

The City Record

Official Publication of the Council of the City of Cleveland



January the Fourteenth, 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

The City Record is available online at
www.clevelandcitycouncil.org

Containing	PAGE
City Council	3
The Calendar	9
Board of Control	9
Civil Service	10
Board of Zoning Appeals	10
Board of Building Standards and Building Appeals	11
Public Notice	11
Public Hearings	11
City of Cleveland Bids	11
Adopted Resolutions and Ordinances	16
Committee Meetings	20
Index	20

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	3466 Bosworth Road	44111
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
 David M. McGuirk, Executive Assistant
 Timothy Mueller, Executive Assistant
 Craig Tame, 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, Galen L. Schuerlein, Acting Chief Counsel, Rm. 106
 Karen E. Martinez, Law Librarian, Room 100

DEPT. OF FINANCE – Robert H. Baker, Director, Room 104;
 Frank Badalamenti, Manager, Internal Audit
DIVISIONS: Accounts – Alan Schneider, Commissioner, Room 19
 Assessments and Licenses – Dedrick Stephens, Commissioner, Room 122
 City Treasury – Algeron Walker, Treasurer, Room 115
 Financial Reporting and Control – James Gentile, Controller, Room 18
 Information Technology and Services – 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 – Darnell Brown, 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, Acting 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 – James A. Draper, 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 – Linda M. Hudecek, 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 – Steven Sims, Director, Room 210

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

DEPT. OF CONSUMER AFFAIRS – Kenya Taylor, Director

COMMUNITY RELATIONS BOARD – Room 111, 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, Eugene Cranford, Jr., 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 Leohr, 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. Triozzi	14A
Judge Joseph J. Zone	13C

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

The City Record



OFFICIAL PUBLICATION OF THE COUNCIL OF THE CITY OF CLEVELAND

Vol. 91

WEDNESDAY, JANUARY 14, 2004

No. 4701

CITY COUNCIL

MONDAY, JANUARY 12, 2004

The City Record

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

The City Record is available
online at

www.clevelandcitycouncil.org

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, January 12, 2004

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

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

Also present were Mayor Campbell, Chief of Staff Janik and Directors Baker, Konicek, Ricchiuto, Hudecek, Williams, Routen, Fumich, Taylor, Johnson, and C. Ronayne, and Margreat Jackson, Legislative Affairs Liaison

Pursuant to Ordinance No. 2926-76, prayer was offered by Elder Sandra Thomas of Pentacostal Church of Christ, located at 10515 Chester Avenue in Ward 6. Pledge of Allegiance.

MOTION

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

COMMUNICATIONS

File No. 2094-03-B.

From the Department of Law — Chief Assistant Director of Law for the Real Estate and Development Section — Playhouse Theatre District Assessment Notice reviewed and approved. Received.

File No. 75-04.

From the Office of Equal Opportunity — Certified MBEs and FBEs — Reporting Period: Fourth Quarter, 2003. Received.

File No. 76-04.

From the Office of Equal Opportunity — MBE/FBE Deletions from OEO's Database — Fourth Quarter, 2003. Received.

File No. 77-04.

From the Office of Equal Opportunity — Denials of Certification — Fourth Quarter, 2003. Received.

FROM DEPARTMENT OF LIQUOR CONTROL

File No. 78-04.

Re: New Application — 3471700 — H. M. Goldi, Inc., d.b.a. Food Plus All, 18506 St. Clair Avenue. (Ward 11). Received.

File No. 79-04.

Re: Transfer of Ownership Application — 6277273 — NKJ Enterprises LLC, d.b.a. Clark Store 1184, 10606 Belaire Road. (Ward 19). Received.

File No. 80-04.

Re: Transfer of Ownership Application — Aysha, Inc., d.b.a. Woodside Food Mart, 12713-17 Woodside Avenue, first floor and basement. (Ward 9). Received.

File No. 81-04.

Re: Transfer of Ownership and Location Application — 9116662 — 2976, Inc., 2976 East 116th Street. (Ward 4). Received.

CONDOLENCE RESOLUTIONS

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

Res. No. 82-04 — Mary Looney Tubbs.

Res. No. 83-04—Tom Barenfeld.

Res. No. 84-04—Joseph S. Kreinberg.

Res. No. 85-04—Harry Kushner.

Res. No. 86-04—Walter W. Hahn.

Res. No. 87-04 — Deacon John A. Golding.

CONGRATULATION RESOLUTION

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

Res. No. 88-04—Roldo Bartimole.

Res. No. 89-04—George F. Dixon III.

RECOGNITION RESOLUTIONS

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

Res. No. 90-04—Anthony Jones.

Res. No. 91-04—April Baer.

Res. No. 92-04—Grace Gallucci.

FIRST READING EMERGENCY ORDINANCES REFERRED

Ord. No. 63-04.

By Council Member Jackson (by departmental request).

An emergency ordinance to amend Section 1 of Ordinance No. 1682-03, passed September 22, 2003, relating to the purchase or lease with an option to purchase for a period of three, four, or five years, by one or more contracts for one Group VI high-speed, production printer/duplicator system, including maintenance, for the Division of Printing and Reproduction, Department of Finance.

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

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

Section 1. That Section 1 of Ordinance No. 1682-03, passed September 22, 2003, is amended to read as follows:

Section 1. That the Director of Finance is authorized to make one or more written contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the purchase or lease with an option to purchase, for a period of three, four, or five years, each or all of the following items: one Group VI high-speed, production printer/duplicator system, including maintenance to be purchased by the Commissioner of Purchases and Supplies on a unit basis, for the Division of Printing and Reproduction, Department of Finance.

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

Section 2. That existing Section 1 of Ordinance No. 1682-03, passed September 22, 2003, is repealed.

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

Referred to Directors of Finance Law; Committee on Finance.

Ord. No. 64-04.

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

An emergency ordinance giving consent of the City of Cleveland to the Ohio Department of Transportation to upgrade and interconnect traffic signals at three intersections located in the Cities of Cleveland and Shaker Heights.

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 it is declared to be in the public interest that consent of the City of Cleveland is given to the Director of Transportation of the State of Ohio (the "Director of Transportation") to make the following improvements under the plans, specifications and estimates approved by the Director of Transportation: to upgrade and interconnect the traffic signals at the intersections of Lee Road and Scottsdale Boulevard; Van Aken Boulevard and South Woodland Road; and North Moreland, Kemper Road, and Larchmere Boulevard, located both in the Cities of Cleveland and Shaker Heights (the "Improvement").

Section 2. That the City gives its consent to the Improvement and its administration by the Director of Transportation, provided that this ordinance shall not be construed to impose any financial obligation on the City for the Improvement. However, the City agrees to assume and contribute 100% of the cost of any item, included in the construction contracts at the request of the City, which are determined by the Director of Transportation to be ineligible or unnecessary for the Improvement.

Section 3. That the Director of Public Service is authorized to enter into agreements with the Director of Transportation necessary to complete the planning and construction of the Improvement.

Section 4. That on completion of the Improvement, the City will maintain the rights-of-way and keep them free of obstructions in a manner satisfactory to the Director of Transportation and hold the rights-of-way inviolate for public highway purposes and permit no signs, posters, billboards, roadside stands or other private installations within the limits of the rights-of-way.

Section 5. (a) That all existing streets and public rights-of-way within the City necessary for the Improvement shall be made available for the Improvement.

(b) That the City agrees that all rights-of-way required for the Improvement will be acquired and/or made available under current State and Federal regulations. The City also understands that right-of-way costs include eligible utility costs.

(c) That the installation of all utility facilities on the rights-of-way shall conform with the requirements of Title 23 CFR 645 and the ODOT Utilities Manual.

Section 6. That this Council requests the State to proceed with the Improvement.

Section 7. That the City agrees to allow the City of Shaker Heights to act as contractual agent for the Improvement.

Section 8. That the Clerk of Council is authorized to transmit to the Director of Transportation three (3) certified copies of this ordinance immediately on taking effect, and it shall become the basis for proceeding with the Improvement.

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

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

Ord. No. 65-04.

By Council Member Dolan.

An emergency ordinance authorizing the Commissioner of Purchases and Supplies, in conjunction with the Director of Community Development, to invite bids for the sale of the City owned parking lot located at the northwest corner of West 168th Street and Albers Avenue and authorizing the sale of such land as it is no longer needed for public use.

Whereas, the City-owned property located at the northwest corner of West 168th Street and Albers Avenue is no longer needed for public use; and

Whereas, Ordinance No. 2250-03, passed December 15, 2003, changed the zoning of property located at the northwest corner of West 168th Street and Albers Avenue from a Local Retail Use District to a Parking District; 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 Commissioner of Purchases and Supplies, in conjunction with the Director of Community Development, is hereby authorized to invite bids for the sale of the City-owned parking lot located at the northwest corner of West 168th Street and Albers Avenue.

Section 2. That the invitation for such bid shall require compliance with all applicable zoning laws, shall require the successful bidder to continue to operate the property as a parking lot, and shall indicate that the deed shall contain a deed restriction requiring the use of the property as a parking lot.

Section 3. That the Commissioner of Purchases and Supplies and the Director of Community Development are authorized to reject any and all bids that may be received.

Section 4. 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 description to be inserted)

Section 5. That the Commissioner of Purchases and Supplies and the Director of Community Development are hereby authorized to sell the above-described property to the lowest and best bidder at the fair market value as determined by the bids received in response to the invitation to bid.

Section 6. That the conveyance shall be made by official deed to be prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain provisions, including such restrictive covenants and reversionary interests as may be necessary, including the operation of the land as a parking lot, to protect the public interest.

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

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

Ord. No. 66-04.

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

An emergency ordinance authorizing the Director of Community Development to apply for and accept grants from the United States Department of Housing and Urban Development for the CDBG Year 30 under the Title I of the Housing and Community Development Act of 1974, for the 2004 Federal HOME Grant Program, Emergency Shelter Program, and the Housing Opportunities for Persons with AIDS Program.

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

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

Section 1. That the Director of Community Development is authorized to apply for and accept grants from the U. S. Department of Housing and Urban Development (HUD) in the following approximate amounts: \$29,532,000 to conduct the Year 30 Community Development Block Grant Program; \$7,073,000 to conduct the Federal HOME Grant Program; \$1,067,000 to conduct the Emergency Shelter Grant Program; and \$866,000 for the Housing Opportunities for Persons with AIDS (HOPWA) Program, for the purposes set forth in the budgets and according thereto and in compliance with the requirements of Title I of the Housing and Community Development Act of 1974 and applicable rules and regulations. That the Director of Community Development is authorized to file all papers and execute all documents necessary to receive the funds under the grants, and that the funds are appropriated for the purposes set forth in the budgets for the grants.

Section 2. That the budgets for the grants, placed in File No. 66-04-A, made a part hereof as if fully rewritten herein, are approved in all respects.

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

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

Ord. No. 67-04.

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

An emergency ordinance determining the method of making the public improvement of grading and paving, constructing streets, sidewalks, driveway aprons, curbing, curb ramps, median strips, intersections, utility boxes, casting adjustments, appurtenances, streetscaping, landscaping, installing water and sewer mains and connections, installing electrical service and connections, streetlighting, and other related infrastructure improvements in conjunction with the East 176th Street new housing development project; and authorizing the Directors of Community Development, Public Service or Public Utilities to enter into one or more public improvement contracts for the making of the improvement.

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 Section 167 of the Charter of the City of Cleveland, it is determined to make the public improvement of grading and paving, constructing streets, sidewalks, driveway aprons, curbing, curb ramps, median strips, intersections, utility boxes, casting adjustments, appurtenances, streetscaping, landscaping, installing water and sewer mains and connections, installing electrical service and connections, streetlighting, and other related infrastructure improvements in conjunction with the East 176th Street new housing development project, for the Departments of Community Development, Public Service or Public Utilities, by one or more contracts duly let to the lowest responsible bidder or bidders after competitive bidding on a unit basis for the improvement.

Section 2. That the Directors of Community Development, Public Service or Public Utilities are each authorized to enter into one or more contracts for the making of the public improvement with the lowest responsible bidder or bidders after competitive bidding on a unit basis for the improvement, provided, however, that each separate trade and each distinct component part of the improvement may be treated as a separate improvement, and each, or any combination, of the trades or

components may be the subject of a separate contract on a unit basis.

Section 3. That the cost of the improvement authorized shall be paid from Fund Nos. 20 SF 363, 20 SF 372, 20 SF 379, and 20 SF 393, Request No. 125754.

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

Ord. No. 68-04.

By Council Member Dolan.

An emergency ordinance authorizing the continuation of City-provided group health and life insurance coverage, under the terms and conditions currently in effect, and further authorizing a continuation of military leave with pay to all City employees who would otherwise lose such benefits as a result of a call to active military duty in connection with the terrorists acts that occurred in New York City and Washington, D.C. on September 11, 2001.

Whereas, City employees have been, or may soon be called to active military service pursuant to an order by the President of the United States in connection with the terrorists acts in New York City and Washington, D.C. on September 11, 2001; and

Whereas, the City provides military leave with pay in accordance with the Codified Ordinances of the City and the respective collective bargaining agreements and management compensation plans when an employee is called to active military duty at the direction of the President or the Governor; and

Whereas, it is the belief of this Council that the possible discontinuation of City-provided group health and life insurance and the limitation on military leave with pay could cause economic and procedural hardships for affected employees and their families; and

Whereas, Council desires to support and assist those City employees who have been called to active military duty and their families who have been financially burdened by the employees' call to active military duty; and

Whereas, Ordinance No. 2035-01, passed December 10, 2001, provided additional military leave benefits to employees called to active military duty in connection with the terrorist acts in New York City and Washington, D.C. on September 11, 2001; and

Whereas, Ordinance No. 2260-02, passed November 18, 2002, extend the time period for such additional military leave benefits to December 19, 2002; and

Whereas, Ordinance No. 2188-02, passed December 16, 2002, extended the time period for such additional military leave benefits to December 20, 2003; 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 Codified Ordinances of Cleveland, Ohio, 1976, all employees of the City who are in the reserve military forces of the United States and who are now serving or may in the future serve as a part of the active military forces of the United States in connection with the terrorist acts that occurred in New York City and Washington, D.C. on September 11, 2001, shall be paid by the City throughout such employee's active military service in connection with the terrorists acts that occurred in New York City and Washington, D.C. on September 11, 2001 the difference in money between the employee's military pay so long as the employee's military pay is less than the employee's City pay for the same time period.

Section 2. That, notwithstanding and as an exception to the Codified Ordinances of Cleveland, Ohio, 1976, the group health and life insurance benefits currently provided to all City employees pursuant to the Codified Ordinances and the City's collective bargaining agreements, shall remain in full force and effect for those City employees otherwise eligible for such benefits, who are in the reserve military leave forces of the United States and who are now serving or may in the future serve as part of the active military forces of the United States in connection with the terrorist acts that occurred in New York City and Washington, D.C. on September 11, 2001.

Section 3. That, the benefits of Section 1 and Section 2 of this ordinance, shall continue for the duration of such employees' active military service in connection with the terrorists acts that occurred in New York City and Washington, D.C. on September 11, 2001, beginning on December 20, 2003.

Section 4. That, the benefits of Section 1 and Section 2 of this ordinance, shall continue for the duration of such employees' active military service in connection with the terrorists acts that occurred in New York City and Washington, D.C. on September 11, 2001, but in no event shall such benefits continue beyond December 31, 2004.

Section 5. That, to continue the group health insurance benefits in full force and effect, the employee shall be responsible for paying any contributions to the health care premium that the employee is required to pay as an employee.

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 Personnel and Human Resources, Finance, Law; Committees on Employment, Affirmative Action, and Training, Finance.

FIRST READING EMERGENCY RESOLUTION REFERRED

Res. No. 71-04.

By Council Member Johnson (by request).

An emergency resolution declaring the intention to vacate the remaining portion of Woodhill Court S.E.

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

Whereas, this resolution constitutes an emergency measure in that the same provides 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 it hereby declares its intention to vacate a portion of the following described real property:

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and being known as all that portion of:

WOODHILL COURT S.E. (10.00 feet wide) extending Easterly from the Easterly line of Ambler Street S.E. (width varies) to the Westerly line of Woodhill Road S.E. (80.00 feet wide).

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

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

FIRST READING EMERGENCY ORDINANCES READ IN FULL AND PASSED

Ord. No. 69-04.

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

An emergency ordinance authorizing and approving one or more contracts with Schirmer Construction Company for the emergency rehabilitation, renovation, reconstruction, or otherwise improvement of portions of the facility located at 205 St. Clair Avenue for the purpose of constructing a data center, emergency operations command center, and program spaces for the use of the City of Cleveland and, for a short term, the Greater Cleveland Sports Commission; authorizing the purchase or lease by one or more requirement contracts of computer hardware, software, associated peripherals, including maintenance, fixtures, furniture, moving services, equipment, supplies, services, and other necessary items which may be needed to effect the improvement and for the public improvement authorized by Ordinance No. 2144-03, passed January 5, 2004, for the Department of Public Service and the Director of Finance; and to amend the title, and Sections, 1, 2, 3, and 4 of Ordinance No. 1213-02, passed June 10, 2002, relating to the public improvement of renovating space to relocate City Council Archives.

Whereas, the City is hosting the 2004 International Children's Games this August; and

Whereas, within the last month, it was determined that it is necessary to establish a command center beginning in April to ensure the smooth operation and security of the International Children's Games; and

Whereas, to facilitate coordination with the City's emergency command operations, it is beneficial to locate the headquarters and command center for the 2004 International Children's Games within portions of the City facility located at 205 St. Clair Avenue; and

Whereas, on January 5, 2004, this Council passed Ordinance No. 2144-03, which authorized, among other things, the public improvement of the entire facility located at 205 St. Clair Avenue; and

Whereas, because of the urgent nature of ensuring that the pertinent portions of the 205 St. Clair Avenue facility are ready for operation for the International Children's Games, this Council finds that, based on considerations of its experience and expertise in construction of complex data centers with high-technology components, proposed cost, quality, personnel availability, safety, security and project delivery date, Schirmer Construction Company is uniquely situated as the best firm to provide the labor and materials necessary for the rehabilitation, renovation, reconstruction, or otherwise improvement of portions of the facility in order to house a data center, an emergency operations command center, and other program spaces in the short time necessary for the International Children's Games; and

Whereas, this Council finds that the Schirmer Construction Company is specifically capable of performing this work and is also capable of starting and completing the improvement within the short time necessary to be operational for the International Children's Games; 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 this Council authorizes and approves one or more contracts with Schirmer Construction Company, in an approximate total sum of \$ 2,750,000, for the public improvement of the emergency rehabilitation, renovation, reconstruction, or otherwise improvement of portions of the facility located at 205 St. Clair Avenue for the purpose of constructing a data center, emergency operations command center, and related program spaces for the use of the City of Cleveland, which improvement includes but is not limited to repairing the roof, and improvements to the 1st floor lobby and the 4th and 5th floors of the facility located at 205 St. Clair Avenue.

Section 2. 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 a period not to exceed two years, of the necessary items of computer

hardware, software, and associated peripherals, including installation, maintenance, fixtures, furniture, moving services, equipment, supplies, services, and other necessary items which may be needed to effect the public improvement to 205 St. Clair Avenue authorized by this ordinance and Ordinance No. 2144-03, passed January 5, 2004.

Section 3. 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 a period not to exceed two years for the lease for a period not to exceed five years, of computer hardware, associated peripherals, fixtures, furniture, equipment, supplies, and other necessary items which may be needed to effect the public improvement to 205 St. Clair Avenue authorized by this ordinance and Ordinance No. 2144-03, passed January 5, 2004.

Section 4. That either the Director of Public Service or the Director of Finance is authorized to enter into one or more contracts with computer software developers or vendors to acquire one or more licenses necessary to effect the public improvement to 205 St. Clair Avenue authorized by this ordinance and Ordinance No. 2144-03, passed January 5, 2004, for software, including implementation and training, and for maintenance and technical support services for a period of two years, with three options exercisable by the contracting Director, to renew for additional one-year terms, and cancelable on thirty days' written notice by the relevant Director.

The selection of the computer software developers or vendors for the licenses or services shall be made by the Board of Control on the nomination of the Director of Public Service or the Director of Finance from lists of qualified computer software developers or vendors available for employment as may be determined after a full and complete canvass by the Director of Public Service or the Director of Finance for the purpose of compiling the lists. 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 Public Service or the Director of Finance, and certified by the Director of Finance.

Section 5. That the purchases, acquisitions, leases, and procurements authorized by this ordinance shall be made by the Commissioner of Purchases and Supplies on a unit basis for the Department of Finance and/or the Department of Public Service. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period or periods 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 6. That the costs of the contract or contracts shall be payable from Fund Nos. 11 SF 006, 20 SF 191, 20 SF 300, 20 SF 310, 20

SF 320, 20 SF 340, 20 SF 351, 20 SF 371, 20 SF 391, and from the fund or funds authorized in Ordinance No. 2144-03, passed January 5, 2004, and may also be charged against the proper appropriation accounts, and the Director of Finance shall certify the amount of the initial purchase, acquisition, lease or procurement, which together with all later purchases or procurements, 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 112522)

Section 7. That under Section 108(b) of the Charter, the purchases, acquisitions, or leases authorized by this ordinance may be made through cooperative agreements using state procedures. The Director of Public Service or the Director of Finance may sign all documents with the State of Ohio or any of its political subdivisions that are necessary to make the purchases, acquisitions, or leases, and may enter into one or more contracts with the vendors selected through that cooperative process.

Section 8. That the title, and Sections 1, 2, 3, and 4 of Ordinance No. 1213-02, passed June 10, 2002, are amended to read as follows:

An emergency ordinance determining the method of making the public improvement of renovating space in the **205 St. Clair Avenue building** to relocate City Council Archives; authorizing the Director of **Public Service** to enter into **one or more contracts** for the making of the improvement; authorizing the director to employ one or more professional consultants to design the improvement; and authorizing the purchase by **one or more contracts** of furniture, supplies, equipment and moving services necessary to implement the improvement.

Section 1. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is determined to make the public improvement of renovating space in the **205 St. Clair Avenue building** to relocate City Council Archives, for the Department of **Public Service**, by contract or **contracts** duly let to the lowest responsible bidder or **bidders** after competitive bidding for a gross price for the improvement.

Section 2. That the Director of **Public Service** is authorized to enter into **one or more contracts** for the making of the above public improvement with the lowest responsible bidder or **bidders** after competitive bidding for a gross price for the improvement provided however, that each separate trade and each distinct component part of the improvement may be treated as a separate improvement, and each, or any combination, of the trades or components may be the subject of a separate contract for a gross price. Upon request of the director the contractor shall furnish a correct schedule of unit prices, including profit and overhead, for all items constituting units of the improvement.

Section 3. That the Director of **Public Service** is authorized to employ by **one or more contracts** one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several depart-

ments of the City of Cleveland in order to provide professional services necessary to design the public improvement authorized above.

The selection of the consultants for the services shall be made by the Board of Control upon the nomination of the Director of **Public Service** from a list of qualified consultants available for the employment as may be determined after a full and complete canvass by the Director of **Public Service** for the purpose of compiling the 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 **Public Service**, and certified by the Director of Finance.

Section 4. That the Director of **Public Service** is authorized to make **one or more written contracts** under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: furniture, supplies, equipment and moving services necessary to implement the improvement, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Department of **Public Service**.

Section 9. That the existing title, and Sections 1, 2, 3, and 4 of Ordinance No. 1213-02, passed June 10, 2002, are repealed.

Section 10. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

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

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

Ord. No. 70-04.

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

An emergency ordinance authorizing the Director of Port Control to enter into a Lease with I-X Center Corporation for the erection, maintenance, and operation of an electrical information and advertising sign to be located at Cleveland Hopkins International Airport.

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 enter into a Lease with I-X Center Corporation ("Lessee") for the erection, maintenance, and operation of an electrical information and advertising sign at Cleveland Hopkins International Airport, which will generally be located on approximately 3,539 square feet of land adjacent to and west of Ohio Route 237 and south of Key Corp's

hangar building (same as existing sign). The term of the Lease, unless sooner terminated or cancelled, shall expire January 13, 2014 or co-terminus with the City's lease with the I-X Center Corporation for the I-X Center, whichever is later. The Lease shall be subject to cancellation by the Director of Port Control on six months written notice should the leased premises be or become needed for aviation purposes or should Lessee's sign be or become in non-compliance with any city, state, or federal regulation.

Section 2. That the sign shall not be fabricated or installed until the design of the sign has been reviewed and approved by the City Planning Commission.

Section 3. That the rent for the leased premises shall be Four Hundred Dollars (\$400.00) per month.

Section 4. That the Lease authorized shall be prepared by the Director of Law and shall contain additional terms and conditions as the Director deems necessary to protect and benefit the public interest.

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

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

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

Ord. No. 74-04.

By Council Member Johnson.

An emergency ordinance to amend Section 4 of Ordinance No. 2306-03, passed December 15, 2003, relating to a storage facility at 2580 East 93rd Street.

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

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

Section 1. That Section 4 of Ordinance No. 2306-03, passed December 15, 2003, is hereby amended to read as follows:

Section 4. That all acquisition costs shall be paid from Fund No. 20 SF 392 or 10 SF 166.

Section 2. That existing Section 4 of Ordinance No. 2306-03, passed December 15, 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 19. Nays 0. Read second time. Read third time in full. Passed. Yeas 19. Nays 0.

FIRST READING EMERGENCY RESOLUTIONS READ IN FULL AND ADOPTED

Res. No. 72-04.

By Council Member Cimperman.

An emergency resolution expressing this Council's support for the ongoing cooperative efforts between Cuyahoga County Metropolitan Housing Authority, the Cleveland Municipal School District, and the residents of the Tremont community in establishing a plan that will enable students who are relocated from Valleyview Estate to complete the 2003-2004 school year in the school that they currently attend.

Whereas, Cuyahoga County Metropolitan Housing Authority ("CMHA") is seeking Federal Hope VI funds for the reconstruction of Valleyview Estate; and

Whereas, if Federal Hope VI funds are not awarded, CMHA has committed to using CMHA capital funds for the reconstruction of Valleyview Estate; and

Whereas, the first group of families to relocate from Valleyview Estate will begin moving in January of 2004; and

Whereas, because the relocation will occur during the school year, parents of school age children are concerned about the educational obstacles their children may encounter during the relocation process; and

Whereas, parents of Tremont School students, members and leaders of the Tremont Community, and staff of CMHA encourage the Cleveland Municipal School District to develop a plan that would enable students to complete the 2003-2004 school year in the school that they currently attend; and

Whereas, a plan of this nature will prevent students from changing schools mid-year; and

Whereas, changing schools mid-year can be a disruptive and difficult experience for students and adversely affect the quality of education for these students; and

Whereas, the Cleveland Municipal School District has expressed a willingness to develop a plan that would enable students who reside at Valleyview Estate to complete the 2003-2004 school year in the school that they are currently attend; and

Whereas, this Council appreciates the Cleveland Municipal School District's cooperation on this issue; 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 expresses its support for the ongoing cooperative efforts between Cuyahoga County Metropolitan Housing Authority, the Cleveland Municipal School District, and the residents of the Tremont community in establishing a plan that will enable students who are relocated from Valleyview Estate to complete the 2003-2004 school year in the school that they currently attend.

Section 2. That this Council is appreciative of the efforts of the Cuyahoga County Metropolitan Housing Authority, the Cleveland Municipal School District, and the residents of the Tremont community in working to ensure the uninterrupted education of students who are relocated as part of the Valleyview Estate reconstruction.

Section 3. That the Clerk of Council is hereby directed to transmit a copy of this resolution to the Cuyahoga Metropolitan Housing Authority Board of Commissioners and the Chief Executive Officer of the Cleveland Municipal School District.

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

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

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

Res. No. 73-04.

By Council Member Reed.

An emergency resolution withdrawing objection to a New C2 Liquor Permit at 14510 Kinsman and repealing Resolution No. 843-03, objecting to said permit.

Whereas, this Council objected to a New C2 Liquor Permit to 14510 Kinsman Road by Resolution No. 843-03 adopted by the Council on May 12, 2003; and

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

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

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

Section 1. That objection to a New C2 Liquor Permit to 14510, Inc., DBA Kinsman Sunoco, 14510 Kinsman Road, Cleveland, Ohio 44120, Permanent Number 6549670, be and the same is hereby withdrawn and Resolution No. 843-03, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate permit thereof.

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

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

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

LAID ON THE TABLE

Ord. No. 997-03.

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

An emergency ordinance authorizing the Director of Public Utilities to employ one or more professional consultants to provide for the design of installing secondary station re-chlorination facilities at various locations within the distribution system; determining the method of making the public improvement of installing the facilities; and authorizing the director to enter into one or more public improvement contracts for the making of the improvement.

Without objection, Ordinance No. 997-03 was relieved of further consideration of all committees and laid on the table pursuant to the Rules of Council.

The rules were suspended. Yeas 19. Nays 0. Ordinance No. 997-03 was laid on the table.

Council Member Jones entered the meeting.

MOTION

By Council Member Britt, seconded by Council Member Gordon and unanimously carried that the absences of Council Member Dona Brady be and is hereby authorized.

MOTION

The Council Meeting adjourned at 7:51 p.m. to meet on Monday, January 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

January 7, 2004

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, January 7, 2004, at 10:30 a.m. with Mayor Campbell presiding.

Present: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Ricchiuto, Carroll, Acting Director

Pettus, Directors Hudecek, Routen, Sims, Fumich, Taylor and Williams.

Absent: Director Ronayne.
Others: Deborah Midgett, Acting Commissioner, Purchases and Supplies.

Donna Felder, Acting Director, Office of Equal Opportunity.

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

Resolution No. 1-04.

By Director Mok.

Resolved, by the Board of Control of the City of Cleveland that the bid of Siemens Airfield Solutions, Items 1a through 2v, items 3, 4, and item 8 for labor and materials necessary to provide electrical parts and equipment to maintain, repair and modify existing airfield, parking and terminal lighting systems, Phase II, 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 25th of September, 2003, pursuant to the authority of Ordinance No. 1015-03, passed on June 10, 2003, which on the basis of the estimated quantity would amount to Thirty-Six Thousand Four Hundred Sixty-Two and 81/100 Dollars (\$36,462.81), 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. 146007 which shall be certified against such contract in the sum of Thirty-Six Thousand Four Hundred Sixty-Two and 81/100 Dollars (\$36,462.81).

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, Directors Chandra, Baker, Konicek, Mok, Ricchiuto, Carroll, Acting Director Pettus, Directors Hudecek, Routen, Sims, Fumich, Taylor and Williams.

Nays: None.
Absent: Director Ronayne.

Resolution No. 2-04.

By Director Draper.

Resolved by the Board of Control of the City of Cleveland that the bid of G.T. Electric, Inc. for replacement of emergency generator at First District Police Headquarters for the Department of Public Safety, for the period of one (1) year beginning with the date of execution of a contract, received on October 1, 2003 pursuant to the authority of Ordinance No. 374-03, passed by Cleveland City Council on May 12, 2003,

which on the basis of the estimated quantity would amount to Forty-Two Thousand Five Hundred Fifty and 00/100 Dollars (\$42,550.00), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Safety is hereby requested to enter into contract for such items.

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Ricchiuto, Carroll, Acting Director Pettus, Directors Hudecek, Routen, Sims, Fumich, Taylor and Williams.

Nays: None.
Absent: Director Ronayne.

Resolution No. 3-04.

By Director Draper.

Resolved by the Board of Control of the City of Cleveland that the bid of Fire Force, Inc. for an estimated quantity of labor and materials necessary to repair, maintain and service MSA breathing apparatus, Item Nos. 1-11, 13-37, 39-60, 62-76, 78-79, 81-82, 84-87, 89-92, 94-147, 149, 151-177, 179-194, for the Division of Fire, Department of Public Safety, for the period of one (1) year beginning with the date of execution of a contract, received on October 15, 2003 pursuant to the authority of Ordinance No. 1225-03, passed by Cleveland City Council on August 13, 2003, which on the basis of the estimated quantity would amount to Eighty-Seven Thousand Eight Hundred Sixty-Eight and 52/100 Dollars (\$87,868.52), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Safety 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. 133728 as specified, 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 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, Directors Chandra, Baker, Konicek, Mok, Ricchiuto, Carroll, Acting Director Pettus, Directors Hudecek, Routen, Sims, Fumich, Taylor and Williams.

Nays: None.
Absent: Director Ronayne.

Resolution No. 4-04.

By Director Draper.

Resolved by the Board of Control of the City of Cleveland that the bid of Gene Ptacek & Sons Fire Equipment Co., Inc. for an estimated quantity of labor and materials necessary to repair, maintain and service MSA breathing apparatus, Item Nos.

12, 38, 61, 77, 80, 83, 88, 93, 148, 150 and 178, for the Division of Fire, Department of Public Safety, for the period of one (1) year beginning with the date of execution of a contract, received on October 15, 2003 pursuant to the authority of Ordinance No. 1225-03, passed by Cleveland City Council on August 13, 2003, which on the basis of the estimated quantity would amount to Two Thousand One Hundred Forty-Two and 10/100 Dollars (\$2,142.10), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Safety 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. 133727 as specified,

which shall be certified against such contract in the sum of Two Thousand One Hundred Forty-Two and 10/100 Dollars (\$2,142.10).

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, Directors Chandra, Baker, Konicek, Mok, Ricchiuto, Carroll, Acting Director Petus, Directors Hudecek, Routen, Sims, Fumich, Taylor and Williams.
Nays: None.

Absent: Director Ronayne.

Resolution No. 5-04.

By Director Ricchiuto.

Be it resolved by the Board of Control of the City of Cleveland, that pursuant to Ordinance No. 2144-03 passed by the Council of the City of Cleveland on January 5, 2004, the firm of HWH Architects Engineers Planners, Inc., is hereby selected upon the nomination of the Director of Public Service from a list of qualified firms available for such employment and determined after a full and complete canvass by the Director of Public Service as the firm of architects ("Architect") to be employed by contract for the purpose of supplementing the regularly employed staff of the Division of Architecture in order to provide the professional services necessary for building improvements for the 205 St. Clair new data center.

Be it further resolved, that the Director of Public Service hereby is authorized to enter into a written contract with HWH Architects Engineers Planners, Inc., based upon its proposal dated, January 6, 2004, which contract shall be prepared by the Director of Law and shall include such additional provisions as he deems necessary to benefit and protect the public interest.

The fees for services to be performed under the contract authorized hereby shall not exceed Two Hundred Thousand and no/100 Dollars (\$200,000.00). Reimbursable expenses shall not exceed Twenty Five Thousand and no/100 Dollars (\$25,000.00). The total compensation to the Architect shall not exceed Two Hundred Twenty Five Thousand and no/100 Dollars (\$225,000.00).

Be it further resolved, that the employment of the following sub-consultants by HWH Architects Engineers Planners, Inc., is hereby approved:

ABR Consulting Group
\$55,000 (24%)

Sandhu Associates
(MBE) \$10,000 (4.44%)

Rosstech/KDJ Group, LLC
(MBE) \$20,000 (8.88%)

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Ricchiuto, Carroll, Acting Director Petus, Directors Hudecek, Routen, Sims, Fumich, Taylor and Williams.
Nays: None.
Absent: Director Ronayne.

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, JANUARY 12, 2004

9:30 A.M.

Calendar No. 03-343: 2202 Superior Avenue (Ward 13)

Renee and Brian Heller, owners, appeal to change to a live-work use the third floor of an existing approximate 99' x 155' four-story masonry building, situated on a 100' x 175' parcel located in a Semi-Industry District on the south side of Superior Avenue at 2202 Superior Avenue; the partial change of use being contrary to Section 355.04 of the Area Requirements where the maximum gross floor area permitted is 8,750 s/f and 70,000 s/f is proposed and contrary to the Yards and Courts Regulations there is no rear yard proposed where a 20' rear yard is required as stated in Section 357.08(b)(2) of the Codified Ordinances.

Calendar No. 03-344: 885 East 146th Street (Ward 10)

The Cleveland Municipal School District, owner c/o David Dickenson, agent, appeals to construct a 255' x 365' two-story elementary/middle school building, situated on an acreage parcel located in a Two-Family District on the east side of East 146th Street at 885 East 146th Street; contrary to Sections 337.02(f)(3)A and 337.03(b), where in a Two-Family District, a school requires the Board of Zoning Appeals approval and subject to the Off-Street Parking and Loading Requirements, 63 parking spaces are provided where 90 parking spaces are required as calculated under the provisions of Section 349.04(c) of the Codified Ordinances.

Calendar No. 03-345: 9730 Denison Avenue (Ward 18)

Angel and Norma Dones, owners, appeal to change a store and two dwelling units to a church and two dwelling units in a 40' x 85' two-story frame, mixed use building situated on a 37' x 126' corner lot located in a Local Retail Business District on the northeast corner of West 98th Street and Denison Avenue; contrary to Section 349.04 of the Off-Street Parking and Loading Requirements, where one parking space is required per six seats and a total of eleven parking spaces are required with five spaces credited, leaving a balance of six parking spaces needed and not shown on the plan; and contrary to the provisions for Landscaping and Screening, no landscape strips are shown where a 6' wide landscape frontage strip is required to screen the parking from the street and an 8' landscape transition strip is required to separate the use from the Residential District to the rear as stated in Sections

352.08-352.11 of the Codified Ordinances.

Calendar No. 03-346: 1194 East 79th Street (Ward 7)

The Shiloh Temple House of God, owner c/o Bishop Steven Best, appeal to construct a 114' x 120' parking lot in a General Retail Business District on the northeast corner of East 79th Street and Donald Avenue; the proposed parking lot to provide accessory parking for a new church on the northwest corner of East 79th Street and Donald Avenue, for which the Board of Zoning Appeals granted a variance in Calendar No. 03-232; the parking lot construction being contrary to the Business Districts Regulations, where two driveways are proposed and there may be no more than one driveway on a lot that has less than a 150' frontage as stated in Section 343.18(a) of the Codified Ordinances.

Calendar No. 03-348: Appeal of Abdisalam Abdi Hack License Suspension

Abdisalam Abdi appeals under Chapter 76-6 of the Charter of the City of Cleveland and Section 443.36 of the Codified Ordinances from the suspension of a City of Cleveland Hack License scheduled to begin December 30, 2003 and continuing through January 6, 2004 issued by Dedrick Stephens, Commissioner of Assessments and Licenses.

EUGENE CRANFORD, JR.,
Secretary

REPORT OF THE BOARD OF ZONING APPEALS

MONDAY, JANUARY 12, 2004

At the meeting of the Board of Zoning Appeals on Monday, January 12, 2004, the following appeals were heard by the Board:

The following appeal was **Approved:**

Calendar No. 03-336: 2820 Community College Avenue

Arbor Park Place LLP appealed to redevelop and do new construction for a shopping plaza in a Local Retail Business District.

The following appeals were **Denied:**

Calendar No. 03-333: 3580-82 West 135th Street

Brian Heidleman appealed to enclose the 6' x 24' existing front porches of a two-family dwelling house in a Two-Family District.

Calendar No. 03-335: 5516 Stickney Avenue

Dorothy Newton appealed to construct a 5' x 12' one-story kitchen

addition to a one family dwelling in a Two-Family District.

Calendar No. 03-337: 3503 West 99th Street

Nabil Shehada appealed to enclose two existing front porches of a two family dwelling in a Two-Family District.

The following appeals were **Withdrawn:**

Calendar No. 03-334: 11409 Orville Avenue

Cleyon Davidson appealed to enclose an existing 21' x 6' front porch of a one family dwelling in a Two-Family District.

Calendar No. 03-272: 1584 East 82nd Street

Gregory Neal appealed to enclose an existing 12' x 25' front porch of a one family dwelling in a Multi-Family District.

The following appeal was **Postponed:**

Calendar No. 03-330: 1082-98 East 105th Street postponed to February 2, 2004.

On Monday, January 12, 2004, in Executive Session:

The following appeals were heard by the Board on Monday, January 5, 2004, and said decisions were approved and adopted in Executive Session on Monday, January 12, 2004:

The following appeals were **Approved:**

Calendar No. 03-328: 670 Lakeview Road

Letitia M. Nall appealed to change to an office and business use a 2 1/2-story former nursing home building in a Multi-Family District.

Calendar No. 03-329: 1948 Rookwood Road

Richard Felder appealed to erect an 8' x 14' sunroom addition to an existing garage at the rear of a single family dwelling in a One-Family District.

The following appeals were **Denied:**

Calendar No. 03-331: 2117 Fulton Road

Maria Lyle appealed to install an 8' x 19.5' concrete pad for parking in the front yard of a two-story dwelling in a Two-Family District.

Calendar No. 03-332: 9405-07 Adams Avenue

Joann Howard appealed to establish use as a day care a two family dwelling house in a Two-Family District.

In Executive Session on January 5, 2004, the following appeals that had been held pending were dis-

missed by the Board for failure of the appellants to provide the Board with the requested information to support the granting of a variance:

Calendar No. 03-108: 2906 Fulton Road

Louis Burgos appealed to construct a 2-story bakery, restaurant and office.

Calendar No. 03-236: 3149 West 82nd Street

Vilmarie Aponte appealed to install a 4' high fence 2' from the neighbor's house.

Calendar No. 03-241: 3905 East 140th Street

Sharon Pentecostal Church appealed to construct a 1-story church building.

Calendar No. 03-243: 11602 Union Avenue

Cleophus Smith, Jr. appealed to use a service station as a thrift store.

Calendar No. 03-247: 5410 Stickney Avenue

Jon Periandri II appealed to erect a 1-story garage and 6' high privacy fence.

EUGENE CRANFORD, JR.,
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."

WEDNESDAY, JANUARY 21, 2004

Group IV/High Volume Copiers, for the Division of Printing & Reproduction, Department of Finance, as authorized by Ordinance No. 885-03, passed by the Council of the City of Cleveland, June 2, 2003.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING THURSDAY, JANUARY 15, 2004 AT 2:30 P.M., CITY HALL, 601 LAKESIDE AVENUE, CONFERENCE ROOM 514, CLEVELAND, OHIO 44114.

Group V/Copier Maintenance, for the Division of Printing & Reproduction, Department of Finance, as authorized by Ordinance No. 886-03, passed by the Council of the City of Cleveland, June 2, 2003.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING THURSDAY, JANUARY 15, 2004 AT 3:00 P.M., CITY HALL, 601 LAKESIDE AVENUE, CONFERENCE ROOM 514, CLEVELAND, OHIO 44114.

January 7, 2004 and January 14, 2004

FRIDAY, JANUARY 23, 2004

Contract 1: Repairing and Construction Curb Ramps including Casting Adjustments and Appurtenances for Street Resurfaced, Reconstructed and/or Rehabili-

tated, for the Division of Engineering & Construction, Department of Public Service, as authorized by Ordinance No. 2329-03 pending.

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

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, THURSDAY, JANUARY 15, 2004 AT 11:00 A.M., CITY HALL, ROOM 518, 601 LAKESIDE AVE., CLEVELAND, OHIO 44114.

January 7, 2004 and January 14, 2004

WEDNESDAY, JANUARY 28, 2004

External Explosive Containment Trash Receptacles, for Various Divisions, Department of Port Control, authorized by Ordinance No. 1597-02, passed by the Council of the City of Cleveland, August 14, 2002.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, WEDNESDAY, JANUARY 21, 2004 AT 10:00 A.M., CLEVELAND HOPKINS INTERNATIONAL AIRPORT'S CENTRAL RECEIVING BUILDING, 19451 FIVE POINTS ROAD, CLEVELAND, OHIO 44135.

Wireless Voice and Data Services, for the Division of Information Technology and Services, Department of Finance, as authorized by Ordinance No. 2224-03 amending Ordinance No. 1714-02, passed by the Council of the City of Cleveland, September 16, 2002.

THERE WILL BE A **MANDATORY** PRE-BID MEETING, THURSDAY, JANUARY 15, 2004 AT 1:30 P.M., INFORMATION TECHNOLOGY & SERVICES CONFERENCE ROOM, 1404 E. 9TH ST., CLEVELAND, OHIO 44114.

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

January 7, 2004 and January 14, 2004

WEDNESDAY, FEBRUARY 4, 2004

Work Uniforms, for Various Divisions, Department of Port Control, as authorized by Ordinance No. 1688-03, passed by the Council of the City of Cleveland, October 13, 2003.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, WEDNESDAY, JANUARY 21, 2004 AT 10:00 A.M., CLEVELAND HOPKINS INTERNATIONAL AIRPORT'S CENTRAL RECEIVING BUILDING, 19451 FIVE POINTS ROAD, CLEVELAND, OHIO 44135.

January 7, 2004 and January 14, 2004

FRIDAY, FEBRUARY 20, 2004

Labor & Materials Necessary to Maintain, Repair, Replace and Test Motor Control Centers, Including Switchgear, Controls, and Appurtenances, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 2355-01, passed by the Council of the City of Cleveland, February 11, 2002.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, WEDNESDAY, JANUARY 28, 2004 AT 1:00 P.M., CROWN WATER TREATMENT PLANT, 955 CLAGUE RD., WESTLAKE, OHIO 44145.

January 7, 2004 and January 14, 2004

THURSDAY, JANUARY 29, 2004

Traffic Paint and Glass Beads, for the Division of Traffic Engineering, Department of Public Service, as authorized by Ordinance No. 371-03, passed by the Council of the City of Cleveland, March 24, 2003.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING THURSDAY, JANUARY 22, 2004 AT 10:00 A.M., CITY HALL, 601 LAKESIDE AVENUE, ROOM 518, CLEVELAND, OHIO 44114.

Miscellaneous-Sized Steel Plates, for Various Divisions, Department of Finance, as authorized by Ordinance No. 2021-03, passed by the Council of the City of Cleveland, November 10, 2003.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING FRIDAY, JANUARY 23, 2004 AT 1:00 P.M., CITY HALL, 601 LAKESIDE AVENUE, ROOM 104, CLEVELAND, OHIO 44114.

January 14, 2004 and January 21, 2004

FRIDAY, JANUARY 30, 2004

Contact 2: Repairing and Construction Curb Ramps including Casting Adjustments and Appurtenances for Street Resurfaced, Reconstructed and/or Rehabilitated, for the Division of Engineering & Construction, Department of Public Service, as authorized by Ordinance No. 2329-03 pending.

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

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, THURSDAY, JANUARY 22, 2004 AT 11:00 A.M., CITY HALL, ROOM 518, 601 LAKESIDE AVE., CLEVELAND, OHIO 44114.

January 14, 2004 and January 21, 2004

**Certified MBEs and FBE
Reporting Period: Fourth Quarter, 2003**

Pursuant to Chapter 187 of the Codified Ordinances of the City of Cleveland, Ohio, listed below are the firms that have been certified as Minority Business Enterprises (MBEs) and Female Business Enterprises (FBEs) by the Mayor's Office of Equal Opportunity during the Fourth Quarter of 2003.

Company	MBE/FBE	Certdate	Description
A.M.E. Metals, Inc.	MBE	11/20/2003	Manufacturer & fabricator of machinery, equipment, parts; bushings, bearing, fittings, etc., industrial and commercial
Aamco Transmissions	FBE	10/22/2003	Repair transmissions & drivelie (ales, cv boots, mounts, etc.) including 4wds, clutches, transfer cases for domestic & foreign cars, light trucks, vans for both automatic & standard shift vehicles
Abele Davis Corp.	FBE	10/22/2003	Law enforcement supplies
Aberdeen Mechanical, Inc.	FBE	10/13/2003	HVAC and mechanical contractor
Acosta Landscaping	MBE	12/9/2003	Landscaping services
Advanced Federated Protection	MBE	11/10/2003	Installation of alarm & fire systems; closed circuit TV, card access, sprinkler systems
AGS Architects	MBE	12/2/2003	Architectural services
Alpha & Omega Landscape & Snowplow, Inc.	FBE	11/27/2003	Complete landscape services, site work including backhoe work
Alpha Builders, Inc.	MBE	11/25/2003	General contractor specializing in renovation, remodeling, carpentry and painting
Ames Street Ltd.	MBE	10/6/2003	General contractor on commercial and residential rehab; acquisitions and property development
Aries Distribution	FBE	11/7/2003	Distributor: janitorial supplies including paper products
ASC Group, Inc.	FBE	11/7/2003	Cultural resource surveys including archaeology & architectural history; also, ecological and wetland surveys, site assessment screening
Ballast Construction dba Ballast Fence	FBE	11/15/2003	Fencing contractor
Bay-West Electric Co., Inc.	FBE	10/24/2003	Electrical contractor
Best Builders	MBE	12/15/2003	General contractor specializing in carpentry and masonry
Brown, Flynn Communications, Ltd.	FBE	12/13/2003	Strategic marketing communications specializing in community relations management
Burgan's Cleaning Service	MBE	12/26/2003	Janitorial services
Byron D. Myers, Architect	MBE	12/23/2003	Architectural services
C.E.A.K. Interiors	MBE	11/17/2003	General contractor specializing installation of drywall and plastering
C.J. Industrial Supply, Inc.	FBE	11/11/2003	Industrial supplies: i.e., hardware, fasteners, tools, pipe and fittings, garden, plumbing, etc.
Centralian Consulting Services	MBE/FBE	12/2/2003	Organizational planning, training services, internet/intranet services
Chaves & Associates	FBE	10/22/2003	Document control management, contract administration, administrative and secretarial functions
Clark Enterprises, Inc.	MBE	10/22/2003	Contractor specializing in HVAC
Class Construction, Inc.	FBE	12/17/2003	General contracting specializing in rehab, painting and carpentry
Classic Teleproductions, Inc.	FBE	11/11/2003	Provides audio, video, advertising and marketing services
Cleveland City Blue Print Co., LLC	FBE	11/7/2003	Reprographic, blueprinting, copying, mounting and lamination
Cogen Construction	MBE	10/7/2003	General contractor specializing in carpentry and drywall
Coleman Development, Inc.	MBE	12/10/2003	Mechanical dismantling and interior wrecking services
C-One-O Construction	MBE	10/22/2003	General contractor specializing in rehab, residential & commercial
Corporate Choice Staffing Services, Inc.	MBE/FBE	12/30/2003	Office support staffing specializing in direct hire; also, bi-lingual
Creative Works, Inc.	FBE	11/13/2003	Marketing consultant, including communications; events planning & implementation
Customized Solutions, Inc.	FBE	12/19/2003	Computerized accounting software with support services
Dan Platt Draperies, Inc.	FBE	12/27/2003	Custom design window treatments, residential & commercial
DAR Public Relations, Inc.	MBE/FBE	11/13/2003	Public relations, marketing, communications, media relations, advertising, training seminars, special events management and promotions
DDC +, Inc.	MBE	11/11/2003	Electrical contractor: commercial and industrial
Dentz Painting, Inc.	FBE	12/9/2003	Painting Contractor
Dobb, Inc.	MBE	11/18/2003	Elderly and disabled transportation service
Dunlop Industries, Inc.	FBE	12/21/2003	Steel erection
Eagle Fabricators & Erectors, Inc.	FBE	11/17/2003	Furnish and erect structural & miscellaneous fabricated steel
EdArch Associates	MBE	10/1/2003	Construction consulting and management services

Empigard Metal Finishing, Inc.	MBE	10/7/2003	Electroplating of steel parts; laminates for windows for security protection, insulation, ultraviolet radiation
Environmental Affairs Management Consultants	MBE	11/25/2003	Environmental consultants: EPA & OSHA related, training of safety, facilities support management, geotech, specialized training programs
E-ProToCall Marketing Solutions	MBE/FBE	11/26/2003	Marketing consultant including community services, events & media planner, public relations, public service and promotions
Epstein Design Partners, Inc.	FBE	12/16/2003	Graphic design
ETNA Parking	MBE	11/10/2003	Provide exclusive right, privilege & obligation of administrative, marketing and operational services of garage parking and surface lots
Ferrous Metal Transfer Co.	MBE	10/16/2003	Trucking; transfer of steel coils, sheets and scrap steel
Forbes Brick Company	FBE	12/9/2003	Brick, masonry, distributor; retail and wholesale
Gayle's Welding & Fabrication Company	MBE	10/31/2003	Certified welder and steel fabrication
GDB's Greenscaping	MBE	12/24/2003	Landscaper, snow removal and hauling of materials
Hom-Med, Inc.	MBE	11/19/2003	Supplier of medical equipment and supplies
HWH, LLC	MBE/FBE	10/14/2003	Management consulting firm special in marketing and public relations services
Institute of Technology Consulting, Inc., The	FBE	12/18/2003	Telecommunications consulting, management education services, telephone courtesy courses, long distance services
Integrated Business Supplies, Inc.	FBE	10/14/2003	Computers: hardware, software & supplies, office supplies and employment services
Interconnect Cabling Network Services, Inc.	FBE	10/3/2003	Installation of telecommunication networks: LAN, WAN, WIN; design & consulting of networks, supply network hardware
Italia Plumbing, Inc.	FBE	11/8/2003	Plumbing contractor: supply, install, maintenance repair; back flow inspections
J.B. Neal Associates	MBE/FBE	10/22/2003	Consultant: employee relations, workforce education
Janitorial Services, Inc.	MBE	10/16/2003	Janitorial services: cleaning of walls, windows, carpet, light fixtures; building maintenance
Jay's Boom Trucking	MBE	11/18/2003	Boom trucking and material handling
Johmyell Contractors, Inc.	MBE/FBE	12/22/2003	General contractor
K.B. & F Trucking	MBE	11/20/2003	Dump trucking
Klean Sweep	MBE	10/7/2003	Commercial cleaning services
L.M.R. Construction Co., Inc.	FBE	12/7/2003	Masonry contractor
Lakco Construction	MBE	10/16/2003	General contractor specializing in carpentry and architectural millwork
Lee Infrastructure Restoration, Inc.	MBE/FBE	12/7/2003	Infrastructure rehab including manholes, storage tanks, flooring, walls, highways; materials for casting, rings, risers
M. Rivera Construction	MBE	11/6/2003	General contractor specializing in concrete work, pipe insulation and carpentry, interior demolition and construction clean-up & iron work
M2 International, Inc.	MBE/FBE	10/9/2003	Construction management services: project administration/management; project control; quality management; contract administration; value
Master Builders Construction Co.	MBE	10/22/2003	General contractor specializing in rehab, residential & commercial; HVAC & Plumbing
MCM Company, Inc.	FBE	11/12/2003	General contractor, constructment management, project management services
Meroe Contracting & Supply Co.	MBE	10/20/2003	Field painting of steel, system OZEU, conduits, buildings and bridges; general contractors specializing in concrete, highway & bridge work, underground utility work and engineering
Micro Plus	MBE	12/11/2003	Supplier: computer hardware, software, & peripherals (printers, modems, monitors, diskettes)
Ming's Heating & Air Conditioning, Inc.	MBE	10/22/2003	General contractor specializing in rehab and heating, ventilation and air conditioning
Minority Electric Company	MBE/FBE	10/23/2003	Electrical contractor
Montalvo, Inc.	MBE	12/12/2003	General contractor specializing in interior & exterior improvements and renovations; residential & commercial; supplier: plumbing, mechanical, interior finishes, construction materials
Moss-Card Consulting, Inc.	MBE/FBE	12/9/2003	Information technologies in computer services offering training, programming & software development
Nancy Devins Yetman, Inc., d.b.a. Creative Cater	FBE	12/19/2003	Catering services
Nowak Mechanical Services, Inc.	FBE	12/14/2003	HVAC contractor including sprinkler & fire protection, boilers, hydronics & temp controls, service, install, repair
Nurturing Restorations, Inc.	FBE	12/11/2003	Ecosystems restoration consultant
Office Imaging	FBE	11/20/2003	Supplier of ink, toners and fax cartridges

Ohio Diversified Services	FBE	10/20/2003	General contractor: site work, flagging, demolition, excavation, asphalt, concrete, steel erection, landscaping, painting, carpentry, construction management
Outside In, Inc., The	MBE	11/6/2003	Interior and exterior plantscaping. Landscape architectural services: planning & urban design, site, park, recreational and transportation design, environmental designs and studies
Pal Construction	MBE	12/24/2003	Concrete, painting, carpentry, rehab
Personalized Data Corporation	MBE	10/13/2003	Computer design, consulting, data entry, conversions, word processing, disaster recovery, clerical
Phillip Q. Hatcher & Associates	MBE	10/3/2003	Landscape design, installation and maintenance
Pneumatic Specialties, Inc.	FBE	11/18/2003	Air dryers, air compressors, fittings, tubing for pressurization of cables within the telecommunications industry
Polytech, Inc.	MBE	10/10/2003	Engineering: mechanical, electrical, structural, environmental, transportation and civil engineering; consulting architectural, planning and construction management
Post Painting, Inc.	FBE	11/7/2003	Commercial painting and wallcovering contractor
Precision Engineering & Contracting, Inc.	MBE	11/6/2003	General contractor specializing in site work, construction management, engineering services
Prime Engineering & Architecture, Inc.	MBE/FBE	12/9/2003	Architectural & engineering services: civil, structural, geotechnical, material testing and site development
Prime Services & Management Co., Inc.	MBE	11/10/2003	General contractor specializing in masonry, concrete, utility work, excavation, HVAC and plumbing
Pro Construction	MBE	10/7/2003	General highway construction, paving, rigid, grading, site clearing, excavation, embankment, pavement removal, drainage & structures
Quality Ribbons and Supplies Co.	FBE	11/17/2003	Office and computer supplies, equipment; janitorial supplies
Quick Employment	MBE/FBE	11/12/2003	Employment services: skilled labor, general labor, medical, office, etc.; pre-employment screening
R. Heard Painting	MBE	12/8/2003	Pointer: exterior and interior
Ralph C. Tyler, P.E.P.S., Ltd.	MBE	12/2/2003	Engineering: civil, electrical, mechanical, rail transit, railroad, structural, transportation; architectural design; surveying and project management
Ramsay Construction Corporation	MBE	10/7/2003	General contractor specializing in rehab, carpentry, painting, drywall, glass glazing, clean up, and construction management
Relocation Specialists, Inc.	FBE	12/24/2003	Office and industrial relocation, management consulting
Renco Printing, Inc.	FBE	10/22/2003	Commercial printing
Rockport Construction & Materials	FBE	11/6/2003	General contractor specializing in rigid paving, structural concrete, underground utility work; recycled materials: sand, soil, etc.
Roger's Towing, Inc.	FBE	11/25/2003	Towing of automobiles and trucks
September & Associates	FBE	12/24/2003	Commercial and residential real estate appraising
Suburban Janitorial Service, Inc.	FBE	10/24/2003	Janitorial and cleaning services
T & M's Hauling and Moving	MBE	10/3/2003	General contractor specializing in rehab, trucking and hauling
Teamor & Associates	MBE	12/10/2003	Law firm
Tesco Builders, Inc.	FBE	11/26/2003	General contractor
Texcel, Incorporated	MBE	12/10/2003	Computer system integration and services including consulting
Thermo-Tec Insulation, Inc.	FBE	11/12/2003	Insulation contractor
Thomas Bros. Landscaping, Inc.	MBE	11/6/2003	Landscaping and snowplowing
Tiffany Electric & Supply Company	MBE/FBE	11/6/2003	Electrical contractor
Tip Top Landscaping	MBE	12/23/2003	Landscaping services
Top Quality Cleaning	FBE	12/27/2003	Janitorial services
Tucker, Young, Jackson, Tull, Inc.	MBE	10/20/2003	Consulting Engineers/designers: highway, electrical, mechanical, structural, civil, environmental, waste and water treatment
United Engineering Associates, LLC	MBE	10/7/2003	Consulting engineering services and construction management in the fields of building design & bridge design and inspections
United Ready Mix	MBE	11/28/2003	Manufacture and distribute ready mix concrete
V & B Trucking & Construction Co.	MBE	12/10/2003	General contractor specializing in asphalt concrete driveways, dig footers & pour, waterproof basements, excavation, install sewers, downspouts & waterlines, backfilling; trucking of material & debris
Wester Communications Group	MBE/FBE	12/30/2003	Public relations
World Resource Recovery Systems, Inc.	MBE/FBE	12/15/2003	Consolidated metal stream waste collector for recycle purposes
Yoh-Ban Construction, Inc.	MBE	12/15/2003	General contractor specializing in drywall

**ADOPTED RESOLUTIONS
AND ORDINANCES**

Res. No. 12-04.

By Council Member Jackson.

An emergency resolution declaring Cleveland City Council's support of the proposal of Slavic Village HDAP Homes to the Ohio Housing Finance Agency for the use of Housing Development Assistance Program funds to develop affordable for-sale housing units in the city of Cleveland.

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

Whereas, the Council of the City of Cleveland has recognized the need to maintain affordable housing in Cleveland's neighborhoods; and

Whereas, Slavic Village HDAP Homes is proposing to develop up to eleven (11) new single-family homes in the city of Cleveland; and

Whereas, one hundred percent (100%) of these units will be sold to and occupied by families with incomes at or below eighty percent (80%) of the area median income; and

Whereas, the Slavic Village HDAP Homes project will benefit the citizens of the City; and

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

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

Section 1. That the Council of the City of Cleveland supports the proposal of Slavic Village HDAP Homes to provide affordable housing for the citizens of Cleveland through the use of funding from the Housing Development Assistance Program of the Ohio Housing Finance Agency.

Section 2. That the Clerk of Council is hereby requested to transmit a copy of this resolution to the Executive Director of Cleveland Housing Network.

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

Adopted January 5, 2004.

Effective January 7, 2004.

Res. No. 13-04.

By Council Members Jackson and Britt.

An emergency resolution declaring the week of Dr. Martin Luther King's birthday, January 18th - January 25th, Voter Registration Week in the City of Cleveland; encouraging unregistered citizens to register to vote at one of the events being conducted during Voter Registration Week; and reminding citizens that they may register to vote during normal business hours at their nearest public library, motor vehicle bureau, or the Cuyahoga County Board of Elections.

Whereas, the right to vote enables citizens to have a voice in their government as citizens choose the people who will serve in public office; and

Whereas, Dr. Martin Luther King, Jr., one of the greatest leaders in the history of the United States, emphasized the importance of voting when he stated "Voting is the foundation stone for political action. With it, [African Americans] can eventually vote out of office public officials who bar the doorway to decent housing, public safety, jobs and decent integrated education. It is now obvious that the basic elements so vital to [African-American] advancement can only be achieved by seeking redress from government at local, state, and federal levels. To do this the vote is essential"; and

Whereas, quality housing, education, jobs, and public safety are issues that are of basic concern to all residents of Cleveland, regardless of race, color or nationality; and

Whereas, the right to vote and to have one's vote counted is the hallmark of any democratic society; and

Whereas, the right of all Americans to vote was won through decades of struggle, including the loss of many lives; and

Whereas, voting is a right that belongs to all citizens of the state of Ohio; and

Whereas, many persons who are eligible to register to vote choose not to; and

Whereas, many persons who are registered do not exercise their democratic right to vote; and

Whereas, a large scale voter registration and education effort in the City of Cleveland can help increase the number of people who exercise their right to vote and thereby strengthen their voices in government; and

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

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

Section 1. That this Council hereby declares the week of Dr. Martin Luther King's birthday, January 18th - January 25th, Voter Registration Week in the City of Cleveland.

Section 2. That this Council hereby encourages unregistered citizens to register at any of the events being conducted in honor of Dr. Martin Luther King's birthday.

Section 3. That this Council hereby reminds citizens that they may register to vote during normal business hours at their nearest public library, motor vehicle bureau, or the Cuyahoga County Board of Elections.

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

Adopted January 5, 2004.

Effective January 7, 2004.

Res. No. 14-04.

By Council Member Coats.

An emergency resolution supporting an investigation by the Commodity Futures Trading Commission and the Federal Energy Regulatory Commission into whether market manipulation contributed to a 55% surge in natural gas prices.

Whereas, the Commodity Futures Trading Commission and the Federal Energy Regulatory Commission have been asked to investigate whether market manipulation contributed to a 55% surge in natural gas prices; and

Whereas, given the amount of fuel stowed in underground storage and available to augment fresh supplies from pipelines, there does not appear to be a reason for increases in spot-market and future prices; and

Whereas, gas inventories for this winter peaked at 3.187 trillion cubic feet on November 7, 2003, up 2.9 percent from a year earlier; and

Whereas, gas inventories for this winter are the third largest pre-winter stockpile on record according to Energy Department figures; and

Whereas, according to the National Oceanic and Atmospheric Administration, temperatures in the United States have been 9.5 percent warmer than normal so far this heating season; and

Whereas, this Council is concerned about the rising natural gas prices as such prices make it extremely challenging, if not impossible, for low income families and senior citizens to heat their homes; 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 an investigation by the Commodity Future Trading Commission and the Federal Energy Regulatory Commission into whether market manipulation contributed to a 55 percent surge in natural gas prices.

Section 2. That the Clerk of Council is hereby directed to transmit a copy of this resolution to Chairman Newsome, Commodity Future Trading Commission, and Chairman Wood, Federal Energy Regulatory Commission.

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

Adopted January 5, 2004.

Effective January 7, 2004.

Res. No. 15-04.

By Council Member Britt.

An emergency resolution withdrawing objection to the renewal of a D5 Liquor Permit at 7902-04 Central Avenue and repealing Resolution Nos. 1612-02 and 1288-03, objecting to said renewal.

Whereas, this Council objected to a D5 Liquor Permit to 7902-04 Central Avenue by Resolution Nos. 1612-

02 and 1288-03 adopted by the Council on August 14, 2002 and July 16, 2003; and

Whereas, this Council wishes to withdraw its objection to the above renewal and consents to said renewal based upon and pursuant to a cooperation agreement by and through City Council Representative, Patricia J. Britt and Applicant, Dionne Mae Thomas, DBA Josephine's Lounge, 7902-04 Central Avenue, Cleveland, Ohio 44104, Permanent Number 8876756, a copy of which is in the file for this address with the City Law Department; and

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

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

Section 1. That objection to a D5 Liquor Permit to Dionne Mae Thomas, DBA Josephine's Lounge, 7902-04 Central Avenue, Cleveland, Ohio 44104, Permanent Number 8876756 be and the same is hereby withdrawn and Resolution Nos. 1612-02 and 1288-03, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

Adopted January 5, 2004.

Effective January 7, 2004.

Res. No. 16-04.

By Council Member Coats.

An emergency resolution objecting to the transfer of Liquor License of a D5 and D6 Liquor Permit to 18318 Euclid Avenue.

Whereas, Council has been notified by the Department of Liquor Control of an application for a transfer of Liquor License of a D5 and D6 Liquor Permit from Williams & Williams Enterprises, Inc., 16420 Euclid Avenue, 1st Floor and Basement, Cleveland, Ohio 44112, Permanent Number 9624545 to Williams & Williams Enterprises, Inc., DBA Chester Place, 18318 Euclid Avenue, Cleveland, Ohio 44112, Permanent Number 96245450002; 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 D5 and D6 Liquor Permit from Williams & Williams Enterprises, Inc., 16420 Euclid Avenue, 1st Floor and Basement, Cleveland, Ohio 44112, Permanent Number 9624545 to Williams & Williams Enterprises, Inc., DBA Chester Place, 18318 Euclid Avenue, Cleveland, Ohio 44112, Permanent Number 96245450002, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted January 5, 2004.

Effective January 7, 2004.

Res. No. 17-04.

By Council Member Gordon.

An emergency resolution withdrawing objection to the renewal of a D1, D2, D3 and D3A Liquor Permit at 3314 Broadview Road and repealing Resolution No. 1312-03, objecting to said renewal.

Whereas, this Council objected to a D1, D2, D3 and D3A Liquor Permit to 3314 Broadview Road by Resolution No. 1312-03 adopted by the Council on July 16, 2003; and

Whereas, this Council wishes to withdraw its objection to the above renewal and consents to said renewal based upon and pursuant to a cooperation agreement by and through City Council Representative, Merle R. Gordon and Applicant Robert W. Colson, Jr., Club 3C, DBA Club 3C, 3314 Broadview Road, Cleveland, Ohio 44109, Permanent Number 1577821, a copy of which is in the file for this address with the City Law Department; and

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

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

Section 1. That objection to a D1, D2, D3 and D3A Liquor Permit to Club 3C, DBA Club 3C, 3314 Broadview Road, Cleveland, Ohio 44109, Permanent Number 1577821 be and the same is hereby withdrawn and Resolution No. 1312-03, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

Adopted January 5, 2004.

Effective January 7, 2004.

Res. No. 18-04.

By Council Member Gordon.

An emergency resolution withdrawing objection to the renewal of a D2, D2X, D3 and D3A Liquor Permit at 2317 Denison Avenue and repealing Resolution No. 1317-03, objecting to said renewal.

Whereas, this Council objected to a D2, D2X, D3 and D3A Liquor Permit to 2317 Denison Avenue by Resolution No. 1317-03 adopted by the Council on July 16, 2003; and

Whereas, this Council wishes to withdraw its objection to the above renewal and consents to said renewal based upon and pursuant to a cooperation agreement by and through City Council Representative, Merle R. Gordon and Applicant, Janice A. Taylor, President, Denison Executive Club, Inc., DBA Denison Club, 2317 Denison Avenue, Cleveland, Ohio 44109, Permanent Number 2066426, a copy of which is in the file for this address with the City Law Department; and

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

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

Section 1. That objection to a D2, D2X, D3 and D3A Liquor Permit to Denison Executive Club, Inc., DBA Denison Club, 2317 Denison Avenue, Cleveland, Ohio 44109, Permanent Number 2066426 be and the same is hereby withdrawn and Resolution No. 1317-03, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

Adopted January 5, 2004.

Effective January 7, 2004.

Res. No. 19-04.**By Council Member Johnson.**

An emergency resolution withdrawing objection to the stock transfer of ownership of a C2 and C2X Liquor Permit at 12916 Forest Avenue and repealing Resolution No. 1373-03, objecting to said transfer.

Whereas, this Council objected to the stock transfer of ownership of a C2 and C2X Liquor Permit to 12916 Forest Avenue, 1st Floor and Basement by Resolution No. 1373-03 adopted by the Council on July 16, 2003; and

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

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

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

Section 1. That objection to the stock transfer of ownership of a C2 and C2X Liquor Permit to 12916 Forest Avenue, 1st Floor and Basement be and the same is hereby withdrawn and Resolution No. 1373-03, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate transfer thereof.

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

Adopted January 5, 2004.

Effective January 7, 2004.

Res. No. 20-04.**By Council Member Reed.**

An emergency resolution withdrawing objection to the renewal of a C2 and C2X Liquor Permit at 3904 Martin Luther King Jr. Drive and repealing Resolution No. 1687-02, objecting to said renewal.

Whereas, this Council objected to a C2 and C2X Liquor Permit to 3904 Martin Luther King Jr. Drive by Resolution No. 1687-02 adopted by the Council on August 14, 2002; and

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

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

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

Section 1. That objection to a C2 and C2X Liquor Permit to Pamela Hubbard, DBA McClain's Market II, 3904 Martin Luther King Jr. Drive, Cleveland, Ohio 44105, Permanent Number 4034257-0005 be and the same is hereby withdrawn and Resolution No. 1687-02, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

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

Adopted January 5, 2004.

Effective January 7, 2004.

Res. No. 21-04.**By Council Member Reed.**

An emergency resolution withdrawing objection to the renewal of a C2 and C2X Liquor Permit at 12502 Kinsman Road and repealing Resolution No. 1684-02, objecting to said renewal.

Whereas, this Council objected to a C2 and C2X Liquor Permit to 12502 Kinsman Road by Resolution No. 1684-02 adopted by the Council on August 14, 2002; and

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

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

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

Section 1. That objection to a C2 and C2X Liquor Permit to 333 Elyria, Inc., DBA Kinsman Food Deal, 12502 Kinsman Road, Cleveland, Ohio 44120, Permanent Number 8917069-0005 be and the same is hereby withdrawn and Resolution No. 1684-02, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

Adopted January 5, 2004.

Effective January 7, 2004.

Ord. No. 2144-03.**By Council Members Sweeney, Cimperman and Jackson (by departmental request).**

An emergency ordinance determining the method of making the public improvement of rehabilitating, renovating, reconstructing, or otherwise improving the recently purchased Department of Finance facility; authorizing the Director of Public Service to enter into one or more public improvement contracts for the making of the improvement; and authorizing the Director to employ one or more professional consultants to implement the improvement; authorizing the Director of Finance to enter into a lease agreement with the Greater Cleveland Sports Commission to lease a portion of 205 St. Clair Building to be used as a joint operations center headquarters for the International Children's Games for a period not to exceed six months.

Whereas, The Greater Cleveland Sports Commission has proposed to lease the space in the 205 St. Clair Building from the City to house its Joint Operations Center, relative to the International Children's Games from April 2, 2004 to August 31, 2004; 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, under Section 167 of the Charter of the City of Cleveland, it is determined to make the public improvement of rehabilitating, renovating, reconstructing, or otherwise improving the recently purchased Department of Finance facility ("Improvement"), located at 205 St. Clair Avenue and commonly known as the 205 St. Clair Building, for the Department of Public Service, by one or more contracts duly let to the lowest responsible bidder or bidders after competitive bidding for a gross price for the Improvement.

Section 2. That the Director of Public Service is authorized to enter into one or more contracts for the making of the Improvement with the lowest responsible bidder or bidders after competitive bidding for a gross price for the Improvement, provided, however, that each separate trade and each distinct component part of the Improvement may be treated as a separate improvement, and each, or any combination, of the trades or components may be the subject of a separate contract for a gross price. On request of the Director the contractor shall furnish a correct schedule of unit prices, including profit and overhead, for all items constituting units of the Improvement.

Section 3. That the Director of Public Service is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to design the Improvement.

The selection of the consultants for the services shall be made by the Board of Control on the nomination of the Director of Public Service from a list of qualified consultants available for employment as may be determined after a full and complete canvass by the Director of Public Service 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 Public Service, and certified by the Director of Finance.

Section 4. That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Finance is authorized to enter into a lease with the Greater Cleveland Sports Commission of approximately 15,000 square feet of space in the 205 St.

Clair Building, which is suitable for operation as Joint Operations Center headquarters for the International Children's Games.

Section 5. That the lease shall be for a period not to exceed six months.

Section 6. That the lease may authorize the Greater Cleveland Sports Commission to make improvements to the leased premises subject to the approval of appropriate City agencies and officials.

Section 7. That the Director of Finance is authorized to accept, in lieu of rent payments under the lease, from the Greater Cleveland Sports Commission and the International Children's Games certain equipment, fixtures, and furniture used by the Greater Cleveland Sports Commission in the Joint Operations Center following completion of the International Children's Games, and is authorized to file all papers and execute all documents necessary to receive the equipment.

Section 8. That the Director of Finance is authorized to accept, in lieu of rent payments under the lease, from the Greater Cleveland Sports Commission and the International Children's Games certain services rendered by the Greater Cleveland Sports Commission and the International Children's Games in the function of the Joint Operations Center during the International Children's Games, and is authorized to file all papers and execute all documents necessary to receive the services.

Section 9. That, to the extent that the value of the equipment, fixtures, and furniture exceeds the fair market rent of the rented space in the 205 St. Clair Building, the Director of Finance is authorized to accept the additional equipment as a gift and is authorized to file all papers and execute all documents necessary to receive the gift.

Section 10. That the lease shall be prepared by the Director of Law and shall contain additional terms and conditions, as he deems necessary to protect and benefit the public interest.

Section 11. That the Director of Finance and the Director of Law, and other appropriate City officials, are authorized to execute other documents and certificates, and take other actions that may be necessary or appropriate to effect the lease and equipment donation authorized by this ordinance.

Section 12 and Section 13. That the cost of the contracts authorized shall be paid from Fund Nos. 20 SF 183, 20 SF 191, 20 SF 300, 20 SF 310, 20 SF 320, 20 SF 331, 20 SF 340, 20 SF 351, 20 SF 362, 20 SF 371, 20 SF 381, 20 SF 391, 11 SF 006, and 01-400100-693000, Request No. 115228.

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

Passed January 5, 2004.

Effective January 7, 2004.

Ord. No. 2152-03.

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

An emergency ordinance authorizing the Director of Parks, Recreation, and Properties to accept a donation of money, and the real property and improvements known as St. Michael Hospital in the City's Broadway neighborhood; authorizing the Director to enter into a lease agreement with UHHS-Saint Michael Hospital, Inc. ("UH") to lease the donated property to St. Michael for a period not to exceed twelve months; authorizing the Director to apply for and accept grants and gifts from public and private entities; authorizing the Director to employ one or more professional consultants to conduct a feasibility study regarding the future use of the donated property; determining the method of making the public improvement of rehabilitating, renovating, reconstructing, or otherwise improving the donated property, including but not limited to, environmental remediation, site improvements, and other improvements recommended by the feasibility study and accepted by the Director; and authorizing the Director to enter into one or more public improvement contracts for the making of the improvement; and authorizing a donation agreement between the City and St. Michael and University Hospitals.

Whereas, UHHS-St. Michael Hospital, Inc. (St. Michael) and its parent company University Hospitals Health System, Inc. (University Hospitals) has indicated a desire to make a donation of \$2,000,000 and the real property and improvements known as St. Michael Hospital, located at 5163 Broadway Avenue, valued at \$5,141,700 by the Cuyahoga County Auditor as net taxable value for a total donation value of \$7,141,700 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 the Department of Parks, Recreation, and Properties (the "Director") is authorized to accept a donation from St. Michael and University Hospitals of the following described real property and improvements known as St. Michael Hospital:

Parcel No. 1

Situated in the City of Cleveland, County of Cuyahoga, State of Ohio and known as being Parcel "A" in the Map of Consolidation for Primary Health Systems of Ohio, Limited Partnership of part of Original 100 Acre Lots Nos. 320 and 324, as shown by the recorded plat in Volume 271, Page 90 of Cuyahoga County Map Records, be the same more or less, but subject to all legal highways.

Parcel No. 2

Situated in the City of Cleveland, County of Cuyahoga, State of Ohio and known as being Parcel "B" in the Map of Consolidation for Primary Health Systems of Ohio, Limited Partnership of part of Original 100 Acre Lots Nos. 320 and 324, as shown by the recorded plat in Volume 271, Page 90 of Cuyahoga County Map

Records, be the same more or less, but subject to all legal highways.

Parcel No. 3

Situated in the City of Cleveland, County of Cuyahoga, State of Ohio and known as being Parcel "D" in the Map of Consolidation for Primary Health Systems of Ohio, Limited Partnership of part of Original 100 Acre Lots Nos. 320 and 324, as shown by the recorded plat in Volume 271, Page 90 of Cuyahoga County Map Records, be the same more or less, but subject to all legal highways.

Parcel No. 4

Situated in the City of Cleveland, County of Cuyahoga, State of Ohio and known as being Parcel "E" in the Map of Consolidation for Primary Health Systems of Ohio, Limited Partnership of part of Original 100 Acre Lots Nos. 320 and 324, as shown by the recorded plat in Volume 271, Page 90 of Cuyahoga County Map Records, be the same more or less, but subject to all legal highways.

Parcel No. 5

Situated in the City of Cleveland, County of Cuyahoga, State of Ohio and known as being part of Original 100 Acre Lot No. 320 and bounded and described as follows:

Beginning in the centerline of Broadway S.E. at the most Northerly corner of premises conveyed by Theophilus G. Clewell and wife to Lorenz Sanda by deed dated June 5, 1890, and recorded in Volume 475, Page 508 of Cuyahoga County Records;

Thence South 52° West along the Northerly line of said land deeded to Lorenz Sanda 209 feet to the most Westerly corner thereof;

Thence Northwesterly and parallel with the centerline of Broadway S.E. 40 feet;

Thence Northeasterly and parallel with said first described course 209 feet to the centerline of Broadway S.E.;

Thence Southeasterly along the centerline of Broadway S.E. 40 feet to the place of beginning, be the same more or less, but subject to all legal highways.

located at 5163 Broadway Avenue, valued at \$5,141,700 by the Cuyahoga County Auditor as net taxable value.

Section 2. That the Director is authorized to enter into an agreement with UH containing the terms of the donation; the agreement shall be substantially in the form contained in File No. 2152-03-A. The agreement shall be prepared by the Director of Law and shall contain any additional provisions that will protect and benefit the City of Cleveland.

Section 3. That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director is authorized to enter into a triple net lease with UH for all of the donated property commonly known as St. Michael Hospital described above, for a period not to exceed twelve months at a cost of \$1.00 per month and other valuable considerations.

Section 4. That the lease may authorize UH to make improvements to the leased premises at their cost subject to the approval of appropriate City agencies and officials.

Section 5. That the lease shall be substantially in the form attached to the donation agreement contained in File No. 2152-03-A. The lease shall be prepared by the Director of Law and shall contain any additional provisions that will protect and benefit the City of Cleveland.

Section 6. That the Director is authorized to accept as a gift, funds in the amount of \$2,000,000 from UH for the purpose of funding costs directly related to the donated property. The Director is authorized to file all papers and execute all documents necessary to receive these funds; and that the funds are appropriated for the purposes identified in this ordinance.

Section 7. That the Director is authorized to apply for and accept grants and gifts from public and private entities for the purpose of paying any costs directly related to the donated property. The Director is further authorized to file all papers and execute all documents necessary to receive the funds accepted under this ordinance and, on acceptance of funds by the Director, they shall be appropriated for the purposes described in this ordinance.

Section 8. That the Director is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to conduct a feasibility study regarding the future use the donated property.

The selection of the consultants for the services shall be made by the Board of Control on the nomination of the Director from a list of qualified consultants available for employment as may be determined after a full and complete canvass by the Director 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 Parks, Recreation and Properties, and certified by the Director of Finance.

Section 9. That, under Section 167 of the Charter of the City of Cleveland, it is determined to make the public improvement of rehabilitating, renovating, reconstructing, or otherwise improving certain portions of the donated property, including but not limited to, environmental remediation, site improvements, and other improvements accepted by the Director, and other portions of the donated property as recommended by the feasibility study and accepted by the Director, by one or more contracts duly let to the lowest responsible bidder or bidders after competitive bidding for a gross price for the improvement.

Section 10. That the Director is authorized to enter into one or more contracts for the making of the public improvements with the lowest responsible bidder or bidders after competitive bidding for a gross price for the improvement, provided, however, that each separate trade and each distinct component part of the improvement may be treated as a separate improvement, and each, or any combination, of the trades or components may be the subject of a separate contract for a gross price. On request of the Director the contractor shall furnish a correct schedule of unit prices, including profit and overhead, for all items constituting units of the improvement.

Section 11. That the cost of the contracts authorized by this ordinance, all costs of acquisition of the donated property, and all costs directly related to the donated property shall be paid from the fund or funds to which are credited proceeds of the grants and gifts accepted under this ordinance, and from the fund or funds appropriated for the use of the various departments in City government responsible for managing the donated property.

Section 12. That the Director of Parks, Recreation and Properties and the Director of Law, and other appropriate City officials, are authorized to execute other documents and certificates, and take other actions as may be necessary or appropriate to effect the donations and lease authorized by this ordinance,

and to employ and pay all fees for title companies, surveys, escrows, appraisers, environmental audits, and all other costs necessary to accept the property.

Section 13. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed January 5, 2004.
Effective January 5, 2004.

COUNCIL COMMITTEE MEETINGS

**Monday, January 12, 2004
2:00 p.m.**

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

**Tuesday, January 13, 2004
9:30 a.m.**

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

**Wednesday, January 14, 2004
1:30 p.m.**

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

2:00 p.m.

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

Index

O—Ordinance; R—Resolution; F—File
Bold figures—Final Publication; D—Defeated; R—Reprint; T—Tabled; V—Vetoed;
Bold type in sections indicates amendments

AIDS

CDBG Year 30 under the Title I of the Housing and Community Development Act of 1974 —
2004 Federal Home Grant Program — Emergency Shelter Program — Housing
Opportunities for Persons with AIDS Program — grants — U. S. Department of Housing
and Urban Development (O 66-04)..... 35

Benefits

Health and life insurance coverage — military leave with pay — continuation
(O 68-04) 35

Board of Control — Architecture Division

Architectural services for 205 St. Clair data center — contract per Ord. 2144-03 to HWH
 Architects Engineers Planners, Inc. — Dept. of Public Service
 (BOC Res. 5-04) 40

Board of Control — Fire Division

MSA breathing apparatus repair, maintenance and service — contract per Ord. 1225-03 to
 Fire Force, Inc. — Dept. of Public Safety (BOC Res. 3-04) 39
 MSA breathing apparatus repair, maintenance and service — contract per Ord. 1225-03 to
 Gene Ptacek & Sons Fire Equipment Co., Inc. — Dept. of Public Safety
 (BOC Res. 4-04) 39

Board of Control — Port Control Department

Electrical parts and equipment to maintain, repair and modify airfield, parking
 and terminal lighting systems, labor and materials for (Phase II) —
 contract per Ord. 1015-03 to Siemens Airfield Solutions
 (BOC Res. 1-04) 39

Board of Control — Professional Service Contracts

Architectural services for 205 St. Clair data center — contract per Ord. 2144-03 to HWH
 Architects Engineers Planners, Inc. — Division of Architecture, Dept. of Public
 Service (BOC Res. 5-04) 40

Board of Control — Public Safety Department

Generator, emergency for First District Police Headquarters — contract per Ord. 374-03
 to G.T. Electric, Inc. (BOC Res. 2-04) 39
 MSA breathing apparatus repair, maintenance and service — contract per Ord. 1225-03 to
 Fire Force, Inc. — Division of Fire (BOC Res. 3-04) 39
 MSA breathing apparatus repair, maintenance and service — contract per Ord. 1225-03 to
 Gene Ptacek & Sons Fire Equipment Co., Inc. — Division of Fire
 (BOC Res. 4-04) 39

Board of Control — Public Service Department

Architectural services for 205 St. Clair data center — contract per Ord. 2144-03 to HWH
 Architects Engineers Planners, Inc. — Division of Architecture
 (BOC Res. 5-04) 40

Board of Control — Requirement Contracts

Electrical parts and equipment to maintain, repair and modify airfield, parking and
 terminal lighting systems, labor and materials for (Phase II) — contract per Ord.
 1015-03 to Siemens Airfield Solutions — Dept. of Port Control
 (BOC Res. 1-04) 39
 MSA breathing apparatus repair, maintenance and service — contract per Ord. 1225-03 to
 Fire Force, Inc. — Division of Fire, Dept. of Public Safety
 (BOC Res. 3-04) 39
 MSA breathing apparatus repair, maintenance and service — contract per Ord. 1225-03 to
 Gene Ptacek & Sons Fire Equipment Co., Inc. — Division of Fire, Dept. of Public
 Safety (BOC Res. 4-04) 39

Board of Control — Standard Purchase Contracts

Generator, emergency for First District Police Headquarters — contract per
 Ord. 374-03 to G.T. Electric, Inc. — Dept. of Public Safety
 (BOC Res. 2-04) 39

Board of Zoning Appeals — Report

Adams Avenue, 9405-07, (Ward 8) – Joann Howard, owner — appeal denied and adopted
on 1/12/04 (Cal. 03-332) 41

Community College Avenue, 2820, (Ward 5) – Arbor Park Place LLP, owner c/o Russell
Berusch and Kevin Brown, agents — appeal heard on 1/12/04
(Cal. 03-336) 41

East 105th Street, 1082-98, (Ward 8) – Maher J. Ali, owner — appeal postponed to 2/2/04
on 1/12/04 (Cal. 03-330) 41

East 140th Street, 3905, (Ward 3) – Sharon Pentecostal Church, owner — appeal dismissed
on 1/5/04 (Cal. 03-241) 41

East 82nd Street, 1584, (Ward 7) – Gregory Neal, owner appeal withdrawn 1/12/04
(Cal. 03-272) 41

Fulton Road, 2117, (Ward 14) – Maria Lyle, owner — appeal denied and adopted on 1/12/04
(Cal. 03-331) 41

Fulton Road, 2906, (Ward 14) – Luis Burgos, owner dba Caribe Bake Shop — appeal dismissed
on 1/5/04 (Cal. 03-108) 41

Lakeview Road, 670, (Ward 8) – Letitia M. Nall, owner — appeal granted and adopted
on 1/12/04 (Cal. 03-328) 41

Orville Avenue, 11409, (Ward 9) – Cleyon Davidson, owner — appeal withdrawn on 1/12/04
(Cal. 03-334) 41

Rookwood Road, 1948, (Ward 10) – Richard Felder, owner — appeal granted and adopted on
1/12/04 (Cal. 03-329) 41

Stickney Avenue, 5410, (Ward 16) – Jon A. Periandri, II, owner — appeal dismissed
on 1/5/04 (Cal. 03-247) 41

Stickney Avenue, 5516, (Ward 16) – Dorothy Newton, owner — appeal heard on 1/12/04
(Cal. 03-335) 41

Union Avenue, 11602, (Ward 3) – Cleophus Smith, Jr., owner — appeal dismissed on 1/5/04
(Cal. 03-243) 41

West 135th Street, 3580-82, (Ward 20) – Brian Heidleman, owner — appeal heard on 1/12/04
(Cal. 03-333) 41

West 82nd Street, 3149, (Ward 17) – Vilmarie Aponte, owner — appeal dismissed on 1/5/04
(Cal. 03-236) 41

West 99th Street, 3503, (Ward 18) – Nabil B. K. Shehada, owner — appeal heard on 1/12/04
(Cal. 03-337) 41

Board of Zoning Appeals — Schedule

Abdi, Abdisalam – 1/26/04 (Cal. 03-348) 41

Denison Avenue, 9730, (Ward 18) – Angel and Norma Dones, owners — appeal to be heard on
1/26/04 (Cal. 03-345) 40

East 146th Street, 885, (Ward 10) – The Cleveland Municipal School District, owner c/o
David Dickenson, agent — appeal to be heard on 1/26/04
(Cal. 03-344) 40

East 79th Street, 1194, (Ward 7) – The Shiloh Temple House of God, owner c/o Bishop
Steven Best — appeal to be heard on 1/26/04 (Cal. 03-346) 41

Superior Avenue, 2202, (Ward 13) – Renee and Brian Heller, owners — appeal to be heard
on 1/26/04 (Cal. 03-343) 40

Buckeye Area Development Corporation

E. 93rd St., 2580 — storage facility — amend Ord. 2306-03 (O 74-04) 38

City Council

St. Clair Ave., 205 — public improvement — Greater Cleveland Sports
Commission (International Children’s Games) — City Council Archives —
relocate (O 69-04) 36

City of Cleveland Bids

Copiers, high volume (Group IV) — Department of Finance — per Ord. 885-03 — bid due
 January 21, 2004 (advertised 1/7/2004 and 1/14/2004) 42

Copiers, maintenance (Group V) — Department of Finance — per Ord. 886-03 — bid due
 January 21, 2004 (advertised 1/7/2004 and 1/14/2004) 42

Curb ramps, casting adjustments and appurtenance (Contract 1) — Department of Public
 Service — Division of Engineering and Construction — per Ord. 2329-03 — bid due
 January 23, 2004 (advertised 1/7/2004 and 1/14/2004) 42

Curb ramps repair and construction — Department of Public Service — Division
 of Engineering and Construction — per Ord. 2329-03 — bid due January 30,
 2004 (advertised 1/14/2004 and 1/21/2004) 42

Motor control centers, including switchgear, controls and appurtenances, labor and
 materials — Department of Public Utilities — Division of Water — per Ord. 2355-01 —
 bid due February 20, 2004 (advertised 1/7/2004 and 1/14/2004) 42

Steel plates, miscellaneous-sized — Department of Finance — per Ord. 2021-03 — bid due
 January 29, 2004 (advertised 1/14/2004 and 1/21/2004) 42

Traffic paint and glass beads — Department of Public Service — Division of Traffic
 Engineering — per Ord. 371-03 — bid due January 29, 2004
 (advertised 1/14/2004 and 1/21/2004) 42

Trash receptacles, external explosive containment — Department of Port Control — per Ord.
 1597-02 — bid due January 28, 2004 (advertised 1/7/2004 and 1/14/2004) 42

Uniforms, work — Department of Port Control — per Ord. 1688-03 — bid due February
 4, 2004 (advertised 1/7/2004 and 1/14/2004) 42

Wireless voice and data services — Department of Finance — Division of Information
 Technology and Services — per Ord. 1714-02, 2224-03 — bid due January 28,
 2004 (advertised 1/7/2004 and 1/14/2004) 42

Cleveland Hopkins International Airport

Electrical information and advertising sign — Lease — I-X Center Corporation
 (O 70-04) 37

Cleveland Municipal School District

Valleyview Estate — students relocated — support efforts to allow students to complete
 2003-2004 school year in school year they currently attend
 (R 72-04) 38

Communications

Certified MBEs and FBEs — Reporting Period: Fourth Quarter, 2003
 (F 75-04) 33

Denials of Certification — Fourth Quarter, 2003 (F 77-04) 33

MBE/FBE Deletions from OEO's Database — Fourth Quarter, 2003
 (F 76-04) 33

Playhouse Theatre District Assessment Notice reviewed and approved
 (F.2094-03-B) 33

Community Development

CDBG Year 30 under the Title I of the Housing and Community Development Act of 1974 —
 2004 Federal Home Grant Program — Emergency Shelter Program — Housing
 Opportunities for Persons with AIDS Program — grants — U. S. Department of Housing
 and Urban Development (O 66-04) 35

E. 176th St. new housing development project — grading and paving, constructing streets,
 sidewalks, driveway aprons, curbing curb ramps, median strips, intersections,
 utility boxes, casting adjustments, appurtenances, streetscaping, landscaping,
 installing water and sewer mains and connections (O 67-04) 35

W. 168th St. & Albers Ave. northwest corner — sale City owned parking lot
 (O 65-04) 34

Condolences

Barensfeld, Tom (R 83-04) 33
 Golding, Deacon John A. (R 87-04) 33
 Hahn, Walter W. (R 86-04) 33
 Kreinberg, Joseph S. (R 84-04) 33
 Kushner, Harry (R 85-04) 33
 Looney Tubbs, Mary (R 82-04) 33

Congratulations

Bartimole, Roldo (R 88-04) 34
 Dixon, George F., III (R 89-04) 34

Contracts

St. Clair Ave., 205 — public improvement — Greater Cleveland Sports
 Commission (International Children’s Games) — City Council Archives —
 relocate (O 69-04) 36

Cuyahoga Metropolitan Housing Authority

Valleyview Estate — students relocated — support efforts to allow students to complete
 2003-2004 school year in school year they currently attend
 (R 72-04) 38

Female Business Enterprise

Certified MBEs and FBEs — Reporting Period: Fourth Quarter, 2003
 (F 75-04) 33
 Denials of Certification — Fourth Quarter, 2003 (F 77-04) 33
 MBE/FBE Deletions from OEO’s Database — Fourth Quarter, 2003
 (F 76-04) 33

Finance Department

Finance Department facility — recently purchased — public improvement
 (O 2144-03) 48
 Group VI high-speed, production printer/duplicator system — purchase — amend Ord.
 1682-03 (O 63-04) 34
 St. Clair Ave., 205 — public improvement — Greater Cleveland Sports
 Commission (International Children’s Games) — City Council Archives —
 relocate (O 69-04) 36

Grants

CDBG Year 30 under the Title I of the Housing and Community Development Act of 1974 —
 2004 Federal Home Grant Program — Emergency Shelter Program — Housing
 Opportunities for Persons with AIDS Program — grants — U. S. Department of Housing
 and Urban Development (O 66-04) 35

Housing

CDBG Year 30 under the Title I of the Housing and Community Development Act of 1974 —
 2004 Federal Home Grant Program — Emergency Shelter Program — Housing
 Opportunities for Persons with AIDS Program — grants — U. S. Department of Housing
 and Urban Development (O 66-04) 35

Insurance

Health and life insurance coverage — military leave with pay — continuation
 (O 68-04) 35

Law Department

Playhouse Theatre District Assessment Notice reviewed and approved
(F 2094-03-B)..... 33

Leases

Electrical information and advertising sign — Lease — I-X Center Corporation
(O 70-04) 37

Liquor Permits

Bellaire Rd., 10606 — transfer (Ward 19) (F 79-04) 33
Broadview Rd., 3314 — objection — withdraw (Ward 15) (R 17-04) 47
Central Ave., 7902-04 — objection — withdraw (Ward 6) (R 15-04)..... 46
Denison Ave., 2317 — objection — withdraw (Ward 15) (R 18-04)..... 47
E. 116th St., 2976 — transfer (Ward 4) (F 81-04)..... 33
Euclid Ave., 18318 — transfer (Ward 10) (R 16-04)..... 47
Forest Ave., 12916 — objection — withdraw (Ward 4) (R 19-04) 48
Kinsman Ave., 14510 — objection — withdraw (Ward 3) (R 73-04)..... 38
Kinsman Rd., 12502 — objection — withdraw (Ward 3) (R 21-04)..... 48
Martin Luther King Jr. Dr., 3904 — objection — withdraw (Ward 3)
(R 20-04) 48
St. Clair Ave., 18506 — new (Ward 11) (F 78-04) 33
Woodside Ave., 12713-17 — transfer (Ward 9) (F 80-04) 33

Minority Business Enterprises

Certified MBEs and FBEs — Reporting Period: Fourth Quarter, 2003
(F 75-04) 33
Denials of Certification — Fourth Quarter, 2003 (F 77-04) 33
MBE/FBE Deletions from OEO's Database — Fourth Quarter, 2003
(F 76-04) 33

Office of Equal Opportunity

Certified MBEs and FBEs — Reporting Period: Fourth Quarter, 2003
(F 75-04) 33
Denials of Certification — Fourth Quarter, 2003 (F 77-04) 33
MBE/FBE Deletions from OEO's Database — Fourth Quarter, 2003
(F 76-04) 33

Ohio Department of Transportation (ODOT)

Traffic signals — upgrade and interconnect — three intersections — Cities of Cleveland
and Shaker Heights (O 64-04) 34

Ohio Housing Finance Agency

Slavic Village HDAP Homes — Housing Development Assistance Program funds — Council's
support (R 12-04) 46

Parks, Recreation and Properties Department

E. 93rd St., 2580 — storage facility — amend Ord. 2306-03 (O 74-04)..... 38
St. Michael Hospital — donation of the real property — improvements
(O.2152-03) 49

Personnel Department

Health and life insurance coverage — military leave with pay — continuation
(O 68-04) 35

Port Control Department

Electrical information and advertising sign — Lease — I-X Center Corporation
(O 70-04) 37

Printing and Reproduction Division

Group VI high-speed, production printer/duplicator system — purchase — amend Ord.
1682-03 (O 63-04) 34

Purchases and Supplies Division

W. 168th St. & Albers Ave. northwest corner — sale City owned parking lot
(O 65-04) 34

Recognition

Baer, April (R 91-04) 34
Gallucci, Grace (R 92-04) 34
Jones, Anthony (R 90-04) 34

Resolutions — Miscellaneous

Commodity Futures Trading Commission — Federal Energy Regulatory Commission
— investigation — 55% surge in natural gas prices (R 14-04)..... 46
Dr. Martin Luther King’s birthday — Voter Registration Week — declare
(R 13-04) 46
Slavic Village HDAP Homes — Housing Development Assistance Program funds — Council’s
support (R 12-04) 46
Valleyview Estate — students relocated — support efforts to allow students to complete
2003-2004 school year in school year they currently attend (R 72-04) 38

Service Department

E. 176th St. new housing development project — grading and paving, constructing streets,
sidewalks, driveway aprons, curbing curb ramps, median strips, intersections,
utility boxes, casting adjustments, appurtenances, streetscaping, landscaping,
installing water and sewer mains and connections, ins (O 67-04) 35
Finance Department facility — recently purchased — public improvement
(O 2144-03) 48
St. Clair Ave., 205 — public improvement — Greater Cleveland Sports
Commission (International Children’s Games) — Public Service — Finance
— City Council Archives — relocate (O 69-04)..... 36
Traffic signals — upgrade and interconnect — three intersections — Cities of Cleveland
and Shaker Heights (O 64-04) 34

Street Vacation

Woodhill Court S.E. — intention to vacate (R 71-04) 36

Tabled Legislation

Secondary station re-chlorination facilities — design and install (O 997-03)..... **39-T**

Utilities Department

E. 176th St. new housing development project — grading and paving, constructing streets,
sidewalks, driveway aprons, curbing curb ramps, median strips, intersections,
utility boxes, casting adjustments, appurtenances, streetscaping, landscaping,
installing water and sewer mains and connections (O 67-04) 35
Secondary station re-chlorination facilities — design and install
(O 997-03)..... **39-T**

Ward 01

E. 176th St. new housing development project — grading and paving, constructing streets, sidewalks, driveway aprons, curbing curb ramps, median strips, intersections, utility boxes, casting adjustments, appurtenances, streetscaping, landscaping, installing water and sewer mains and connections
(O 67-04) 35

Looney Tubbs, Mary — condolence (R 82-04) 33

Ward 02

Looney Tubbs, Mary — condolence (R 82-04) 33

Ward 03

Dixon, George F., III — congratulation (R 89-04) 34

Kinsman Ave., 14510 — objection — withdraw — liquor permit
(R 73-04) 38

Kinsman Rd., 12502 — objection — withdraw — liquor permit
(R 21-04) 48

Looney Tubbs, Mary — condolence (R 82-04) 33

Martin Luther King Jr. Dr., 3904 — objection — withdraw — liquor permit
(R 20-04) 48

Ward 04

E. 116th St., 2976 — transfer — liquor permit (F 81-04) 33

E. 93rd St., 2580 — storage facility — amend Ord. 2306-03
(O 74-04) 38

Forest Ave., 12916 — objection — withdraw — liquor permit
(R 19-04) 48

Looney Tubbs, Mary — condolence (R 82-04) 33

Woodhill Court S.E. — intention to vacate (R 71-04) 36

Ward 05

Looney Tubbs, Mary — condolence (R 82-04) 33

Slavic Village HDAP Homes — Housing Development Assistance Program funds — Council’s support (R 12-04) 46

Ward 06

Central Ave., 7902-04 — objection — withdraw — liquor permit
(R 15-04) 46

Looney Tubbs, Mary — condolence (R 82-04) 33

Ward 07

Looney Tubbs, Mary — condolence (R 82-04) 33

Ward 08

Looney Tubbs, Mary — condolence (R 82-04) 33

Ward 09

Looney Tubbs, Mary — condolence (R 82-04) 33

Woodside Ave., 12713-17 — transfer — liquor permit
(F 80-04) 33

Ward 10

Euclid Ave., 18318 — transfer — liquor permit (R 16-04) 47
 Golding, Deacon John A. — condolence (R 87-04) 33
 Jones, Anthony — recognition (R 90-04) 34
 Looney Tubbs, Mary — condolence (R 82-04) 33

Ward 11

Kushner, Harry — condolence (R 85-04) 33
 Looney Tubbs, Mary — condolence (R 82-04) 33
 St. Clair Ave., 18506 — new — liquor permit (F 78-04) 33

Ward 12

Looney Tubbs, Mary — condolence (R 82-04) 33
 St. Michael Hospital — donation of the real property — improvements
 (O.2152-03) 49

Ward 13

Baer, April — recognition (R 91-04) 34
 Looney Tubbs, Mary — condolence (R 82-04) 33
 Valleyview Estate — students relocated — support efforts to allow students to
 complete 2003-2004 school year in school year they currently attend
 (R 72-04) 38

Ward 14

Looney Tubbs, Mary — condolence (R 82-04) 33

Ward 15

Broadview Rd., 3314 — objection — withdraw — liquor permit
 (R 17-04) 47
 Denison Ave., 2317 — objection — withdraw — liquor permit
 (R 18-04) 47
 Kreinberg, Joseph S. — condolence (R 84-04) 33
 Looney Tubbs, Mary — condolence (R 82-04) 33

Ward 16

Looney Tubbs, Mary — condolence (R 82-04) 33

Ward 17

Gallucci, Grace — recognition (R 92-04) 34
 Looney Tubbs, Mary — condolence (R 82-04) 33

Ward 18

Barensfeld, Tom — condolence (R 83-04) 33
 Hahn, Walter W. — condolence (R 86-04) 33
 Looney Tubbs, Mary — condolence (R 82-04) 33

Ward 19

Barensfeld, Tom — condolence (R 83-04) 33
 Bellaire Rd., 10606 — transfer — liquor permit (F 79-04) 33
 Looney Tubbs, Mary — condolence (R 82-04) 33

Ward 20

Bartimole, Roldo — congratulation (R 88-04) 34
 Hahn, Walter W. — condolence (R 86-04) 33
 Looney Tubbs, Mary — condolence (R 82-04) 33

Ward 21

Looney Tubbs, Mary — condolence (R 82-04) 33
 W. 168th St. & Albers Ave. northwest corner — sale City owned parking lot
 (O 65-04) 34