Secretary.

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

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

Earle B. Turner – Clerk of Courts, Michael E. Flanagan – Court Administrator, Paul J. Mizerak – Bailiff;

Regina Daniel – Chief Probation Officer, Gregory F. Clifford – Chief Magistrate

The City Record



OFFICIAL PUBLICATION OF THE COUNCIL OF THE CITY OF CLEVELAND

Vol. 91

WEDNESDAY, APRIL 21, 2004

No. 4715

CITY COUNCIL

MONDAY, APRIL 19, 2004

The City Record

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Address all communications to

VALARIE J. McCALL

City Clerk, Clerk of Council
216 City Hall

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 2002-2005

MONDAY

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

MONDAY—Alternating

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

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

MONDAY

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

TUESDAY

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

TUESDAY—Alternating

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

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

WEDNESDAY—Alternating

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

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

WEDNESDAY—Alternating

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

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

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

Rules Committee: Jackson, Chairman; O'Malley, Reed, Sweeney, Westbrook.

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

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

OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio
Monday, April 19, 2004

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

Council Members present: Brady, Britt, Cimperman, Cintron, Conwell, Dolan, Johnson, Lewis, O'Malley, Pierce Scott, Polensek, Reed, Rybka, Sweeney, Westbrook, White and Zone.

Also present were Mayor Campbell, Chief of Staff Janik, Chief Operating Officer Brown, Director Chandra, Chief Assistant Director of Law Langhenry, Directors Baker, Mok, Watson, N. Ronayne, Rush, Williams, Routen, Fumich, Taylor, Johnson and C. Ronayne and Margaret Jackson, Legislative Affairs Liaison.

Pursuant to Ordinance No. 2926-76, prayer was offered by Minister Valerie Landrum of Zion Spring United Holy Church, located at 3244 East 125th Street, Cleveland, Ohio, located in Ward 3. Pledge of Allegiance.

MOTION

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

COMMUNICATIONS

File No. 2186-03-A.

From the Board of Elections — Election Results on Issue 4, Proposed Charter Amendment, Sections No. 116 and 126 to authorize the Mayor to appoint one Deputy Chief of Police for homeland security purposes. Received.

File No. 350-04-A.

Response from property owners to Resolution No. 350-04 assessment notice — Eileen Woodrick and Msgr. Carleton R. Dev. Received.

File No. 351-04-A.

Response from property owner to Resolution No. 351-04 assessment notice — Sandra Rosario. Received.

File No. 648-04.

From the City of Rocky River — Copy of Resolution No. 50-04 re: expressing opposition to House Bill 208. Received.

File No. 649-04.

From the Cleveland Clinic Health System — Community Outreach Report 2003, Community Connections. Received.

File No. 650-04.

From the Maximum Independent Living — brochures about seminar regarding Accessible Housing. Received.

File No. 651-04.

From the Department of Parks, Recreation and Properties — copy of Rules and Regulations of the Cleveland Municipal Cemeteries published in the April 14, 2004 City Record. Received.

File No. 652-04.

From the Division of Purchases and Supplies — Mayor's Emergency Requisition/Purchase Order — To Initiate Emergency Procedures to Narrow the Pavement Width of the Fulton Road Bridge From 52 ft. to 28 ft. by relocating Barriers & Adding New Barriers — Department of Public Service. Received.

File No. 653-04.

From State Representative Dale Miller — Letter receipt of Resolution Nos. 284-04 and 301-01. Received.

File No. 654-04.

From the City of South Euclid — copy of Resolution No. 23-04 expressing opposition to House Bill 208. Received.

FROM DEPARTMENT OF LIQUOR CONTROL**File No. 655-04.**

Re: New Application — 0006440 — A. S. P., Inc., d.b.a. A. S. P. Pit Stop, 14526 Puritas Avenue. (Ward 20). Received.

File No. 656-04.

Re: Transfer of Ownership Application — 2850728 — 4920 Slainte, Inc., d.b.a. Danny Mac's Tavern, 4920-22 Pearl Road, first floor and basement. (Ward 16). Received.

File No. 657-04.

Re: Transfer of Ownership Application — 4217840 — Jadallah, Inc., 3292 Fulton Road, first floor rear. (Ward 14). Received.

File No. 658-04.

Re: Transfer of Ownership Application — 00239900010 — Abeco Ayad, Inc., d.b.a. Sunoco, 2165 East 55th Street. (Ward 5). Received.

File No. 659-04.

Re: Transfer of Ownership Application — 0172762 — Amanah Foods, Inc., d.b.a. Saveliner Supermarket, 10716 Woodland Avenue. (Ward 6). Received.

File No. 660-04.

Re: Transfer of Ownership and Location Application — 7150557 — RPH & Associates, Inc., d.b.a. Vinea, 1220 Huron Road. (Ward 13). Received.

File No. 661-04.

Re: Transfer of Ownership and Location Application — 40910710005 — Husnia, Inc., d.b.a. Saveliner Square Deal, 10716 Woodland Avenue. (Ward 6). Received.

File No. 662-04.

Re: Transfer of Ownership and Location Application — 40910710005 — Husnia, Inc., d.b.a. Savelines Square Deal, 10716 Woodland Avenue. (Ward 6). Received.

File No. 663-04.

From the Law Office of Penfield & Associates — letter request for a postponement of liquor hearing re: renewal application of F. & A. Beverage, Inc., 12730 St. Clair Avenue. (Ward 10). Received.

OATH OF OFFICE**File No. 664-04.**

Ollie Shaw — Commissioner of the Division of Water Pollution Control. Received.

File No. 665-04.

Daryl Rush — Director of the Department of Community Development. Received.

File No. 666-04.

John B. Wilbur — Assistant Director of the Department of Community Development. Received.

STATEMENT OF WORK ACCEPTED**File No. 667-04.**

From the Department of Public Utilities — Nerone & Sons, Inc.,

Contract No. 61747 A, completed and accepted October 31, 2003. Received.

File No. 668-04.

From the Department of Public Utilities — Morgan Filter Administration Building, Contract No. 58892, completed and accepted March 1, 2004. Received.

PLATS**File No. 669-04.**

Subdivision Plat for St. Luke's Redevelopment, Phase 1. Received. Referred to Public Service and City Planning Committees.

File No. 670-04.

Dedication Plat of Cleveland Parkway S.W. Received. Referred to Public Service and City Planning Committees.

CONDOLENCE RESOLUTIONS

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

Res. No. 671-04—Jojo Kofi Badu.

Res. No. 672-04—Pauline Clarisa Pope.

Res. No. 673-04—Thelma M. Jones.

Res. No. 674-04—Elizabeth Wright.

Res. No. 675-04—Gregory Douglas Allen.

Res. No. 676-04—John H. Ball.

Res. No. 677-04—James Winters, Sr.

Res. No. 678-04—Carl Ruth Robinson.

Res. No. 679-04—Clara Spilar.

Res. No. 680-04—Regina Brazaitis.

Res. No. 681-04—Lorenzo Hunter.

Res. No. 682-04—Eva Clemmons.

CONGRATULATION RESOLUTIONS

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

Res. No. 683-04 — Ellen Flynn Hamilton Miles.

Res. No. 684-04—Sister Mary Walton, O.S.U.

RECOGNITION RESOLUTION

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

Res. No. 685-04 — Dryck Bennett.

APPRECIATION RESOLUTION

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

Res. No. 686-04—Norbert Priebe.

RESOLUTIONS OF WELCOME

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

Res. No. 687-04—Dick Gregory.

Res. No. 688-04—Dr. Leonard Jeffries.

RESOLUTION OF COMMEMORATION

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

Res. No. 689-04—29th Anniversary of the Fall of Saigon.

FIRST READING EMERGENCY ORDINANCES REFERRED**Ord. No. 616-04.**

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

An emergency ordinance authorizing the Director of Public Utilities to enter into one or more contracts without competitive bidding with Dionex for maintenance of ion chromatograph and appurtenances, including labor and materials, for the Division of Water, 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 this Council has determined that the within commodities are non-competitive and cannot be secured from any source other than Dionex. Therefore the Director of Public Utilities is authorized to make one or more written contracts with Dionex on the basis of its proposal dated January 23, 2004, for maintenance of ion chromatograph and appurtenances, including labor and materials, to be purchased by the Commissioner of Purchases and Supplies, for the Division of Water, Department of Public Utilities.

Section 2. That the cost of the contract or contracts authorized shall be paid from Fund Nos. 52 SF 001, 52 SF 223, 52 SF 225, and 52 SF 227, Request No. 147964.

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

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

Ord. No. 617-04.

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

An emergency ordinance authorizing the purchase by one or more requirement contracts of water treatment chemicals, materials and related services necessary to maintain the heating and cooling systems of the various divisions of the Department of Port Control.

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 Port Control 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 water treatment chemicals, materials and related services necessary to maintain the heating and cooling systems, 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 various divisions of the Department of Port Control. 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 146053)

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 Port Control, Finance, Law; Committees on Aviation and Transportation, Finance.

Ord. No. 618-04.

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

An emergency ordinance authorizing the Director of Port Control to employ one or more professional consultants for internet web link development and internet PDF downloadable services of airline schedules for the various divisions of the Department of Port Control, 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 the Director of Port Control is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary for internet web link development and internet PDF downloadable services of airline schedules for the various divisions of the Department of Port Control, for a period of one year with two one-year options to renew exercisable by the Director of Port Control.

The selection of the consultants for the services shall be made by the Board of Control on the nomination of the Director of Port Control from a list of qualified consultants available for employment as may be determined after a full and complete canvass by the Director of Port Control for the purpose of compiling a list. The compensation to be

paid for the services shall be fixed by the Board of Control. The contract or contracts authorized shall be prepared by the Director of Law, approved by the Director of Port Control, and certified by the Director of Finance.

Section 2. That the cost of contract or contracts authorized shall be paid from Fund No. 60 SF 001, Request No. 146049.

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 Port Control, Finance, Law; Committees on Aviation and Transportation, Finance.

Ord. No. 619-04.

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

An emergency ordinance authorizing the purchase by one or more requirement contracts of rock salt, for the Division of Streets, Department of Public Service.

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

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

Section 1. That the Director of Public Service is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one or two years of the necessary items of rock salt, 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 Streets, Department of Public Service. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term. The Director of Public Service is authorized to enter into one or more contracts with a term of two years instead of one year when there is a financial advantage to the City. For purposes of this ordinance, a financial advantage shall be determined by the Director of Public Service by comparing the bids received for both terms.

Section 2. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director of Finance. (RL 139522)

Section 3. That under Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative agree-

ments using state procedures. The Director of Public Service 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 Service, Finance, Law; Committees on Public Service, Finance.

Ord. No. 620-04.

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

An emergency ordinance authorizing the purchase by one or more requirement contracts of traffic signal controllers and equipment necessary for a city-wide upgrade of traffic controls, for the Division of Traffic Engineering, Department of Public Service.

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

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

Section 1. That the Director of Public Service is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one or two years of the necessary items of traffic signal controllers and equipment necessary for a city-wide upgrade of traffic controls, 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 Traffic Engineering, Department of Public Service. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term. The Director of Public Service is authorized to enter into one or more contracts with a term of two years instead of one year when there is a financial advantage to the City. For purposes of this ordinance, a financial advantage shall be determined by the Director of Public Service by comparing the bids received for both terms.

Section 2. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director of Finance. (RL 139746)

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

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

Ord. No. 621-04.

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

An emergency ordinance authorizing the purchase by one or more requirement contracts of crack sealing material, for the Division of Streets, Department of Public Service.

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

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

Section 1. That the Director of Public Service is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one or two years of the necessary items of crack sealing material, 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 Streets, Department of Public Service. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term. The Director of Public Service is authorized to enter into one or more contracts with a term of two years instead of one year when there is a financial advantage to the City. For purposes of this ordinance, a financial advantage shall be determined by the Director of Public Service by comparing the bids received for both terms.

Section 2. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director of Finance. (RL 139520)

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 Service 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 Service, Finance, Law; Committees on Public Service, Finance.

Ord. No. 622-04.

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

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

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

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

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

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

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

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

Ord. No. 623-04.

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

An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the United States Department of Justice for the Children Who Witness Violence Program; and authorizing the director to enter into one or more contracts with Mental Health Services, Inc. to implement the program.

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

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

Section 1. That the Director of Public Safety is authorized to apply for and accept a grant in the amount of \$450,000, from the United States Department of Justice to conduct the Children Who Witness Violence 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 attachment for the grant contained in the file described below.

Section 2. That the attachment for the grant, File No. 623-04-A, made a part of this ordinance as if fully rewritten, is approved in all respects.

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

Section 4. That the Director of Public Safety is authorized to enter into one or more contracts with Mental Health Services, Inc. to implement the program as described in the file.

Section 5. That the cost of the contract or contracts shall be paid from the fund or funds which are credited the grant proceeds accepted under this ordinance.

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

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

Ord. No. 624-04.

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

An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the Ohio Bureau of Workers' Compensation for the BWC Safety Grant Program; and authorizing the purchase by one or more requirement contracts of stair chairs necessary to implement the grant.

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

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

Section 1. That the Director of Public Safety is authorized to apply for and accept a grant in the amount of \$23,496.00, from the Ohio Bureau of Workers' Compensation to conduct the BWC Safety Grant 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. 624-04-A, made a part of this ordinance as if fully rewritten, including the obligation of the City of Cleveland to provide a cash match in the sum of \$5,874 from Fund No. 01-600400-639905, is approved in all respects.

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

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

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

Section 6. That the cost of the contract or contracts authorized shall be paid from the fund or funds which are credited the grant proceeds accepted under this ordinance, the cash match authorized above, and shall be charged against the proper appropriation accounts. The Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director of Finance.

Section 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 Public Safety, Finance, Law; Committees on Public Safety, Finance.

Ord. No. 625-04.

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

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter into an amendment to Lease Agreement No. 35620 to extend the term of the existing Lease Agreement for the rental of Broadway YMCA facilities at 11300 Miles Avenue; and to allow the City to utilize the Broadway YMCA gymnasium for youth activities.

Whereas, under Ordinance No. 1759-85, passed June 24, 1985, the

Director of Parks, Recreation and Properties entered into Lease Agreement No. 35620 with the Young Men's Christian Association for the rental of the Broadway YMCA facilities located at 11300 Miles Avenue for the purpose of providing recreational facilities and activities for the City's youth; and

Whereas, under various ordinances, this Council authorized modifications to the Lease Agreement; and

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

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

Section 1. That the Director of Parks, Recreation and Properties is authorized to enter into amendment to Lease Agreement No. 35620 with the Young Men's Christian Association ("YMCA") for the continued rental of the Broadway YMCA facilities located at 11300 Miles Avenue, Cleveland, Ohio, 44105 for the purpose of providing recreational facilities and activities for the City's youth and the continued utilization of the Broadway YMCA gymnasium for a youth basketball program.

Section 2. That the amendment shall extend the term of the agreement for one year to December 31, 2004, and in consideration for the extension of the term, the City shall pay the YMCA an additional rental of \$125,000. This extension shall be paid from Fund No. 01-700401-638000, Request No. 136756.

Section 3. That the amendment shall be prepared and approved by the Director of Law and shall contain such provisions as the Director of Law shall deem necessary to protect the public interest.

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 Parks, Recreation and Properties, Finance, Law; Committees on Public Parks, Property and Recreation, Finance.

Ord. No. 626-04.

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

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter into one or more contracts with City Year to perform community service work and to collaborate with various non-profit agencies.

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

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

Section 1. That the Director of Parks, Recreation and Properties is authorized to enter into one or more contracts with City Year to perform community service work and to collaborate with non-profit agencies, in an amount not to exceed \$100,000.00, payable from Fund No. 01-700401-638000, Request No. 136771.

Section 2. That this ordinance is declared to be an emergency measure and, provided it receives the

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

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

Ord. No. 627-04.

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

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to sell City-owned property no longer needed for public use located at 12300 Shaker Boulevard to the Kappa Alpha Psi Fraternity House of Cleveland Ohio, Inc.

Whereas, the Director of Parks, Recreation and Properties has requested the sale of the City-owned property to the Kappa Alpha Psi Fraternity House of Cleveland Ohio, Inc. (the "Redeveloper") no longer needed for public use and located at 12300 Shaker Boulevard; and

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

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

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

Legal Parcel "B"

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of original one hundred acre Lots Nos. 428 and 429, being bounded and described as follows:

Beginning at a stone monument found at the centerline intersection of Williams Ave (50 feet wide) and E. 124 Street (50 feet wide);

Thence S 89° 36' 05" W, 15.44 feet, along centerline of said Williams Ave to a point;

Thence N 00° 36' 09" E, 25.00 feet, to a point on the Northerly line of said Williams Avenue and the principal place of beginning of lands intended to be described;

Thence S 89° 36' 05" W, 135.21 feet, along the Northerly line of said Williams Avenue to a point of curvature;

Thence N 53° 38' 42" W, 44.52 feet, along the chord of a curve deflecting to the right having an arc length of 47.73 feet, and a radius of 37.20 feet, to the point of tangent;

Thence N 16° 53' 25" W, 16.44 feet, along the Northerly line of said Williams Avenue to a point;

Thence N 00° 36' 35" E, 90.00 feet, to the point;

Thence S 89° 23' 25" E, 20.00 feet, to a point;

Thence N 00° 36' 35" W, 60.37 feet, to a point on the Southerly line of shaker Blvd. (190 feet wide);

Thence S 89° 23' 25" E, 156.23 feet, along said Southerly line to a point;

Thence S 00° 36' 09" W, 190.04 feet, along the Westerly line of land conveyed to Kappa Alpha Psi Fraternity by deed recorded in Vol. 89-

3996 Page 43 of County Records to the place of beginning and containing 0.737 acres of land according to survey made in March 2004 by Bemba K. Jones, P.S. Associates Inc. Professional Surveyors of Ohio #7343.

The basis for all bearings in this description is assumed.

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

Section 3. That the conveyance shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain necessary provisions, including restrictive reversionary interests as may be specified by the Board of Control or Director of Law, which shall protect the parties as their respective interests require and shall specifically contain a provision against the erection of any advertising signs or billboards except permitted identification signs.

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

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. 628-04.

By Council Member Cimperman.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on West 19th Street to Sammy Catania and Thomas C. Catania.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell

Permanent Parcel No(s). 004-02-032, as more fully described below, to Sammy Catania and Thomas C. Catania.

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

P. P. No. 004-02-032

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 111 in Bradford and Carter's Subdivision of part of Original Brooklyn Township Lot Nos. 70 and 87, as shown by the recorded plat in Volume 29 of Maps, Page 13 of Cuyahoga County Records. Said Sublot No. 111 has a frontage of 25 feet on the Easterly side of West 19th Street (formerly Smith Street), and extends back between parallel lines 100 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to zoning ordinances, if any.

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

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

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

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

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

Ord. No. 629-04.

By Council Member White.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on Aetna Avenue to Cedric Nunn.

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

lands situated within the City of Cleveland; and

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 135-05-023, as more fully described below, to Cedric Nunn.

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

P. P. No. 135-05-023

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Easterly 45 feet of the Westerly 90 feet of Sublot No. 26 in the Carter Heirs Subdivision, of part of Original One Hundred Acre Lot Nos. 449 and 450 in said city. Said part of said Sublot has a frontage of 45 feet on the Northerly side of Aetna Road, S.E. (formerly Aetna Street) and extends back of equal width 135 feet deep, as per plat of said Subdivision recorded in Volume 12 of Maps, Page 38 of Cuyahoga County Records, be the same more less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

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

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

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

Section 6. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council,

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

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

Ord. No. 630-04.

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

An emergency ordinance to amend the title, and Sections 1 and 2 of Ordinance No. 474-04, passed March 22, 2004, relating to a Clean Ohio Assessment Grant to conduct the Phase II environmental assessment on Clarkwood and East 68th Street located within the Central Neighborhood's Homeownership Zone and authorizing one or more contracts with Burten, Bell, Carr Development, Inc. to implement the project.

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

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

Section 1. That the existing title, and Sections 1 and 2 of Ordinance No. 474-04, passed March 22, 2004, are amended to read as follows:

An emergency ordinance authorizing the Director of Community Development to apply for and accept a grant from the Clean Ohio Assistance Fund, for a Clean Ohio Assessment Grant to conduct the Phase II environmental assessment at 2224 Clarkwood Road and 2255 East 68th Street, located within the Central Neighborhood's Homeownership Zone; and authorizing the Director to enter into one or more contracts with Burten, Bell, Carr Development, Inc. to implement the project.

Section 1. That the Director of Community Development is authorized to apply for and accept a grant in the approximate amount of \$128,499, from the Clean Ohio Assistance Fund, for a Clean Ohio Assessment Grant to conduct the Phase II environmental assessment at 2224 Clarkwood Road, a site known as the Clarkwood Junkyard, and at 2255 East 68th Street, formerly known as **Cuyahoga Rivet & Screw**, both located within the Central Neighborhood's Homeownership Zone, for the purposes described in the summary for the grant contained in the file described below. That the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes set forth in the summary for the grant contained in the file described below.

Section 2. That the summary for the grant, File No. **474-04-B**, made a part as if fully rewritten, is approved in all respects.

Section 2. That the existing title, and Sections 1 and 2 of Ordinance No. 474-04, passed March 22, 2004, are repealed.

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

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

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

Ord. No. 631-04.

By Council Member Jones.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on scattered site to Amistad Development Corporation or designee.

Whereas, the City of Cleveland adopted and implemented procedures under Chapter 5722 of the Ohio Revised Code to facilitate reutilization of nonproductive lands situated within the City of Cleveland; and

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 138-12-069 as more fully described below, to Amistad Development Corporation or designee.

P. P. No. 138-12-069

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 108 in William M. Southern's Stanley Heights Subdivision of part of Original Warrensville Township Lots Nos. 61 and 71 as shown by the recorded plat in Volume 16 of Maps, Page 23 of Cuyahoga County Records and being 40 feet front on the Westerly side of East 141st Street and extending back between parallel lines 125 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

Section 2. That the real property to be sold pursuant to Section 1 of this Ordinance is more fully described as follows:

Section 3. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 138-12-152 as more fully described below to Amistad Development Corporation or designee.

Section 4. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 138-12-152

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No.

70 in The Brockett Allotment of part of Original One Hundred Acre Lot No. 470 as shown by the recorded plat in Volume 61 of Maps, Page 40 of Cuyahoga County Records, and being 40 feet front on the Westerly side of East 139th Street and extending back of equal width 140 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 5. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 138-23-054 as more fully described below, to Amistad Development Corporation or designee.

Section 6. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 138-23-054

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 6 in The Continental Realty Company Continental Park Subdivision of part of Original Warrensville Township Lot Nos. 71 and 81 as shown by the recorded plat in Volume 55 of Maps, Page 40 of Cuyahoga County Records, and being 40 feet front on the Westerly line of East 146th Street and extending back of equal width, 112.62 feet deep on the Northerly line, 112.35 feet deep on the Southerly line and 40 feet wide in the rear, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 7. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 139-05-065 as more fully described, to Amistad Development Corporation or designee.

Section 8. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 139-05-065

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 74 in William M. Southern's Stanley Heights Subdivision of part of Original Warrensville Township Lot Nos. 61 and 71 as shown by the recorded plat in Volume 16 of Maps, Page 23 of Cuyahoga County Records and being 40 feet front on the Northerly side of Benwood Avenue, S.E. (formerly Marvin Avenue), and extending back of equal width 125 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

Section 9. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 139-05-101 as more fully described below, to Amistad Development Corporation or designee.

Section 10. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 139-05-101

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 251 in The Parkhill Land and Allotment Company's Overlook Subdivision of part of Original Warrensville Township Lot Nos. 51 and 61 as shown by the recorded plat in Volume 59 of Maps, Page 10 of Cuyahoga County Records, and being a parcel of land 40 feet front on the Northerly side of Edgewood Avenue S.E. and extending back between parallel lines, 110 feet, be the same more less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

Section 11. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 142-01-069 as more fully described below, to Amistad Development Corporation or designee.

Section 12. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 142-01-069

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 50 in William M. Southern's Stanley Heights Allotment of part of Warrensville Township Lots Nos. 61 and 71 as shown by the recorded plat of said Subdivision in Volume 16 of Maps, Page 23 of Cuyahoga County Records. Said Sublot No. 50 has a frontage of 40 feet on the Easterly side of East 143rd Street (formerly Myrtle Avenue) and extending back between parallel lines 125 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

Section 13. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 142-02-005 as more fully described below, to Amistad Development Corporation or designee.

Section 14. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 142-02-005

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being all of Sublot No. 137 in W.M. Southern's Subdivision of part of Original Warrensville Township Lot Nos. 61 and 71 as shown by the recorded plat in Volume 16 of Maps, Page 23 of Cuyahoga County Records. Said Sublot No. 137 has a frontage of 40 feet on East 141st Street (formerly Gale Avenue) and extends back of equal width 125 feet deep as appears by said plat, be the same more or less, but subject to all legal highways. Also subject to restriction of record, zoning ordinances, if any. Also subject to covenants and restrictions recorded in Volume 507, Page 456 of Cuyahoga County Records.

Section 15. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 142-16-043 as more fully described below, to Amistad Development Corporation or designee.

Section 16. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 142-16-043

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being all of Sublot No. 232 in the Miles Heights Subdivision, of part of Original Township Lot No. 82 as shown by the recorded plat in Volume 44 of Maps, Page 15 of Cuyahoga County Records. Said Sublot has a frontage of 40 feet on Alonzo Avenue as appears by said plat, be the same more or less, but subject to all legal highways.

Restrictions containing in the instrument dated November 7, 1919 and recorded in Volume 2299, Page 484 of Cuyahoga County Records

Also subject to all zoning ordinances, if any.

Section 17. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 142-16-048 as more fully described below, to Amistad Development Corporation or designee.

Section 18. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 142-16-048

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 227 in the S.H. Kleinman Realty Company's Miles Heights Allotment of part of Original Warrensville Township Lot No. 82, as shown by the recorded plat in Volume 44 of Maps, Page 15 of Cuyahoga County Records, said Sublot has a frontage of 40 feet on the Southerly side of Alonzo Avenue, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 19. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 142-16-049 as more fully described below, to Amistad Development Corporation or designee.

Section 20. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 142-16-049

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 226 in the S.H. Kleinman Realty Company's Miles Heights Allotment of part of Original Warrensville Township Lot No. 82, as shown by the recorded plat in Volume 44 of Maps, Page 15 of Cuya-

hoga County Records, said Sublot has a frontage of 40 feet on the Southerly side of Alonzo Avenue, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 21. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 142-16-050 as more fully described below, to Amistad Development Corporation or designee.

Section 22. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 142-16-050

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 225 in the S.H. Kleinman Realty Company's Miles Heights Allotment of part of Original Warrensville Township Lot No. 82, as shown by the recorded plat in Volume 44 of Maps, Page 15 of Cuyahoga County Records, said Sublot has a frontage of 40 feet on the Southerly side of Alonzo Avenue, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 23. That all documents necessary to complete the conveyance authorized by this ordinance shall be executed within six (6) months of the effective date of this ordinance. If all of the documents are not executed within six (6) months of the effective date of this ordinance, or such additional time as may be granted by the Director of Community Development, this ordinance shall be repealed and shall be of no further force or effect.

Section 24. That the consideration for the subject parcel shall be established by the Board of Control and shall be not less than Fair Market Value taking into account such terms and conditions, restrictions and covenants as are deemed necessary or appropriate.

Section 25. That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest including such restrictive covenants and reversionary interests as may be specified by the Board of Control, the Director of Community Development or the Director of Law.

Section 26. 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 Directors of Community Development, City Planning Commission, Finance, Law; Committees on Community and Economic Development, Finance.

Ord. No. 632-04.

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

An emergency ordinance declaring the property located at 16800 Lorain Avenue blighted premises under Sections 324.01 through 324.16 of the Codified Ordinances of Cleveland, Ohio, 1976; and authorizing the Director of Community Development to acquire the blighted premises and sell the premises to Kamm's Corners Development Corporation.

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

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

Section 1. That, under the requirements of Sections 324.01 through 324.16, inclusive, of the Codified Ordinances of Cleveland, Ohio, 1976, including obtaining the consent of the Councilmember in whose ward the premises is located, the Director of Community Development has found and determined that Permanent Parcel No. 025-16-020, located at 16800 Lorain Avenue, owned by 16800 West Lorain Road Inc., is a blighted premises, as defined by Section 324.03 of the Codified Ordinances, because the blighted premises has been condemned under the Codified Ordinances. Furthermore, it is the opinion of the Director that it is necessary for the City of Cleveland to acquire the blighted premises because the owner has not responded to a lawful order by the City to take action to eliminate its recurrence within thirty (30) days after due notice thereof.

Section 2. That a public hearing was held in accordance and compliance with the requirements of Section 324.08 and 324.09 of the Codified Ordinances.

Section 3. That, based on the factors set forth above and compliance with the public notice requirements above, the Council, as required by Sections 324.10 and 324.11 of the Codified Ordinances, finds and determines that the area described above is a blighted premises as defined in Section 324.03 of the Codified Ordinances, and that acquisition of the premises is necessary in order to eliminate the blight and prevent its recurrence.

Section 4. That based on the findings and declarations set forth herein, the Director of Community Development is authorized to negotiate the acquisition of the blighted premises from the owner.

Section 5. That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances, of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized to purchase the following described blighted premises:

Permanent Parcel Number 025-16-020
16800 Lorain Avenue
Situated in the City of Cleveland,
County of Cuyahoga and State of
Ohio and bounded and described as

follows, to-wit: and known as being part of Original Rockport Township Section No. 13, bounded and described as follows: Beginning in the Northwesterly line of Lorain Avenue at a point 460 feet Northeasterly (measured along said Northwesterly line) from the Easterly line of land conveyed to Kate Schink by deed dated October 7, 1898, and recorded in Volume 692, Page 493 of Cuyahoga County Records; thence Northeasterly along said Northwesterly line of Lorain Avenue 50 feet; thence Northwesterly on a line at right angles to said Northwesterly line of Lorain Avenue 120 feet; thence Southwesterly on a line parallel with said Northwesterly line of Lorain Avenue 50 feet; thence Southeasterly 120 feet to the place of beginning, be the same more or less, but subject to all legal highways.

Section 6. That the Director of Community Development is authorized to execute on behalf of the City of Cleveland all necessary documents to acquire and to convey the property and to employ and pay all fees for title companies, surveys, escrows, appraisers, environmental audits, relocation, and all other costs necessary for the acquisition of the property.

Section 7. That the Director of Community Development is authorized to enter into and execute a project agreement on behalf of the City of Cleveland with Kamm's Corners Development Corporation (the "Developer") for the redevelopment or rehabilitation, as defined in Chapter 324 of the Codified Ordinances, of the blighted premises.

Section 8. That the consideration to be paid for this property shall be fair market value, payable from the fund or funds which are appropriated for this purpose.

Section 9. That the Commissioner of Purchases and Supplies is authorized to convey the blighted property described in this ordinance to the Developer, for fair market value, taking into account all restrictions, reversionary interests and similar encumbrances placed by the City of Cleveland in the deed of conveyance.

Section 10. That the conveyance shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain necessary provisions, including restrictive reversionary interests as may be specified by the Board of Control or Director of Law, which shall protect the parties as their respective interests require and shall specifically contain a provision against the erection of any advertising signs or billboards except permitted identification signs.

Section 11. That the Mayor, Director of Law and the Director of Community Development are authorized to execute such certifications and documents, and to take other actions as may be necessary or appropriate in connection with the carrying out of the terms of the project agreement, and the activities contemplated by Chapter 324 of the Codified Ordinances.

Section 12. 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 Directors of Community Development, City Planning Commission, Finance, Law; Committees on Community and Economic Development, City Planning, Finance.

Ord. No. 633-04.

By Council Member Coats.

An emergency ordinance to amend Section 613.15 of the Codified Ordinances of Cleveland, Ohio, as enacted by Ordinance No. 1695-65, passed October 18, 1965, relating to litter on vacant land.

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 613.15 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1695-65, passed October 18, 1965, is amended to read as follows:

Section 613.15 Litter on Vacant Land

(a) No person shall throw or deposit litter on any open or vacant private property within the City whether owned by such person or not.

(b) No person shall throw or deposit food, including any food intended for animals, on any open or vacant private property within the City whether owned by such person or not.

Section 2. That Section 613.15 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1695-65, passed October 18, 1965, 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 Director of Law; Committees on Legislation, Finance.

Ord. No. 634-04.

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

An emergency ordinance authorizing the Director of Economic Development to enter into a grant agreement with Burten, Bell, Carr Development, Inc. to provide economic development assistance to partially finance the redevelopment of a shopping center at East 93rd and Kinsman Road.

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 Economic Development is authorized to enter into a grant agreement with Burten, Bell, Carr Development, Inc. to provide economic development assistance to partially finance the redevelopment of a shopping center at East 93rd and Kinsman Road.

Section 2. That the costs of the grant shall not exceed \$20,000 and shall be paid from Fund No. 17 SF 652, Request No. 103617.

Section 3. That the Director of Law is authorized to prepare the grant agreement and other documents as may be appropriate to complete the transaction.

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

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

Ord. No. 636-04.

By Council Member White.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 9127 Broadway Avenue to Chris Penman and Amelia Penman.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 134-09-008, as more fully described below, to Chris Penman and Amelia Penman.

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

P. P. No. 134-09-008

Parcel No. 1

Situated in the City of Cleveland, County of Cuyahoga and State of

Ohio, and known as being part of Sublot No. 79 in the Newburgh Village Plat of part of Original One Hundred Acre Lot No. 464, as shown by the recorded plat in Volume 2 of Maps, Page 20 of Cuyahoga County Records, bounded and described as follows:

Beginning in the Northeasterly line of Broadway S.E. (60 feet wide) at its intersection with the Northwesterly line of parcel of land aparted to Lucretia Miles by Partition in Common Pleas Court Records Volume 8, Page 471, said point being also distant Southeasterly measured along said Northeasterly line of Broadway S.E., 256.92 feet from its intersection with the Southerly line of Miles Avenue S.E. (70 feet wide), thence North 39° 07' 20" East along the Northwesterly line of lands aparted to Lucretia Miles as aforesaid, 98.51 feet to its intersection with the Southerly line of a parcel of land granted to O.R. Pease by Common Pleas Court Records in Volume 202, Page 411; thence North 82° 20' 20" West along the Southerly line of said land so aparted to O.R. Pease and along the Southerly line of parcel of land conveyed to James Kennedy by deed dated September 25, 1916 and recorded in Volume 1812, Page 577 of Cuyahoga County Records it being also the Northerly line of parcel of land conveyed to Jessica C. Hopkins by deed dated January 31, 1907 and recorded in Volume 1037, Page 839 of Cuyahoga County Records 68.22 feet; thence South 31° 32' 30" West along the Northwesterly line of land so conveyed to Jessica Hopkins it being also a Southeasterly line of a parcel of land conveyed to John H. and Louisa Johnston by deed dated February 4, 1909 and recorded in Volume 1097, Page 466 of Cuyahoga County Records, 62.16 feet to a point in the Northeasterly line of Broadway S.E.; thence South 49° 25' 10" East along the Northeasterly line of Broadway S.E., 50 feet to the place of beginning, according to the survey of the Wight-O'Rourke Company, dated September, 1943, be the same more or less, but subject to all legal highways.

Also subject to zoning ordinances.

Parcel No. 2

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and being part of Sublot No. 79 in the Newburgh Village Plat of Original 100 Acre Lot No. 464 as appears on plat recorded in Volume 2, Page 20 of Cuyahoga County Map Records, and being more particularly bounded and described as follows:

The beginning point is on the Northeasterly line of Broadway (60 feet wide) Distant South 49° 25' 10" East along said Northeasterly line, 10.00 feet from its intersection with the Northwesterly line of parcel of land aparted to Lucretia Miles by Partition as shown in Common Pleas Court Records Volume 8, Page 471. Said intersection being distant Southeasterly along said Northeasterly line of Broadway 256.92 feet from its intersection with the South

line of Miles Avenue (70 feet wide) as now established:

COURSE 1. Thence North 39° 07' 20" East parallel to and distant Southeasterly 10 feet at right angles from the Northwesterly line of lands aparted to Lucretia Miles as aforesaid 104.88 feet to its intersection with the Southerly line of a parcel of land granted to O.R. Pease by Common Pleas Court Records Volume 202, Page 411.

COURSE 2. Thence North 82° 20' 20" West along the Southerly line of said O.R. Pease lands it being also the Northerly line of land aparted to Lucretia Miles as aforesaid 11.72 feet.

COURSE 3. Thence South 39° 07' 20" West along the Northwesterly line of lands aparted to Lucretia Miles it being also the Southeasterly line of lands aparted to James Strong, by Partition as shown in Common Pleas Court Records Volume 8, Page 471, 98.51 feet to said Northeasterly line of Broadway.

COURSE 4. Thence South 49° 25' 10" East along said Northeasterly line 10.00 feet to the place of beginning. Be the same more or less, but subject to all legal highways.

Also subject to zoning ordinances.

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

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

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

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

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

FIRST READING ORDINANCE REFERRED

Ord. No. 637-04.

By Council Member Pierce Scott.

An ordinance to change the zoning of parcels along the north side of Superior Avenue between East 101st and East 103rd Streets from a Single-Family Residential Use District, a Multi-Family Residential Use District, and a Local Retail Business Use District to an RA-2 Townhouse Use District and a Planned Unit Development (PUD) Overlay District; from "B," "C," and "D" Area Districts to a "C" Area District; and from a "1" Height District to a "2" Height District (Map Change No. 2122, Sheet No. 4).

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

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

Beginning at the Centerline of East 101st Street (40 feet wide) at its Intersection with the Centerline of Superior Avenue (80 feet wide);

Thence Northerly along the Centerline of said East 101st Street to its Intersection with the Westerly prolongation of the Northerly line of Sublot No. 7 of C.C. Baldwin's Allotment as shown by the recorded plat in Volume 17, Page 7 of the Cuyahoga County Records;

Thence Easterly along the Westerly prolongation and Northerly line of Sublot No. 7 of said Allotment to the Northeasterly corner thereof;

Thence Southerly along the Easterly lines of Sublot No.'s 7, 6, and 5 of said Allotment to the Southeasterly corner thereof;

Thence Easterly along the Southerly line and Easterly prolongation of Sublot No. 31 of M.H. Solloway's Subdivision as shown by the recorded plat in Volume 16, Page 6 of the Cuyahoga County Records to its Intersection with the Centerline of East 102nd Street (40 feet wide);

Thence Northerly along the Centerline of said East 102nd Street to its Intersection with the Westerly prolongation and Northerly line of Sublot No. 4 of said Subdivision;

Thence Easterly along the Westerly prolongation and Northerly line of said Sublot No. 4 to the Northeasterly corner thereof;

Thence Southerly along the Easterly line of Sublot No.'s 4 and 1 of said Subdivision to its Intersection with the Southwesterly corner of Sublot No. 50 of Morley & Morison's Subdivision as shown by the recorded plat in Volume 26, Page 24 of the Cuyahoga County Records;

Thence Easterly along the Southerly line and Easterly prolongation of Sublot No. 50 of said Subdivision to its Intersection with the Centerline of East 103rd Street (45 feet wide);

Thence Southerly along the Centerline of said East 103rd Street to its Intersection with the Centerline of Superior Avenue, as aforesaid;

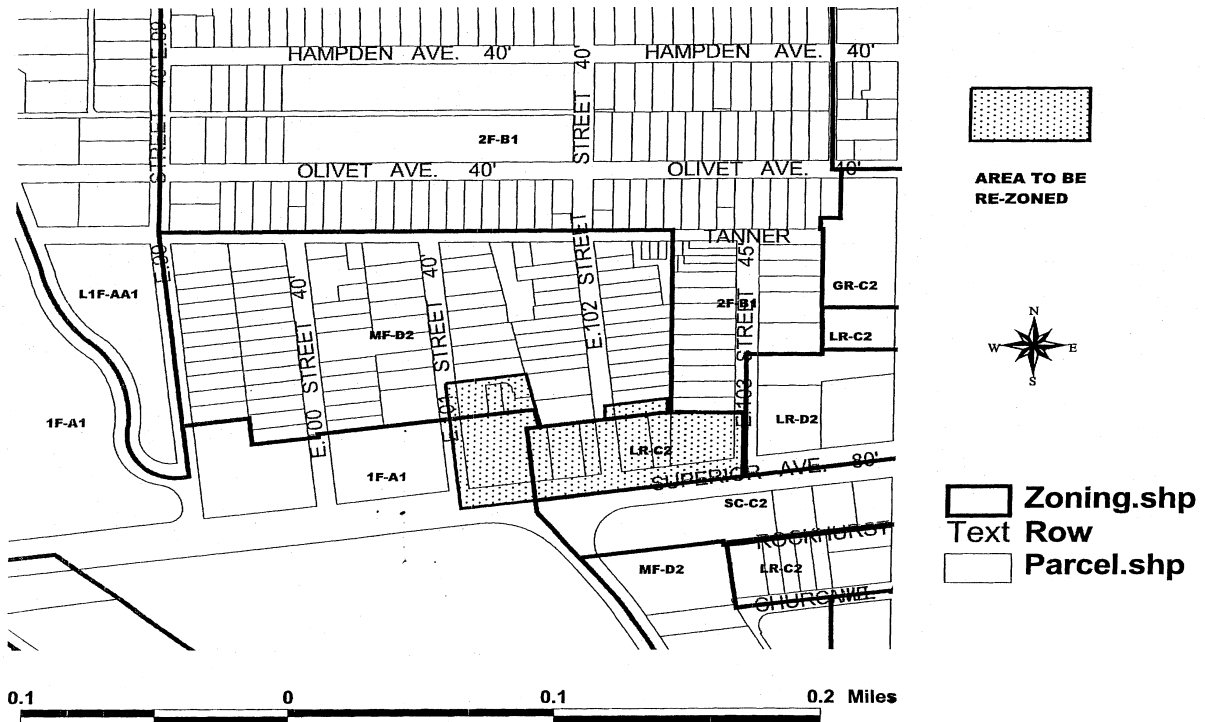
Thence Westerly along said Centerline of Superior Avenue to its Intersection with the Centerline of East 101st Street, as aforesaid, and the place of beginning,

and as outlined and shaded on the attached map is changed to an RA-2 Townhouse Use District and a Planned Unit Development Overlay District, a "C" Area District, and a "2" Height District.

Section 2. That the changed designation of lands described in Section 1 shall be identified as Map Change No. 2122, Sheet No. 4, 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.

Proposed rezoning of parcels on the north side of Superior Avenue from a Single-Family Residential Use District, a Multi-Family Residential Use District and a Local Retail Business Use District to an RA-2 Townhouse Use District and a Planned Unit Development Overlay District; from a "B," "C," and "D" Area District to a "C" Area District; and from a "1" Height District to a "2" Height District (Map Change No. 2122, Sheet No. 4).



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

**FIRST READING EMERGENCY
RESOLUTION REFERRED**

Res. No. 635-04.

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

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

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

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

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

15601-03 St. Clair Avenue, N.E.

Permanent Parcel No. 115-24-048

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

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

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

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

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

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

Permanent Parcel No. 115-28-001,
002, 003 and 004

15710 St. Clair Avenue

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot Nos. 76, 77, 78 and 79 in The R. R. and P. P. Company's Five Points Allotment of part of Original Euclid Township Lot No. 42, as shown by the recorded plat in Volume 63 of Maps, Page 32 of Cuyahoga County Records, and together forming a parcel of land 180 feet front on the Southeasterly side of St. Clair Avenue N.E., 143.73 feet deep on the Northeasterly line, which is also the Southwesterly line of Rondel Road, N.E., 140.33 feet deep on the Southwesterly line which is also the

Northeasterly line of Royal Road N.E., and 179.86 feet wide in the rear, as appears by said plat, be the same more or less, but subject to all legal highways.

707-711 East 162nd Street
Permanent Parcel No. 116-14-095
and 094

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

And known as being Sublot Nos. 140 and 141 in the Crosby's Subdivision of part of Original Euclid Township Tract No. 16, as shown by the recorded plat in Volume 9 of Maps, Page 25, of Cuyahoga Records, and together forming a parcel of land 82 feet front on the Easterly side of East 162nd Street, and extending back of equal width 138 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

705 East 162nd Street

Permanent Parcel No. 116-14-096

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

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

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

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

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

Ord. No. 638-04.

By Council Member Brady.

An emergency ordinance authorizing the Director of Community Development to enter into a grant agreement with Westown Community Development Corporation for their Residential Home Repair Rebate Program in order to carry out the public purpose of providing home repair assistance to the residents of the City of Cleveland through the use of Ward 19 Neighborhood Equity Funds.

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

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

Section 1. That the Director of Community Development is authorized to enter into a grant agreement with Westown Community Development Corporation for their Residential Home Repair Rebate Program in order to carry out the public purpose of providing home repair assistance to the residents of the City of Cleveland through the use of Ward 19 Neighborhood Equity Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$50,000 and shall be paid from Fund No. 10 SF 166.

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

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

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

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

Ord. No. 639-04.

By Council Member Conwell.

An emergency ordinance authorizing the Director of Public Health to enter into a grant agreement with the American Red Cross, Greater Cleveland Chapter for their Together We Prepare program in order to carry out the public purpose of providing educational programming to the residents of the City of Cleveland through the use of Ward 9 Neighborhood Equity Funds.

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

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

Section 1. That the Director of Public Health is authorized to enter into a grant agreement with the American Red Cross, Greater Cleveland Chapter for their Together We Prepare program in order to carry out the public purpose of providing educational programming to the residents of the City of Cleveland through the use of Ward 9 Neighborhood Equity Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$23,500 and shall be paid from Fund No. 10 SF 166.

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

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

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. 640-04.

By Council Member Zone.

An emergency ordinance authorizing the Director of Community Development to enter into a grant agreement with Esperanza, Inc for their Prime Time for Reading program in order to carry out the public purpose of providing educational programming to the residents of the City of Cleveland 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 Director of Community Development is authorized to enter into a grant agreement with Esperanza, Inc for their Prime Time for Reading program in order to carry out the public purpose of providing educational programming to the residents of the City of Cleveland through the use of Ward 17 Neighborhood Equity Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$40,000 and shall be paid from Fund No. 10 SF 166.

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

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

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

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

Ord. No. 641-04.

By Council Member Conwell.

An emergency ordinance to amend Section 1 of Ordinance No. 2342-03, passed November 24, 2003 as it pertains to authorizing the Director of Community Development to enter into an agreement with the Northeast Neighborhood Development Corporation for the Ashbury Senior Computer Community Center Program through the use of Ward 9 Neighborhood Equity Funds.

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

a municipal department; now, therefore,

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

Section 1. That Section 1 of Ordinance No. 2342-03 passed November 24, 2003 is hereby amended to read as follow:

Section 1. That the Director of Community Development is authorized to enter into an agreement effective October 1, 2003 to **June 30, 2004** with the Northeast Neighborhood Development Corporation for the Ashbury Senior Computer Community Center Program for the public purpose of providing computer classes to Cleveland residents through the use of Ward 9 Neighborhood Equity Funds.

Section 2. That Section 1 of Ordinance No. 2342-03, passed November 24, 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.

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. 642-04.

By Council Member Jones.

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter into an agreement with KaBoom! For the coordination of the installation of playground equipment at Kerruish Park.

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

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

Section 1. That the Director of Parks Recreation and Properties is authorized to enter into an agreement with KaBoom! for the coordination of the installation of playground equipment at Kerruish Park. The playground equipment shall be installed in accordance with the Charter of the City of Cleveland and all relevant City ordinances and departmental playground design guidelines. The agreement authorized herein shall be reviewed and approved by the Director of Law, who shall make any changes to the agreement he deems necessary in order to protect and benefit the public interest.

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

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

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

Ord. No. 647-04.

By Council Member Conwell.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to Hessler Neighborhood Association to stretch one (1) banner at 1961 Ford Drive using C.P.P. utility poles (by separate permission) for the period from May 22, 2004 to May 23, 2004, inclusive, publicizing the Hessler Street Fair.

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 Hessler Neighborhood Association to install, maintain and remove one banner at 1961 Ford Avenue using C.P.P. utility poles (by separate permission), for a period from May 22, 2004 to May 23, 2004, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

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

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. 643-04.

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

An emergency resolution supporting the employees of the Cleveland Public Library System and the Service Employees International Union District 1199 in its effort to negotiate library workers' rights and benefits with the Cleveland Public Library Board and urging an expeditious and reasonable settlement between the union and the Library Board.

Whereas, in May, 2003, the taxpayers of the City of Cleveland voted overwhelmingly to increase property taxes to support the Cleveland Public Library; and

Whereas, said property tax increase will generate an average of \$14 million dollars per year for the next five years; and

Whereas, the tax levy was supported by Cleveland City Council; and

Whereas, Cleveland Public Library is currently in negotiations with the library employee union, Service Employees International Union District 1199; and

Whereas, the Cleveland Public Library is wasting thousands of tax dollars in such contract negotiations attempting to take away longstanding benefits and rights from the library employees; and

Whereas, the Cleveland Public Library proposes to subcontract book preparation and cataloging work to southern states without providing any documentation that shows savings to the library; and

Whereas, such proposal would send tax dollars out of the City and further reduce the City's shrinking tax base; and

Whereas, the Cleveland Public Library is increasing the number of part-time jobs over additional good, full-time jobs that could support Clevelanders and their families; and

Whereas, the Cleveland Public Library refuses to provide health care coverage for part-time employees; and

Whereas, Service Employees International Union District 1199 has set a strike date for April 20, 2004; and

Whereas, such a strike will hurt the Cleveland Public Library, the City of Cleveland and the entire community; and

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

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

Section 1. That this Council hereby supports the employees of the Cleveland Public Library System and the Service Employees International Union District 1199 in its effort to negotiate library workers' rights and benefits with the Cleveland Public Library Board and urges an expeditious and reasonable settlement between the union and the Library Board.

Section 2. That the Clerk is hereby directed to transmit certified copies of this resolution to Andrew Venable, Director of the Cleveland Public Library, the Board of Trustees of the Cleveland Public Library, and to the appropriate representatives of the Service Employees International Union District 1199 and the Board of the Cleveland Municipal School District.

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. 644-04.
By Council Member Britt.
An emergency resolution objecting to the transfer of Liquor License of a C2 Liquor Permit to 10716 Woodland Avenue.

Whereas, Council has been notified by the Department of Liquor Control of an application for a transfer of Liquor License of a C2 Liquor Permit from Drug World, Inc., 12201 Larchmere Avenue, Cleveland, Ohio 44120, Permanent Number 2315633 to Husnia, Inc., DBA Savelliner Square Deal, 10716 Woodland Avenue, Cleveland, Ohio 44120, Permanent Number 40910710005; 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 C2 Liquor Permit from Drug World, Inc., 12201 Larchmere Avenue, Cleveland, Ohio 44120, Permanent Number 2315633 to Husnia, Inc., DBA Savelliner Square Deal, 10716 Woodland Avenue, Cleveland, Ohio 44120, Permanent Number 40910710005 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. 645-04.
By Council Member Britt.
An emergency resolution objecting to the transfer of ownership of a C1 Liquor Permit to 10716 Woodland Avenue.

Whereas, Council has been notified by the Department of Liquor Control of an application for a transfer of ownership of a C1 Liquor Permit from Husnia, Inc., DBA Savelliner Square Deal, 10716 Woodland Avenue, Cleveland, Ohio 44104, Permanent Number 40910710005 to Amanah Foods, Inc., DBA Savelliner Supermarket, 10716 Woodland Avenue, Cleveland, Ohio 44104, Permanent Number 0172762; 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 ownership of a C1 Liquor Permit from Husnia, Inc., DBA Savelliner Square Deal, 10716 Woodland Avenue, Cleveland, Ohio 44104, Permanent Number 40910710005 to Amanah Foods, Inc., DBA Savelliner Supermarket, 10716 Woodland Avenue, Cleveland, Ohio 44104, Permanent Number 0172762 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. 646-04.

By Council Member Gordon.
An emergency resolution objecting to a New C2 Liquor Permit at 3787 Pearl Road.

Whereas, Council has been notified by the Department of Liquor Control of an application for a New C2 Liquor Permit at Aldi, Inc., Ohio, DBA Aldi #25, 3787 Pearl Road, Cleveland, Ohio 44109, Permanent Number 01007780410; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to a New C2 Liquor Permit at Aldi, Inc., Ohio, DBA Aldi #25, 3787 Pearl Road, Cleveland, Ohio 44109, Permanent Number 01007780410 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.

SECOND READING EMERGENCY ORDINANCES PASSED

Ord. No. 774-03.

By Council Member Lewis.
An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 7611 Sagamore Avenue to Steven Brodnax and Karla L. Brodnax.

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

1. In the title, line 5, and in Section 1, line 3, strike "Steven Brodnax and Karla L. Brodnax" and insert "**Steven Brodnax and Karla L. Brodnax**".

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. 2046-03.

By Council Member Lewis.
An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 6107 Quimby Avenue to Bernard Lemon and Eloise Lemon.

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

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

Ord. No. 2362-03.

By Council Member Lewis.
An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at East 66th Street to Tamara D. McCrimon.

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

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

Ord. No. 2456-03.

By Council Member Lewis.
An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on East 70th Street to Nigel Chung.

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

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

Ord. No. 5-04.

By Council Member Lewis.
An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on East 78th Street to Clifford Pitts, Jr. and Dorothy Pitts.

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

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

Ord. No. 110-04.

By Council Member Pierce Scott.
An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on scattered sites to Glenville Development Corporation or designee.

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

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

Ord. No. 213-04.

By Council Member Britt.
An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on East 100th Street to Fairfax Renaissance Development Corporation.

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

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

Ord. No. 265-04.

By Council Member Jackson.
An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on scattered sites to Burten, Bell, Carr Development, Inc. Approved by Directors of Community Development, City Planning Commission, Finance, Law; Passage recommended by Committees on Community and Economic Development, Finance.

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

Ord. No. 266-04.

By Council Member Johnson.
An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on Sophia Avenue to Olive Grove Missionary Baptist Church.

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

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

Ord. No. 317-04.

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

An emergency ordinance authorizing the Director of Finance to enter into contract with HealthServe, LLC to provide professional services necessary to invoice and collect fees for the costs of the Division of Fire responding to motor vehicle accidents in accordance with a schedule of fees to be established by the Director of Public Safety with approval of the Board of Control, and authorizing the Directors of Finance and Public Safety to establish policies and procedures to implement this program.

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

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

Ord. No. 336-04.

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

An emergency ordinance authorizing the Director of Economic Development to enter into an Enterprise Zone Agreement with CMC & M Inc. to provide for a ten-year, sixty percent tax abatement for new personal property on new machinery and equipment located at 17109 South Miles Road in the Cleveland Area Enterprise Zone.

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

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

Ord. No. 341-04.

By Council Member Pierce Scott.
An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on Ostend Avenue to Maher J. Ali.

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

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

Ord. No. 424-04.

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

An emergency ordinance authorizing the Director of Economic Development to apply for and accept a grant from Ohio Job & Family Services, Workforce Development, for the Reed Act Grant Program; and authorizing the purchase by one or more requirement contracts of computer hardware and software, and appurtenances, furniture, equipment, supplies, resources, and services for use by the One-Stop Career Center.

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

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

Ord. No. 482-04.

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

An emergency ordinance authorizing the Director of Economic Development to enter into an amendment to Contract No. 59952 with Ruthie and Moe's MidTown Diner, Inc. to change the terms of the loan entered into to partially finance the purchase of machinery, equipment, furniture and fixtures for the property located at 4002 Prospect Avenue.

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

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

LAID ON THE TABLE

Res. No. 2465-03.

By Council Members Reed and Polensek.

An emergency resolution congratulating the President of the United States and the American troops in Iraq on the successful capture of Saddam Hussein.

Without objection, Resolution No. 2465-03 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. Resolution No. 2465-04 tabled.

MOTION

By Council Member Westbrook, seconded by Council Member Johnson and unanimously carried that the absence of Council Members Roosevelt Coats, Merle R. Gordon and Joseph T. Jones, be and is hereby authorized.

MOTION

The Council Meeting adjourned at 8:42 p.m. to meet on Monday, April 26, 2004 at 7:00 p.m. in the Council Chambers.



Clerk of Council

THE CALENDAR

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

NONE

BOARD OF CONTROL

April 14, 2004

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, April 14, 2004, at 10:30 a.m. with Mayor Campbell presiding.

Present: Mayor Campbell, Acting Directors Horvath, Dumas, Ciaccia, Directors Mok, Ricchiuto, Carroll, Acting Director Pettus, Director Ronayne, Acting Director Resseger, Director Routen, Acting Director Appolito, Directors Fumich, Taylor and Williams.

Absent: None.

Others: Myrna Branche, Commissioner, Purchases and Supplies.

Carol Whitaker, Acting Director, Office of Equal Opportunity.

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

Resolution No. 203-04.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Professional Electric Products Company for an estimated quantity of wire and accessories, all items, for the Division of Cleveland Public Power, Department of Public Utilities, for a period of two (2) years beginning with the date of execution of a contract, received on December 18, 2003, pursuant to the authority of Section 129.26 of the Codified Ordinances of Cleveland, Ohio 1976, which on the basis of the estimated quantity would amount to

Seven Hundred Ninety Nine Thousand Five Hundred Sixty Four and 50/100 Dollars (\$799,564.50), (0%, Net 30 Days) is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 131290 which shall be certified against such contract in the sum of Forty Thousand and no/100 Dollars (\$40,000.00).

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

Yeas: Mayor Campbell, Acting Directors Horvath, Dumas, Ciaccia, Directors Mok, Ricchiuto, Carroll, Acting Director Pettus, Director Ronayne, Acting Director Resseger, Director Routen, Acting Director Appolito, Directors Fumich, Taylor and Williams.

Nays: None. Absent: None.

Resolution No. 204-04.
By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of D & M Painting Corporation for the public improvement of Kirtland Intake Crib Painting (including a \$61,818.18 contingency allowance), for the Division of Water, Department of Public Utilities, beginning with the later of the date of execution of a contract or receipt of a notice to proceed, received on February 11, 2004, pursuant to the authority of Ordinance No. 2096-2000, passed March 26, 2001, for a gross price for the improvement in the aggregate amount of Six Hundred Eighty Thousand Dollars (\$680,000.00), is hereby affirmed and approved as the lowest responsible bid; and the Director of Public Utilities is hereby authorized to enter into contract for said improvement with said bidder.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by D & M Painting Corporation for the above-mentioned public improvement is hereby approved:

<u>Subcontractor</u>	<u>Percentage Work</u>
Rudy's Hardware (MBE)	1.85% — \$12,600.00
Ballast Construction, Inc., d.b.a. Ballast Fence (FBE)	.29% — \$2,000.00
Julian Supply Company, Inc. (FBE)	.19% — \$1,320.00
Polk Photography (MBE)	.47% — \$3,200.00

Yeas: Mayor Campbell, Acting Directors Horvath, Dumas, Ciaccia, Directors Mok, Ricchiuto, Carroll,

Acting Director Pettus, Director Ronayne, Acting Director Resseger, Director Routen, Acting Director Appolito, Directors Fumich, Taylor and Williams.

Nays: None. Absent: None.

Resolution No. 205-04.

By Director Mok.

Resolved, by the Board of Control of the City of Cleveland that all bids received on March 31, 2004, for labor and materials for the rental of snow removal and heavy-duty equipment with operators, for the various divisions of the Department of Port Control, pursuant to the authority of Ordinance No. 1888-03, passed by the Council of the City of Cleveland on November 10, 2003, be and the same are hereby rejected.

Yeas: Mayor Campbell, Acting Directors Horvath, Dumas, Ciaccia, Directors Mok, Ricchiuto, Carroll, Acting Director Pettus, Director Ronayne, Acting Director Resseger, Director Routen, Acting Director Appolito, Directors Fumich, Taylor and Williams.

Nays: None. Absent: None.

Resolution No. 206-04.

By Director Mok.

Resolved, by the Board of Control of the City of Cleveland that the bid of Lakefront Automotive Parts, Inc., for the necessary items of automotive parts, supplies and services necessary for the maintenance of airport vehicles and equipment, Item Nos. 1 and 3, for the various divisions, Department of Port Control, for a period not to exceed two years beginning with the date of execution of a contract, received on the 14th of January, 2004, pursuant to the authority of Ordinance No. 1687-03, passed October 13, 2003, which on the basis of the estimated quantity would amount to Three Hundred Forty Thousand and 00/100 Dollars (\$340,000.00), is hereby affirmed and approved as the lowest and best bid, and the Director of Port Control is hereby requested to enter into a requirement contract for such labor and materials necessary, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 139857 which shall be certified against such contract in the sum of Twenty Thousand and 00/100 Dollars (\$20,000.00).

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

Yeas: Mayor Campbell, Acting Directors Horvath, Dumas, Ciaccia, Directors Mok, Ricchiuto, Carroll, Acting Director Pettus, Director Ronayne, Acting Director Resseger, Director Routen, Acting Director Appolito, Directors Fumich, Taylor and Williams.

Nays: None. Absent: None.

Resolution No. 207-04.

By Director Mok.

Resolved, by the Board of Control of the City of Cleveland that the bid of Sweepster, L.L.C., for the necessary items of automotive parts, supplies and services necessary for the maintenance of airport vehicles and equipment, Item Nos. 6 and 10, for the various divisions of the Department of Port Control, for a period not to exceed two years beginning with the date of execution of a contract, received on the 14th of January, 2004, pursuant to the authority of Ordinance No. 1687-03, passed October 13, 2003, which on the basis of the estimated quantity would amount to Two Hundred Forty Thousand and 00/100 Dollars (\$240,000.00), is hereby affirmed and approved as the lowest and best bid, and the Director of Port Control is hereby requested to enter into a requirement contract for such labor and materials necessary, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 139860 which shall be certified against such contract in the sum of Twenty Thousand and 00/100 Dollars (\$20,000.00).

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

Yeas: Mayor Campbell, Acting Directors Horvath, Dumas, Ciaccia, Directors Mok, Ricchiuto, Carroll, Acting Director Pettus, Director Ronayne, Acting Director Resseger, Director Routen, Acting Director Appolito, Directors Fumich, Taylor and Williams.

Nays: None. Absent: None.

Resolution No. 208-04.

By Director Mok.

Resolved, by the Board of Control of the City of Cleveland that the bid of Southeastern Equipment Co., Inc., for the necessary items of automotive parts, supplies and services necessary for the maintenance of airport vehicles and equipment, Item No. 11, for the various divisions of the Department of Port Control, for a period not to exceed two years beginning with the date of execution of a contract, received on the 14th of January, 2004, pursuant to the authority of Ordinance No. 1687-03, passed October 13, 2003, which on the basis of the estimated quantity would amount to Eighty Thousand and 00/100 Dollars (\$80,000.00), is hereby affirmed and approved as the lowest and best bid, and the Director of Port Control is hereby requested to enter into a requirement contract for such labor and materials necessary, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 139862 which shall be certified against such contract in the sum of Ten Thousand and 00/100 Dollars (\$10,000.00).

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

Yeas: Mayor Campbell, Acting Directors Horvath, Dumas, Ciaccia, Directors Mok, Ricchiuto, Carroll, Acting Director Pettus, Director Ronayne, Acting Director Resseger, Director Routen, Acting Director Appolito, Directors Fumich, Taylor and Williams.

Nays: None.
Absent: None.

Resolution No. 209-04.

By Director Mok.

Resolved, by the Board of Control of the City of Cleveland that the bid of Medina Tractor Sales Co., Inc., for the necessary items of automotive parts, supplies and services necessary for the maintenance of airport vehicles and equipment, Item No. 2, for the various divisions of the Department of Port Control, for a period not to exceed two years beginning with the date of execution of a contract, received on the 14th of January, 2004, pursuant to the authority of Ordinance No. 1687-03, passed October 13, 2003, which on the basis of the estimated quantity would amount to Sixty Thousand and 00/100 Dollars (\$60,000.00), is hereby affirmed and approved as the lowest and best bid, and the Director of Port Control is hereby requested to enter into a requirement contract for such labor and materials necessary, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 139856 which shall be certified against such contract in the sum of Ten Thousand and 00/100 Dollars (\$10,000.00).

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

Yeas: Mayor Campbell, Acting Directors Horvath, Dumas, Ciaccia, Directors Mok, Ricchiuto, Carroll, Acting Director Pettus, Director Ronayne, Acting Director Resseger, Director Routen, Acting Director Appolito, Directors Fumich, Taylor and Williams.

Nays: None.
Absent: None.

Resolution No. 210-04.

By Director Mok.

Resolved, by the Board of Control of the City of Cleveland that the bid of Truckpro, Inc., for the necessary items of automotive parts, supplies and services necessary for the maintenance of airport vehicles and equipment, Item No. 8, for the various divisions of the Department of Port Control, for a period not to exceed two years beginning with the date of execution of a contract, received on the 14th of January, 2004, pursuant to the authority of

Ordinance No. 1687-03, passed October 13, 2003, which on the basis of the estimated quantity would amount to Thirty Thousand and 00/100 Dollars (\$30,000.00), is hereby affirmed and approved as the lowest and best bid, and the Director of Port Control is hereby requested to enter into a requirement contract for such labor and materials necessary, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 139861 which shall be certified against such contract in the sum of Ten Thousand and 00/100 Dollars (\$10,000.00).

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

Be it further resolved that the employment of the following subcontractor by Truckpro, Inc., hereby is approved:

<u>Subcontractor(s)</u>	<u>MBE/FBE%</u>	<u>Dollar Amount</u>
Poly Service		
47.50% MBE		\$14,250.00

Yeas: Mayor Campbell, Acting Directors Horvath, Dumas, Ciaccia, Directors Mok, Ricchiuto, Carroll, Acting Director Pettus, Director Ronayne, Acting Director Resseger, Director Routen, Acting Director Appolito, Directors Fumich, Taylor and Williams.

Nays: None.
Absent: None.

Resolution No. 211-04.

By Director Mok.

Be it resolved by Board of Control of the City of Cleveland that the bid of Koch Corporation, for the public improvement of Phase 2 Continuation of the Residential Sound Insulation Program, General Construction, Contract "C-03-1", all items, for the Division of Cleveland Hopkins International Airport, Department of Port Control, received on November 5, 2003, pursuant to the authority of Ordinance No. 930-95, passed on June 19, 1995, Ordinance No. 469-98, passed on May 18, 1998, and Ordinance No. 327-2000 passed on June 12, 2000, upon a unit basis for the improvement, in the aggregate amount of \$464,005.50, is hereby affirmed and approved as the lowest responsible bid; and the Director of Port Control is hereby authorized to enter into a contract for said improvement with said bidder.

Be it further resolved that the employment of the following subcontractor by Koch Corporation for the public improvement of the Phase 2 Continuation of the Residential Sound Insulation Program, General Construction Contract "C-03-1", hereby is approved:

<u>Subcontractors</u>	<u>MBE/FBE%</u>	<u>Dollar Amount</u>
Coniglio, Company		
11.01% MBE		\$51,075.00

Yeas: Mayor Campbell, Acting Directors Horvath, Dumas, Ciaccia, Directors Mok, Ricchiuto, Carroll, Acting Director Pettus, Director Ronayne, Acting Director Resseger, Director Routen, Acting Director Appolito, Directors Fumich, Taylor and Williams.

Nays: None.
Absent: None.

Resolution No. 212-04.

By Director Mok.

Resolved, by the Board of Control of the City of Cleveland that the bid of Fall Line Corporation, for the necessary items of automotive parts, supplies and services necessary for the maintenance of airport vehicles and equipment, Item No. 4, for the various divisions of the Department of Port Control, for a period not to exceed two years beginning with the date of execution of a contract, received on the 14th of January, 2004, pursuant to the authority of Ordinance No. 1687-03, passed October 13, 2003, which on the basis of the estimated quantity would amount to Forty Thousand and 00/100 Dollars (\$40,000.00), is hereby affirmed and approved as the lowest and best bid, and the Director of Port Control is hereby requested to enter into a requirement contract for such labor and materials necessary, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 139855 which shall be certified against such contract in the sum of Ten Thousand and 00/100 Dollars (\$10,000.00).

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

Yeas: Mayor Campbell, Acting Directors Horvath, Dumas, Ciaccia, Directors Mok, Ricchiuto, Carroll, Acting Director Pettus, Director Ronayne, Acting Director Resseger, Director Routen, Acting Director Appolito, Directors Fumich, Taylor and Williams.

Nays: None.
Absent: None.

Resolution No. 213-04.

By Director Ricchiuto.

Be it resolved by the Board of Control of the City of Cleveland, that Resolution No. 621-03 adopted by the Board of Control of the City of Cleveland on October 27, 2003, approving the bid of Perk Company, Inc. for an estimated quantity of Underground conduit installation, items 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10, for the Division of Traffic Engineering, Department of Public Service, hereby is rescinded.

Be it further resolved by the Board of Control of the City of Cleveland that all bids received on August 20, 2003 for underground conduit installation, items 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10 for the Division of Traffic Engineering, Department of Public Service, pursuant to the authority of Ordinance No. 371-03, passed by the Council of the City of Cleveland on March 24, 2003, be and the same are hereby rejected.

Yeas: Mayor Campbell, Acting Directors Horvath, Dumas, Ciaccia,

Directors Mok, Ricchiuto, Carroll, Acting Director Pettus, Director Ronayne, Acting Director Resseger, Director Routen, Acting Director Appolito, Directors Fumich, Taylor and Williams.

Nays: None.
Absent: None.

Resolution No. 214-04.

By Director Ricchiuto.
Resolved, by the Board of Control of the City of Cleveland that the bid of Refuse Equipment & Truck Service, Inc. for an estimated quantity of various size front end loader containers, Group A, Item Nos. 1-5, including freight, for the Division of Waste Collection and Disposal, Department of Public Service, for the period of one (1) year, beginning with the date of execution of a contract, received on November 12, 2003, pursuant to the authority of Ordinance No. 1257-03, passed July 16, 2003, which on the basis of the estimated quantity would amount to approximately Sixty-Two Thousand Three Hundred Seventy-Five and no/100 Dollars (\$62,375.00), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 130450 which shall be certified against such contract in the sum of Sixty-Two Thousand Three Hundred Seventy-Five and no/100 Dollars (\$62,375.00). Said requirement contract shall further provide that the Contractor shall furnish the remainder of the City's requirements for such goods and/or services, whether more or less than said estimated quantity, as may be ordered under subsequent requisitions separately certified against said contract.

Yeas: Mayor Campbell, Acting Directors Horvath, Dumas, Ciaccia, Directors Mok, Ricchiuto, Carroll, Acting Director Pettus, Director Ronayne, Acting Director Resseger, Director Routen, Acting Director Appolito, Directors Fumich, Taylor and Williams.
Nays: None.
Absent: None.

Resolution No. 215-04.

By Director Ricchiuto.
Resolved, by the Board of Control of the City of Cleveland that the bid of Northwest Services, Inc. for an estimated quantity of various size roll off dumpster containers, Group B, Item Nos. 1-4, for the Division of Waste Collection and Disposal, Department of Public Service, for the period of one (1) year, beginning with the date of execution of a contract, received on November 12, 2003, pursuant to the authority of Ordinance No. 1257-03 passed July 16, 2003, which on the basis of the estimated quantity would amount to approximately Thirty-Nine Thousand One Hundred Sixty-Five and no/100 Dollars (\$39,165.00), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial

amount of such contract of the following:

Requisition No. 130442 which shall be certified against such contract in the sum of Thirty-Nine Thousand One Hundred Sixty-Five and no/100 Dollars (\$39,165.00).

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

Yeas: Mayor Campbell, Acting Directors Horvath, Dumas, Ciaccia, Directors Mok, Ricchiuto, Carroll, Acting Director Pettus, Director Ronayne, Acting Director Resseger, Director Routen, Acting Director Appolito, Directors Fumich, Taylor and Williams.
Nays: None.
Absent: None.

Resolution No. 216-04.

By Director Fumich.
Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authority of Ordinance No. 98-04, passed by the Council of the City of Cleveland on February 23, 2004, Cynthia Davette Payne is hereby selected upon nomination of the Director of Aging, from a list of qualified consultants, after a full and complete canvass by said Director, as the consultant to be employed by contract for the purpose of supplementing the regularly employed staff of the Department of Aging in order to provide professional services necessary to assist grandparents and other relatives who are caregivers in raising children as the Cleveland — East Community Navigator under the Cuyahoga County Grandparent/Kinship Caregiver Initiative.

Be it further resolved that the Director of Aging is requested to enter into a written contract with Cynthia Davette Payne, which contract shall be prepared by the Director of Law, shall provide for furnishing the professional services described above, on the basis of the grant agreement with Cuyahoga County, and shall contain such terms and conditions as the Director of Law deems necessary to protect and benefit the public interest.

Be it further, resolved that the aggregate fee is not to exceed \$30,000.

Yeas: Mayor Campbell, Acting Directors Horvath, Dumas, Ciaccia, Directors Mok, Ricchiuto, Carroll, Acting Director Pettus, Director Ronayne, Acting Director Resseger, Director Routen, Acting Director Appolito, Directors Fumich, Taylor and Williams.
Nays: None.
Absent: None.

Resolution No. 217-04.

By Director Konicek.
Be it resolved by the Board of Control of the City of Cleveland, that the bid of Terrace Construction Company, Inc. for the public improvement of Euclid Corridor Water Main & Sewer Replacement Project Phase I (including a \$786,550.15 contingency allowance), (all items), for the Divisions of Water and Water Pollution Control, Department of Public Utilities, beginning with the later of the

date of execution of a contract or receipt of a notice to proceed, received on December 19, 2003, pursuant to the authority of Ordinance No. 2451-02, passed April 14, 2003 as amended by Ordinance No. 2307-03 passed November 24, 2003, upon a unit basis for the improvement in the aggregate amount of Eight Million Six Hundred Fifty Two Thousand Fifty One Dollars and 67 Cents (\$8,652,051.67), is hereby affirmed and approved as the lowest responsible bid; and the Director of Public Utilities is hereby authorized to enter into contract for said improvement with said bidder.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by Terrace Construction Company, Inc. for the above-mentioned public improvement is approved:

<u>Subcontractor</u>	<u>Percentage — Work</u>
Rockport Construction & Materials, Inc.	(FBE) — 5.00% — \$432,610.00
The Vallejo Co.	(MBE) — 15.00% — \$1,297,810.00
Corpro Companies	.28% — \$24,600.00

Yeas: Mayor Campbell, Acting Directors Horvath, Dumas, Ciaccia, Directors Mok, Ricchiuto, Carroll, Acting Director Pettus, Director Ronayne, Acting Director Resseger, Director Routen, Acting Director Appolito, Directors Fumich, Taylor and Williams.
Nays: None.
Absent: None.

JEFFREY B. MARKS,
Secretary

CIVIL SERVICE NOTICES

General Information

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

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

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

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

REYNALDO GALINDO,
President

**SCHEDULE OF THE BOARD
OF ZONING APPEALS**

MONDAY, MAY 3, 2004

9:30 A.M.

Calendar No. 04-78: 1735 East 36th Street (Ward 13)

King Yuk Chung, owner, appeals to establish use as a grocery store with a parking lot, an existing building situated on an approximate 325' x 130' irregular shaped parcel located in split zoning for Semi-Industry and B-Two-Family Districts on the southeast corner of East 36th Street and Payne Avenue at 1735 East 36th Street; contrary to the Residential Districts Regulations, where a grocery store and accessory parking are not permitted in the Two-Family District portion of the lot, approximately 90' x 130' to the south, as stated in Section 337.03 of the Codified Ordinances.

Calendar No. 04-80: 1619 Denison Avenue (Ward 15)

Thomas Klypchak, owner, appeals to park accessory vehicles at the west side of an existing one-family dwelling on a 38' x 118' parcel, located in Multi-Family District on the south side of Denison Avenue at 1619 Denison Avenue; contrary to Section 337.23 of the Residential Districts Regulations that requires accessory parking spaces to be on the rear half of the lot; and subject to the Parking and Loading Requirements of Section 349.05, accessory parking spaces shall be located behind the setback building line and no such parking space shall be located within 10' of any wall of a residential building containing ground floor openings, and accessory off-street parking spaces, driveways and maneuvering areas shall be properly graded, paved and drained as stated in Section 349.07 of the Codified Ordinances.

Calendar No. 04-81: 3580-82 West 135th Street (Ward 20)

Brian Heidelman, owner, appeals to enclose a 6'-8" x 29' second floor front porch of an existing two-family dwelling, situated on a 40' x 120' parcel, located in a Two-Family District on the west side of West 135th Street at 3580-82 West 135th Street; contrary to the Yards and Courts Requirements, a porch enclosure projecting 6'-8" is proposed where not more than 4' is allowed and may not aggregate a vertical area in any story more than 20% of the area of the facade in that story as stated in Section 357.13(b)(4) of the Codified Ordinances.

Calendar No. 04-82: 3425 East 135th Street (Ward 3)

Cheri Cross, owner, appeals to change an existing two-family dwelling to a three unit, multi-family dwelling, situated on a 40' x 115' parcel in a Two-Family District on the east side of East 135th Street at 3425 East 135th Street; subject to the provisions for Nonconforming Uses under Section 359.01, the existing nonconforming building requires the Board of Zoning Appeals approval where an interior side yard of 8' is required and 1'-10" is provided, and the minimum lot area requirement is 2,400 s/f per dwelling unit, or 7,200 s/f, and 4,600 s/f is provided; and

contrary to Section 349.04 of the Off-Street Parking and Loading Requirements, three parking spaces are required and two are provided; and contrary to the Requirements for Yards and Courts, an interior side yard of 1'-10" is provided and a multi-family interior side yard may not be less than 8' as stated in Section 357.09 of the Codified Ordinances.

Calendar No. 04-83: 11409 Orville Avenue (Ward 9)

Cleyon Davidson, owner, appeals to enclose an existing 21' x 6' front porch of a two-story one-family dwelling, situated on a 35' x 67' parcel located in a Two-Family District on the north side of Orville Avenue at 11409 Orville Avenue; contrary to the Yards and Courts Requirements, a 6' porch projection is provided where no more than 4' is allowed and may not aggregate a vertical area in any story more than 20% of the area of the facade in that story as stated in Section 357.14(b)(4) of the Codified Ordinances.

Secretary

**REPORT OF THE BOARD
OF ZONING APPEALS**

MONDAY, APRIL 19, 2004

At the meeting of the Board of Zoning Appeals on Monday, April 19, 2004, the following appeals were heard by the Board:

The following appeals were **Approved:**

Calendar No. 04-64: 5000 Pearl Road

Myron Kaplan appealed to construct a 50' x 160' one-story accessory storage building in split zoning between Semi-Industry and General Industry Districts; granted with conditions.

Calendar No. 04-65: 14129 Puritas Avenue

Coral Puritas Partnership appealed to construct a 110' x 70' one-story retail building in a Shopping Center District.

Calendar No. 04-66: 3140 West 98th Street

Gerald Zahler appealed to construct a 5,119 s/f addition to the north side of a one-story retail building in a General Retail Business District.

Calendar No. 04-52: 6304 Lorain Avenue

Steve Menyhart appealed to extend the storage area of a plumbing supply operation onto an additional parcel in a Local Retail Business District.

The following appeals were **Denied:**

None.

The following appeals were **Postponed:**

None.

The following appeals were **Withdrawn:**

Calendar No. 04-48: 3465-69 West 117th Street

Ralph and Denise Rescina appealed to change the use of a two-

story brick building from a tavern to a body piercing and tattooing service in a General Retail Business District.

Calendar No. 04-57: 4856 Lee Road

Lee Heights Community Church appealed to maintain a construction trailer on a vacant lot for use of food storage and distribution in a One-Family District.

Calendar No. 03-252: 4856 Lee Road

Lee Heights Community Church appealed to install 592 linear feet of 4' high chain link fencing at the front, north and south sides of a parcel in a One-Family District.

On Monday, April 19, 2004, in Executive Session:

The following appeals were heard by the Board on Monday, April 12, 2004, and said decisions were approved and adopted in Executive Session on Monday, April 19, 2004:

The following appeals were **Approved:**

None.

The following appeals were **Denied:**

Calendar No. 04-61: 11614 Madison Avenue

CPT Investment LLC c/o Don Ponicky, appealed to expand the use of a two-story, masonry stores and suites building by adding a tattoo store in a Semi-Industry District.

Calendar No. 04-63: 18216 Canterbury Road

Sean Rozell appealed to change two dwelling units to be three dwelling units in a One-Family District.

Secretary

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

NO MEETING

PUBLIC NOTICE

NONE

NOTICE OF PUBLIC HEARING

NONE

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."

THURSDAY, APRIL 29, 2004

Decontamination Tents, for the Division of Police, Department of Public Safety, as authorized by Ordinance No. 657-01, passed by the Council of the City of Cleveland, June 11, 2001.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, FRIDAY, APRIL 23, 2004, AT 2:00 P.M., DEPARTMENT OF PUBLIC SAFETY, CITY HALL, 601 LAKESIDE AVENUE, ROOM #230, CLEVELAND, OHIO 44114.

April 14, 2004 and April 21, 2004

WEDNESDAY, MAY 5, 2004

Automotive Paints and Supplies, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 1973-03, passed by the Council of the City of Cleveland, October 27, 2003.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, MONDAY, APRIL 26, 2004 AT 3:00 P.M., DIVISION OF MOTOR VEHICLE MAINTENANCE, 4150 EAST 49TH STREET, BUILDING #1, CLEVELAND, OHIO 44105.

Computer Hardware, Software and Associated Peripherals Equipment, for the Division of Information Technology & Services, Department of Finance, as authorized by Ordinance No. 1936-02, passed by the Council of the City of Cleveland, September 30, 2002.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, MONDAY, APRIL 26, 2004 AT 1:30 P.M., INFORMATION TECHNOLOGY & SERVICES CONFERENCE ROOM, 1404 EAST 9TH STREET, CLEVELAND, OHIO 44114.

Standard Business Software and Upgrades, Including Implementation, for the Division of Water, Department of Public Utilities, as authorized by Ordinance Nos. 1950-01, 1068-98, 1565-02, passed by the Council of the City of Cleveland, February 11, 2002, August 19, 1998 and August 14, 2002, respectively.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, FRIDAY, APRIL 23, 2004, AT 10:00 A.M., CARL B. STOKES, PUBLIC UTILITIES BUILDING, AUDITORIUM — 1ST FLOOR, 1201 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

April 14, 2004 and April 21, 2004

FRIDAY, MAY 7, 2004

Snow Removal and Heavy-Duty Equipment with Operators, for Various Divisions, Department of Port Control, as authorized by Ordinance No. 1888-03, passed by the Council of the City of Cleveland, November 10, 2003.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, THURSDAY, APRIL 29, 2004, AT 10:00 A.M., CLEVELAND HOPKINS INTERNATIONAL AIRPORT'S CENTRAL RECEIVING BUILDING, 19451 FIVE POINTS ROAD, CLEVELAND, OHIO 44135.

Ammunition, for the Division of Police, Department of Public Safety as authorized by Section 135.065, of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, FRIDAY, APRIL 30, 2004, AT 10:00 A.M., OUTDOOR RANGE, 3700 W. 58TH STREET, CLEVELAND, OHIO 44102.

April 21, 2004 and April 28, 2004

WEDNESDAY, MAY 12, 2004

Veterans Memorial Bridge Poles & Fixtures, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Section 129.26, of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **MANDATORY** PRE-BID MEETING, WEDNESDAY, MAY 5, 2004, AT 10:00 A.M., CLEVELAND PUBLIC POWER, 1300 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

April 21, 2004 and April 28, 2004

THURSDAY, MAY 13, 2004

One (1) Cargo Van with Interior Conversion Package, for Various Divisions, Department of Finance, as authorized by Ordinance No. 1169-03, passed by the Council of the City of Cleveland, July 16, 2003.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, MONDAY, MAY 3, 2004, AT 3:00 P.M., DIVISION OF MOTOR VEHICLE MAINTENANCE, 4150 EAST 49TH ST., BUILDING #1, CLEVELAND, OHIO 44105.

April 21, 2004 and April 28, 2004

FRIDAY, MAY 14, 2004

Refill, Repair, and Replace Fire Extinguishers, for Various Divisions, Department of Finance, as authorized by Ordinance No. 2023-03, passed by the Council of the City of Cleveland, November 10, 2003.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, TUESDAY, MAY 4, 2004, AT 10:30 A.M., CITY HALL, 601 LAKE-

SIDE AVE., ROOM 514, CLEVELAND, OHIO 44114.

April 21, 2004 and April 28, 2004

WEDNESDAY, MAY 19, 2004

Denison Ave. Area Water Improvements, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 324-04 pending.

THERE WILL BE A **REFUNDABLE FEE FOR PLANS/SPECIFICATIONS** IN THE AMOUNT OF ONE HUNDRED DOLLARS (\$100.00) IN THE FORM OF A CASHIER'S CHECK AND/OR MONEY ORDER.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, FRIDAY, APRIL 30, 2004 AT 10:00 A.M., CARL B. STOKES, PUBLIC UTILITIES BUILDING, AUDITORIUM-1ST FLOOR, 1201 LAKESIDE AVE., CLEVELAND, OHIO 44114.

April 21, 2004 and April 28, 2004

ADOPTED RESOLUTIONS AND ORDINANCES

NONE

COUNCIL COMMITTEE MEETINGS

**Monday, April 19, 2004
9:30 a.m.**

Public Parks, Property & Recreation Committee: Present in Parks: Johnson, Chair; White, Vice Chair; Cimperman, Jones, Rybka, Sweeney. *Authorized Absence: Dolan.*

11:00 a.m.
Public Service Committee: Present in Service: Sweeney, Chair; Jones, Vice Chair; Polensek, White, O'Malley, Zone, Cimperman, Brady, Johnson.

2:00 p.m.
Finance Committee: Present in Finance: Jackson, Chair; Sweeney, Vice Chair; Brady, Britt, Coats, Gordon, O'Malley, Pierce Scott, Reed, Westbrook, White.

**Tuesday, April 20, 2004
9:30 a.m.**

Community and Economic Development Committee: Present in CDED: Gordon, Chair; Cimperman, Vice Chair; Coats, Pierce Scott, Cintron, Jones, Lewis, Zone. *Authorized Absence: Reed.*

**Wednesday, April 21, 2004
10:00 a.m.**

Aviation & Transportation Committee: Present in Aviation: Westbrook, Chair; Sweeney, Vice Chair; Britt, Dolan, Gordon, Reed, Rybka.

1:30 p.m.
City Planning (Zoning) Committee: Present in Zoning: Cimperman, Chair; Rybka, Vice Chair; Conwell, Lewis, O'Malley, Westbrook. *Authorized Absence: Pierce Scott.*

2:00 p.m.
City Planning Committee: Present in Planning: Cimperman, Chair; Rybka, Vice Chair; Conwell, Lewis, O'Malley, Westbrook. *Authorized Absence: Pierce Scott.*

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