

# The City Record

Official Publication of the Council of the City of Cleveland



March the Twenty-Fourth, Two Thousand and Ten

**Frank G. Jackson**  
Mayor

**Martin J. Sweeney**  
President of Council

**Patricia J. Britt**  
City Clerk, Clerk of Council

Ward	Name
1	Terrell H. Pruitt
2	Zachary Reed
3	Joe Cimperman
4	Kenneth L. Johnson
5	Phyllis E. Cleveland
6	Mamie J. Mitchell
7	TJ Dow
8	Jeffrey D. Johnson
9	Kevin Conwell
10	Eugene R. Miller
11	Michael D. Polensek
12	Anthony Brancatelli
13	Kevin J. Kelley
14	Brian J. Cummins
15	Matthew Zone
16	Jay Westbrook
17	Dona Brady
18	Martin J. Sweeney
19	Martin J. Keane

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# DIRECTORY OF CITY OFFICIALS

## CITY COUNCIL – LEGISLATIVE

President of Council – Martin J. Sweeney

Ward	Name	Residence	
1	Terrell H. Pruitt	3877 East 189th Street	44122
2	Zachary Reed	3734 East 149th Street	44120
3	Joe Cimperman	P.O. Box 91688	44101
4	Kenneth L. Johnson	2948 Hampton Road	44120
5	Phyllis E. Cleveland	2369 East 36th Street	44105
6	Mamie J. Mitchell	12701 Shaker Boulevard, #712	44120
7	TJ Dow	7715 Decker Avenue	44103
8	Jeffrey D. Johnson	9024 Parkgate Avenue	44108
9	Kevin Conwell	10647 Ashbury Avenue	44106
10	Eugene R. Miller	13615 Kelso Avenue	44110
11	Michael D. Polensek	17855 Brian Avenue	44119
12	Anthony Brancatelli	6924 Ottawa Road	44105
13	Kevin J. Kelley	5904 Parkridge Avenue	44144
14	Brian J. Cummins	3104 Mapledale Avenue	44109
15	Matthew Zone	1228 West 69th Street	44102
16	Jay Westbrook	1278 West 103rd Street	44102
17	Dona Brady	1272 West Boulevard	44102
18	Martin J. Sweeney	3632 West 133rd Street	44111
19	Martin J. Keane	15907 Colletta Lane	44111

City Clerk, Clerk of Council – Patricia J. Britt, 216 City Hall, 664–2840  
First Assistant Clerk — Sandra Franklin

### MAYOR – Frank G. Jackson

Ken Silliman, Secretary to the Mayor, Chief of Staff  
Darnell Brown, Executive Assistant to the Mayor, Chief Operating Officer  
Valarie J. McCall, Executive Assistant to the Mayor, Chief of Government Affairs  
Chris Warren, Executive Assistant to the Mayor, Chief of Regional Development  
Monyka S. Price, Executive Assistant to the Mayor, Chief of Education  
Maureen Harper, Executive Assistant to the Mayor, Chief of Communications  
Andrea V. Taylor, Executive Assistant to the Mayor, Press Secretary  
Andrew Watterson, Executive Assistant to the Mayor, Chief of Sustainability  
Natoya J. Walker, Interim Director, Office of Equal Opportunity

DEPT. OF LAW – Robert J. Triozzi, Director, Richard F. Horvath, Chief Corporate Counsel, Thomas J. Kaiser, Chief Trial Counsel, Barbara A. Langhenry, Chief Counsel, Rm. 106  
\_\_\_\_\_, Law Librarian, Room 100

DEPT. OF FINANCE – Sharon Dumas, Director, Room 104;

Frank Badalamenti, Manager, Internal Audit  
DIVISIONS: Accounts – Richard W. Sensenbrenner, Commissioner, Room 19  
Assessments and Licenses – Dedrick Stephens, Commissioner, Room 122  
City Treasury – \_\_\_\_\_, Treasurer, Room 115  
Financial Reporting and Control – James Gentile, Controller, Room 18  
Information Technology and Services – Douglas Divish, Commissioner, 205 W. St. Clair Avenue  
Purchases and Supplies – James E. Hardy, Commissioner, Room 128  
Printing and Reproduction – Michael Hewitt, Commissioner, 1735 Lakeside Avenue  
Taxation – Nassim Lynch, Tax Administrator, 205 W. St. Clair Avenue

DEPT. OF PUBLIC UTILITIES – Barry A. Withers, Director, 1201 Lakeside Avenue

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

DEPT. OF PORT CONTROL – Ricky D. Smith, Director

Cleveland Hopkins International Airport, 5300 Riverside Drive  
Burke Lakefront Airport – Khalid Bahhur, Commissioner  
Cleveland Hopkins International Airport – Fred Szabo, Commissioner

DEPT. OF PUBLIC SERVICE – Jomarie Wasik, Director, Room 113

DIVISIONS: Architecture – Kurt Wiebusch, Commissioner, Room 517  
Engineering and Construction – \_\_\_\_\_, Commissioner, Room 518  
Motor Vehicle Maintenance, Daniel A. Novak, Commissioner, Harvard Yards  
Streets – Randell T. Scott, Commissioner, Room 25  
Traffic Engineering – Robert Mavec, Commissioner, 4150 East 49th Street, Building #1  
Waste Collection and Disposal – Ron Owens, Commissioner, 5600 Carnegie Avenue

DEPT. OF PUBLIC HEALTH – Matt Carroll, Director, Mural Building, 75 Erieview Plaza

DIVISIONS: Air Quality – Richard L. Nemeth, Commissioner  
Environment – Willie Bess, Commissioner, Mural Building, 75 Erieview Plaza  
Health – Karen K. Butler, Commissioner, Mural Building, 75 Erieview Plaza

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

DIVISIONS: Dog Pound – John Baird, Chief Dog Warden, 2690 West 7th Street  
Correction – Robert Taskey, Commissioner, Cleveland House of Corrections, 4041 Northfield Rd.  
Emergency Medical Service – Edward Eckart, Commissioner, 1708 South Pointe Drive  
Fire – Paul A. Stubbs, Chief, 1645 Superior Avenue  
Police – Michael C. McGrath, Chief, Police Hdqtrs. Bldg., 1300 Ontario Street

DEPT. OF PARKS, RECREATION & PROPERTIES – Michael Cox, Director

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

DEPT. OF COMMUNITY DEVELOPMENT – Daryl Rush, Director, 3rd Floor, City Hall  
DIVISIONS: Administrative Services – Terrence Ross, Commissioner  
Neighborhood Services – Louise V. Jackson, Commissioner  
Neighborhood Development – Joseph A. Sidoti, Commissioner

DEPT. OF BUILDING AND HOUSING – Edward W. Rybka, Director, Room 500  
DIVISIONS: Code Enforcement – Tyrone L. Johnson, Commissioner  
Construction Permitting – Timothy R. Wolosz, Commissioner

DEPT. OF PERSONNEL AND HUMAN RESOURCES – Nycole D. West, Interim Director, Room 121

DEPT. OF ECONOMIC DEVELOPMENT – Tracey A. Nichols, Director, Room 210

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

DEPT. OF CONSUMER AFFAIRS – John D. Mahone, Interim Director

COMMUNITY RELATIONS BOARD – Room 11, Blaine Griffin, Director; Mayor Frank G. Jackson, Chairman Ex-Officio; Rev. Charles Lucas, Jr., Vice-Chairman; Councilman Kevin Conwell, Councilman Brian J. Cummins, Councilman Joe Santiago, Councilman Matthew Zone, City Council Representatives; Charles L. Patton, Jr., Paula Castleberry, Emmett Saunders, John Banno, Kathryn M. Hall, Evangeline Hardaway, Janet Jankura, Gia Hoa Ryan, Rev. Jesse Harris, Magda Gomez, Fred J. Livingstone, Margot James Copeland.

CIVIL SERVICE COMMISSION – Room 119, Reynaldo Galindo, President; Rev. Earl Preston, Vice President; Lucille Ambroz, Secretary; Members: Diane M. Downing, Michael L. Nelson.

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

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

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

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

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

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

CITY PLANNING COMMISSION – Room 501 – Robert N. Brown, Director; Anthony J. Coyne, Chairman; David H. Bowen, Lillian Kuri, Lawrence A. Lumpkin, Gloria Jean Pinkney, Norman Krumholz, Council Member Phyllis E. Cleveland.

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

FAIR HOUSING BOARD – Charles See, Chair; Lisa Camacho, Daniel Conway, Robert L. Render, Genesis O. Brown.

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

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

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

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

CLEVELAND LANDMARKS COMMISSION – Room 519 – Jennifer Coleman, Chair; Laura M. Bala, Council Member Anthony Brancatelli, Robert N. Brown, Thomas Coffey, Allan Dreyer, William Mason, Michael Rastatter, Jr., John Torres, N. Kurt Wiebusch, Robert Keiser, Secretary.

AUDIT COMMITTEE – Yvette M. Ittu, Chairman; Debra Janik, Bracy Lewis, Diane Downing, Donna Sciarappa, Council President Martin J. Sweeney; Law Director Robert J. Triozzi.

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

Judge	Courtroom
Presiding and Administrative Judge Ronald B. Adrine	15A
Judge Marilyn B. Cassidy	12B
Judge Emanuella Groves	13A
Judge Michelle D. Earley	12A
Judge Kathleen Ann Keough	14B
Judge Anita Laster Mays	14C
Judge Lauren C. Moore	14A
Judge Charles L. Patton, Jr.	13D
Judge Raymond L. Pianka (Housing Court Judge)	13B
Judge Michael John Ryan	12C
Judge Angela R. Stokes	15C
Judge Pauline H. Tarver	13C
Judge Joseph J. Zone	14D

Earle B. Turner – Clerk of Courts, Russell R. Brown III – Court Administrator, Paul J. Mizerak – Bailiff, Jerome M. Krakowski – Chief Probation Officer, Gregory F. Clifford – Chief Magistrate

# The City Record

71 OFFICIAL PUBLICATION OF THE COUNCIL OF THE CITY OF CLEVELAND

Vol. 97

WEDNESDAY, MARCH 24, 2010

No. 5024

## CITY COUNCIL

MONDAY, MARCH 22, 2010

The City Record  
Published weekly by the City Clerk,  
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Address all communications to  
**PATRICIA J. BRITT**  
City Clerk, Clerk of Council  
216 City Hall

### PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 2010-2013

#### MONDAY — Alternating

9:30 A.M. — **Public Parks, Properties, and Recreation Committee:** K. Johnson, Chair; Conwell, Vice Chair; Brancatelli, Cimperman, Dow, Polensek, Reed.

9:30 A.M. — **Health and Human Services Committee:** Cimperman, Chair; J. Johnson, Vice Chair; Conwell, Keane, Kelley, Reed, Zone.

11:00 A.M. — **Public Service Committee:** Miller, Chair; Cummins, Vice Chair; Cleveland, Dow, K. Johnson, Keane, Polensek, Pruitt, Sweeney.

11:00 A.M. — **Legislation Committee:** Mitchell, Chair; K. Johnson, Vice Chair; Brancatelli, Cimperman, Cleveland, Reed, Sweeney.

#### MONDAY

2:00 P.M. — **Finance Committee:** Sweeney, Chair; Kelley, Vice Chair; Brady, Brancatelli, Cleveland, Keane, Miller, Mitchell, Polensek, Pruitt, Westbrook.

#### TUESDAY

9:30 A.M. — **Community and Economic Development Committee:** Brancatelli, Chair; Dow, Vice Chair; Cimperman, Cummins, J. Johnson, Miller, Pruitt, Westbrook, Zone.

1:30 P.M. — **Employment, Affirmative Action and Training Committee:** Pruitt, Chair; Miller, Vice Chair; Cummins, J. Johnson, K. Johnson, Mitchell, Westbrook.

#### WEDNESDAY — Alternating

10:00 A.M. — **Aviation and Transportation Committee:** Keane, Chair; Pruitt, Vice Chair; Cummins, J. Johnson, K. Johnson, Kelley, Mitchell.

10:00 A.M. — **Public Safety Committee:** Conwell, Chair; Polensek, Vice Chair; Brady, Cleveland, Cummins, Dow, Miller, Mitchell, Zone.

#### WEDNESDAY — Alternating

1:30 P.M. — **Public Utilities Committee:** Kelley, Chair; Brady, Vice Chair; Conwell, Cummins, Dow, Miller, Polensek, Pruitt, Westbrook.

1:30 P.M. — **City Planning Committee:** Cleveland, Chair; Westbrook, Vice Chair; Brady, Conwell, Dow, Keane, Zone.

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

**Rules Committee:** Sweeney, Chair; Cleveland, Keane, Polensek, Pruitt.

**Personnel and Operations Committee:** Westbrook, Chair; Conwell, K. Johnson, Kelley, Mitchell, Sweeney, Zone.

**Mayor's Appointment Committee:** Dow, Chair; Cleveland, Kelley, Miller, Sweeney.

### OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio  
Monday, March 22, 2010

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

Council Members present: Brady, Brancatelli, Cimperman, Cleveland, Conwell, Cummins, Dow, J. Johnson, K. Johnson, Keane, Kelley, Miller, Mitchell, Polensek, Pruitt, Reed, Sweeney and Westbrook.

Also present were Mayor Frank J. Jackson; Ken Silliman, Chief of Staff; Darnell Brown, Chief Operating Officer; Chris Warren, Chief of Regional Development; Monyka S. Price, Chief of Education; Maureen Harper, Chief of Communications; Natoya J. Walker Minor, Chief of Public Affairs; Andrea V. Taylor, Press Secretary; Andrew Watterson, Chief of Sustainability; and Directors Dumas, Withers, Wasik, Carroll, Flask, Cox, Rush, Rybka, Nichols, Fumich, Interim Directors Nycole D. West and John D. Mahone, and Acting Director Munday Workman and Theresa Stevenson, Legislative Affairs.

Pursuant to Ordinance No. 2926-76 prayer was offered by Pastor Iran Whitthorn of Zion International Church, located at 809 East 152nd Street, located in Ward 10. Pledge of Allegiance.

### MOTION

On the motion of Council Member Dona Brady, the reading of the minutes of the last meeting was dispensed with and the Clerk was instructed to correct the journal of the March 8, 2010, meeting of the Council (City Record Volume 97, Page 279), to reflect the correct printing of Ordinance No. 302-10 as it appears in the First Reading Emergency Ordinances Referred portion by striking Ordinance No. 302-10 in its entirety and inserting the following:

#### Ord. No. 302-10.

**By Council Members Keane and Sweeney (by departmental request). An emergency ordinance authorizing the Director of Port Control to exercise an option to renew Contract No. 67820 with RW Armstrong, Inc. to provide general engineering design services, for the Department of Port Control.**

Whereas, under the authority of Ordinance No. 186-07, passed March 12, 2007, the Director of Port Control entered into Contract No. 67820 with RW Armstrong, Inc. to provide general engineering design services for the Department of Port Control; and

Whereas, Ordinance No. 186-07 requires further legislation before exercising the option to renew on this contract; 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 Port Control is authorized to exercise the option to renew Contract No. 67820 for an additional year with RW Armstrong, Inc. for general engineering design services for the Department of Port Control. This ordinance constitutes the additional legislative authority required by Ordinance No. 186-07 to exercise this option.

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

Referred to Directors of Port Control, Finance, Law; Committees on Aviation and Transportation, Finance.

Without objection, journal approved. Seconded by Council Member Kevin J. Kelly.

## COMMUNICATIONS

**File No. 366-10.**

From Cuyahoga Metropolitan Housing Authority — notification that CMHA will be the general partner of a residential rental development, located at Lee Road and Miles Avenue at East 167th Street (Beehive Elderly Apartments) in Ward 1, utilizing Ohio Housing Finance Agency (OHFA) funding. Received.

**File No. 371-10.**

From Cuyahoga Metropolitan Housing Authority — notification that CMHA will be the general partner of a residential rental development, located at 11722 Miles Avenue (Miles Pointe) in Ward 2, utilizing Ohio Housing Finance Agency (OHFA) funding. Received.

**File No. 372-10.**

From Burton, Bell, Carr Development, Inc. — notification that Burton, Bell, Carr Development, Inc., and PIRHL Developers, LLC co-developers of a single-family residential development, located at scattered sites in the St. John's Village West neighborhood of the Villages of Central, in Ward 5, utilizing Ohio Housing Finance Agency (OHFA) funding. Received.

**File No. 385-10.**

From Cleveland Housing Network — notification that Cleveland Housing Network will be the general partner of a residential rental development, (Cleveland Green Homes III), located in Wards 4, 6, 7, 9, and 12, utilizing Ohio Housing Finance Agency (OHFA) funding. Received.

**File No. 386-10.**

From Cleveland Housing Network — notification that Cleveland Housing Network will be the general partner of a residential rental development, (Emerald Alliance VII) at 9431 Lorain Avenue, located in Ward 16, utilizing Ohio Housing Finance Agency (OHFA) funding. Received.

**File No. 387-10.**

From Fairfax Renaissance Development Corporation, Intergenerational Housing Initiative — notification that Fairfax Grandparent Housing, Inc. will be the general partner of a residential rental development, (Fairfax intergenerational Housing Initiative) in Ward 6, utilizing Ohio Housing Finance Agency (OHFA) funding. Received.

**File No. 388-10.**

From Village Green Elderly II, LLC — notification that NRP Village Green Elderly, II LLC will be the managing member of a residential rental development, (Village Green Elderly II) at 18221 Euclid Avenue, located in Ward 10, utilizing Ohio Housing Finance Agency (OHFA) funding. Received.

## FROM DEPARTMENT OF LIQUOR CONTROL

**File No. 389-10.**

Re #2714240 — C2, C2X Stock Application — 15315 Bartlett, Inc., dba Johnsons Deli, 15315 Bartlett Avenue. (Ward 1). Received.

**File No. 390-10.**

Re #5870816 — D5, D6 — Stock Application — Metropolis Night Club, Inc., 2325 Elm Street. (Ward 3). Received.

**File No. 391-10.**

Re #22293300 — D5, D6 — Transfer of Location Application — Downtown Croton, Inc., dba Downtown Croton, 3403 Croton Avenue. (Ward 5). Received.

**File No. 392-10.**

Re #0597591 — C2, C2X, D6 — Transfer of Ownership Application — Bellaire Gas USA, LLC, dba Gas USA, 3934 West 117th Street. (Ward 17). Received.

**File No. 393-10.**

Re #69946840 — C2, C2X Stock Application — Pit Stop Deli, Inc., dba River Market, 19609 Puritas Road, #103. (Ward 19). Received.

## CONDOLENCE RESOLUTIONS

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

**Res. No. 394-10** — Judge Frank D. Celebreeze.

**Res. No. 395-10**—Doris Marie Newsome.

**Res. No. 396-10**—Lynn H. Chick.

**Res. No. 397-10** — Nellie Mae Thomas.

**Res. No. 398-10**—Robert Nagle.

**Res. No. 399-10**—Ida Fields.

## CONGRATULATION RESOLUTIONS

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

**Res. No. 400-10**—Bonnie McNally.

**Res. No. 401-10**—John Hayes.

**Res. No. 402-10** — Shannon Corcoran.

**Res. No. 403-10** — Father Tom Johns.

**Res. No. 404-10** — Mildred Olivia Martin.

## FIRST READING EMERGENCY ORDINANCES REFERRED

**Ord. No. 355-10.**

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

**An emergency ordinance authorizing the Director of Port Control to exercise the second option to renew Contract No. 67096 with Brenda Y. Terrell, Ph.D. & Associates to provide business relations consulting services for the Department of Port Control.**

Whereas, under the authority of Ordinance No. 1846-06, passed December 11, 2006, the Director of Port Control entered into Contract No. 67096 with Brenda Y. Terrell, Ph.D. & Associates to provide business relations consulting services for the Department of Port Control; and

Whereas, Ordinance No. 1846-06 requires further legislation before exercising the options to renew this contract; 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 Port Control is authorized to exercise the second option to renew Contract No. 67096 for an additional year at a cost not to exceed \$75,000, with Brenda Y. Terrell, Ph.D. & Associates to provide business relations consulting services for the Department of Port Control. This ordinance constitutes the additional legislative authority required by Ordinance No. 1846-06 to exercise this option. Notwithstanding Ordinance No. 1846-06, no further options to renew will be exercised for this contract after this ordinance has passed. Request No. RQS 3001 RL 2010-42.

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

Referred to Directors of Aviation and Transportation, Finance, Law; Committees on Port Control, Finance.

**Ord. No. 356-10.**

**By Council Member Brancatelli.**

**An emergency ordinance designating St. John Nepomucene Church, School, Rectory, and Convent as a Cleveland Landmark.**

Whereas, under Chapter 161 of the Codified Ordinances of Cleveland, Ohio, 1976, the Cleveland Landmarks Commission (the "Commission"), has proposed to designate St. John Nepomucene Church, School, Rectory, and Convent as a landmark; and

Whereas, a public hearing under division (b)(2) of Section 161.04 was held on January 14, 2010 to discuss the proposed designation of St. John Nepomucene Church, School, Rectory, and Convent as a landmark; and

Whereas, the Commission has recommended designation of St. John Nepomucene Church, School, Rectory, and Convent as a landmark and has set forth certain findings of fact constituting the basis for its decision; and

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

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

**Section 1.** That St. John Nepomucene Church, School, Rectory, and Convent, whose street addresses in the City of Cleveland are 3777-3789 Independence Road, S. E., 4914 Fleet Avenue, S. E., and 3760 East 50th Street, Cuyahoga County Auditor's Permanent Parcel Numbers are 132-09-002, 132-09-003, 132-09-004, 132-09-005, 132-09-052, 132-09-053, and 132-09-079 and is also known as the following described property:

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

Sublot numbers 2 through 16 both inclusive in the Raus and Jirousek Washington Park Allotment of part of Original One Hundred Acre Lot number 312 as shown by the recorded plat in Volume 27, Page 16 of Cuyahoga County map records.

Description approved by Greg Esber, Section Chief Plats, Surveys and House Number Section Division of Engineering & Construction which in its entirety is a property having special character or special historical or aesthetic value as part of the development, heritage, or cultural characteristics of the City, State, or the United States, is designated a landmark under Chapter 161 of the Codified Ordinances of Cleveland, Ohio, 1976.

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

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

**Ord. No. 357-10.**

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

**An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Sisters of Charity Foundation and Mount Sinai Health Care Foundation for the 2010 Cleveland Minority Health Grant.**

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

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

**Section 1.** That the Director of Public Health is authorized to apply for and accept a grant in the approximate amount of \$35,000, and any other funds that may become available during the grant term from the Sisters of Charity Foundation and Mount Sinai Health Care Foundation; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in the summary for the grant contained in the file described below.

**Section 2.** That the summary for the grant, File No. 357-10-A, made a part of this ordinance as if fully rewritten, as presented to the Finance Committee of this Council at the public hearing on this legislation, is approved in all respects and shall not be changed without additional legislative authority.

**Section 3.** That the Director of Public Health shall have the authority to extend the term of the grant during the grant term.

**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 Public Health, Finance, Law; Committees on Health and Human Services, Finance.

**Ord. No. 358-10.**

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

**An emergency ordinance authorizing the acquisition of certain easement interests from the Denison Elderly LLC Project for a walkway from Denison Avenue into the Reed Playfield located at West 15th Street and Denison Avenue, for the Department of Parks, Recreation and Properties.**

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, the Commissioner of Purchases and Supplies is authorized to acquire certain easement rights from the Denison Elderly LLC Project for a walkway from Denison Avenue into the Reed Playfield located at West 15th Street and Denison Avenue, in and to the premises more particularly described as follows:

**Sidewalk Easement  
Denison Elderly**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Parcel B in Fern Court Townhomes Lot Split as recorded in Volume 335 of Maps, Page 73 of Cuyahoga County Records, and further bounded and described as follows: Beginning at a point on the northerly line of Denison Avenue S.W., 56 feet wide, at the southwesterly corner of Sublot No. 17 in the H.E. Foster Re-Subdivision being part of Original Brooklyn Township Lot No. 74 as recorded in Volume 18, Page 16 of Cuyahoga County Records; thence along the northerly line of Denison Avenue S.W., South 79° - 12' - 22" West, a distance of 8.00 feet to an angle point therein; thence continuing along the northerly line of Denison Avenue S.W., South 87° - 29' - 30" West, a distance of 8.51 feet to the PRINCIPAL PLACE OF BEGINNING;

Course 1: thence continuing along the northerly line of Denison Avenue S.W., South 87° - 29' - 30" West, a distance of 10.00 feet to a point;

Course 2: thence North 04° - 06' - 36" West, a distance of 114.73 feet to a point of curvature therein;

Course 3: thence northeasterly, a distance of 31.32 feet along the arc of a curve deflecting to the right having a radius of 37.50 feet and a chord which bears North 19° - 49' - 00" East, a distance of 30.42 feet to a point of reverse curvature;

Course 4: thence northeasterly, a distance of 45.09 feet along the arc of a curve deflecting to the left hav-

ing a radius of 47.50 feet and a chord which bears North 16° - 32' - 47" East, a distance of 43.42 feet to a point of compound curvature;

Course 5: thence northwesterly, a distance of 46.24 feet along the arc of a curve deflecting to the left having a radius of 27.50 feet and a chord which bears North 58° - 49' - 14" West, a distance of 40.98 feet to a westerly line of Parcel B in Fern Court Townhomes Lot Split as aforementioned;

Course 6: thence along a westerly line of Parcel B, North 10° - 47' - 38" West, a distance of 41.22 feet to a northerly line of Parcel B;

Course 7: thence along a northerly line of Parcel B, North 79° - 12' - 22" East, a distance of 42.38 feet to a point of non-tangent curvature;

Course 8: thence southeasterly, a distance of 55.92 feet along the arc of a curve deflecting to the left having a radius of 92.50 feet and a chord which bears South 07° - 06' - 48" East, a distance of 55.07 feet to a point of reverse curvature;

Course 9: thence southwesterly, a distance of 68.42 feet along the arc of a curve deflecting to the right having a radius of 57.50 feet and a chord which bears South 09° - 39' - 22" West, a distance of 64.45 feet to a point of reverse curvature;

Course 10: thence southwesterly, a distance of 22.97 feet along the arc of a curve deflecting to the left having a radius of 27.50 feet and a chord which bears South 19° - 49' - 00" West, a distance of 22.31 feet to a point of tangency;

Course 11: thence South 04° - 06' - 36" East, a distance of 115.01 feet to the principal place of beginning and containing 0.0887 acre of land according to a survey by Matthew C. Neff, Ohio Professional Surveyor #7315, of the M Neff Design Group dated May 13, 2009, be the same more or less, but subject to all legal highways.

NOTE: Bearings shown hereon are to an assumed meridian and are used to denote angles only.

**Section 2.** That the cost of the acquisition of the easement rights shall be One Dollar and other valuable consideration which are determined to be fair market value or the amount of the jury verdict in the event eminent domain is needed to acquire the easement interests in and to the premises. The purchase price, appraisal, title, escrow, and all other costs incurred in acquiring the easement interests shall be paid from the fund or funds deemed appropriate by the Director of Finance.

**Section 3.** That the Director of Parks, Recreation and Properties is authorized to execute all documents on behalf of the City of Cleveland necessary to acquire certain rights in and to the premises.

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

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

**Ord. No. 359-10.**

**By Council Members Cummins, K. Johnson, Cleveland and Sweeney (by departmental request).**

**An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter a Concession Agreement with the Roberto Clemente League for the operation of a concession stand at Roberto Clemente Park, for the Department of Parks, Recreation and Properties, for a period of one year, with four one-year options to renew, exercisable by the Director.**

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 any section of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Parks, Recreation and Properties is authorized to enter a Concession Agreement with the Roberto Clemente League for the operation of the concession stand at Roberto Clemente Park for a period of one year, with four one-year options to renew, exercisable by the Director of Parks, Recreation and Properties.

**Section 2.** That the Concession Agreement shall be prepared by the Director of Law.

**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 Parks, Recreation and Properties, City Planning Commission, Finance, Law; Committees on Public Parks, Properties and Recreation, City Planning, Finance.

**Ord. No. 360-10.**

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

**An emergency ordinance to amend Sections 2 and 3 of Ordinance No. 507-09, passed April 20, 2009, relating to authorizing the Director of Economic Development to enter into contract with Alcoa to provide economic development assistance to partially finance the refurbishment of equipment located at their facility located at 1609 Harvard Avenue, and authorizing a development agreement with the Village of Cuyahoga Heights and the City of Independence.**

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 Sections 2 and 3 of Ordinance No. 507-09, passed April 20, 2009, are amended to read as follows:

Section 2. That the terms of the loan shall be according to the terms set forth in the Summary contained in File No. **507-09-B** made a part of this ordinance as if fully rewritten, as presented to the Finance Committee of this Council at the public hearing on this legislation, and are approved in all respects and shall not be changed without additional legislative authority.

Section 3. That the costs of the loan shall not exceed **Five Hundred and Fifty Thousand Dollars (\$550,000)**, and shall be paid from Fund No. 17 SF 008, which funds are appropriated for this purpose, Request Nos. 123988 and **RQS 9501 CONVRL 123988**.

**Section 2.** That existing Sections 2 and 3 of Ordinance No. 507-09, passed April 20, 2009, are repealed.

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

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

**FIRST READING ORDINANCE REFERRED**

**Ord. No. 368-10.**

**By Council Member Zone.**

**An ordinance changing the Use, Area and Height Districts of lands located on W. 65th Street between Fir Avenue and Madison Avenue and lands south of Madison along the railroad ending at Aspen Ct. to Two Family Residential, a 'B' Area District and a '1' Height District (Map Change No. 2298 Sheet No. 1).**

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

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

Beginning in the centerline West 65th Street at its intersection with the centerline of Fir Avenue;

Thence Easterly along said centerline of Fir Avenue to its intersection with the centerline of West 64th Place;

Thence Southerly along the said centerline of West 64th Place to the centerline of Lillian Court;

Thence Southeasterly and Easterly along the said centerline of Lillian Court to its intersection with the Northerly prolongation of the Westerly line of Sublot No. 213 in James M. Hoyt's Subdivision of part of Original Brooklyn Township Lot Nos. 32 and 33 as shown on the plat recorded in Volume 2, Page 49 of Cuyahoga County Map Records;

Thence Southerly along said Westerly line of Sublot No. 213 and its Southerly prolongation to the centerline of Madison Avenue;

Thence Easterly along said centerline of Madison Avenue to its intersection with the Northerly prolongation of the Westerly line of Sublot No. 45 in said James M. Hoyt's Subdivision;

Thence Southerly along said Westerly line of Sublot No. 45, its Northerly prolongation and its Southerly prolongation to its intersection with the Westerly prolongation of the centerline of Beverly Court;

Thence Easterly along said centerline of Beverly Court and its Westerly prolongation to its intersection with the Northwesterly prolongation of the Southwesterly line of land conveyed to Raul Torres by deed recorded in Auditor's File Number 2003060201896 of Cuyahoga County Deed Records, said parcel also being known as Cuyahoga County's Permanent Parcel Number 002-27-073;

Thence Southeasterly along said the Southwesterly line of land conveyed to Raul Torres and its Northwesterly prolongation, to a Southerly corner thereof;

Thence Northeasterly along a Southeasterly line of said land conveyed to Raul Torres to a Southwesterly right-of-way of Lawn Avenue;

Thence Southeasterly along said Southwesterly right-of-way of Lawn Avenue to the centerline of said Lawn Avenue;

Thence Northeasterly along said centerline of Lawn Avenue to the Northwesterly prolongation of the Southwesterly line of Sublot No. 31 in said James M. Hoyt's Subdivision;

Thence Southeasterly along said Southwesterly line of Sublot No. 31 and the Northwesterly prolongation thereof to a Northeasterly right-of-way as conveyed to Norfolk and Western by merger, said parcel also being known as Cuyahoga County's Permanent Parcel Number 002-27-069;

Thence Southeasterly along said Norfolk and Western right-of-way to a Southwesterly terminus of Aspen Court;

Thence Southeasterly along the Southwesterly terminus of Aspen Court to the centerline of Aspen Court;

Thence Southwesterly along the centerline of Aspen Court, now vacated, and across said Norfolk and Western right-of-way and along a centerline of said Aspen Court to the Southeasterly prolongation of the Northeasterly line of Parcel "A" in the Map of Lot Consolidation of part of Original Brooklyn Township Lot 33 as shown on the plat recorded in Volume 354, Page 46 of Cuyahoga County Map Records;

Thence Northwesterly along said Northeasterly line of Parcel "A", its Southeasterly prolongation, its Northwesterly prolongation, the Northeasterly line of Sublot No. 179 in said James M. Hoyt's Subdivision, its Southwesterly prolongation and its Northwesterly prolongation to the Northerly right-of-way of Corona Court, part now vacated;

Thence Southwesterly along said Northerly right-of-way of Corona Court, part now vacated, to the Southerly prolongation of an Easterly line of Lot 2 in the Lot Split Survey of St. Colman Church of part of Original Brooklyn Township Lot Nos. 32 and 33 as shown on the plat recorded in Volume 327, Page 54 of Cuyahoga County Map Records;

Thence Northerly along said Easterly line of Lot 2 in the Lot Split Survey of St. Colman Church, the Southerly prolongation and the Northerly prolongation thereof to the centerline of said Madison Avenue;

Thence Westerly along said centerline of Madison Avenue to the centerline of West 65th Street;

Thence Northerly along said centerline of said West 65th Street to the centerline of Pear Avenue;

Thence Westerly along said centerline of Pear Avenue to its intersection with the Southerly prolongation of an Easterly right-of-way as conveyed to Norfolk and Western by merger, said parcel also being known as Cuyahoga County's Permanent Parcel Number 002-25-003;

Thence Northerly along said Norfolk and Western Easterly right-of-way to a Northeasterly corner thereof;

Thence Westerly along said Norfolk and Western Northerly right-of-way to the Southerly prolongation of the Easterly line of Sublot No. 300 in said Elwell and Marvin's Subdivision;

Thence Northerly along said Easterly line of Sublot No. 300, its Southerly prolongation and its Northerly prolongation to the centerline of Wakefield Avenue;

Thence Easterly along the said centerline of Wakefield Avenue to its intersection with the Southerly prolongation of the Easterly line of land conveyed to Columbus C. Phipps by deed recorded in Auditor's File Number 200610180888 of Cuyahoga County Deed Records, said parcel also being known as Cuyahoga County's Permanent Parcel Number 002-26-024;

Thence Northerly along said Easterly line of said land conveyed to Columbus C. Phipps and Southerly prolongation thereof to the Northeasterly corner thereof;

Thence Westerly along the Northerly line of said land conveyed to Columbus C. Phipps and the Northerly line of land conveyed to RoAnn J. Fox by deed recorded in Vol. 84-4122, Page 3 of Cuyahoga County Deed Records, said parcel also being known as Cuyahoga County's Permanent Parcel Number 002-26-025, to the Easterly line of Sublot No. 161 in the Gordan Avenue Allotment of part of Original Brooklyn Township Lot No. 32 as shown on the plat recorded in Volume 21, Page 2 of Cuyahoga County Map Records;

Thence Northerly along said Easterly line of Sublot No. 161 and the Easterly line of Sublot No. 154 in said Gordan Avenue Allotment to the Southwesterly corner of land conveyed to Donald W. Cordell and Rhonda s. Cordell by deed recorded in Volume 94-01446, Page 12 of Cuyahoga County Deed Records, said parcel also being known as Cuyahoga County's Permanent Parcel Number 002-26-087;

Thence Easterly along said Southerly line of said land conveyed to Donald W. Cordell and Rhonda s. Cordell and the Southerly line of said land conveyed to Keith A. Chervenak and continuing along its easterly prolongation to its intersection with the centerline of West 65th Street;

Thence northerly along said centerline of W. 65th Street to its intersection with the westerly prolongation of the northerly line of Sublot Number 272 in James M. Hoyt's Subdivision shown on the recorded plat in Volume 2, Page 49 of Cuyahoga County Map Records;

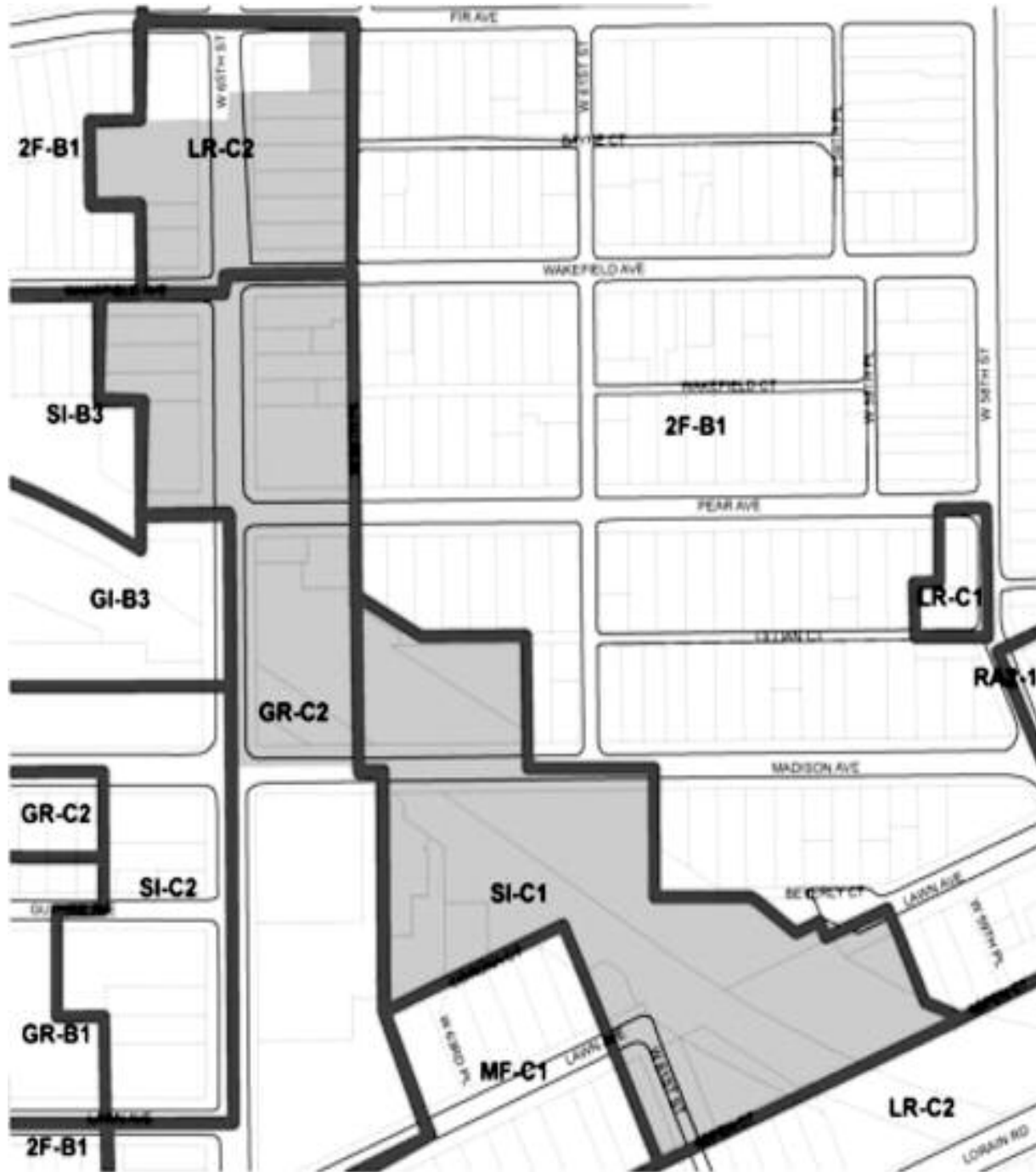
Thence easterly along said westerly prolongation of said northerly line of Sublot Number 272 to its intersection with the westerly line of land conveyed to The Cleveland Housing Network by deed dated December 21, 2001 and recorded in Auditor's File Number 200112210715, said parcel also being known as Cuyahoga County's Permanent Parcel Number 002-29-070;

Thence northerly along said westerly line and along its northerly prolongation to its intersection with the centerline of Fir Avenue;

Thence westerly along said centerline of Fir Avenue to its intersection with the centerline of West 65th Street and the principal place of beginning, and as shaded on the attached map is changed to a Two Family Residential District, a 'B' Area District and a '1' Height District.

**Section 2.** That the changed designation of lands described in Section 1 shall be identified as Map Change No. 2298, Sheet No. 1 and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for this purpose by the City Planning Commission.

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



**AREA TO BE REZONED 2F**

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



**FIRST READING EMERGENCY  
RESOLUTION REFERRED**

**Res. No. 369-10.**

**By Council Member Cimperman.**

**An emergency resolution relating to the Downtown Cleveland Improvement District as a special improvement district within the city; declaring it necessary to provide for additional security for the Downtown Cleveland Improvement District, cleaning and maintenance of the public rights-of-way within the Downtown Cleveland Improvement District, and collective economic development and marketing of the Downtown Cleveland Improvement District; and providing for the assessment of the cost and expense of such work upon benefited property in the Downtown Cleveland Improvement District and declaring an emergency.**

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 Resolution No. 1386-05, adopted August 3, 2005, established the Downtown Cleveland Improvement District consisting generally of that portion of the City which is bounded on the North by the Conrail lines and Front Avenue; on the South by Eagle Avenue and Webster Avenue; on the East by East 18th Street; and on the West by West 10th Street and the Cuyahoga River, as more particularly described in the Articles of Incorporation on file with the Clerk of Council in that resolution and collective economic development and marketing of the Downtown Cleveland Improvement District.

**Section 2.** That Resolution No. 272-10, adopted March 8, 2010, accepted the Petition of the property owners in the Downtown Cleveland Improvement District and a comprehensive services plan (the "Plan") for the continuation of operations of the Downtown Cleveland Improvement District.

**Section 3.** That it is determined and declared necessary and conducive to the public health, convenience and welfare of the City of Cleveland to provide additional security for the Downtown Cleveland Improvement District, additional cleaning and maintenance of the public rights-of-way within the Downtown Cleveland Improvement District and collective economic development and marketing of the Downtown Cleveland Improvement District for a five-year period commencing after passage of the ordinance to proceed in this matter.

**Section 4.** That it is determined that the property contained within the Downtown Cleveland Improvement District will be specially benefited by the above described public services and shall be assessed to pay for the cost of the services, calculated in proportion to the benefits that may result from the services.

**Section 5.** That the Plan on file in File No. 272-10-A is approved at an estimated cost of \$18,688,005.81.

**Section 6.** That the entire cost of the Plan in the Downtown Cleveland Improvement District be specially

assessed in proportion to the benefits that may result from the services within the Cleveland Downtown Improvement District. The cost of the Plan shall include the cost of printing, serving, and publishing notices, resolutions, and ordinances, the costs incurred in connection with the preparation, levy, and collection of the special assessments, expenses of legal services, the cost of all labor and materials and all other necessary expenditures allowed by law.

**Section 7.** That the assessments to be levied shall be paid when levied in five annual installments. The first through fifth annual installments shall be payable in cash on or before January 15 in each of the years 2011 through 2015. All assessments and installments which have not been paid shall be certified by the Clerk of Council to the County Auditor on or before September 1 of each year, to be placed by him on the tax duplicate and collected the same as other taxes, as provided by law.

**Section 8.** That no notes or bonds of the City of Cleveland shall be issued in anticipation of the collection of the special assessments.

**Section 9.** That the Commissioner of Assessments and Licenses is authorized to prepare and file in the Office of the Clerk of Council an estimated assessment under the provisions of this resolution showing the amount of the assessment against each lot or parcel of land to be assessed. Such estimated assessment shall be based on the estimated cost of the Plan which is now on file in the Office of the Clerk of Council. When the estimated special assessments have been filed, the Clerk of Council shall cause notice of the adoption of this Resolution and the filing of the estimated special assessments to be served in the manner provided by law on the owners of all lots and parcels to be assessed.

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

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

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

**Ord. No. 361-10.**

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

**An emergency ordinance to amend the title and Section 1 of Ordinance No. 912-09, passed July 1, 2009; to enact new Section 6; and to renumber existing Sections 6 and 7 to new Sections 7 and 8, relating to authorizing the Director of Public Safety to accept a grant from the United States Department of Homeland Security for the Assistance to Firefighters Grant, and authorizing related contracts.**

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

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

**Section 1.** That the title and Section 1 of Ordinance No. 912-09, passed July 1, 2009, are amended to read as follows:

An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the United States Department of Homeland Security for the 2008 Assistance to Firefighters Grant; authorizing the purchase by one or more requirement contracts of materials, equipment, supplies, services, and training needed; **and authorizing the Director to enter into one or more contracts without competitive bidding with Masimo Corporation for the purchase of Rad-57 Pulse CO-Oximeters to implement the grant,** for the Department of Public Safety.

**Section 1.** That the Director of Public Safety is authorized to apply for and accept a grant in the amount of \$306,581, from United States Department of Homeland Security to conduct the 2008 Assistance to Firefighters Grant; that the Director of Public Safety is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes set forth in the application for the grant contained in the file described below.

**Section 2.** That the existing title and Section 1 of Ordinance No. 912-09, passed July 1, 2009, are repealed.

**Section 3.** That Ordinance No. 912-09, passed July 1, 2009, is supplemented by adding new Section 6 to read as follows:

**Section 6.** That this Council determines that the within commodities are non-competitive and cannot be secured from any source other than Masimo Corporation. Therefore the Director of Public Safety is authorized to make one or more written contracts with Masimo Corporation on the basis of its proposal dated February 23, 2010, in the total sum of \$94,520, for not to exceed twenty-seven (27) Rad-57 Pulse CO-Oximeters and accessories, to be purchased by the Commissioner of Purchases and Supplies, for the Department of Public Safety. The contract or contracts authorized shall be paid from the fund or funds to which are credited the grant accepted under this ordinance and from the cash match.

**Section 4.** That existing Sections 6 and 7 of Ordinance No. 912-09, passed July 1, 2009 are renumbered to new "Section 7" and "Section 8".

**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 18. Nays 0. Read second time, Read third time in full. Passed. Yeas 18. Nays 0.

**Ord. No. 362-10.**

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

**An emergency ordinance authorizing the Clerk of Council to enter into an agreement with Solar Systems Networking Inc., for professional services necessary to advise and assist in the management and implementation of certain technology projects for Cleveland City Council.**

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 Clerk of Council ("Clerk") is authorized to enter into an agreement with Solar Systems Networking Inc. ("Consultant") for the professional services necessary to advise and assist in the management and implementation of technology projects, including maintenance of the functionality of the current network environment, user support, assistance in the design and development of future network services and such other projects as may be determined by the Clerk.

The cost of all services under this agreement shall not exceed \$50,000 and shall be paid for from fund 11-006.

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

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

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

**Ord. No. 367-10.**

**By Council Members Miller, Cleveland and Sweeney (by departmental request).**

**An emergency ordinance to amend the title and Sections 3, 5, 7, 19 and 20 of Ordinance No. 319-09, passed March 16, 2009, as amended; and to supplement the ordinance by adding new Sections 9a., 9b., 12b., 12c., 12d., and 12e. relating to applying to the Northeast Ohio Area-wide Coordinating Agency for various infrastructure projects and authorizing other contractual authority.**

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

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

**Section 1.** That the title and Sections 3, 5, 7, 19, and 20 of Ordinance No. 319-09, passed March 16, 2009, as amended by Ordinance No. 1159-09, passed August 5, 2009 and Ordinance

No. 1786-09, passed December 7, 2009, are amended to read as follows:

An emergency ordinance authorizing the Director of Public Service to apply to the Northeast Ohio Area-wide Coordinating Agency for various infrastructure projects throughout the City and accepting eligible funding; authorizing the director to enter into one or more local project agreements with the State of Ohio to fund and construct any portion of the improvements; giving consent of the City of Cleveland to the State of Ohio to make the improvements; authorizing the director to enter into any agreements relative thereto; authorizing the director to employ one or more professional consultants to implement the improvements; **determining the method of making the public improvement of constructing the infrastructure improvements; and authorizing the Director to enter into one or more public improvement contracts for the making of the improvements;** authorizing the Commissioner of Purchases and Supplies to acquire for right-of-way purposes such real property and easements as are necessary to make the improvements; authorizing contracts with railroads and the Greater Cleveland Regional Transit Authority; to cause payment to the State of Ohio, or other entities, of the City's share of the cost of the improvements; and authorizing the director to apply for and accept gifts or grants from any public or private entity for this purpose.

**Section 3.** That the Director of Public Service, when appropriate, is authorized to enter into one or more Local Project Administration ("LPA") agreements with the Ohio Department of Transportation to fund and construct any portion of the public improvements contained in this ordinance.

**Section 5.** That the City proposes to cooperate with the State of Ohio in the cost of the above described improvements, **including the Rehabilitation of the Willow Lift Bridge and the Rehabilitation of the Center Street Swing Bridge**, by assuming and contributing the entire cost and expense of the improvements less the amount of Federal highway funds or other funds set aside by the ODOT Director and NOACA for the financing of one or more of these improvements from funds allocated by any state or federal agency. **The City agrees to assume and contribute 100% of the cost of any items included in the construction contract at the request of the City, which are determined by the State not eligible or made necessary for the improvements. The City agrees to assume and contribute funds for all necessary change orders and cost overruns.**

**Section 7.** That the Director of Public Service is authorized, on behalf of the City of Cleveland, to enter into any agreements as are necessary to carry out the intent and purpose of this ordinance. **Specifically, the Director of Public Service is authorized to enter into one or more agreements with the State necessary to complete the planning and construction of the improvements described in Section 1, including the Rehabilitation of the**

**Willow Lift Bridge and the Rehabilitation of the Center Street Swing Bridge, which agreements shall contain terms and conditions that the Director of Law determines shall best protect the public interest. The Director of Finance is authorized to certify to each of these agreements with the State an amount equal to six percent of the accepted bid amount to be used by the State for necessary change orders and cost overruns.**

**Section 19.** That the Director of Public Service is authorized to enter into one or more contracts with the Ohio Department of Transportation to accept the federal funds necessary for contracts authorized in this ordinance.

**Section 20.** That the cost of any contract or contracts or payments authorized in this ordinance shall be paid from Fund Nos. 20 SF 380, 20 SF 383, 20 SF 394, 20 SF 500, 20 SF 506, 20 SF 510, 20 SF 520, 20 SF 528, any state or federal funding received under this ordinance, **from any state or federal funding received under Ordinance No. 463-09, passed April 20, 2009**, from the fund or funds to which are credited any grant funds or gifts received under this ordinance, and from any other funds that are appropriated for this purpose. (RL 188410)

**Section 2.** That the existing title and Sections 3, 5, 7, 19, and 20 of Ordinance No. 319-09, passed March 16, 2009, as amended by Ordinance No. 1159-09, passed August 5, 2009 and Ordinance No. 1786-09, passed December 7, 2009, are repealed.

**Section 3.** That Ordinance No. 319-09, passed March 16, 2009, as amended by Ordinance No. 1159-09, passed August 5, 2009 and Ordinance No. 1786-09, passed December 7, 2009, is supplemented by adding new Sections 9a., 9b., 12b., 12c., 12d., and 12e. to read as follows:

**Section 9a.** That this Council requests the State to proceed with any improvements for which the City and the State have entered into an agreement under Section 7, including the Rehabilitation of the Willow Lift Bridge and the Rehabilitation of the Center Street Swing Lift Bridge.

**Section 9b.** That the Clerk of Council is authorized and directed to transmit to the State three (3) certified copies of this ordinance immediately on its taking effect, as well as three (3) certified copies of Ordinance No. 319-09, passed March 16, 2009, and three (3) certified copies each of amending Ordinance No. 1159-09, passed August 5, 2009 and Ordinance No. 1786-09, passed December 7, 2009, and those shall become the basis for proceeding with the improvements for which City and the State have entered into an agreement under Section 7, including the Rehabilitation of the Willow Lift Bridge and the Rehabilitation of the Center Street Swing Bridge.

**Section 12b.** That, under Section 167 of the Charter of the City of Cleveland, this Council determines to make the public improvement of constructing the infrastructure improvements for the projects described in Section 1 of this ordinance, for the Department of Public

Service, 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 12c. That the Director of Public Service is authorized to enter into one or more contracts for the making of the public improvement with the lowest responsible bidder or bidders after competitive bidding on a unit basis for the improvement, provided, however, that each separate trade and each distinct component part of the improvement may be treated as a separate improvement, and each, or any combination, of the trades or components may be the subject of a separate contract on a unit basis.

Section 12d. That the Director of Public Service is authorized to apply and pay for permits, licenses, or other authorizations required by any regulatory agency or public authority to permit performance of the work authorized by this ordinance.

Section 12e. That the Director of Finance is authorized to certify to each of the contracts authorized in Section 12c. an amount, in addition to the accepted bid amount, equal to six percent of the accepted bid amount as a contingency allowance to fund the Engineering and Construction Force Account. No ARRA funds may be used for this portion of the contract.

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

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

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

**Ord. No. 370-10.  
By Council Members Sweeney, Westbrook, Brady and Keane.**

**An emergency ordinance authorizing the Director of the Department of Community Development to enter into an agreement with the Greater Cleveland Regional Transportation Authority for a Pilot Neighborhood Transportation Program through the use of Ward(s) 16, 17, 18, and 19 Neighborhood Equity Funds.**

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

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

Section 1. That the Director of the Department of Community Development is authorized to enter into an agreement with the Greater Cleveland Regional Transportation Authority for a Pilot Neighborhood Transportation Program for the public purpose of providing local transportation assistance to city of Cleveland residents, including but not limited to the elderly, disabled

and residents with limited access to private transportation through the use of Ward(s) 16, 17, 18, and 19 Neighborhood Equity Funds.

Section 2. That the cost of the contract shall be in an amount not to exceed \$20,000 and shall be paid from Fund No. 10 SF 166.

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

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

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

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

**Ord. No. 373-10.  
By Council Member Sweeney (by departmental request).**

**An emergency ordinance to amend Section 1 of Ordinance No. 1676-09 passed November 16, 2009, relating to an agreement with NetX Internet LLC.**

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. 1676-09 passed November 16, 2009 is hereby amended to read as follows:

Section 1. That the Clerk of Council is hereby authorized to enter into an Agreement with NetX Internet LLC to provide wireless internet service to Cleveland City Council, including installation, equipment, management, maintenance and repair for a period of three years, beginning on January 1, 2010. The cost of the agreement shall be \$799.00 per month and shall be paid from fund number 632000-01-010100 and 11-006.

Section 2. That the existing Section 1 of Ordinance No. 1676-09 passed November 16, 2009 is hereby repealed.

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

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

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

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

**Res. No. 363-10.**

**By Mayor Jackson and Council Members Sweeney, Zone, Cimperman, Westbrook, Cummins, Brady, Brancatelli, Cleveland, Conwell, Dow, J. Johnson, K. Johnson, Keane, Kelley, Miller, Mitchell, Polensek, Pruitt and Reed.**

**An emergency resolution urging the City of Cleveland, other area municipalities, public and private businesses and individuals to support "Earth Hour 2010" by turning off their lights for one hour, from 8:30 pm until 9:30 pm on Saturday March 27, 2010.**

Whereas, on March 27, 2010, the world will once again observe "Earth Hour" when hundreds of millions of people, organizations, corporations and governments around the world will come together to make a bold statement about their concern for climate change by turning off their lights for one hour between the 8:30pm and 9:30 pm; and

Whereas, in the United States, participants will turn off their lights, sending a clear message that we want to "turn out the lights" on dirty air, dangerous dependency on foreign oil and costly climate change impacts, and make the switch to cleaner air, a strong economic future and a more secure nation; and

Whereas, since its inception three years ago, Earth Hour has become a global phenomenon; and

Whereas, nearly one billion people turned out for Earth Hour 2009, involving 4,100 cities in 87 countries on seven continents; and

Whereas, last year, 80 million Americans and 318 U.S. cities officially voted for action with their light switch; and

Whereas, last year, landmarks from around the world went dark for Earth Hour, including: the Empire State Building; the Brooklyn Bridge; Broadway Theater Marquee; the Las Vegas Strip; United Nations Headquarters; the Golden Gate Bridge; Seattle's Space Needle; Church of Latter-Day Saints Temple; the Gateway Arch in St Louis; the Great Pyramids of Giza; the Acropolis and Parthenon in Athens; Christ the Redeemer Statue in Rio de Janeiro; St. Peter's Basilica in Vatican City; Big Ben and Houses of Parliament in London; Elysee Palace and Eiffel Tower in Paris; Beijing's Bird Nest and Water Cube; Symphony of Lights in Hong Kong; and Sydney's Opera House; and

Whereas, the State of Ohio is an official Earth Hour 2010 state and the Governor's residence will turn off its lights for Earth Hour; and

Whereas, the City of Cleveland, and all Northeast Ohio citizens should pledge to participate in this year's Earth Hour; 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 urges the City of Cleveland, other area

municipalities, public and private businesses and individuals to support "Earth Hour 2010" by turning off their lights for one hour, from 8:30 pm until 9:30 pm on Saturday March 27, 2010.

**Section 2.** That the Clerk of Council is hereby directed to transmit certified copies of this resolution to Joe Roman, President and Chief Executive Office Cleveland Partnership, Joseph Marinucci, President & CEO of Downtown Cleveland Alliance, and Cuyahoga County Commissioners Tim Hagen, Peter Lawson Jones, and Jimmy Dimora.

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

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

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

**Res. No. 364-10.**

**By Mayor Jackson and Council Members Sweeney and Polensek.**

**An emergency resolution declaring the week of April 11, 2010 as the Holocaust Days of Remembrance in the City of Cleveland, including the Day of Remembrance known as Yom Hashoah on April 11th.**

Whereas, the Holocaust was the state-sponsored, systematic persecution and annihilation of approximately six million European Jewry by Nazi Germany and its collaborators between 1933 and 1945; and

Whereas, Gypsies, the handicapped, and Poles were also targeted for destruction or decimation for racial, ethnic, or national reasons; and

Whereas, lesbians, gays, and bisexual and transgender individuals, Jehovah's Witnesses, Soviet prisoners of war and political dissidents, also suffered grievous oppression and death under Nazi tyranny; and

Whereas, the history of the Holocaust offers an opportunity to reflect on the moral responsibilities of individuals, societies, and governments; and

Whereas, the people of the City of Cleveland should always remember the terrible events of the Holocaust and remain vigilant against hatred, persecution, and tyranny; and

Whereas, the people of the City of Cleveland should actively rededicate ourselves to the principles of individual freedom in a just society; and

Whereas, under an Act of Congress (Public Law 96-388, October 7, 1980) the United States Holocaust Memorial Council designates the Day of Remembrance of the Victims of the Holocaust to be Sunday, April 11 through Sunday April 18, 2010, including the Day of Remembrance known as Yom Hashoah on April 11th; and

Whereas, this resolution constitutes an emergency measure providing for the immediate preservation

of the public peace, property, health or safety in that the Days of Remembrance have been set aside for the people of the City of Cleveland to remember the victims of the Holocaust as well as to reflect on the need for respect of all people; now, therefore,

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

**Section 1.** That this Council designates the week of Sunday, April 11 through Sunday, April 18, 2010 as Days of Remembrance in the City of Cleveland in memory of the victims of the Holocaust, including the Day of Remembrance known as Yom Hashoah on April 11th, and in honor of the survivors, as well as the rescuers and liberators, and proclaim that the citizens of Cleveland should work to promote human dignity and confront hate whenever and wherever it occurs.

**Section 2.** That the Clerk of Council is directed to transmit a copy of this resolution to the Jewish Community Federation of Cleveland, 1750 Euclid Avenue, Cleveland, Ohio 44115.

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

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

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

**Res. No. 365-10.**

**By Council Member Cimperman.**

**An emergency resolution withdrawing objection to the renewal of a D1, D2, D3, D3A and D6 Liquor Permit at 3232 Lakeside Avenue and repealing Resolution No. 931-09, objecting to said renewal.**

Whereas, this Council objected to a D1, D2, D3, D3A and D6 Liquor Permit to 3232 Lakeside Avenue by Resolution No. 931-09 adopted by the Council on July 1, 2009; and

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

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

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

**Section 1.** That objection to a D1, D2, D3, D3A and D6 Liquor Permit to 3232 Lakeside Avenue, Flextron, LLC DBA Gotcha Inn, Permanent Number 2779680, be and the same is hereby withdrawn and Resolution No. 931-09, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

**Section 2.** That this resolution is hereby declared to be an emergency measure and provided it receives the affirmative vote of two-thirds of all

the members elected to Council, it shall take effect and be in force immediately upon its adoption and approval by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

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

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

**Res. No. 374-10.**

**By Mayor Jackson and Council Members Westbrook and Sweeney.**

**An emergency resolution supporting the United States U Visa program, which is a temporary visa authorizing non-U.S. citizen crime victims who assist law enforcement with crime investigations to remain in this country up to four years and urging the Cleveland Police Department to participate in the U Visa program when practicable.**

Whereas, in 2000, the U.S. Congress created the U Visa classification in the Victims of Trafficking and Violence Prevention Act (the "Act"), which allows foreign visitors and other non-US citizens who are victims of specified criminal activity, and who are needed to assist government officials in the investigation or prosecution of such criminal activity, to legally remain in the US for up to 4 years; and

Whereas, in passing the Act and creating the U Visa program, it was Congress' intent to strengthen the ability of local law enforcement agencies to detect, investigate or prosecute serious crimes committed against non-US citizens by providing them with legal status in this country when they assist local law enforcement agencies; and

Whereas, by creating the U Visa program, Congress also intended to offer "protection to victims of offenses in keeping with the humanitarian interests of the United States"; and

Whereas, information and assistance about serious crimes provided to law enforcement by foreign crime victims improves the safety and overall quality of life of a city's residents; and

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

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

**Section 1.** That this Council supports the United States U Visa program, which is a temporary visa authorizing non-U.S. citizen crime victims who assist law enforcement with crime investigations to remain in this country up to four years and urges the Cleveland Police Department to participate in the U Visa program when practicable.

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

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

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

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

**Res. No. 375-10.  
By Council Members Brancatelli,  
Kelley and Cummins.**

**An emergency resolution opposing the application to the Ohio Department of Natural Resources by Ty Inc. for a Mineral Mining Permit to strip mine sand and clay from 4300 Bradley Road adjacent to Skylane Drive in Ward 12.**

Whereas, Ty Inc., an Independence corporation, has applied for a Mineral Mining Permit (#10428) to strip mine 8.5 acres along Skylane Drive and Bradley Road in Ward 12; and

Whereas, Ty Inc. intends to go down 30-40 feet in order to obtain approximately 20,000 to 30,000 cubic yards of clay and sand; and

Whereas, the land area requested to be strip mined is located between two creeks running through the area; and

Whereas, the strip mine would be adjacent to residences on Skylane Drive in Cleveland; and

Whereas, the 15 year permit may compromise the ecosystem of the creeks, the water and air quality of the area, the property value of the area residents and the quality of life of those residents; and

Whereas, granting such a permit could set a terrible precedent for other vacant land in our community; and

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

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

**Section 1.** That this Council hereby opposes the application to the Ohio Department of Natural Resources by Ty Inc. for a Mineral Mining Permit to strip mine sand and clay from 4300 Bradley Road, adjacent to Skylane Drive in Ward 12.

**Section 2.** That the Clerk of Council is hereby directed to transmit copies of this resolution to the Chief of the Ohio Department of Natural Resources, Division of Mineral Resources Management.

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

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

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

**Res. No. 376-10.  
By Council Members Zone and  
Cimperman.**

**An emergency resolution supporting H.R. 4722, the "Active Community Transportation Act of 2010" recently introduced in the U.S. House of Representatives.**

Whereas, in the last 15 years, more than 76,000 Americans have been killed while walking or crossing the street; and

Whereas, by making walking and biking a safer, more attractive option, we will save time and money as individuals, as communities, and as a nation; and

Whereas, the United States could save tens of billions of dollars every year by investing in more walking and bicycling; and

Whereas, with the high costs of driving, mounting congestion, an obesity epidemic, oil dependence and environmental concerns, American need to have the healthy and affordable choice to travel by foot or bicycle for the shorter trips that dominate our daily routines; and

Whereas, a quarter of all trips taken in the United States are within a 20-minute walk; and

Whereas, H.R. 4722 would enable communities to compete on merit for targeted funds to complete active transportation networks to enable Americans to walk or bike safely and conveniently; and

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

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

**Section 1.** That this Council supports H.R. 4722, the "Active Community Transportation Act of 2010" recently introduced in the U.S. House of Representatives.

**Section 2.** That the Clerk of Council is hereby directed to transmit certified copies of this resolution to all members Congress representing northeast Ohio and Cuyahoga County.

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

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

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

**Res. No. 377-10.  
By Council Member Cimperman.**

**An emergency resolution objecting to the transfer of stock of a D2, D2X, D3, D3A and D6 Liquor Permit to 75 Public Square, Suite B-100.**

Whereas, Council has been notified by the Department of Liquor Control of an application for a transfer of stock of a D2, D2X, D3, D3A and D6 Liquor Permit at Underground Entertainment, Inc., DBA Underground, 75 Public Square,

Suite B-100, Cleveland, Ohio 44113, Permanent Number 9148958; 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 stock of a D2, D2X, D3, D3A and D6 Liquor Permit at Underground Entertainment, Inc., DBA Underground, 75 Public Square, Suite B-100, Cleveland, Ohio 44113, Permanent Number 9148958, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

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

**Res. No. 378-10.****By Council Member Cleveland.****An emergency resolution objecting to the transfer of Liquor License of a D5 and D6 Liquor Permit to 3403 Croton 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 McCormick & Associates, Inc., DBA Grid, Bar 1 & 2, 1437 St. Clair Avenue, Cleveland, Ohio 44114, Permanent Number 57132430001 to Downtown Croton, Inc., DBA Downtown Croton, 3403 Croton Avenue, Cleveland, Ohio 44115, Permanent Number 2293300; 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 McCormick & Associates, Inc., DBA Grid, Bar 1 & 2, 1437 St. Clair Avenue, Cleveland, Ohio 44114, Permanent Number 57132430001 to Downtown Croton, Inc., DBA Downtown Croton, 3403 Croton Avenue, Cleveland, Ohio 44115, Permanent Number 2293300, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

hearing be held in Cleveland, Cuyahoga County.

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

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

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

**Res. No. 379-10.****By Council Member K. Johnson.****An emergency resolution withdrawing objection to the transfer of ownership of a C1 and C2 Liquor Permit at 3258 East 140th Street and repealing Resolution No. 1735-09, objecting to said transfer.**

Whereas, this Council objected to a C1 and C2 Liquor Permit to 3258 East 140th Street by Resolution No. 1735-09 adopted by the Council on November 23, 2009; and

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

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

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

**Section 1.** That objection to a C1 and C2 Liquor Permit to 3258 East 140th Street, Inc. DBA Abell Foods, 3258 East 140th Street, Cleveland, Ohio 44120, Permanent Number 8871287, be and the same is hereby withdrawn and Resolution No. 1735-09, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate transfer thereof.

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

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

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

**Res. No. 380-10.****By Council Members Polensek and Sweeney.**

**An emergency resolution strongly recommending that the Ohio Department of Transportation (ODOT) replace the noise walls along I-90 in Cleveland when it replaces the noise walls along I-90 in Euclid, and further recommending that ODOT replace the noise walls along I-71 South between West 150th and the I-71 I-480 split.**

Whereas, this summer, the Ohio Department of Transportation (ODOT) is replacing the noise walls on Interstate 90 in the City of Euclid; and

Whereas, ODOT has admitted that these noise walls are badly deteriorated and replacement is necessary; and

Whereas, noise walls along I-90 in Cleveland, from East 140th to East 200th, just west of the noise walls in Euclid, were installed at the same time as those along I-90 in Euclid and are in the same deteriorated condition; and

Whereas, over the past two years, members of this Council have sent letters to ODOT District 12 asking that Cleveland's stretch of noise walls on I-90 be repaired and replaced; and

Whereas, the noise walls along I-71 South between West 150th and the I-71 I-480 split have also fallen into a deteriorated condition and should be repaired and replaced; and

Whereas, this Council can think of no conceivable reason that ODOT should not extend the replacement of the I-90 noise walls to include the stretch from East 140th to East 200th in the City of Cleveland, as well as the noise walls along I-71 South between West 150th and the I-71 I-480 split in the City of Cleveland; and

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

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

**Section 1.** That this Council hereby strongly recommends that the Ohio Department of Transportation (ODOT) replace the noise walls along I-90 in Cleveland when it replaces the noise walls along I-90 in Euclid and further recommends that ODOT replace the noise walls along I-71 South between West 150th and the I-71 I-480 split.

**Section 2.** That the Clerk of Council is hereby directed to transmit copies of this resolution to the Chief of the Ohio Department of Transportation, State Senators Shirley Smith, Nina Turner and Dale Miller and State Representatives Kenny Yuko, Barbara Boyd, Robin Belcher and Mike Foley.

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

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

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

**Res. No. 381-10.****By Council Members Brancatelli, Cimperman, Zonc, Westbrook, Cummins, Mitchell, Brady, Miller, Pruitt, Dow, Kelley, Cleveland, Conwell and J. Johnson.**

**An emergency resolution urging the Ohio Department of Transportation to include bicycle and pedestri-**

**an facilities in order to permit bicycles and pedestrians access on the planned Inner Belt Bridge.**

Whereas, Cleveland City Council affirms that bicycling and walking accommodations should be a routine part of the City's planning, design, construction and operating activities, and will be included in the everyday operations of our transportation system; and

Whereas, Cleveland City Council adds their support for bicycling and pedestrian access on the Inner Belt Bridge to that already expressed by U.S. Senator Sherrod Brown, and U.S. Representative Dennis Kucinich.

Whereas, Governor Ted Strickland asked the Ohio Department of Transportation to take a renewed look and study whether a multipurpose bicycle and pedestrian lane is feasible; and

Whereas, the citizens who live in Cleveland's neighborhoods demand, and will benefit from enhanced bicycle and pedestrian access on the Inner Belt Bridge; and

Whereas, allowing access for bicyclists and pedestrians by adding a multipurpose lane to the Inner Belt Bridge will demonstrate Ohio's emergence into a green economy; 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.** Urging the Ohio Department of Transportation to include bicycle and pedestrian facilities in order to permit bicycles and pedestrians access on the planned Inner Belt Bridge.

**Section 2.** That the Clerk of Council is hereby directed to transmit copies of this resolution to Governor Ted Strickland, U.S. Senator Sherrod Brown, U.S. Representative Dennis Kucinich, 10th District, the Ohio Department of Transportation, Cleveland Planning Commission, Kent State University's Cleveland Urban Design Collaborative, and Mayor Jackson.

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Adopted. Yeas 15. Nays 3.

Those voting yea: Council Members Brady, Brancatelli, Cimperman, Cleveland, Conwell, Cummins, Dow, J. Johnson, K. Johnson, Kelley, Miller, Mitchell, Pruitt, Reed and Westbrook.

Those voting nay: Council Members Sweeney, Keane and Polensek. Absent: Council Member Zone.

**Res. No. 382-10.**

**By Council Members Cimperman, Sweeney, Polensek, Cleveland, Westbrook, Brancatelli, Mitchell, Pruitt, Kelley, Keane, Miller, Brady and J. Johnson.**

**An emergency resolution designating Lakeside Avenue between East 12th Street and West 3rd Street**

**with a secondary and honorary designation of "Police Memorial Way" with street signs at all intersections; and designating all four corners of the intersection of West 3rd Street and Lakeside Avenue with a secondary and honorary designation of "Police Memorial Square" with street signs on all four corners.**

Whereas, this Council joins with the Greater Cleveland Peace officers Memorial Society to honor those police officers who have made the ultimate sacrifice to protect the safety of Cleveland's citizens and those of Cuyahoga, Geauga, Lake, Lorain, Medina, and Northern Summit County; and,

Whereas, the citizens of Cleveland want to honor fallen police officers and survivors by designating Lakeside Avenue between East 12th Street and West 3rd Street with a secondary and honorary designation of "Police Memorial Way" with street signs at all intersections; and designating all four corners of the intersection of West 3rd Street and Lakeside Avenue with a secondary and honorary designation of "Police Memorial Square" with street signs on all four corners; and,

Whereas, this ordinance 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 Lakeside Avenue between East 12th Street and West 3rd Street is designated with a secondary and honorary designation of "Police Memorial Way" with street signs at all intersections; and all four corners of the intersection of West 3rd Street and Lakeside Avenue is designated with a secondary and honorary designation of "Police Memorial Square" with street signs on all four corners.

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

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

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

**Res. No. 383-10.**

**By Council Member Cimperman. An emergency resolution withdrawing objection to the renewal of a D5 and D6 Liquor Permit at 2325 Elm Street, and repealing Resolution No. 1089-09, objecting to said renewal.**

Whereas, this Council objected to a D5 and D6 Liquor Permit to 2325 Elm Street by Resolution No. 1089-09 adopted by the Council on August 5, 2009; and

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

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

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

**Section 1.** That objection to a D5 and D6 Liquor Permit to Metropolis Night Club, 2325 Elm Street, Cleveland, Ohio 44113, Permanent Number 5870816 be and the same is hereby withdrawn and Resolution No. 1089-09, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

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

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

**Res. No. 384-10.**

**By Council Member Reed. An emergency resolution withdrawing objection to the renewal of a C1 and C2 Liquor Permit at 14300 Kinsman Road, 1st floor and basement, and repealing Resolution No. 1146-09, objecting to said renewal.**

Whereas, this Council objected to a C1 and C2 Liquor Permit to 14300 Kinsman Road by Resolution No. 1146-09 adopted by the Council on August 5, 2009; and

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

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

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

**Section 1.** That objection to a C1 and C2 Liquor Permit to Robert Dale Batch, DBA Your Snack Shack, 14300 Kinsman Road, Cleveland, Ohio 44120, Permanent Number 0505406 be and the same is hereby withdrawn and Resolution No. 1146-09, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

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

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

**SECOND READING EMERGENCY  
ORDINANCES PASSED**

**Ord. No. 88-10.**

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

An emergency ordinance authorizing the Director of Port Control to enter into one or more amendments to Contract No. 55879 with Continental Airlines, Inc. to modify the option period to reflect two (2) five (5) year option periods.

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

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

**Ord. No. 189-10.**

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

An emergency ordinance authorizing the Director of Port Control to exercise an option to renew Contract No. 67714 with Michael Baker Jr., Inc. to provide general engineering design services, for the Department of Port Control.

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

1. In Section 1, lines 2 and 3, strike "at a cost not to exceed \$1,546,054.69."

Amendment agreed to.

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

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

**Ord. No. 190-10.**

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

An emergency ordinance authorizing the Director of Port Control to exercise the option to renew Contract No. 67927 with Gardiner Service Company for the necessary items of labor and materials necessary to maintain and repair heating, ventilation and air conditioning systems, for the various divisions of the Department of Port Control.

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

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

**Ord. No. 191-10.**

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

An emergency ordinance authorizing the Director of Port Control to exercise the option to renew Contract No. 67928 with The Shelly Company for the necessary items of asphalt for runways, taxiways, ramps, and roadways, including labor and materials for repair and installation, if necessary, for the various divisions of the Department of Port Control.

Approved by Directors of Port Control, Finance, Law; Passage rec-

ommended by Committees on Aviation and Transportation, Finance, when amended as follows:

1. In Section 1, line 2, strike "year I" and insert "year in".

Amendment agreed to.

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

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

**Ord. No. 192-10.**

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

An emergency ordinance authorizing the Director of Port Control to exercise the option to renew Contract No. 68074 with Kone, Inc. for the necessary items of labor and materials necessary to maintain and repair existing elevators, escalators and moving sidewalks, or the replacement of units if necessary, including installation and removal of existing units, for the various divisions of the Department of Port Control.

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

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

**Ord. No. 193-10.**

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

An emergency ordinance authorizing the Director of Port Control to exercise the option to renew Contract No. 68124 with Interline Brands, Inc., dba AmSan for the necessary items of janitorial maintenance and cleaning supplies, for the various divisions of the Department of Port Control.

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

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

**Ord. No. 194-10.**

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

An emergency ordinance authorizing the Director of Port Control to exercise the options to renew Contract Nos. 68337, 68338, and 68339 with various suppliers for employee uniforms and related items for the various divisions of the Department of Port Control.

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

1. In Section 1, line 4, strike "126,796" and insert "170,000".

Amendment agreed to.

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

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

**Ord. No. 195-10.**

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

An emergency ordinance authorizing the Director of Port Control to exercise the option to renew Contract No. 68360 with Hi-Lite Markings, Inc. for the necessary items of labor and materials to remove rubber and any other contaminants from paved surfaces for the various divisions of the Department of Port Control.

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

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

**Ord. No. 302-10.**

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

An emergency ordinance authorizing the Director of Port Control to exercise an option to renew Contract No. 67820 with RW Armstrong, Inc. to provide general engineering design services, for the Department of Port Control.

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

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

**Ord. No. 307-10.**

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

An emergency ordinance to amend Section 2 of Ordinance No. 915-09, passed July 1, 2009, relating to contract with Miles Shopping Plaza LLC to provide economic development assistance to partially finance the construction of a new retail center located at Miles Avenue and East 131st Street.

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

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

**THIRD READING EMERGENCY  
ORDINANCES PASSED**

**Ord. No. 1548-09.**

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

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter into one or more concession agreements for a period not to exceed one year, with annual one year options to renew exercisable by the Director of Parks, Recreation and Properties, to implement a pilot program regarding the operation of vending carts and other outdoor portable concessions to offer first class, quality and unique foods and beverages to the public in various public spaces, for the Department of Parks, Recreation and Properties.



Read third time. Passed. Yeas 18. Nays 0.

**Ord. No. 10-10.**

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

An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from Ohio Department of Public Safety for the 2009 Buffer Zone Protection Program; authorizing the Director to employ one or more professional consultants; and authorizing the Director to enter into one or more contracts with Cuyahoga County to implement the grant, for the Department of Public Safety.

Read third time. Passed. Yeas 18. Nays 0.

**Ord. No. 11-10.**

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

An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from State Farm Insurance for the State Farm Good Neighbor Citizenship Program.

Read third time. Passed. Yeas 18. Nays 0.

**Ord. No. 87-10.**

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

An emergency ordinance to amend the title and Section 1 of Ordinance No. 695-09, passed June 8, 2009, relating to the purchase by requirement contracts of labor and materials needed to test, evaluate, repair, or replace roofs and appurtenances, for the Department of Public Utilities.

Read third time. Passed. Yeas 18. Nays 0.

**Ord. No. 89-10.**

By Council Members Pruitt, Mitchell and Sweeney (by departmental request).

An emergency ordinance to amend Section 171.07 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 308-01,

passed March 26, 2001, relating to longevity pay for regular full-time employees.

Read third time. Passed. Yeas 18. Nays 0.

**Ord. No. 131-10.**

By Council Members Brancatelli and Sweeney (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 36 under Title I of the Housing and Community Development Act of 1974, for the 2010 Federal HOME Grant Program, Emergency Shelter Grant Program, and the Housing Opportunities for Persons with AIDS Program.

Read third time. Passed. Yeas 18. Nays 0.

**Ord. No. 267-10.**

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

An emergency ordinance appropriating funds credited to Fund No. 17 SF 008 to provide NEHST Creations LLC, and/or its designee, with a loan guarantee on three films approved by the State of Ohio for the State of Ohio Film Tax Credit and authorizing the execution and delivery of appropriate documents in connection with such guarantee.

Read third time. Passed. Yeas 18. Nays 0.

**Ord. No. 308-10.**

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

An emergency ordinance authorizing the Director of Personnel and Human Resources to employ one or more professional services necessary to provide group medical, prescription, and dental insurance coverage, vision and life insurance coverage, the medical reimbursement accounts, dependent care accounts,

and premium pass-through benefits under Internal Revenue Code Section 125 for City of Cleveland employees, for a period of one year.

Read third time. Passed. Yeas 18. Nays 0.

**THIRD READING EMERGENCY RESOLUTION ADOPTED**

**Res. No. 268-10.**

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

An emergency resolution supporting the Village of Cuyahoga Heights' grant application to the Clean Ohio Council for Clean Ohio Revitalization Program funds to be used for the remediation and redevelopment of the Premier Development Partners, LLC project located at 6551 Grant Avenue in the City of Cleveland and Village of Cuyahoga Heights.

Read third time. Adopted. Yeas 18. Nays 0.

**MOTION**

By Council Member Brady, seconded by Council Member Kelley, and unanimously carried, that the absence of Council Member Matthew Zone be and is hereby authorized.

**MOTION**

The Council Meeting adjourned at 8:05 p.m. to meet on Monday, March 29, 2010 at 7:00 p.m. in the Council Chambers.



Patricia J. Britt  
City Clerk, Clerk of Council

**THE CALENDAR**

The following measure will be on its final passage at the next meeting:

**Ord. No. 158-10.**

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

**An emergency ordinance to make appropriations and provide current expenses for the daily operation of all municipal departments of the City of Cleveland for the fiscal year from January 1, 2010 until December 31, 2010.**

Whereas, this ordinance 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 to provide for the current expenses for the City of Cleveland for the fiscal year ending December 31, 2010, the following sums be and they are hereby appropriated viz:

**The sum of Five Hundred Eleven Million, Three Hundred Fifty Four Thousand, Eighty One Dollars (\$511,354,081) from the General Fund;**

The sum of Fifty Three Million, Five Hundred Eighty Three Thousand, Three Hundred Ninety Six Dollars (\$53,583,396) from the Special Revenue Funds;

The sum of Twenty Seven Million, Two Hundred Twenty Six Thousand, Nine Hundred Fifty One Dollars (\$27,226,951) from the Internal Service Funds;

**The sum of Six Hundred Forty Five Million, Eight Hundred Seventy Three Thousand, Eight Dollars (\$645,873,008) from the Enterprise Funds;**

The sum of Ten Million, One Hundred Twenty Six Thousand, Seven Hundred Sixty Two Dollars (\$10,126,762) from the Trust and Agency Funds;

The sum of Sixty Two Million, Four Hundred Eleven Thousand, Three Hundred Twenty Seven Dollars (\$62,411,327) from the Debt Service Fund;

All set forth in the Mayor's Estimate on file with Council and identified in the aggregate amount for each department as follows:

**GENERAL FUND**

Legislative Branch	\$	6,263,014
Judicial Branch		<b>40,352,220</b>
Executive Branch		
General Government		<b>8,055,947</b>
Department of Aging		864,052
Department of Personnel		1,652,803
Department of Consumer Affairs		316,104
Department of Law		8,244,483
Department of Finance		13,331,185
Department of Port Control		242,708
Department of Public Service		35,154,368
Department of Public Health		<b>5,620,812</b>
Department of Public Safety		<b>303,690,205</b>
Department of Parks, Recreation and Properties		<b>36,888,893</b>
Department of Building and Housing		<b>9,427,613</b>
Department of Economic Development		1,288,639
Nondepartmental		<b>39,961,035</b>
TOTAL EXECUTIVE BRANCH	\$	<b>464,738,847</b>
TOTAL GENERAL FUND	\$	<b>511,354,081</b>
Special Revenue Funds	\$	53,583,396
Internal Service Funds		27,226,951
Enterprise Funds		<b>645,873,008</b>
Trust and Agency Funds		10,126,762
Debt Service Funds		62,411,327
TOTAL APPROPRIATIONS FOR 2010	\$	<b>1,310,575,525</b>

**GENERAL FUND****LEGISLATIVE BRANCH**

Council and Clerk of Council	\$	6,263,014
I. Personnel and Related Expenses	\$	4,586,639
II. Other Expenses		1,676,375
TOTAL LEGISLATIVE BRANCH	\$	6,263,014

**JUDICIAL BRANCH**

Municipal Court - Judicial Division	\$	22,634,366
I. Personnel and Related Expenses	\$	20,072,417
II. Other Expenses		2,561,949
Municipal Court - Clerk's Division	\$	<b>14,421,653</b>
I. Personnel and Related Expenses	\$	<b>9,135,356</b>
II. Other Expenses		5,286,297
Municipal Court - Housing Division	\$	3,296,201
I. Personnel and Related Expenses	\$	3,137,393
II. Other Expenses		158,808
TOTAL JUDICIAL BRANCH	\$	<b>40,352,220</b>

**EXECUTIVE BRANCH****GENERAL GOVERNMENT**

Office of the Mayor	\$	2,281,509
I. Personnel and Related Expenses	\$	2,144,245
II. Other Expenses		137,264
Landmarks Commission	\$	175,990
I. Personnel and Related Expenses	\$	171,557
II. Other Expenses		4,433

Board of Building Standards and Appeals		\$	115,411
I. Personnel and Related Expenses	\$	108,169	
II. Other Expenses		7,242	
Board of Zoning Appeals		\$	197,675
I. Personnel and Related Expenses	\$	185,515	
II. Other Expenses		12,160	
Civil Service Commission		\$	<b>1,298,664</b>
I. Personnel and Related Expenses	\$	545,991	
II. Other Expenses		<b>752,673</b>	
Community Relations Board		\$	1,162,272
I. Personnel and Related Expenses	\$	1,081,477	
II. Other Expenses		80,795	
City Planning Commission		\$	1,513,347
I. Personnel and Related Expenses	\$	1,437,019	
II. Other Expenses		76,328	
Boxing and Wrestling Commission		\$	5,696
I. Personnel and Related Expenses	\$	5,696	
Office of Equal Opportunity		\$	543,417
I. Personnel and Related Expenses	\$	518,676	
II. Other Expenses		24,741	
Office of Budget & Management-Budget Admin.		\$	761,966
I. Personnel and Related Expenses	\$	595,988	
II. Other Expenses		165,978	
<b>TOTAL GENERAL GOVERNMENT</b>		<b>\$</b>	<b>8,055,947</b>

DEPARTMENT OF AGING

Department of Aging		\$	864,052
I. Personnel and Related Expenses	\$	734,825	
II. Other Expenses		129,227	
<b>TOTAL DEPARTMENT OF AGING</b>		<b>\$</b>	<b>864,052</b>

DEPARTMENT OF PERSONNEL

Office of Personnel		\$	1,652,803
I. Personnel and Related Expenses	\$	1,064,453	
II. Other Expenses		588,350	
<b>TOTAL DEPARTMENT OF PERSONNEL</b>		<b>\$</b>	<b>1,652,803</b>

DEPARTMENT OF CONSUMER AFFAIRS

Consumer Affair		\$	316,104
I. Personnel and Related Expenses	\$	274,712	
II. Other Expenses		41,392	
<b>TOTAL DEPARTMENT OF CONSUMER AFFAIRS</b>		<b>\$</b>	<b>316,104</b>

DEPARTMENT OF LAW

Division of Law		\$	8,244,483
I. Personnel and Related Expenses	\$	<b>6,556,909</b>	
II. Other Expenses		<b>1,687,574</b>	
<b>TOTAL DEPARTMENT OF LAW</b>		<b>\$</b>	<b>8,244,483</b>

## DEPARTMENT OF FINANCE

Finance Administration		\$	842,493
I. Personnel and Related Expenses	\$	777,987	
II. Other Expenses		64,506	
Division of Accounts		\$	1,892,683
I. Personnel and Related Expenses	\$	1,261,239	
II. Other Expenses		631,444	
Division of Assessments and Licenses		\$	3,208,644
I. Personnel and Related Expenses	\$	2,296,933	
II. Other Expenses		911,711	
Division of Treasury		\$	661,962
I. Personnel and Related Expenses	\$	574,575	
II. Other Expenses		87,387	
Division of Purchases and Supplies		\$	549,510
I. Personnel and Related Expenses	\$	514,810	
II. Other Expenses		34,700	
Bureau of Internal Audit		\$	940,421
I. Personnel and Related Expenses	\$	568,382	
II. Other Expenses		372,039	
Division of Financial Reporting and Control		\$	1,334,116
I. Personnel and Related Expenses	\$	1,301,295	
II. Other Expenses		32,821	
Information Systems Services		\$	3,729,007
I. Personnel and Related Expenses	\$	2,099,075	
II. Other Expenses		1,629,932	
Information Tech & Planning		\$	172,349
I. Personnel and Related Expenses	\$	155,862	
II. Other Expenses		16,487	
TOTAL DEPARTMENT OF FINANCE		\$	<u><u>13,331,185</u></u>

## DEPARTMENT OF PORT CONTROL

Division of Harbors		\$	242,708
I. Personnel and Related Expenses	\$	93,408	
II. Other Expenses		149,300	
TOTAL DEPARTMENT OF PORT CONTROL		\$	<u><u>242,708</u></u>

## DEPARTMENT OF PUBLIC SERVICE

Public Service Administration		\$	400,519
I. Personnel and Related Expenses	\$	374,874	
II. Other Expenses		25,645	
Division of Architecture		\$	550,061
I. Personnel and Related Expenses	\$	522,306	
II. Other Expenses		27,755	
Division of Waste Collection and Disposal		\$	25,572,851
I. Personnel and Related Expenses	\$	15,126,083	
II. Other Expenses		10,446,768	
Division of Engineering and Construction		\$	4,740,395
I. Personnel and Related Expenses	\$	4,263,491	
II. Other Expenses		476,904	
Division of Traffic Engineering		\$	3,890,542
I. Personnel and Related Expenses	\$	2,897,744	
II. Other Expenses		992,798	
TOTAL DEPARTMENT OF PUBLIC SERVICE		\$	<u><u>35,154,368</u></u>

DEPARTMENT OF PUBLIC HEALTH

Public Health Administration		\$	833,161
I. Personnel and Related Expenses	\$	573,549	
II. Other Expenses		259,612	
Division of Health		\$	<b>3,201,756</b>
I. Personnel and Related Expenses	\$	1,947,546	
II. Other Expenses		<b>1,254,210</b>	
Division of Environment		\$	<b>1,158,684</b>
I. Personnel and Related Expenses	\$	1,004,773	
II. Other Expenses		<b>153,911</b>	
Division of Air Quality		\$	427,211
I. Personnel and Related Expenses	\$	145,711	
II. Other Expenses		281,500	
<b>TOTAL DEPARTMENT OF PUBLIC HEALTH</b>		<b>\$</b>	<b>5,620,812</b>

DEPARTMENT OF PUBLIC SAFETY

Public Safety Administration		\$	3,418,827
I. Personnel and Related Expenses	\$	2,328,111	
II. Other Expenses		1,090,716	
Division of Police		\$	<b>173,822,597</b>
I. Personnel and Related Expenses	\$	<b>165,221,057</b>	
II. Other Expenses		<b>8,601,540</b>	
Division of Fire		\$	<b>89,193,842</b>
I. Personnel and Related Expenses	\$	<b>86,343,378</b>	
II. Other Expenses		2,850,464	
Division of Emergency Medical Services		\$	21,429,594
I. Personnel and Related Expenses	\$	19,133,156	
II. Other Expenses		2,296,438	
Division of Dog Pound		\$	<b>1,068,244</b>
I. Personnel and Related Expenses	\$	<b>823,511</b>	
II. Other Expenses		244,733	
Division of Correction		\$	14,757,101
I. Personnel and Related Expenses	\$	11,339,732	
II. Other Expenses		3,417,369	
<b>TOTAL DEPARTMENT OF PUBLIC SAFETY</b>		<b>\$</b>	<b>303,690,205</b>

DEPARTMENT OF PARKS, RECREATION, AND PROPERTIES

Parks, Recreation, and Properties Administration		\$	695,199
I. Personnel and Related Expenses	\$	549,986	
II. Other Expenses		145,213	
Division of Research, Planning, and Development		\$	740,215
I. Personnel and Related Expenses	\$	664,066	
II. Other Expenses		76,149	
Division of Recreation		\$	<b>13,202,284</b>
I. Personnel and Related Expenses	\$	<b>9,332,824</b>	
II. Other Expenses		3,869,460	
Division of Parking Facilities-On Street		\$	1,257,615
I. Personnel and Related Expenses	\$	1,197,750	
II. Other Expenses		59,865	

Division of Property Management		<b>\$ 8,461,597</b>
I. Personnel and Related Expenses	<b>\$ 5,650,516</b>	
II. Other Expenses	2,811,081	
Division of Park Maintenance and Properties		\$ 12,531,983
I. Personnel and Related Expenses	\$ 7,987,606	
II. Other Expenses	4,544,377	
<b>TOTAL DEPT. OF PARKS, REC., AND PROPERTIES</b>		<b>\$ 36,888,893</b>
<b>DEPARTMENT OF BUILDING AND HOUSING</b>		
Building and Housing Dir Office		<b>\$ 1,864,076</b>
I. Personnel and Related Expenses	\$ 1,512,501	
II. Other Expenses	<b>351,575</b>	
Division of Code Enforcement		\$ 6,005,887
I. Personnel and Related Expenses	\$ 5,831,335	
II. Other Expenses	174,552	
Division of Construction Permit		\$ 1,557,650
I. Personnel and Related Expenses	\$ 1,539,995	
II. Other Expenses	17,655	
<b>TOTAL DEPARTMENT OF BUILDING AND HOUSING</b>		<b>\$ 9,427,613</b>
<b>DEPARTMENT OF ECONOMIC DEVELOPMENT</b>		
Economic Development		\$ 1,288,639
I. Personnel and Related Expenses	\$ 1,224,726	
II. Other Expenses	63,913	
<b>TOTAL DEPARTMENT OF ECONOMIC DEVELOPMENT</b>		<b>\$ 1,288,639</b>
<b>NONDEPARTMENTAL</b>		
County Auditor Deductions		\$ 2,436,175
II. Other Expenses	\$ 2,436,175	
Other Administrative		<b>\$ 19,149,637</b>
II. Other Expenses	<b>\$ 19,149,637</b>	
Transfers to Other Funds		\$ 18,375,223
II. Other Expenses	\$ 18,375,223	
<b>TOTAL NONDEPARTMENTAL</b>		<b>\$ 39,961,035</b>
<b>TOTAL EXECUTIVE BRANCH</b>		<b>\$ 464,738,847</b>
<b>TOTAL GENERAL FUND</b>		<b>\$ 511,354,081</b>
<b>SPECIAL REVENUE FUND</b>		
Restricted Income Tax Fund		\$ 32,917,751
I. Capital	\$ 8,142,916	
II. Debt Service	24,774,835	
Street Construction, Maintenance & Repair Fund		\$ 19,665,645
I. Personnel and Related Expenses	\$ 13,592,156	
II. Other Expenses	6,073,489	
Schools Recreation & Cultural Activities Fund		\$ 1,000,000
II. Other Expenses	\$ 1,000,000	
<b>TOTAL SPECIAL REVENUE FUNDS</b>		<b>\$ 53,583,396</b>

INTERNAL SERVICE FUND

Information Systems Services-Telephone Exchange		\$	6,466,898
I. Personnel and Related Expenses	\$	1,129,075	
II. Other Expenses		5,337,823	
Division of Motor Vehicle Maintenance		\$	17,418,449
I. Personnel and Related Expenses	\$	5,830,933	
II. Other Expenses		11,587,516	
Division of Printing and Reproduction		\$	2,468,496
I. Personnel and Related Expenses	\$	863,054	
II. Other Expenses		1,605,442	
City Storeroom and Central Warehouse		\$	873,108
I. Personnel and Related Expenses	\$	96,188	
II. Other Expenses		776,920	
<b>TOTAL INTERNAL SERVICE FUNDS</b>		\$	<b>27,226,951</b>

ENTERPRISE FUNDS

DEPARTMENT OF PUBLIC UTILITIES

Utilities Administration		\$	2,563,927
I. Personnel and Related Expenses	\$	1,976,716	
II. Other Expenses		587,211	
Radio		\$	1,974,855
I. Personnel and Related Expenses	\$	417,065	
II. Other Expenses		1,557,790	
Division of Fiscal Control		\$	3,274,428
I. Personnel and Related Expenses	\$	2,888,100	
II. Other Expenses		386,328	
Division of Water		\$	262,912,973
I. Personnel and Related Expenses	\$	79,498,526	
II. Other Expenses		183,414,447	
Division of Water Pollution Control		\$	22,725,965
I. Personnel and Related Expenses	\$	10,588,455	
II. Other Expenses		12,137,510	
Division of Cleveland Public Power		\$	170,214,862
I. Personnel and Related Expenses	\$	28,251,992	
II. Other Expenses		141,962,870	
<b>TOTAL DEPARTMENT OF PUBLIC UTILITIES</b>		\$	<b>463,667,010</b>

DEPARTMENT OF PORT CONTROL

Divisions of Cleveland Hopkins & Burke Lakefront			
Airports - Operations		\$	<b>147,048,168</b>
I. Personnel and Related Expenses	\$	<b>31,929,496</b>	
II. Other Expenses		<b>115,118,672</b>	
<b>TOTAL DEPARTMENT OF PORT CONTROL</b>		\$	<b>147,048,168</b>

DEPARTMENT OF PARKS, RECREATION, AND PROPERTIES

Division of Cemeteries		\$	1,755,189
I. Personnel and Related Expenses	\$	1,278,247	
II. Other Expenses		476,942	

Golf Course Funds		\$	1,797,088
I. Personnel and Related Expenses	\$	<b>1,006,951</b>	
II. Other Expenses		<b>790,137</b>	
Division of Parking Facilities-Off Street Parking		\$	<b>10,342,163</b>
I. Personnel and Related Expenses	\$	1,140,590	
II. Other Expenses		<b>9,201,573</b>	
Division of Convention Center		\$	4,643,302
I. Personnel and Related Expenses	\$	1,819,746	
II. Other Expenses		2,823,556	
Division of Convention Center & Stadium- West Side Market		\$	<b>1,114,280</b>
I. Personnel and Related Expenses	\$	368,152	
II. Other Expenses		<b>746,128</b>	
Division of Convention Center & Stadium-Stadium		\$	15,465,808
II. Other Expenses	\$	15,465,808	
Division of Property Management - East Side Market		\$	40,000
II. Other Expenses	\$	40,000	
<b>TOTAL DEPT. OF PARKS, REC., AND PROPERTIES</b>		<b>\$</b>	<b>35,157,830</b>
<b>TOTAL ENTERPRISE FUNDS</b>		<b>\$</b>	<b>645,873,008</b>
AGENCY FUND			
Central Collection Agency		\$	10,126,762
I. Personnel and Related Expenses	\$	6,218,304	
II. Other Expenses		3,908,458	
<b>TOTAL AGENCY FUND</b>		<b>\$</b>	<b>10,126,762</b>
DEBT SERVICE FUND			
Sinking Fund Commission		\$	62,411,327
I. Personnel and Related Expenses	\$	175,176	
II. Other Expenses		423,568	
III. Debt Service		61,812,583	
<b>TOTAL DEBT SERVICE FUNDS</b>		<b>\$</b>	<b>62,411,327</b>

**Section 2.** That the appropriations herein made are based upon the detail of expenditures set forth in the Mayor's Estimate, but are appropriated to the several departments, offices, and purposes in the aggregate for I. - Personnel and Related Expenses; and II. - Other Expenses and are not severally and individually appropriated in said detail. Any unencumbered balance in an appropriation fund at the close of the year 2009 is hereby appropriated to such fund for the payment of unpaid obligations lawfully incurred in 2010 or prior years. The Mayor's Estimate, File No 158-10-A as modified by the schedule published pursuant to Section 39 of the Charter shall within the sums appropriated in Section 1 hereof, constitute the expenditure budget for the year 2010 and shall be subject to the control of the Mayor, provided, however, that no transfer from I. - Personnel and Related Expenses, or II. - Other Expenses within any department or office, or from one department or office to another shall be made except as provided in Section 41 of the Charter.

**Section 3.** That the Commissioner of Accounts is hereby authorized to draw warrants upon the City Treasury for the amount appropriated in this ordinance, whenever claims are presented properly approved by the head of the department or by the chief of a commission for which indebtedness was incurred.

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



**BOARD OF CONTROL**

March 17, 2010

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, March 17, 2010, at 10:35 a.m. with Director Triozzi presiding.

Present: Directors Triozzi, Dumas, Withers, R. Smith, Acting Director Scott, Directors Carroll, Flask, Cox, Rush, Acting Director West, Director Nichols, Acting Directors Odom, Mahoney and Director Rybka.

Absent: Mayor Jackson.

Others: James Hardy, Commissioner, Purchases and Supplies. Natoya Walker, Acting Director, Office of Equal Opportunity.

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

**Resolution No. 108-10.**

By Director Dumas.

Resolved, by the Board of Control of the City of Cleveland, that all bids received on November 12, 2009, for an estimated labor and materials to install, maintain and repair a system to electronically track the Mobile Assets, for various divisions of City government, under the authority of Ordinance 538-09, passed May 4, 2009, are rejected.

Yeas: Directors Triozzi, Dumas, Withers, R. Smith, Acting Director Scott, Directors Carroll, Flask, Cox, Rush, Acting Director West, Director Nichols, Acting Directors Odom, Mahoney and Director Rybka.

Nays: None.

Absent: Mayor Jackson.

**Resolution No. 109-10.**

By Director Withers.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of Terrace Construction Co., Inc. for the public improvement of construction and installation of replacement sewers and repair and rehabilitation of existing sewers at various locations, base bid items including 10% contingency allowance, for the Division of Water Pollution Control, Department of Public Utilities, received on February 24, 2010, under the authority of Section 129.292 of Codified Ordinances of Cleveland, Ohio, 1976, upon a unit basis for the improvements to be performed as ordered during the period of one (1) year starting upon execution of a contract, at the unit prices set forth in the bid, which on the basis of the estimated work to be done would amount to \$436,755.00, is affirmed and approved as the lowest responsible bid, and the Director of Public Utilities is requested to enter into a requirement contract for the improvement, which contract shall provide for an initial order for performance of work, the cost of which order shall be certified to the contract in the sum of \$400,000.00.

The requirement contract shall further provide that the contractor will perform so much of the balance of the work as may be ordered under subsequent requisitions separately certified against the requirement contract, whether the same

shall be less than the total estimate of work to be performed under the contract or shall exceed the same by not more than ten percent.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors to Terrace Construction Co., Inc. for the abovementioned public improvement by requirement is approved:

<u>SUBCONTRACTOR</u>	<u>CSB/MBE/FBE WORK</u>
Vallejo Co.	CSE/MBE \$ 31,050.00(7.109%)
Rockport Construction	CSB/FBE \$100,000.00(22.896%)

Yeas: Directors Triozzi, Dumas, Withers, R. Smith, Acting Director Scott, Directors Carroll, Flask, Cox, Rush, Acting Director West, Director Nichols, Acting Directors Odom, Mahoney and Director Rybka.

Nays: None.

Absent: Mayor Jackson.

**Resolution No. 110-10.**

By Director Wasik.

Be it resolved by the Board of Control of the City of Cleveland that under the authority of Ordinance No 912-07, passed by the Council of the City of Cleveland on June 11, 2007, as amended by Ordinance No. 637-08, passed June 9, 2008 and Ordinance No. 455-09, passed June 8, 2009, TranSystems Corporation of Ohio is selected upon the nomination of the Director of Public Service from a list of qualified engineering consultants or firms of such consultants determined to be available after a full and complete canvass by the Director of Public Service as the firm to be employed by contract to supplement the regularly employed staff of the several departments of the City to obtain the engineering services necessary for the West 3rd Lift Bridge Evaluation, Report and Recommendations.

Be it further resolved that the Director of Public Service is authorized to enter into a written contract with TranSystems Corporation of Ohio based on its proposal dated November 20, 2009, as amended by its revised cost proposal dated March 3, 2010, provided that the compensation to be paid shall not exceed \$47,955.00. The agreement authorized above shall be prepared by the Director of Law and shall contain such other provisions as the Director of Law deems necessary to protect and benefit the public interest.

Be it further resolved that the employment of the following subconsultants by TranSystems Corporation of Ohio for the above authorized contract is approved:

Plotz Mechanical Co. (CSB) — \$4,800.00 — (10.00%)
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Yeas: Directors Triozzi, Dumas, Withers, R. Smith, Acting Director Scott, Directors Carroll, Flask, Cox, Rush, Acting Director West, Director Nichols, Acting Directors Odom, Mahoney and Director Rybka.

Nays: None.

Absent: Mayor Jackson.

**Resolution No. 111-10.**

By Director Wasik.

Be it resolved by the Board of Control of the City of Cleveland that the bid of VIP Electric Company, for the public improvement of the building improvements for the new breathing air compressors and fill stations for Fire Stations 5 and 10, base bid, for the Department of Public Service, received on January 14, 2010, under the authority of Ordinance No. 490-07, passed June 4, 2007 by the Cleveland City Council, for a gross price for the improvement in the aggregate amount of \$130,400.00, is affirmed and approved as the lowest responsible bidder, and the Director of Public Service is authorized to enter into a contract for the improvement with the bidder.

Be it further resolved, by the Board of Control of the City of Cleveland that the employment of the following subcontractors by VIP Electric Company is approved:

<u>Subcontractor</u>	<u>Amount</u>
<u>MBE/FBE</u>	<u>Percentage</u>
DDC & Inc.	\$19,600.00
CSB/MBE	15.031%
Lakeland Electric Inc.	\$11,760.00
CSB/FBE	9.018%

Yeas: Directors Triozzi, Dumas, Withers, R. Smith, Acting Director Scott, Directors Carroll, Flask, Cox, Rush, Acting Director West, Director Nichols, Acting Directors Odom, Mahoney and Director Rybka.

Nays: None.

Absent: Mayor Jackson.

**Resolution No. 112-10.**

By Director Flask.

Resolved by the Board of Control of the City of Cleveland that all bids received on August 27, 2009, for Hoses, Nozzles and fittings, for the Division of Fire, Department of Public Safety, under the authority of Ordinance No. 920-07, passed July 11, 2007 are rejected.

Yeas: Directors Triozzi, Dumas, Withers, R. Smith, Acting Director Scott, Directors Carroll, Flask, Cox, Rush, Acting Director West, Director Nichols, Acting Directors Odom, Mahoney and Director Rybka.

Nays: None.

Absent: Mayor Jackson.

**Resolution No. 113-10.**

By Director Cox.

Whereas, under the authority of Ordinance No. 922-07 and Ordinance No. 1176-08, passed by City Council on July 11, 2007 and November 10, 2008, respectively, and Ordinance No. 485-07, passed June 11, 2007, as amended by Ordinance Nos. 1163-08 and 1389-09, passed on August 6, 2008 and September 21, 2009, respectively, and Resolution No. 352-09, adopted by the Board of Control on September 2, 2009, as amended by Board of Control Resolution Nos. 356-09 and 456-09, adopted on September 9, 2009 and October 14, 2009, respectively, the City of Cleveland, through the Director of Parks, Recreation and Properties, and Ziska Architects, LLC ("Architect") entered into City Contract No. 69887 on December 3, 2009 to obtain professional architectural and engineering

services necessary to renovate and rehabilitate various recreation centers and portions of City Hall; and,

Whereas, under the authority of Ordinance No. 16-10, passed by Cleveland City Council on January 11, 2010, the Director of Parks, Recreation and Properties entered into a first modification to City Contract No. 69887 on January 12, 2010 to obtain additional professional services from the Architect that were necessary to conduct a facilities assessment of Public Auditorium; and,

Whereas, the City desires to further modify the City Contract No. 69887 to include professional services necessary to design improvements to the kitchen at Thurgood Marshall Recreation Center as proposed in the Architect's letter dated January 7, 2010 ("Proposal"); now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that the Director of Parks, Recreation and Properties is authorized to enter into a second modification to Contract No. 69887 to obtain the additional professional services described in Architect's Proposal for an additional fee of \$8,250.00, including the \$1,000.00 contingency, thereby increasing the total contract amount for all services to \$183,050.00.

Be it further resolved that the employment of the following subconsultants by Architect under the second modification to Contract No. 69887 is approved:

<u>Subconsultant</u>	<u>Amount</u> <u>Percentage of</u> <u>Modification</u>
Polytech, Inc. (CSB/MBE)	\$3,000.00 36.3%
Dubick Fixture	\$ 750.00 9.1%

Be it further resolved that the modification authorized hereby shall be prepared by the Director of Law and shall include such additional provisions, as said Director deems necessary to benefit and protect the public interest.

Yeas: Directors Triozzi, Dumas, Withers, R. Smith, Acting Director Scott, Directors Carroll, Flask, Cox, Rush, Acting Director West, Director Nichols, Acting Directors Odom, Mahoney and Director Rybka.

Nays: None.  
Absent: Mayor Jackson.

**Resolution No. 114-10.**

By Director Rush.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Dodson & Associates, Inc., for the public improvement for the North Point Inn kitchen and dining room renovations, base bid, for the Department of Community Development, received on December 9, 2009, under the authority of Ordinance 531-07, passed April 23, 2007, and amended by Ordinance No. 1946-07, passed November 26, 2007, and Ordinance No. 869-08, passed July 2, 2008, for a gross price for the improvement in the aggregate amount of \$251,888.00, is affirmed and approved as the lowest responsible bidder, and the Director of Community

Development is authorized to enter into contract for the improvement with the bidder.

Be it further resolved, by the Board of Control of the City of Cleveland that the employment of the following subcontractors by Dodson & Associates, Inc. is approved:

<u>Subcontractor</u> <u>CSB/MBE/FBE</u>	<u>Amount</u> <u>Percentage</u>
Mac Mechanical CSB/FBE	\$20,522.00 8.147%
Miles Mechanical CSB/MBE	\$46,495.00 18.459%
Landmark Plumbing CSB/FBE	\$13,695.00 5.437%
Ernie Electric MBE	\$35,000.00 13.895%
JS Sharp	\$ 3,600.00 1.429%
E.R. Flynn	\$ 4,700.00 1.865%
Castle Heating	\$58,000.00 23.026%
Action Door	\$ 6,400.00 2.540%

Yeas: Directors Triozzi, Dumas, Withers, R. Smith, Acting Director Scott, Directors Carroll, Flask, Cox, Rush, Acting Director West, Director Nichols, Acting Directors Odom, Mahoney and Director Rybka.

Nays: None.  
Absent: Mayor Jackson.

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, APRIL 6, 2010**

**9:30 A.M.**

**Calendar No. 10-29:** 12200 Mayfield Road (Ward 9)

Roseanne Passalacqua, owner, appeals to change use from a retail bakery to a restaurant with a maximum of 60 seats and 15 employees in an existing three story building on a 50' x 175' corner parcel in a General Retail Business District; with 6 parking spaces credited for the previous use and 24 new accessory off-street parking spaces required, at the rate of 1 space for every 4 seats, plus 1 for each employee according to Section 349.04(f); and the substitution of a nonconforming use, the available accessory off-street parking spaces, requires the Board of Zoning Appeals approval as stated in Section 359.01 of the Cleveland Codified Ordinances.

**Calendar No. 10-35:** 5702 Franklin Boulevard (Ward 15)

Lynnhaven Development Group LLC, owner, appeals to erect a one-story 13.6' x 20' frame, attached garage to a one-family dwelling on an irregular shaped corner parcel in a Two-Family District; and providing a rear yard depth of 3 feet where 20 feet is required according to Section 357.08 of the Cleveland Codified Ordinances.

**Calendar No. 10-33:** 9509 Lake Avenue (Ward 16)

St. Thomas Lutheran Church appeals to erect a 5' x 8' double faced, illuminated ground sign in an existing planter at the front of a church building located on a 50' x 200' parcel in a One-Family District; and contrary to Section 350.13(b) the proposed sign is set back 10 feet contrary to the requirement for 20 feet in accordance with the Schedule of Location Regulations Table (Residential) in Section 350.13(b) of the Cleveland Codified Ordinances.

Secretary

**REPORT OF THE BOARD OF ZONING APPEALS**

**MONDAY, MARCH 22, 2010**

At the meeting of the Board of Zoning Appeals on Monday, March 22, 2010, the following appeals were heard by the Board.

The following appeals were **Approved:**

**Calendar No. 10-27:** 3162 East 93rd Street (Ward 6)

Orealous Caldwell appealed to expand a barber shop to include a tattoo shop in a General Retail Business District; subject to conditions.

**Calendar No. 09-237:** 3751 Valley Road (Ward 3)

Hill Diversified Properties LLC appealed to erect 477 linear feet of

7-foot chain link and barbed wire fence in a General Industry District.

The following appeal was **Denied**:

**Calendar No. 10-26:** Notice of Violation — 1969 East 119th Street (Ward 9)

Little Italy Development LLC appealed from a Notice of Violation issued by the Building and Housing Department for failure to comply with provisions in the City of Cleveland Zoning Code.

The following appeal was **Withdrawn**:

**Calendar No. 10-10:** 1104 Rowley Avenue (Ward 3)

Theodore Polanski appealed to substitute the nonconforming use of a two-story building from a store to a restaurant/bar in a Two-Family District.

The following appeal was **Postponed**:

None.

The following appeal was **Dismissed**:

None.

The following appeals heard by the Board on March 15, 2010 were adopted and approved on March 22, 2010.

The following appeals were **Approved**:

**Calendar No. 10-16:** 16208 St. Clair Avenue (Ward 11)

Najib Chedid appealed for a new 24 hours daily use of a drive-through lane and to erect a wind turbine in a C2 Local Retail Business District.

**Calendar No. 10-24:** 2021 West 11th Street (Ward 3)

David F. Perse appealed to erect a 2-story single family residence on a corner parcel in a C1 Multi-Family District.

The following appeal heard by the Board on December 7, 2009 was adopted and approved by the Board on March 22, 2010.

The following appeal was **Approved**:

**Calendar No. 09-14:** 12010 Bellaire Road

Dolores Wagner appealed to change use from a service station to an auto repair garage an existing building on an irregular corner parcel in a General Retail Business District; subject to condition.

The following appeal heard by the Board on January 4, 2010 was adopted and approved by the Board on March 22, 2010.

The following appeal was **Approved**:

**Calendar No. 09-25S:** 18300 Lotus Drive

Ervin Simmons, owner, and Janice Talley, tenant, appealed to erect a

pre-manufactured wheelchair lift and a front porch landing on a parcel in an A1 One-Family District; subject to conditions.

The following appeal heard by the Board on March 8, 2010 was adopted and approved by the Board on March 22, 2010.

The following appeal was **Approved**:

**Calendar No. 10-5:** 3837 Ridge Road  
WHS Services, Inc., owner, and Salem Hasrouni, tenant, appealed to add entertainment/dance hall use to an existing tavern in a Semi-Industry District; subject to conditions.

Secretary

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

NO MEETING

**PUBLIC NOTICE**

**Vehicle Mileage Allowance**

Pursuant to C.O. Section 171.43, as amended by Ordinance No. 499-08, passed by the Council of the City of Cleveland, Ohio on April 28, 2008, the Director of Finance establishes the Vehicle Mileage Allowance of \$.505.

Sharon Dumas, Director  
Finance Department

March 17, 2010, March 24, 2010 and March 31, 2010

**NOTICE OF PUBLIC HEARING**

**Notice of Public Hearing By the Council Committee On City Planning**

**Mercedes Cotner  
Committee Room 217  
City Hall, Cleveland, Ohio  
On Wednesday, March 31, 2010  
1:00 p.m.**

Notice is hereby given to all interested property owners that the Council Committee on City Planning will hold a public hearing in the Mercedes Cotner Committee Room 217, City Hall, Cleveland, Ohio, on March 31, 2010, at 1:00 p.m., to consider the following ordinances now pending in the Council:

**Ord. No 167-10.**

By Council Member Miller.  
Establishing the Euclid-Green Design Review District (Map Change No. 2296, Sheet No. 7).

**Ord. No 168-10.**

By Council Member Miller.  
Establishing the East 140th Lake Shore Design Review District (Map Change No. 2293, Sheet No. 7).

**Ord. No 169-10.**

By Council Member Miller.  
Establishing the Three Points Design Review District (Map Change No. 2294, Sheet No. 7 and 8).

**Ord. No 170-10.**

By Council Member Miller.  
Establishing the Five Points Design Review District (Map Change No. 2295, Sheet No. 7).

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

Phyllis E. Cleveland  
Chair  
Committee on City Planning

March 17, 2010 and March 24, 2010

**CITY OF CLEVELAND BIDS**

**For All Departments**

**Scaled 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, APRIL 7, 2010**

**File No. 50-2010 — Pool Chemical,** for the Division of Recreation, Department of Parks, Recreation and Properties, as authorized by Section 181.101, Codified Ordinances of Cleveland, Ohio 1976.  
**THERE WILL BE A MANDATORY PRE-BID MEETING THURSDAY, MARCH 25, 2010 AT 10:00 A.M.**

CLEVELAND CITY HALL, RECREATION, ROOM 8, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

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

March 17, 2010 and March 24, 2010

WEDNESDAY, APRIL 21, 2010

File No. 49-2010 — Filter Rehabilitation Project Crown Water Plant Project No. 601, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 270-08, passed by the Council of the City of Cleveland, May 5, 2008.

THERE WILL BE A NON-REFUNDABLE FEE FOR PLANS/SPECIFICATIONS IN THE AMOUNT OF ONE HUNDRED DOLLARS (\$100.00) IN THE FORM OF A CASHIER'S CHECK AND/OR MONEY ORDER (NO COMPANY CHECKS, NO CASH AND NO CREDIT CARDS WILL BE ACCEPTED TO PURCHASE SPECIFICATIONS).

THERE WILL BE A NON-MANDATORY PRE-BID MEETING FRIDAY, MARCH 26, 2010 AT 1:30 P.M. PUBLIC UTILITIES BUILDING, MAIN AUDITORIUM, 1201 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

March 17, 2010 and March 24, 2010

WEDNESDAY, APRIL 14, 2010

File No. 53-2010 — CUY — S.R. 10-S.92 (Lorain Avenue) Resurfacing West Corporation Line to West 150th Street, for the Division of Engineering and Construction, Department of Public Service as authorized by Ordinance Nos. 319-09 and 1786-09, passed by the Council of the City of Cleveland, March 16, 2009 and December 7, 2009, respectively.

THERE WILL BE A NON-REFUNDABLE FEE FOR PLANS/SPECIFICATIONS IN THE AMOUNT OF SEVENTY-FIVE DOLLARS (\$75.00) IN THE FORM OF A CASHIER'S CHECK AND/OR MONEY ORDER (NO COMPANY CHECKS, NO CASH AND NO CREDIT CARDS WILL BE ACCEPTED).

THERE WILL BE A MANDATORY PRE-BID MEETING THURSDAY, APRIL 1, 2010 AT 10:00 A.M., CLEVELAND CITY HALL, ROOM 518, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

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

March 24, 2010 and March 31, 2010

THURSDAY, APRIL 15, 2010

File No. 52-2010 — Re-Manufactured Allison Transmissions and Repairs, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 686-07, passed by the Council of the City of Cleveland, June 11, 2007.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING MONDAY, MARCH 29, 2010 AT 11:00 A.M. THE MOTOR VEHICLE MAINTENANCE, 4150 EAST 49TH STREET, CLEVELAND, OHIO 44108.

March 24, 2010 and March 31, 2010

FRIDAY, APRIL 16, 2010

File No. 51-2010 — Labor and Materials Necessary to Repair and Maintain Plate Trucks (Re-Bid), for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Section 181.101, of the Codified Ordinances of Cleveland, Ohio 1976.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING TUESDAY, APRIL 6, 2010 AT 10:00 A.M. THE DIVISION OF WATER POLLUTION CONTROL, RED CONFERENCE ROOM, 12302 KIRBY AVENUE, CLEVELAND, OHIO 44108.

March 24, 2010 and March 31, 2010

ADOPTED RESOLUTIONS AND ORDINANCES

NONE

COUNCIL COMMITTEE MEETINGS

Thursday, March 18, 2010 11:00 a.m.

Aviation and Transportation Committee: Present: Keane, Chair; Pruitt, Vice Chair; Cummins, K. Johnson, Kelley, Mitchell. Authorized Absence: J. Johnson.

Monday, March 22, 2010 9:00 a.m.

Employment, Affirmative Action and Training Committee: Present: Pruitt, Chair; Miller, Vice Chair; Cummins, Mitchell, Westbrook. Authorized Absence: J. Johnson, K. Johnson.

2:00 p.m.

Finance Committee: Present: Sweeney, Chair; Kelley, Vice Chair; Brady, Brancatelli, Cleveland, Keane, Miller, Mitchell, Polensek, Pruitt, Westbrook.

Tuesday, March 23, 2010 9:30 a.m.

Community and Economic Development Committee: Present: Brancatelli, Chair; Dow, Vice Chair; Cummins, J. Johnson, Mitchell, Pruitt, Westbrook. Authorized Absence: Cimperman, Zone. Pro tempore: Mitchell.

1:30 p.m.

Public Service Committee: Present: Miller, Chair; Cummins, Vice Chair; Dow, Keane, Polensek, Pruitt, Sweeney. Authorized Absence: Cleveland, K. Johnson.

Wednesday, March 24, 2010 10:00 a.m.

Public Safety Committee: Present: Conwell, Chair; Polensek, Vice Chair; Brady, Cummins, Dow, Miller, Mitchell. Authorized Absence: Cleveland, Zone.

1:30 p.m.

Public Utilities Committee: Present: Kelley, Chair; Brady, Vice Chair; Conwell, Cummins, Dow, Polensek, Pruitt, Westbrook. Authorized Absence: Mitchell.

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O—Ordinance; R—Resolution; F—File
Bold figures—Final Publication; D—Defeated; R—Reprint; T—Tabled; V—Vetoed;
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