

WEDNESDAY, JANUARY 7, 2009

File No. 278-08 — Building Materials and Used Bricks, for the Various Divisions of City Government, Department of Finance, as authorized by Section No. 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING**, MONDAY, DECEMBER 29, 2008 AT 10:00 A.M., THE CLEVELAND CITY HALL, DIVISION OF PURCHASES AND SUPPLIES, ROOM 128, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

December 17, 2008 and December 24, 2008

WEDNESDAY, JANUARY 14, 2009

File No. 277-08 — Cleveland Convention Center Complex Carpeting, for the Division of Architecture, Department of Public Service, as authorized by Ordinance No. 684-08, passed by the Council of the City of Cleveland, July 2, 2008.

THERE WILL BE A **REFUNDABLE FEE FOR PLANS/SPECIFICATIONS IN THE AMOUNT OF A FIFTY DOLLARS (\$50.00) 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, JANUARY 8, 2009 AT 11:00 A.M., THE CITY OF CLEVELAND, CLEVELAND CONVENTION CENTER, 500 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.

December 17, 2008 and December 24, 2008

FRIDAY, JANUARY 16, 2009

File No. 276-08 — Door Replacement and Security Screen Installation, for the Division of Architecture, Department of Public Service, as authorized by Ordinance Nos. 531-07, 1946-07 and 869-08, passed by the Council of the City of Cleveland, April 23, 2007, November 26, 2007 and July 2, 2008, respectively.

THERE WILL BE A **REFUNDABLE FEE FOR PLANS/SPECIFICATIONS IN THE AMOUNT OF A FIFTY DOLLARS (\$50.00) 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 **NON-MANDATORY PRE-BID MEETING WEDNESDAY, JANUARY 7, 2009 AT 10:00 A.M., THE DIVISION OF ARCHITECTURE, CITY HALL, FIFTH FLOOR, ROOM 517, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.**

December 17, 2008 and December 24, 2008

ADOPTED RESOLUTIONS AND ORDINANCES**Res. No. 1863-08.**

By Council Member Mitchell.

An emergency resolution supporting ParkWorks' application to the Clean Ohio Fund for \$201,250 for work related to the Lake to Lakes Bike Trail and the Doan Brook Watershed.

Whereas, the Lake to Lakes Bike Trail and Doan Brook Watershed would create a continuous off-street bike trail linking several Cleveland neighborhoods; and

Whereas, this bike trail would also serve as a linkage for the City of Cleveland to the communities of Cleveland Heights, Beachwood, and Shaker Heights; and

Whereas, this link would also create a pedestrian connection to recreational amenities including the Dike 14 Nature Preserve, Rockefeller Park and the Shaker Lakes; and

Whereas, the City of Cleveland has included the Lake to Lakes Trail in its Bikeway Master Plan and as such has provided first-phase construction funding as a portion of its 2009 Capital Improvement Plan; and

Whereas, ParkWorks, in partnership with the Doan Brook Watershed Partners are applying for a Clean Ohio Grant to support engineering work related to building the trail and restoring the adjacent Doan Brook Watershed; and

Whereas, this trail will provide increased recreational and transportation opportunities, contributing to the quality of life of City of Cleveland residents; and

Whereas, the day lighting and diversion of water from the Doan Brook will help reduce flooding in several Cleveland neighborhoods; and

Whereas, ParkWorks, working in cooperation with the City of Cleveland and the Doan Brook Watershed Partners will develop a plan and cost-estimates for day lighting portions of the Brook and building the bike trail through the City of Cleveland's Ambler Park; and

Whereas, this trail will support recreation, transportation, and environmental improvements and benefits to the City of Cleveland residents and visitors;

Whereas, the rail corridor has adapted itself to become an interceptor and collection basin for contaminated waters flowing toward the Cuyahoga River, and will continue to serve this important function upon the trail's completion, helping to reduce storm water runoff throughout the Flats; and

Whereas, ParkWorks, working in cooperation with the City of Cleveland, will determine the best entity to hold both the fee title lands and trail easements following acquisition and to provide maintenance for the trail; and

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

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

Section 1. That this Council supports ParkWorks' application to the Clean Ohio Fund for \$201,250 for work related to the Lake to Lakes Bike Trail and the Doan Brook Watershed.

Section 2. That the Clerk of Council is hereby directed to transmit a certified copy of this resolution to ParkWorks.

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

Adopted December 8, 2008.

Effective December 10, 2008.

Res. No. 1864-08.

By Council Member Cimperman.

An emergency resolution supporting ParkWorks' application to the Clean Ohio Fund for \$1.3 million to acquire a portion of a former rail right-of-way to provide a "Lake Link Trail" on the West Bank of the Flats and public access to Lake Erie for residents of contiguous neighborhoods in the City of Cleveland.

Whereas, the City of Cleveland has been a partner with ParkWorks and other stakeholders in planning the Lake Link Trail; and

Whereas, acquisition of the corridor is the first step toward transforming a piece of abandoned urban infrastructure with a recreational greenway and natural resource corridor connecting the Towpath Trail and the future Canal Basin Park to the Lake Erie shoreline at Whiskey Island; and

Whereas, acquisition of the northern portion of the corridor for \$1.3 million will leverage contribution of an easement valued at \$2.066 million for a more southerly section to connect the trail with the planned alignment of the Ohio and Erie Towpath Trail, satisfying the Clean Ohio Fund's requirement for a match of local resources; and

Whereas, the Lake Link will provide a connector to the Towpath Trail, connecting Lake Erie to a 100-mile trail that leads to the Cuyahoga Valley National Park and beyond, and will also run adjacent to several civic and cultural landmarks including the West Side Market, Tower City and the lower Flats district; and

Whereas, the Lake Link will provide significant green space, recreational opportunities and exposure to nature for residents of adjacent neighborhoods including the Flats, Ohio City, Tremont, Downtown and the nearly 1,200 residents of public housing estates at Lakeview Terrace and Riverview; and

Whereas, the trail will support the nearly \$100 million investment that has been made in new housing development on the west bank of the Flats; and

Whereas, the trail will increase habitat protection and preserve natural features in a heavily urbanized

area, contributing to the quality of life of City of Cleveland residents; and

Whereas, the rail corridor has adapted itself to become an interceptor and collection basin for contaminated waters flowing toward the Cuyahoga River, and will continue to serve this important function upon the trail's completion, helping to reduce storm water runoff throughout the Flats; and

Whereas, ParkWorks, working in cooperation with the City of Cleveland, will determine the best entity to hold both the fee title lands and trail easements following acquisition and to provide maintenance for the trail; and

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

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

Section 1. That this Council supports ParkWorks' application to the Clean Ohio Fund for \$1.3 million to acquire a portion of a former rail right-of-way to provide a "Lake Link Trail" on the West Bank of the Flats and public access to Lake Erie for residents of contiguous neighborhoods in the City of Cleveland.

Section 2. That the Clerk of Council is hereby directed to transmit a certified copy of this resolution to ParkWorks.

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

Adopted December 8, 2008.

Effective December 10, 2008.

Res. No. 1865-08.

By Council Members Santiago, Westbrook, Zone, Cummins, Brady, Keane, Conwell, Brancatelli, Reed, Coats, Mitchell, Pruitt, Polensek, White and Johnson.

An emergency resolution urging lawmakers in the Ohio Senate to immediately pass HB 247, which, among other things, expands the jurisdiction of juvenile court to hear, determine and enforce matters involving protection orders against a juvenile and permits a juvenile to seek a protection order on his or her own behalf.

Whereas, H.B. 247, broadens state law by expanding the jurisdiction of the juvenile court to hear, determine and enforce matters involving protection orders against a juvenile; and

Whereas, H.B. 247 permits a juvenile under age 18 to seek a protection order against another juvenile in juvenile court; and

Whereas, H.B. 247 further permits any person who is 18 or older to file a petition for a protection order on behalf of a child, upon the child's request; and

Whereas, H.B. 247 was introduced in May, 2007 by State Senator Edna Brown and unanimously passed the House this past May; and

Whereas, H.B. 247 then went to the Senate Judiciary Civil Justice Committee where it has been sitting ever since; and

Whereas, if action is not taken within the next three weeks, the bill will expire; and

Whereas, if the legislature fails to pass H.B. 247 then teens like Johanna Orozco will continue to go unprotected in juvenile court if they become involved in a violent relationships; and

Whereas, juveniles should have the same protections as adults when it comes to seeking a protection order under State law; and

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

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

Section 1. That this Council urges lawmakers in the Ohio Senate to immediately pass HB 247, which, among other things, expands the jurisdiction of juvenile court to hear, determine and enforce matters involving protection orders against a juvenile and permits a juvenile to seek a protection order on his or her own behalf.

Section 2. That the Clerk of Council is directed to transmit copies of this resolution to all members of the Ohio Senate and House.

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

Adopted December 8, 2008.

Effective December 10, 2008.

Res. No. 1866-08.

By Council Member Cleveland.
An emergency resolution withdrawing objection to the renewal of a C2 and C2X Liquor Permit at 2288 East 55th Street, and repealing Resolution No. 1051-08, objecting to said renewal.

Whereas, this Council objected to a C2 and C2X Liquor Permit to 2288 East 55th Street by Resolution No. 1051-08 adopted by the Council on July 2, 2008; and

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

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

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

Section 1. That objection to a C2 and C2X Liquor Permit to M & I Deli, DBA M & I Deli, 2288 East 55th Street, Cleveland, Ohio 44103, Per-

manent Number 5380075 be and the same is hereby withdrawn and Resolution No. 1051-08, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

Adopted December 8, 2008.

Effective December 10, 2008.

Res. No. 1867-08.

By Council Member Polensek.
An emergency resolution objecting to the transfer of liquor license of a D1, D2, D3 and D3A Liquor Permit to 15914 St. Clair Avenue.

Whereas, Council has been notified by the Department of Liquor Control of an application for the transfer of liquor license of a D1, D2, D3 and D3A Liquor Permit from E185791 Tavern, Inc., 791 East 185th Street, 1st floor and basement, Cleveland, Ohio 44119, Permanent Number 2528548 to E185791 Tavern, Inc., DBA Meraglios, 15914 St. Clair Avenue, Cleveland, Ohio 44110, Permanent Number 25285480001; 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 usual daily operation of a municipal department; now, therefore,

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

Section 1. That Council does hereby record its objection to the transfer of liquor license of a D1, D2, D3 and D3A Liquor Permit from E185791 Tavern,