

The City Record

Official Publication of the City of Cleveland

September the Twenty-Ninth, Nineteen Hundred and Ninety-Nine

Mayor	
Michael R. White	
President of Council	
Jay Westbrook	
Clerk of Council	
Cecelia R. Huffman	
Ward	Name
1	Joseph T. Jones
2	Robert J. White
3	Odelia V. Robinson
4	Kenneth L. Johnson
5	Frank G. Jackson
6	Patricia J. Britt
7	Fannie M. Lewis
8	William W. Patmon
9	Craig E. Willis
10	Roosevelt Coats
11	Michael D. Polensek
12	Edward W. Rybka
13	Joe Cimperman
14	Nelson Cintron, Jr.
15	Merle R. Gordon
16	Michael C. O'Malley
17	Timothy J. Melena
18	Jay Westbrook
19	Joseph J. Zone
20	Martin J. Sweeney
21	Michael A. Dolan

Containing	PAGE
City Council	3
The Calendar	9
Board of Control	10
Civil Service	13
Board of Zoning Appeals	14
Board of Building Standards and Building Appeals	15
Public Notices	15
Public Hearings	16
City of Cleveland Bids	16
Adopted Resolutions and Ordinances	16
Committee Meetings	20
Index	20

FIRST-CLASS MAIL
U. S. POSTAGE PAID
CLEVELAND, OHIO
Permit No. 1372

RECYCLE.....Save the Future



Printed on Recycled Paper.....Council Cares

DIRECTORY OF CITY OFFICIALS

CITY COUNCIL-LEGISLATIVE President of Council-Jay Westbrook

Ward	Name	Residence	
1	Joseph T. Jones	15601 Lotus Drive	44128
2	Robert J. White	3760 East 126th Street	44105
3	Odelia V. Robinson	3448 East 123rd Street	44120
4	Kenneth L. Johnson	2948 Hampton Road	44120
5	Frank G. Jackson	2327 East 38th Street	44115
6	Patricia J. Britt	12402 Britton Drive	44120
7	Fannie M. Lewis	7416 Star Avenue	44103
8	William W. Patmon	867 East Boulevard	44108
9	Craig E. Willis	11906 Beulah Avenue	44106
10	Roosevelt Coats	1775 Cliffview Road	44112
11	Michael D. Polensek	17855 Brian Avenue	44119
12	Edward W. Rybka	6832 Indiana Avenue	44105
13	Joe Cimperman	3053 West 12th Street	44113
14	Nelson Cintron, Jr.	3032 Vega Avenue	44113
15	Merle R. Gordon	1700 Denison Avenue	44109
16	Michael C. O'Malley	6710 Brookside Drive	44144
17	Timothy J. Melena	6110 West Clinton Avenue	44102
18	Jay Westbrook	10513 Clifton Boulevard	44102
19	Joseph J. Zone	3323 West 130th Street	44111
20	Martin J. Sweeney	3632 West 133rd Street	44111
21	Michael A. Dolan	16519 West Park Road	44111

Clerk of Council - Cecelia R. Huffman, 216 City Hall, 664-2840.
First Assistant Clerk - Sandra Franklin.

MAYOR-Michael R. White
LaVonne Sheffield-McClain, Chief of Staff, Executive Assistant for Policy
Barry Withers, Executive Assistant for Administration
Judith Zimomra, Executive Assistant for Service
Kenneth Silliman, Executive Assistant for Economic Development
Laura Ann Williams, Director, Office of Equal Opportunity
Milan T. Polacek, Executive Assistant for Legislative Affairs

DEPT. OF LAW - Cornell P. Carter, Director, Lessie M. Milton, Chief Counsel, Room 106
George A. Pace, Jr., Chief Asst. Prosecutor; Criminal Branch - Justice Center, 8th Flr., Court Towers, 1200 Ontario Street
Karen E. Martines, Law Librarian, Room 100

DEPT. OF FINANCE - Martin L. Carmody, Director, Room 104; Carlean Alford, Manager, Internal Audit
DIVISIONS - Accounts - Gayle Goodwin Smith, Commissioner, Room 19
City Treasury - Algeron Walker, Treasurer, Room 115
Assessments and Licenses - Robert J. Schneider, Commissioner, Room 122
Purchases and Supplies - Myrana Branche, Commissioner, Room 128
Printing and Reproduction - James D. Smith, Commissioner, 1735 Lakeside Avenue
Taxation - Nassim Lynch, Tax Administrator, 1701 Lakeside Avenue
Financial Reporting and Control - Robert Dolan, Controller, Room 18
Information Systems Services - Joyce Thomas, Acting Commissioner, 1404 E. 9th St.

DEPT. OF PUBLIC UTILITIES - Michael Konicek, Director, 1201 Lakeside Avenue
DIVISIONS - 1201 Lakeside Avenue
Water - Julius Ciaccia, Jr., Commissioner
Water Pollution Control - Darnell Brown, Commissioner
Utilities Fiscal Control - Morry Blech, Commissioner
Cleveland Public Power - James F. Majer, Commissioner
Street Lighting Bureau - Frank Schilling, Acting Chief.

DEPT. OF PORT CONTROL - Solomon F. Balraj, Director, Cleveland Hopkins International Airport, 5300 Riverside Drive; Cleveland Hopkins International Airport - Mark D. Vanloh, Commissioner Burke Lakefront Airport - Michael C. Barth, Commissioner

DEPT. OF PUBLIC SERVICE - Mark Ricchiuto, Director, Room 113
DIVISIONS - Waste Collection and Disposal - Randell T. Scott, Acting Commissioner, 5600 Carnegie Avenue.
Streets - Randell T. Scott, Commissioner, Room 25
Engineering and Construction - Randall E. DeVaul, Commissioner, Room 518
Motor Vehicle Maintenance, Daniel A. Novak, Acting Commissioner, Harvard Yards
Architecture - Paul Burik, Acting Commissioner, Room 517

DEPT. OF PUBLIC HEALTH - Michelle Whitlow, Acting Director, Mural Building, 1925 St. Clair Avenue
DIVISIONS - Health - Cheri Hahn, Acting Commissioner, Mural Building, 1925 St. Clair Avenue
Environment - Robin Puriani-Rogers, Acting Commissioner, Mural Building, 1925 St. Clair Avenue
Correction - Thomas Hardin, Commissioner, Cleveland House of Corrections, 4041 Northfield Road

DEPT. OF PUBLIC SAFETY - Henry Guzmán, Director, Room 230.
DIVISIONS - Police - Martin L. Flask, Chief, Police Hdqtrs. Bldg., 1300 Ontario Street
Fire - Kevin G. Gerrity, Chief, 1645 Superior Avenue
Traffic Engineering & Parking - Mark Ricchiuto, Acting Commissioner, 4150 East 49th Street, Building #1
Dog Pound - John Baird, Chief Dog Warden, 2690 W. 7th Street
Emergency Medical Service - Bruce Shade, Commissioner, 1708 South Pointe Drive

DEPT. OF PARKS, RECREATION & PROPERTIES - Nicholas P. Jackson, Director, Cleveland Convention Center, Clubroom A, 1220 E. 6th St.
DIVISIONS - Convention Center & Stadium - James Glending, Commissioner, Public Auditorium, E. 6th and Lakeside Ave.
Property Management - _____, Commissioner, East 49th & Harvard

Parking Facilities - Dennis Donahue, Acting Commissioner, Public Auditorium, E. 6th and Lakeside Ave.
Park Maintenance and Properties - Richard L. Silva, Acting Commissioner, Public Auditorium - E. 6th & Lakeside.
Recreation - Michael Cox, Commissioner, Room 8
Research, Planning & Development - Mark Fallon, Commissioner, 1501 N. Marginal Road, Burke Lakefront Airport

DEPT. OF COMMUNITY DEVELOPMENT - Linda M. Hudecek, Director, 3rd Floor, City Hall.
DIVISIONS - Administrative Services - Terrence Ross, Commissioner.
Neighborhood Services - Louise V. Jackson, Commissioner.
Neighborhood Development - Donald T. Moss, Commissioner.
Building & Housing - Robert Vilks, Acting Commissioner, 5th Floor, City Hall.

DEPT. OF PERSONNEL AND HUMAN RESOURCES - Jeffrey K. Patterson, Director, Room 121

DEPT. OF ECONOMIC DEVELOPMENT - Christopher P. Warren, Director, Room 210

DEPT. OF AGING - Susan E. Axelrod, Director, Room 122

COMMUNITY RELATIONS BOARD - Room 11, Dennis D. Dove, Acting Director; Mayor Michael R. White, Chairman Ex-Officio; Mary Adele Springman, Vice-Chairman; Councilmen Michael Polensek and Edward Rybka, City Council Representatives; Muqit Abdul Sabur, Louise Boddie, Charles E. McBee, Larry C. Liou, John Gallo, Emmett Saunders, Mary Jan Buckshot, Sr. Joaquina Carrion, Kathryn M. Hall, Hasan Muheisen, Barbara S. Rosenthal, Henry Simon.

CIVIL SERVICE COMMISSION - Room 119, Anne Bloomberg, President; Carolyn Watts Allen, Vice President; Gregory J. Wilson, Secretary; Timothy J. Cosgrove, Member, Rev. Earl Preston, Member.

SINKING FUND COMMISSION - Michael R. White, President; Betsy Hruby, Asst. Sec'y; _____, Director; President of Council Jay Westbrook.

BOARD OF ZONING APPEALS - Room 516, Carol Johnson, Chairman; Members; Chris Carmody, Margreat Hopkins, Ozell Dobbins, Tony Petkovsek, Eugene Cranford, Jr., Secretary.

BOARD OF BUILDING STANDARDS AND BUILDING APPEALS - Room 516, J. F. Denk, Chairman; J. Bowes, James Williams, Alternate Members - D. Cox, P. Frank, E. P. O'Brien, Richard Pace, Arthur Saunders, J.S. Sullivan.

BOARD OF REVISION OF ASSESSMENTS - Law Director Cornell P. Carter, President; Finance Director Martin L. Carmody, Jr., Secretary; Council President Jay Westbrook.

BOARD OF SIDEWALK APPEALS - Service Director Mark Ricchiuto; Law Director Cornell P. Carter; Councilman Roosevelt Coats.

BOARD OF REVIEW - (Municipal Income Tax) - Law Director Cornell P. Carter; Utilities Director Michael Konicek; Council President Jay Westbrook.

CITY PLANNING COMMISSION - Room 501 - Hunter Morrison, Director; Anthony J. Coyne, Acting Chairman; David Bowen, Lillian W. Burke, Lawrence A. Lumpkin, Gloria Jean Pinkney, Rev. Edward D. Small, Councilman Odelia V. Robinson.

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

MORAL CLAIMS COMMISSION - Law Director Cornell P. Carter; Chairman; Finance Director Martin L. Carmody, Jr.; Council President Jay Westbrook; Councilman Roosevelt Coats; Councilman Martin J. Sweeney.

BOARD OF EXAMINERS OF ELECTRICIANS - Samuel Montfort, Chairman; Donald Baulknigh, Anton J. Eichmuller, J. Gilbert Steele, Raymond Ossovicki, Chief Electrical Inspector; Laszlo V. Kemes, Secretary to the Board.

BOARD OF EXAMINERS OF PLUMBERS - Joseph Gyorky, Chairman; Earl S. Bumgarner, Alfred Fowler, Jozef Valencik, _____, Chief Plumbing Inspector; Laszlo V. Kemes, Secretary to the Board.

CLEVELAND LANDMARKS COMMISSION - Room 519 - Richard Schanfarber, Chairman; Paul Volpe, Vice Chairman; Paul Burik, James Gibans, Sandra Morgan, Hunter Morrison, Theodore Sande, Galen Schuerlein, Randall Shorr, Councilman Craig E. Willis, Councilman Joe Cimperman, Robert Keiser, Executive Secretary.

**CLEVELAND MUNICIPAL COURT JUSTICE CENTER-1200 ONTARIO
CENTRAL SCHEDULING DEPARTMENT
JUDGE COURTROOM ASSIGNMENTS**

Judge	Courtroom
Presiding and Administrative Judge Larry A. Jones	13C
Judge Ronald B. Adrine	15A
Judge Colleen C. Cooney	14A
Judge C. Ellen Connolly	15C
Judge Sean C. Gallagher	12B
Judge Mabel M. Jasper	14D
Judge Mary E. Kilbane	14C
Judge Kathleen A. Keough	12C
Judge Ralph J. Perk, Jr.	14B
Judge Raymond L. Pianka (Housing Court Judge)	13B
Judge Angela R. Stokes	13A
Judge Gerald F. Sweeney	13D
Judge Robert J. Triozzi	12A

Earle B. Turner - Clerk of Courts, Linda M. DeLillo-Court Administrator, Robert C. Townsend, II-Bailiff; Kenneth Thomas-Chief Probation Officer, Michelle L. Paris-Chief Magistrate

The City Record



OFFICIAL PUBLICATION OF THE CITY OF CLEVELAND

Vol. 86

WEDNESDAY, SEPTEMBER 29, 1999

No. 4477

CITY COUNCIL

MONDAY, SEPTEMBER 27, 1999

The City Record

Published weekly under authority
of the Charter of the
City of Cleveland
Subscription (by mail) \$75.00 a year
January 1 to December 31
Interim subscriptions prorated
\$6.25 per month
Address all communications to

CECELIA R. HUFFMAN

Clerk of Council
216 City Hall

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL

1998-2001

MONDAY

9:30 A.M.—**Public Parks, Property & Recreation Committee:** Jones, Chairman; White, Vice Chairman; Britt, Polensek, Sweeney, Willis, Zone.

MONDAY—Alternating

11:00 A.M.—**Public Service Committee:** Sweeney, Chairman; Melena, Vice Chairman; Britt, Cintron, Johnson, Jones, O'Malley, Patmon, Polensek.

11:00 A.M.—**Employment, Affirmative Action & Training Committee:** White, Chairman; Cintron, Vice Chairman; Gordon, Johnson, Lewis, O'Malley, Rybka.

MONDAY

2:00 P.M.—**Finance Committee:** Johnson, Chairman; Westbrook, Vice Chairman; Cintron, Coats, Gordon, Lewis, Melena, Patmon, Robinson, Sweeney, Willis.

TUESDAY

9:00 A.M.—**Community and Economic Development Committee:** Jackson, Chairman; Robinson, Vice Chairman; Cimperman, Cintron, Coats, Gordon, Jones, Lewis, Rybka.

TUESDAY—Alternating

1:00 P.M.—**Public Health Committee:** Gordon, Chairman; Cimperman, Vice Chairman; Britt, Cintron, Dolan, Jackson, Robinson.

1:30 P.M.—**Legislation Committee:** Zone, Chairman; Johnson, Vice Chairman; Britt, Cimperman, Jackson, Rybka, Westbrook.

WEDNESDAY—Alternating

10:00 A.M.—**Aviation & Transportation Committee:** Westbrook, Chairman; Sweeney, Vice Chairman; Cimperman, Dolan, Lewis, Patmon, White.

10:00 A.M.—**Public Safety Committee:** Coats, Chairman; Zone, Vice Chairman; Gordon, Jackson, Jones, Melena, O'Malley, White, Willis.

WEDNESDAY—Alternating

1:30 P.M.—**Public Utilities Committee:** Willis, Chairman; Coats, Vice Chairman; Britt, Jones, Melena, O'Malley, Robinson, Rybka, Sweeney.

1:30 P.M.—**City Planning Committee:** Robinson, Chairman; Cimperman, Vice Chairman; Dolan, Jackson, O'Malley, White, Willis.

OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio

Monday, September 27, 1999.

The meeting of the Council was called to order, the President, Jay Westbrook in the Chair.

Councilmen present: Britt, Cimperman, Cintron, Coats, Dolan, Gordon, Jackson, Jones, Lewis, Melena, O'Malley, Patmon, Polensek, Robinson, Rybka, Sweeney, Westbrook, White, Willis.

Also present were Mayor White and Directors Carter, Carmody, Konicek, Balraj, Jackson, Hudecek, Patterson, Warren, Dove, Axelrod, and Acting Directors Whitlow, Owens and Sheppard.

Absent: Directors Ricchiuto and Guzman.

Pursuant to Ordinance No. 2926-76, the Council Meeting was opened with a prayer offered by Rev. William Sanders, Pastor for Lee Road Baptist Church, located at 3970 Lee Road in Ward 1. Pledge of Allegiance.

MOTION

On the motion of Councilman Britt the reading of the minutes of the last meeting was dispensed with and the journal approved.

COMMUNICATIONS

File No. 1690-99.
From the Board of Building Standards and Building Appeals re: Agenda for Public Hearing Wednesday, September 29, 1999. Received.

File No. 1691-99.
From the Purchases and Supplies Division re: Excess Property - Reference No. 006-99. Received.

File No. 1692-99.
From the Community Development Department re: Worker's Compensation Contracts Departmental Charge. Received.

FROM THE DEPARTMENT OF LIQUOR CONTROL

File No. 1693-99.
Re: New Application - 03397640005 - Awad Food Mart, Inc., d.b.a. Dairy Mart 4453, 5346 Dolloff Road. (Ward 13). Received.

File No. 1694-99.

Re: New Application - 00896700005 - Al Mansour, Inc., d.b.a. Dairy Mart 4817, 3892 West 130th Street. (Ward 20). Received.

File No. 1695-99.

Re: Transfer of Ownership Application - 5504499 - Mansour Midtown, Inc., d.b.a. Midtown Shop N Go, 5405 Euclid Avenue. (Ward 5). Received.

File No. 1696-99.

Re: Transfer of Ownership Application - 9464154 - Robert E. Weeks, 3309 West 105th Street, first floor and basement. (Ward 19). Received.

File No. 1697-99.

Re: Transfer of Ownership Application - 2759477 - Five Daughters, Inc., 200 Huron Road, 4th floor N.W. corner. (Ward 13). Received.

STATEMENT OF WORK ACCEPTED

File No. 1698-99.
From the Department of Port Control re: Contract No. 53179 (Group L), (RSIP) Improvement. Received.

File No. 1699-99.
From the Department of Port Control re: Contract No. 53450 (Group J), (RSIP) Improvement. Received.

File No. 1700-99.
From the Department of Port Control re: Contract No. 53199 (Group O), (RSIP) Improvement. Received.

File No. 1701-99.
From the Department of Port Control re: Contract No. 53198 (Group N), (RSIP) Improvement. Received.

File No. 1702-99.
From the Department of Public Utilities re: Contract No. 50884A, Delta Plumbing, Inc., d.b.a. Fox Construction Equipment Co., completed and accepted on December 31, 1998. Received.

File No. 1716-99.
From the Department of Parks, Recreation and Properties re: Contract No. 53153, Franklin Loew Park, Ball Diamond Improvements - Phase 1. Received.

CONDOLENCES RESOLUTIONS

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

Res. No. 1721-99—Harriet Luversia Newsome-Ware.

Res. No. 1722-99—Ronald William Pollard.

Res. No. 1723-99—Virginia Czacherski.

Res. No. 1724-99—Rommel Edward Acy.

CONGRATULATIONS RESOLUTIONS

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

- Res. No. 1725-99**—Stephen D. Cheek.
Res. No. 1726-99—Arab-American Community.
Res. No. 1727-99—Leonard S. Galicki.
Res. No. 1728-99—Craig Schaub.
Res. No. 1729-99—Christopher O. Johnson Day in Midtown.
Res. No. 1730-99—Karen Pianka.
Res. No. 1731-99—Cudell Improvement, Inc.

FIRST READING EMERGENCY ORDINANCES REFERRED

Ord. No. 1703-99.
By Councilmen Willis and Johnson (by departmental request).
An emergency ordinance authorizing the purchase by contract of one motor, for the Division of Water, Department of Public Utilities.

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

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

Section 1. That the Director of Public Utilities is hereby authorized to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: one (1) motor, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Water, Department of Public Utilities.

Section 2. That the cost of said contract hereby authorized shall be paid from Fund No. 52 SF 001, Request No. 14933.

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

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

Ord. No. 1704-99.
By Councilmen Willis and Johnson (by departmental request).
An emergency ordinance authorizing the purchase by contract of one correlator leak detector with accessories, for the Division of Water, Department of Public Utilities.

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

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

Section 1. That the Director of Public Utilities is hereby authorized to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: one (1) correlator leak detector with accessories, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Water, Department of Public Utilities.

Section 2. That the cost of said contract hereby authorized shall be paid from Fund No. 52 SF 001, Request No. 14934.

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

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

Ord. No. 1705-99.
By Councilmen Westbrook and Johnson (by departmental request).
An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to maintain and repair building automation computer systems and associated equipment, for the various divisions of the Department of Port Control, for a period not to exceed two years.

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 hereby authorized to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two years of the necessary items of labor and materials necessary to maintain and repair building automation computer systems and associated equipment, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of the Department of Port Control. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 8227)

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

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

Ord. No. 1706-99.
By Councilmen Cintron, Sweeney, Robinson and Johnson (by departmental request).

An emergency ordinance authorizing the acquisition of certain easement interests from MetroHealth Medical Center for the public improvement of allowing pedestrian crossing and passage through the two-story arcade along Scranton Avenue, for the Department of Public Service.

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

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

Section 1. That, notwithstanding and as an exception to the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to acquire certain easement rights in and to the premises hereinafter described from MetroHealth Medical Center which will allow pedestrian crossing and passage through the two-story arcade along Scranton Avenue, at no cost to the City of Cleveland, and more particularly described as:

PROPOSED PEDESTRIAN ACCESS EASEMENT

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, being a part of Original Brooklyn Township Lot No. 67, bounded and described as follows:

Beginning on the Northeasterly line of Scranton Road S.W., 60 feet in width, at its intersection with the Southerly line of Valentine Avenue S.E., 60 feet in width;

Course No. 1: Thence South 89° 05' 26" East along said Southerly line of Valentine Avenue S.W., 6.14 feet to its intersection with a line drawn parallel with and distant 6.00 feet Easterly by rectangular measurement from said Easterly line of Scranton Road S.W.;

Course No. 2: Thence South 13° 12' 15" West along said parallel line, 7.53 feet to a point;

Course No. 3: Thence Southeasterly along the arc of circle deflecting to the right, 13.36 feet to a point of tangency, said curved line having a radius of 9.33 feet and a chord which bears South 27° 48' 38" East a distance of 12.25 feet;

Course No. 4: Thence South 13° 12' 15" West, 1.33 feet to a point;

Course No. 5: Thence South 76° 47' 45" East, 0.92 feet to a point of intersection with a line drawn parallel with and distant 14.92 feet Easterly by rectangular measurement from the aforementioned Easterly line of Scranton Road S.W.;

Course No. 6: Thence South 13° 12' 15" West along said parallel line, 183.50 feet to a point;

Course No. 7: Thence North 76° 47' 45" West, 0.92 feet to a point;

Course No. 8: Thence South 13° 12' 15" West, 1.33 feet to a point of curvature;

Course No. 9: Thence Southwesterly along the arc of a circle deflecting to the right, 13.36 feet to its intersection with a line drawn parallel with and distant 6.00 feet Easterly by rectangular measurement from said Easterly line of Scranton Road S.W., said curved line having a radius of 9.33 feet and a chord which bears South 54° 13' 08" West a distance of 12.25 feet;

Course No. 10: Thence South 13° 12' 15" West along said parallel line, 13.80 feet to a point in the Southerly face of North curb line of MetroHealth Drive (a private drive);

Course No. 11: Thence Northwesterly along the arc of a circle deflecting to the right, 7.49 feet to a point of compound curvature therein, said curved line having a radius of 20.00 feet and a chord which bears North 33° 10' 20" West a distance of 7.45 feet;

Course No. 12: Thence Northwesterly along the arc of a circle deflecting to the right, 1.07 feet to a point of tangency in the aforementioned Easterly line of Scranton Road S.W., said curved line having a radius of 35.10 feet and a chord which bears North 21° 34' 14" West a distance of 1.07 feet;

Course No. 13: Thence North 13° 12' 15" East along said Easterly line of Scranton Road S.W., 218.66 feet to the place of beginning, containing 3,114 square feet of land (0.0715 acres), according to a survey by Garrett & Associates, Inc., Registered Engineers & Surveyors, made in June, 1999, be the same more or less.

The bearings used herein are based on an assumed meridian and are used only to denote angles.

Section 2. That the Director of Public Service is hereby authorized to execute on behalf of the City all documents necessary to acquire certain rights in and to the property.

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

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

Ord. No. 1707-99.

By Councilmen Cimperman, Jackson, Sweeney, Robinson and Johnson (by departmental request).

An emergency ordinance determining the method of making the public improvement of rehabilitating East 40th Street, Phase III; authorizing the Director of Public Service to enter into contract for the making of such improvement; authorizing said director to enter into a second amendment to Contract No. 52806 with Dodson Stilson and Associates for professional design services; authorizing said director to enter into such other agreements necessary to complete this improvement; and authorizing the Commissioner of Purchases and Supplies to acquire for right-of-way purposes such real property as is necessary to make the public improvement.

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

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

Section 1. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of rehabilitating East 40th Street, Phase III for the Division of Engineering and Construction, Department of Public Service, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.

Section 2. That the Director of Public Service is hereby authorized to enter into contract for the making of the above public improvement with the lowest responsible bidder after competitive bidding upon a unit basis for the improvement pro-

vided however, that each separate trade and each distinct component part of said improvement may be treated as a separate improvement, and each, or any combination, of such trades or components may be the subject of a separate contract upon a unit basis.

Section 3. That the Director of Public Service is authorized to enter into a second amendment to Contract No. 52806 with Dodson Stilson for the inclusion of professional design services for Phase III of the improvement.

Section 4. That the Director of Public Service is hereby authorized to enter into such other agreements as are necessary to complete the planning and construction of the improvement, which agreements shall contain such terms and conditions as the Director of Law determines shall best protect the public interest.

Section 5. That notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Commissioner of Purchases and Supplies is hereby authorized to acquire for right-of-way purposes such real property as is necessary to make the improvement. The consideration to be paid for such property shall not exceed its appraised value.

Section 6. That the Director of Public Service is hereby authorized to execute on behalf of the City all documents necessary to acquire such property and to employ and pay all fees for title companies, surveys, escrows, appraiser, and all other costs necessary for the acquisition of such property.

Section 7. That the cost of said improvement, services, and property acquisition hereby authorized shall be paid from Fund Nos. 20 SF 364, 52 SF 223, 58 SF 001, 20 SF 400, and from the fund or funds to which are credited the proceeds of any grant funds received from the Ohio Works Commission, Request No. 4314.

Section 8. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

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

Ord. No. 1708-99.

By Councilmen Cimperman, Lewis, Jackson, Rybka, Sweeney, Robinson and Johnson (by departmental request).

An emergency ordinance determining the method of making the public improvement of rehabilitating East 55th Street, Phase III; authorizing the Director of Public Service to enter into contract for the making of such improvement; authorizing said director to enter into contract for professional design services necessary for making such improvement; authorizing said director to enter into such other agreements necessary to complete this improvement; and authorizing the Commissioner of Purchases and Supplies to acquire for right-of-way purposes such real property as is necessary to make the public improvement.

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

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

Section 1. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of rehabilitating East 55th Street, Phase III for the Division of Engineering and Construction, Department of Public Service, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.

Section 2. That the Director of Public Service is hereby authorized to enter into contract for the making of the above public improvement with the lowest responsible bidder after competitive bidding upon a unit basis for the improvement provided however, that each separate trade and each distinct component part of said improvement may be treated as a separate improvement, and each, or any combination, of such trades or components may be the subject of a separate contract upon a unit basis.

Section 3. That the Director of Public Service is hereby authorized to employ by contract one or more design consultants or one or more firms of design consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to design the rehabilitation of East 55th Street, Phase III.

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

Section 4. That the Director of Public Service is hereby authorized to enter into such other agreements as are necessary to complete the planning and construction of the improvement, which agreements shall contain such terms and conditions as the Director of Law determines shall best protect the public interest.

Section 5. That notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Commissioner of Purchases and Supplies is hereby authorized to acquire for right-of-way purposes such real property as is necessary to make the improvement. The consideration to be paid for such property shall not exceed its appraised value.

Section 6. That the Director of Public Service is hereby authorized to execute on behalf of the City all documents necessary to acquire such property and to employ and pay all fees for title companies, surveys, escrows, appraiser, and all other costs necessary for the acquisition of such property.

Section 7. That the cost of said improvement, services, and property acquisition hereby authorized shall be paid from Fund Nos. 20 SF 364, 52 SF 001, 58 SF 001, 20 SF 401, and from the fund or funds to which are credited the proceeds of any grant funds received from the Ohio Works Commission, Request No. 4315.

Section 8. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

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

Ord. No. 1709-99.
By Councilmen Gordon, O'Malley, Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Public Service to employ one or more professional consultants to provide services necessary to design the improvement of State Road from Brookpark Road to Pearl Road.

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

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

Section 1. That the Director of Public Service is hereby authorized to employ by contract one or more design consultants or one or more firms of design consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to design the improvement of State Road from Brookpark Road to Pearl Road.

The selection of said consultants for such services shall be made by the Board of Control upon the nomination of the Director of Public Service for the purpose of compiling such a list. The compensation to be paid for such services shall be fixed by the Board of Control. The contract herein authorized shall be prepared by the Director of Law, approved by the Director of Public Service, and certified by the Director of Finance.

Section 2. That the costs for such services herein contemplated shall be paid from Fund Nos. 20 SF 364, 20 SF 402, 20 SF 403, and from the fund or funds to which are credited the proceeds of any grant funds from the Ohio Works Commission, Request No. 4316.

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

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

Ord. No. 1710-99.
By Councilmen Gordon and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Ohio Department of Health for the 2000 Infant Mortality Reduction (Initiative) Project and to enter into contract with Lutheran Metropolitan Ministry to implement the program.

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

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

Section 1. That the Director of Public Health is hereby authorized to apply for and accept a grant in the approximate amount of \$90,000, and any other funds as they become available during the grant term, from Ohio Department of Health, to conduct the 2000 Infant Mortality Reduction (Initiative) Project, for the purposes set forth in the application and according thereto; that the Director of Public Health is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the application for said grant.

Section 2. That the application for said grant, File No. 1710-99-A, made a part hereof as if fully rewritten herein, including the obligation of the City of Cleveland to provide cash matching funds in the sum of \$18,000, from Fund No. 01-500501-638000 is hereby approved in all respects.

Section 3. That the Director of Public Health is hereby authorized to enter into contract with Lutheran Metropolitan Ministry for the implementation of the program as described in the application contained in the file, payable from the fund or funds to which are credited the grant proceeds accepted pursuant to Section 1 of this ordinance.

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.

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

Ord. No. 1711-99.
By Councilmen Gordon and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Ohio Department of Health for the 2000 AIDS Prevention Program and to enter into contract with various agencies to implement the program.

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

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

Section 1. That the Director of Public Health is hereby authorized to apply for and accept a grant in the approximate amount of \$878,532.00, and any other funds as they become available during the grant term, from the Ohio Department of Health, to conduct the 2000 AIDS Prevention Program, for the purposes set forth in the application and according thereto; that the Director of Public Health is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the application for said grant.

Section 2. That the application for said grant, File No. 1711-99-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

Section 3. That the Director of Public Health is hereby authorized to enter into one or more contracts for the implementation of the program as described in the application contained in the file, payable from the fund or funds to which are credited the grant proceeds accepted pursuant to Section 1 of this ordinance with the following agencies, in the following amounts:

Agency	Amount
Cleveland Treatment Center	\$204,000.00
HUMADOP	78,175.00
Free Clinic of Greater Cleveland	94,500.00
Mental Health Service for Homeless Persons, Inc.	20,000.00
AIDS Taskforce of Greater Cleveland	331,000.00
Neighborhood Counseling Service, Inc.	20,000.00
NEON	33,325.00
Xchange Point	20,000.00

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.

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

FIRST READING ORDINANCE REFERRED

Ord. No. 1712-99.
By Councilman Rybka.
An ordinance to change the Use, Area and Height Districts of lands on the west side of East 63 Street and the north side of Waterman Avenue, S.E. (Map Change No. 2000, Sheet No. 5)

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

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

Beginning at the intersection of the center line of East 63 Street and the center line of Waterman Avenue, S.E.; thence westerly along said center line of Waterman Avenue, S.E. to its intersection with the southerly extension of the center line of East 62 Street; thence northerly along said southerly extension and along said center line of East 62 Street to its intersection with the westerly extension of the northerly line of Sublot No. 37 in the Horace Kelly Allotment as recorded in Volume 8, Page 11 of the Cuyahoga County Map Records; thence easterly along said westerly extension and along said northerly line of said Sublot No. 37 and along its easterly extension to the center line of East 63 Street; thence southerly along said center line of East 63

Street to the place of beginning, and as outlined in red on the map hereto attached, be and the same is hereby changed to a Multi-Family Use District, a 'D' Area District and a '2' Height District.

Section 2. That said changed designation of lands described in Section 1 shall be identified as Map Change No. 2000, Sheet No. 5 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 such purpose by the City Planning Commission.

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

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

FIRST READING EMERGENCY ORDINANCE READ IN FULL AND PASSED

Ord. No. 1713-99.

By Councilman Jackson.

An emergency ordinance authorizing certain persons to engage in peddling in Ward 5. (Charles Williams).

Whereas, pursuant to Section 675.07 of the Codified Ordinances of Cleveland, Ohio, 1976, (the "Codified Ordinances") the consent of Council, expressed by ordinance, is a prerequisite to peddle upon the public rights of way outside of the Central Business District; and

Whereas, this Council has considered the requests of certain persons to engage in peddling outside of the Central Business District, and has determined that it is in the public interest to allow each of said persons to peddle in Ward 5; and

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

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

Section 1. That this Council consents, as required by Section 675.07 of the Codified Ordinances, to allow each person named below to engage in peddling in the public rights of way of Ward 5: Charles Williams at the East 40th Street Plaza located on corner of East 40th Street and Community College Avenue.

Section 2. That all of the requirements of Chapter 675 of the Codified Ordinances shall apply to the persons named in Section 1 of this ordinance.

Section 3. That the privilege granted herein may be revoked at any time by this Council.

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 19. Nays 0. Read second time. Read third time in full. Passed. Yeas 19. Nays 0.

Ord. No. 1714-99.

By Councilman Jackson.

An emergency ordinance authorizing certain persons to engage in peddling in Ward 5. (Robert Orr, Jr.).

Whereas, pursuant to Section 675.07 of the Codified Ordinances of Cleveland, Ohio, 1976, (the "Codified Ordinances") the consent of Council, expressed by ordinance, is a prerequisite to peddle upon the public rights of way outside of the Central Business District; and

Whereas, this Council has considered the requests of certain persons to engage in peddling outside of the Central Business District, and has determined that it is in the public interest to allow each of said persons to peddle in Ward 5; and

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

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

Section 1. That this Council consents, as required by Section 675.07 of the Codified Ordinances, to allow each person named below to engage in peddling in the public rights of way of Ward 5: Robert Orr, Jr. at East 62nd Street and Beaver Avenue.

Section 2. That all of the requirements of Chapter 675 of the Codified Ordinances shall apply to the persons named in Section 1 of this ordinance.

Section 3. That the privilege granted herein may be revoked at any time by this Council.

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 19. Nays 0. Read second time. Read third time in full. Passed. Yeas 19. Nays 0.

Ord. No. 1715-99.

By Councilman Britt.

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with the Buckeye Area Development Corporation for the rehabilitation of a building located at 2798 East 119th Street in Ward 6.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with the Buckeye Area Development Corporation for the rehabilitation of a building located at 2798 East 119th Street in Ward 6 of the City of Cleveland.

Section 2. That the costs of said contract shall be in an amount not to exceed Twenty Thousand Six Hundred Dollars (\$20,600.00) and shall be paid from Fund No. 10 SF 166.

Section 3. That the Director of Law shall prepare and approve said

contract and that the contract shall contain such terms and provisions as he deems necessary to protect the City's interest.

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

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

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

Ord. No. 1717-99.

By Councilman Westbrook.

An emergency ordinance authorizing the Clerk of Council to enter into a First Amendment to the Agreement with Richard Klein, Ph.D., Contract No. 54307, relating to Council's archive project.

Whereas, pursuant to Ordinance No. 463-99, passed by the Council of the City of Cleveland on March 22, 1999, Council entered into an agreement with Richard Klein, Ph.D. to provide professional services necessary to assist with Council's archive project, City Contract No. 54307; 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 Clerk of Council is authorized to enter into a First Amendment to the Agreement between the City and Richard Klein, Ph.D., Contract No. 54307, to extend the term from July 1, 1999 until December 31, 1999.

Section 2. That the additional cost of said agreement shall not exceed Twelve Thousand Dollars (\$12,000.00) and shall be paid from Fund 01 Org No. 0101.

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

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

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

Ord. No. 1718-99.

By Councilman Johnson.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the Hayes Temple to stretch one banner at East 94th Street and Romona Boulevard on utility poles (by separate permission) for the period of September 17, 1999 to October 11, 1999, inclusive, publicizing a special church event.

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

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

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio 1976, the Director of Public Service is hereby authorized and directed to issue a permit to Hayes Temple, 3158 East 94th Street and Romona Boulevard, Cleveland, Ohio, to install, maintain and remove one (1) banner on Cleveland Public Power and Cleveland Electric illuminating Company utility poles, (by separate permission) between East 94th Street and the second pole south of Romona Boulevard, Pole # SE 64-9-1A-9 5 1A-7-5 (CPP pole); and on the second pole north of Romona Boulevard, no number (CEI pole), for the period of September 17, 1999 to October 11, 1999, inclusive, publicizing their special church event; and which banner shall be approved by the Director of Public Service in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banners, and said banners shall be removed promptly upon the expiration of said permit.

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

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

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

Ord. No. 1719-99.
By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance to amend Section 11 of Ordinance No. 1161-94, passed July 20, 1994, relating to the rehabilitation of the Quincy Avenue Bridge over G.C.R.T.A. and the Norfolk and Western Railway Co.

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 11 of Ordinance No. 1611-94, passed July 20, 1994, is hereby amended to read as follows:

Section 11. That the cost for the payment authorized in Section 7 of this ordinance, the cost of the public improvement authorized in Section 8 of this ordinance, and the cost of the professional services authorized in Section 10 of this ordinance shall be paid from the proceeds of the sale of the general obligation bonds of the City of Cleveland authorized by Ordinance No. 872-94, passed May 23, 1994, and from Fund Nos. 20 SF 060, 20 SF 061,

20 SF 883, 20 SF 146, 20 SF 151, 20 SF 160, 20 SF 170, 20 SF 181, 20 SF 190, 20 SF 302, 20 SF 312, **20 SF 322, 20 SF 334, and 20 SF 342**, Request No. 21907.

Section 2. That existing Section 11 of Ordinance No. 1611-94, passed July 20, 1994, is hereby repealed.

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

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

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

FIRST READING EMERGENCY RESOLUTION READ IN FULL AND ADOPTED

Res. No. 1720-99.

By Councilman Sweeney.
An emergency ordinance objecting to the issuance of a C1 Liquor Permit to 3892 W. 130th St.

Whereas, Council has been notified by the Director of Liquor Control of an application for the issuance of a C1 Liquor Permit, to Permit No. 00896700005, Al Mansour Inc., DBA Dairy Mart 4817, 3892 W. 130th St., Cleveland, Ohio 44135; 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, property, 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,

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 issuance of a C1 Liquor Permit to Permit No. 00896700005, Al Mansour Inc., DBA Dairy Mart 4817, 3892 W. 130th St., Cleveland, Ohio 44135 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 hereby is 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 passage.

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

SECOND READING EMERGENCY ORDINANCES

Ord. No. 1124-99.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of the disposal of solid waste, for the Division of Waste Collection and Disposal, Department of Public Service.

Approved by Directors of Public Service, Finance, Law; Recommended by Committees on Public Service, Finance, when amended as follows:

1. In Section 1, line 4, strike "one year" and insert in lieu thereof "**two years**" and in Section 1, line 12, strike "a year" and insert in lieu thereof "**two years**".

Amendment agreed to.

Ord. No. 1413-99.

By Councilmen Willis and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to maintain and repair elevators, for the Division of Water, Department of Public Utilities, for a period not to exceed two years.

Approved by Directors of Public Utilities, Finance, Law; Recommended by Committees on Public Utilities, Finance.

Ord. No. 1415-99.

By Councilmen Willis and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to repair water mains and appurtenances, for the Division of Water, Department of Public Utilities, for a period not to exceed two years.

Approved by Directors of Public Utilities, Finance, Law; Recommended by Committees on Public Utilities, Finance.

Ord. No. 1416-99.

By Councilmen Willis and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by contract of hydraulic testing equipment, internal pipeline inspection system and leak detection and location system, for the Division of Water, Department of Public Utilities.

Approved by Directors of Public Utilities, Finance, Law; Recommended by Committees on Public Utilities, Finance.

Ord. No. 1417-99.

By Councilmen Willis and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to modify and maintain a trac-vac residuals collection system, for the Division of Water, Department of Public Utilities, for a period not to exceed two years.

Approved by Directors of Public Utilities, Finance, Law; Recommended by Committees on Public Utilities, Finance.

Ord. No. 1562-99.

By Councilmen Cimperman, Sweeney, Robinson and Johnson (by departmental request).

An emergency ordinance to amend Section 11 of Ordinance No. 456-99, passed May 24, 1999, relating to the interim repair of the Columbus Road Vertical Lift Bridge over the Cuyahoga River to the County of Cuyahoga.

Approved by Directors of Public Service, City Planning Commission, Finance, Law; Relieved of Committees on City Planning, Finance; Recommended by Committee on Public Service, when amended as follows:

1. In Section 1, line 6, strike "21054" and insert in lieu thereof the following: "21954".

Amendment agreed to.

SECOND READING EMERGENCY ORDINANCE PASSED

Ord. No. 1663-95.

By Councilman Coats. An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Section 381.101 thereof, relating to outdoor grilling restrictions.

Contents noted by Directors of Public Safety, Finance; Approved by Director of Law; Relieved of Committees on Public Safety, Legislation, Finance; when amended as follows:

1. In Section 1, line 8, strike "325.09" and insert in lieu thereof the following "325.20".

Amendment agreed to.

The rules were suspended. Yeas 19. Nays 0. Read third time in full Passed. Yeas 18. Nays 1.

Those voting yea were Councilmen: Britt, Cimperman, Cintron, Coats, Gordon, Jackson, Jones, Lewis, Melena, O'Malley, Patmon, Polensek, Robinson, Rybka, Sweeney, Westbrook, White and Willis. Those voting nay: Councilman Dolan.

Absent: Councilmen Johnson and Zone.

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

MOTION

By Councilman Britt, seconded by Councilman Cimperman and unanimously carried that the absence of Councilman Kenneth L. Johnson and Councilman Joseph J. Zone be and is hereby authorized.

The Council adjourned at 8:10 p.m. to meet on Monday, October 4, 1999, at 7:00 p.m.



Clerk of Council

THE CALENDAR

The following measures will be acted on at the next meeting:

ORDINANCES

Ord. No. 1124-99.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of the disposal of solid waste, for the Division of Waste Collection and Disposal, Department of Public Service.

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

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

Section 1. That the Director of Public Service is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of **two years** for the necessary items of the disposal of solid waste in the approximate amount as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Waste Collection and Disposal, Department of Public Service. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than **two years** may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

Section 2. That notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Director of Public Service may require that each bid be accompanied by a single bond securing both the execution and performance of each contract. If a single bond securing both execution and performance is required by the Director, it shall be substantially in accordance with the form attached hereto as Exhibit "A". Each bond, whether to secure the execution of a contract, its performance, or both, shall be in an amount determined by the Director of Public Service. Each bond submitted to secure the con-

tract or contracts authorized by this ordinance shall be executed by a surety authorized to do business in the State of Ohio and shall be acceptable to the Director of Law.

Section 3. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 3417)

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.

EXHIBIT A

BID GUARANTY AND CONTRACT BOND

KNOW ALL MEN BY THESE PRESENTS, that we the undersigned

(Name and Address)
as Principal and _____

(Name of Surety)
as Surety are hereby held and firmly bound unto the City of Cleveland, hereinafter called the Obligee, in the penal sum hereinafter stated, pertaining to the bid submitted by the Principal to the Obligee on _____ (date) to undertake the project known as _____

The penal sum referred to herein shall be _____

_____. For the payment of the penal sum well and truly to be made, we hereby jointly and severally bind ourselves, our heirs, executors, administrators, successors, and assigns.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, that whereas the above named Principal has submitted a bid on the above referred project;

NOW THEREFORE, if the Obligee accepts the bid of the Principal and the Principal fails to enter into a proper contract in accordance with the bid, plans, details, specifications, and bills of material; and in the event the Principal pays to the Obligee the difference not to exceed ten percent of the penalty hereof between the amount specified in the bid and such larger amount for which the Obligee may in good faith contract with the next lowest and best bidder to perform the work covered by the bid; or in the event the Obligee does not award the contract to the next lowest and best bidder and resubmits the project for bidding, the Principal will pay the Obligee the difference not to exceed ten percent of the penalty hereof between the amount specified in the bid, or the costs in connection with the resubmission, of printing new contract documents, required advertising, and printing and mailing

notices to prospective bidders, whichever is less, then this obligation shall be void, otherwise to remain in full force and effect. If the Oblige accepts the bid of the Principal and the Principal within ten days after the awarding of the contract and submitting to the Principal a contract for execution, enters into a proper contract in accordance with the bid, plans, details, specifications, and bills of material, which said contract is made a part of this bond the same as though set forth herein; and

IF THE SAID Principal shall well and faithfully perform each and every condition of such contract; and indemnify the Oblige against all damage suffered by failure to perform such contract according to the provisions thereof and in accordance with the plans, details, specifications, and bills of material therefor; and shall pay all lawful claims of subcontractors, materialmen, and laborers for labor performed and materials furnished in the carrying forward, performing, or completing said contract; we agreeing and assenting that this undertaking shall be for the benefit of any materialman or laborer having a just claim as well as for the Oblige herein; then this obligation shall be void; otherwise the same shall remain in full force and effect; it being expressly understood and agreed that the liability of the Surety for any and all claims hereunder shall in no event exceed the penal amount of this obligation as herein stated.

THE SAID Surety hereby stipulates and agrees that no modifications, omissions, or additions, in or to the terms of said contract or in or to the plans and specifications therefor shall in any wise affect the obligations of said Surety on this bond, and it does hereby waive notice of any such modifications, omissions or additions to the terms of the contract or to the work or to the specifications.

SIGNED AND SEALED this _____ day of _____, 19____.

PRINCIPAL: _____ SURETY: _____

BY: _____ BY: _____
Attorney-in-Fact

TITLE: _____

SURETY COMPANY ADDRESS: _____

Street _____

City _____ State _____ ZIP _____

SURETY AGENT'S ADDRESS: _____

Agency Name _____

Street _____

City _____ State _____ ZIP _____

Ord. No. 1413-99.

By Councilmen Willis and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to maintain and repair elevators, for the Division of Water, Department of Public Utilities, for a period not to exceed two years.

Ord. No. 1415-99.

By Councilmen Willis and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to repair water mains and appurtenances, for the Division of Water, Department of Public Utilities, for a period not to exceed two years.

Ord. No. 1416-99.

By Councilmen Willis and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by contract of hydraulic testing equipment, internal pipeline inspection system and leak detection and location system, for the Division of Water, Department of Public Utilities.

Ord. No. 1417-99.

By Councilmen Willis and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to modify and maintain a trac-vac residuals collection system, for the Division of Water, Department of Public Utilities, for a period not to exceed two years.

Ord. No. 1562-99.

By Councilmen Cimperman, Sweeney, Robinson and Johnson (by departmental request).

An emergency ordinance to amend Section 11 of Ordinance No. 456-99, passed May 24, 1999, relating to the interim repair of the Columbus Road Vertical Lift Bridge over the Cuyahoga River to the County of Cuyahoga.

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 11 of Ordinance No. 456-99, passed May 24, 1999, is hereby amended to read as follows:

Section 11. That the cost of the public improvement contract authorized above shall be paid from Fund Nos. 20 SF 353, 20 SF 334, 20 SF 342 and 20 SF 404, Request Nos. 24531 and 21954.

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.

BOARD OF CONTROL

September 22, 1999

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, September 22, 1999, at 11:00 a.m., with Mayor White presiding.

Present: Mayor White, Directors Carter, Carmody, Konicek, Balraj, Ricchiuto, Whitlow, Acting Director Shepard, Directors Jackson, Hudecek, Patterson, Warren, Axelrod.

Absent: None.

Others: Myrna Branche, Commissioner, Purchases and Supplies, Linda Walker, Acting Director, Office of Equal Opportunity.

On motion, the following resolutions were adopted.

Resolution No. 625-99.

By Director Carmody.

Whereas pursuant to the authority of Ordinances Nos. 1744-97 and 521-99, passed by the Council of the City of Cleveland October 20, 1997 and March 29, 1999, respectively, the Director of Finance entered into City Contract number 54239 between the City of Cleveland and Ceridian Employer Services, Inc. for maintenance of the City payroll system; and

Whereas, the City desires to obtain additional maintenance on said payroll system, as set forth in Ceridian's July 21, 1999 proposal; now, therefore,

Be it resolved that the Director of Finance hereby is authorized to enter into a first amendment to said Contract number 54239 with Ceridian Employer Services, Inc. based on its proposal dated July 21, 1999, to obtain certain additional maintenance services and to increase the compensation under said contract by an amount of \$12,400.00 to \$19,400.00. The amendment shall be prepared by the Director of Law and shall contain such other provisions as said Director deems necessary to protect and benefit public interest.

Yeas: Mayor White, Directors Carter, Carmody, Konicek, Balraj, Ricchiuto, Whitlow, Acting Director Shepard, Directors Jackson, Hudecek, Patterson, Warren, Axelrod.

Nays: None.

Absent: None.

Resolution No. 626-99.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authority of Ordinance No. 452-99, passed by the Council of the City of Cleveland on May 17, 1999, Parsons Engineering Science, Inc., is hereby selected from a list of firms determined after a full and complete canvass by the Director of Public Utilities, as the firm to be employed by contract to provide a full range of engineering and environmental consulting services for a period of two years, for the Division of Water, Department of Public Utilities.

Be it further resolved that the Director of Public Utilities hereby is requested to enter into a contract with Parsons Engineering Science, Inc. based upon its proposal dated July 22, 1999, which contract shall be prepared by the Director of Law, shall provide for furnishing of professional services as contained in said proposal, for an aggregate fee not in excess of \$425,000.00, and shall contain such additional provisions as the Director of Law deems necessary to protect and benefit the public interest.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by Parsons Engineering Science, Inc. for the above mentioned professional service is hereby approved:

<u>SUBCONTRACTOR</u>	<u>WORK</u>
Dodson-Stilson	\$63,750, MBE
KS Associates	\$21,250, FBE

Yeas: Mayor White, Directors Carter, Carmody, Konicek, Balraj, Ricchiuto, Whitlow, Acting Director Shepard, Directors Jackson, Hudecek, Patterson, Warren, Axelrod.

Nays: None.

Absent: None.

Resolution No. 627-99.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authority of Ordinance No. 452-99, passed by the Council of the City of Cleveland on May 17, 1999, Solar Testing Laboratories, Inc., is hereby selected from a list of firms determined after a full and complete canvass by the Director of Public Utilities, as the firm to be employed by contract to provide a full range of engineering and environmental consulting services for a period of two years, for the Division of Water, Department of Public Utilities.

Be it further resolved that the Director of Public Utilities hereby is requested to enter into a contract with Solar Testing Laboratories based upon its proposal dated July 23, 1999, which contract shall be prepared by the Director of Law, shall provide for furnishing of professional services as contained in said proposal, for an aggregate fee not in excess of \$425,000.00, and shall contain such additional provisions as the Director of Law deems necessary to protect and benefit the public interest.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by Solar Testing Laboratories, Inc. for the above mentioned professional service is hereby approved:

SUBCONTRACTOR	WORK
Alpha-Omega Chemical Co.	\$63,750, MBE
KS Associates	\$10,625, FBE
Office Pro	\$10,625, FBE

Yeas: Mayor White, Directors Carter, Carmody, Konicek, Balraj, Ricchiuto, Whitlow, Acting Director Shepard, Directors Jackson, Hudecek, Patterson, Warren, Axelrod.

Nays: None.
Absent: None.

Resolution No. 628-99.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that Board of Control Resolution No. 519-99, adopted August 14, 1999, pursuant to the authority of Section 129.24 of the Codified Ordinances of Cleveland Ohio, 1976, approving the bid of General Chemical Corporation as the lowest and best for aluminum sulfate — polyelectrolyte blend coagulants (item 1-A), for the Division of Water, Department of Public Utilities, is hereby amended by deleting "requisition no. 13986" and adding "requisition no. 13910".

Be it further resolved that all other provisions of said Resolution No. 519-99 not expressly amended hereby shall remain unchanged and in full force and effect.

Yeas: Mayor White, Directors Carter, Carmody, Konicek, Balraj, Ricchiuto, Whitlow, Acting Director Shepard, Directors Jackson, Hudecek, Patterson, Warren, Axelrod.

Nays: None.
Absent: None.

Resolution No. 629-99.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that

the bid of Sensus Technologies, Inc. for an estimated quantity of water meter parts (item 4 - parts for Rockwell meters), (less 20-24% discount of list price), for the Division of Water, Department of Public Utilities, for a period of one (1) year beginning with the date of execution of a contract received on the 21st day of May, 1999, pursuant to the authority of Section 129.25 of the Codified Ordinances of Cleveland Ohio, 1976, which on the basis of the estimated quantity would amount to Five Thousand Dollars (\$5,000.00) (Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into a requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 14927

which shall be certified against such contract in the sum of One Thousand Dollars (\$1,000.00).

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

Yeas: Mayor White, Directors Carter, Carmody, Konicek, Balraj, Ricchiuto, Whitlow, Acting Director Shepard, Directors Jackson, Hudecek, Patterson, Warren, Axelrod.

Nays: None.
Absent: None.

Resolution No. 630-99.

By Director Konicek.

Be it resolved, by the Board of Control of the City of Cleveland that all bids received on March 18, 1999 for rental and/or purchase of flashers, safety lights, arrow bars and traffic control devices for the various divisions Department of Public Utilities, pursuant to the authority of Ordinance No. 1945-98, passed by the Council of the City of Cleveland on December 14, 1998 are hereby rejected.

Yeas: Mayor White, Directors Carter, Carmody, Konicek, Balraj, Ricchiuto, Whitlow, Acting Director Shepard, Directors Jackson, Hudecek, Patterson, Warren, Axelrod.

Nays: None.
Absent: None.

Resolution No. 631-99.

By Director Balraj.

Be it resolved by Board of Control of the City of Cleveland that the bid of Koch Corporation, for the public improvement of Phase 2 Continuation of the Residential Sound Insulation Program, Group "F-99", for the Division of Cleveland Hopkins International Airport, Department of Port Control, received on August 11, 1999, pursuant to the authority of Ordinance No. 930-95, passed on June 19, 1995 and Ordinance No. 469-98, passed on May 18, 1998, upon a unit basis for the improvement, in the aggregate amount of \$1,448,008.00, is hereby affirmed and approved as the lowest responsible bid; and the Director of Port Control is hereby authorized to enter into a contract for said improvement with said bidder.

Be it further resolved that the employment of the following subcontractors by Koch Corporation for

the public improvement of the Phase 2 continuation of the Residential Sound Insulation Program, Group "F-99", hereby is approved:

MAP International
(MBE) — \$ 217,774.00

Thanos Contracting
(FBE) — \$138,474.00

Yeas: Mayor White, Directors Carter, Carmody, Konicek, Balraj, Ricchiuto, Whitlow, Acting Director Shepard, Directors Jackson, Hudecek, Patterson, Warren, Axelrod.

Nays: None.
Absent: None.

Resolution No. 632-99.

By Director Balraj.

Be it resolved by Board of Control of the City of Cleveland that the bid of Standen Contracting Company, for the public improvement of Phase 2 Continuation of the Residential Sound Insulation Program, Group "E-99", for the Division of Cleveland Hopkins International Airport, Department of Port Control, received on August 6, 1999, pursuant to the authority of Ordinance No. 930-95, passed on June 19, 1995 and Ordinance No. 469-98, passed on May 18, 1998, upon a unit basis for the improvement, in the aggregate amount of \$1,347,486.00, is hereby affirmed and approved as the lowest responsible bid; and the Director of Port Control is hereby authorized to enter into a contract for said improvement with said bidder.

Be it further resolved that the employment of the following subcontractors by Standen Contracting Company for the public improvement of the Phase 2 continuation of the Residential Sound Insulation Program, Group "E-99", hereby is approved:

Bumgarner Contracting
(MBE) — \$226,095.00

Thanos Contracting
(FBE) — \$107,844.00

Yeas: Mayor White, Directors Carter, Carmody, Konicek, Balraj, Ricchiuto, Whitlow, Acting Director Shepard, Directors Jackson, Hudecek, Patterson, Warren, Axelrod.

Nays: None.
Absent: None.

Resolution No. 633-99.

By Director Ricchiuto.

Resolved, by the Board of Control of the City of Cleveland that the bid of Custom Clutch Joint and Hydraulics, Inc. for an estimated quantity hydraulic cylinder repairs (all items) for the Division of Motor Vehicle Maintenance, Department of Public Service, for the period of two (2) years beginning with the date of execution of contract received on August 27, 1999, pursuant to the authority of Ordinance No. 789-99, passed June 7, 1999, which on the basis of the estimated quantity would amount to approximately One Hundred Thirty Two Thousand Seven Hundred Fifty and no/100 Dollars, (\$132,750.00), (2% 10 Days Net 30), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 09622 which shall be certified against such contract in the sum of Twelve Thousand and no/100 Dollars (\$12,000.00).

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

Yeas: Mayor White, Directors Carter, Carmody, Konicek, Balraj, Ricchiuto, Whitlow, Acting Director Shepard, Directors Jackson, Hudecek, Patterson, Warren, Axelrod.

Nays: None.

Absent: None.

Resolution No. 634-99.

By Director Ricchiuto.

Resolved, by the Board of Control of the City of Cleveland that the bid of Tire Distributors, Inc. for an estimated quantity tire recapping (all items) for the Division of Motor Vehicle Maintenance, Department of Public Service, for the period of two (2) years beginning with the date of execution of contract received on August 27, 1999, pursuant to the authority of Ordinance No. 792-99, passed June 7, 1999, which on the basis of the estimated quantity would amount to approximately One Hundred Thousand and no/100 Dollars, (\$100,000.00), (Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 09623

which shall be certified against such contract in the sum of Five Thousand and no/100 Dollars (\$5,000.00).

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

Yeas: Mayor White, Directors Carter, Carmody, Konicek, Balraj, Ricchiuto, Whitlow, Acting Director Shepard, Directors Jackson, Hudecek, Patterson, Warren, Axelrod.

Nays: None.

Absent: None.

Resolution No. 635-99.

By Director Guzman.

Resolved by the Board of Control of the City of Cleveland that the bid of Finley Fire Equipment Co. for an estimated quantity of Hoses, nozzles, fittings and adapters, item 4 to item 8, and item 13 for the Division of Fire, Department of Public Safety, for the period of one (1) year beginning with the date of execution of a contract, received on July 8, 1999, pursuant to the authority of Ordinance No. 1954-98, passed December 14, 1998, which on the basis of the estimated quantity would amount to Eleven Thousand, Three Hundred Sixty-Four and 70/100 Dollars, (\$11,364.70), Net 30 Days, is hereby affirmed and approved as the lowest and best bid, and the Director of Public Safety is hereby requested to enter into a require-

ment contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 2523

Hoses, nozzles, fittings and adapters: Items 4 to 8 and item 13, as specified

which shall be certified against such contract in the sum of Eleven Thousand, Three Hundred Sixty-Four and 70/100 Dollars (\$11,364.70).

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

Yeas: Mayor White, Directors Carter, Carmody, Konicek, Balraj, Ricchiuto, Whitlow, Acting Director Shepard, Directors Jackson, Hudecek, Patterson, Warren, Axelrod.

Nays: None.

Absent: None.

Resolution No. 636-99.

By Director Guzman.

Resolved by the Board of Control of the City of Cleveland that the bid of Maltese Fire Equipment Co. for an estimated quantity of Hoses, nozzles, fittings and adapters, item 1, item 2 and item 3 for the Division of Fire, Department of Public Safety, for the period of one (1) year beginning with the date of execution of a contract received on July 8, 1999, pursuant to the authority of Ordinance No. 1954-98, passed December 14, 1998, which on the basis of the estimated quantity would amount to Forty Thousand, Six Hundred Sixty Eight and 00/100 Dollars, (\$40,668.00), (2% Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Safety is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 2522

Hoses, nozzles, fittings and adapters: Items 1, 2 and 3, as specified

which shall be certified against such contract in the sum of Forty Thousand, Six Hundred Sixty Eight and 00/100 Dollars (\$40,668.00).

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

Yeas: Mayor White, Directors Carter, Carmody, Konicek, Balraj, Ricchiuto, Whitlow, Acting Director Shepard, Directors Jackson, Hudecek, Patterson, Warren, Axelrod.

Nays: None.

Absent: None.

Resolution No. 637-99.

By Director Guzman.

Resolved by the Board of Control of the City of Cleveland that the bid of Cleveland Fire Distributors for an estimated quantity of Hoses, nozzles, fittings and adapters, item 9 to item 12 for the Division of Fire,

Department of Public Safety, for the period of one (1) year beginning with the date of execution of a contract received on July 8, 1999, pursuant to the authority of Ordinance No. 1954-98, passed December 14, 1998, which on the basis of the estimated quantity would amount to Six Hundred Forty-Seven and 25/100 Dollars, (\$647.25), (Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Safety is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 2524

Hoses, nozzles, fittings and adapters:

Items 9 to 12, as specified against such contract in the sum of Six Hundred Forty-Seven and 25/100 Dollars (\$647.25).

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

Yeas: Mayor White, Directors Carter, Carmody, Konicek, Balraj, Ricchiuto, Whitlow, Acting Director Shepard, Directors Jackson, Hudecek, Patterson, Warren, Axelrod.

Nays: None.

Absent: None.

Resolution No. 638-99.

By Director Jackson.

Be it resolved by the Board of Control of the City of Cleveland that Board of Control Resolution No. 568-99, adopted August 25, 1999, as amended by Resolution No. 579-99, adopted September 1, 1999, pursuant to the authority of Ordinance No. 1087-99, passed June 7, 1999, approving the bid of Aaron Landscape, Inc. as lowest and best for labor and materials to plant trees at various locations throughout the City of Cleveland on City owned properties, is hereby further amended by adding after the item numbers the words "under Option A", and by increasing the estimated contract amount by Eleven Thousand, Four Hundred and Thirty Dollars (\$11,430.00) to a total of One Hundred Fifty Nine Thousand, Seven Hundred and Sixty Dollars (\$159,760.00).

Be it further resolved that all other terms and provisions of said Resolution No. 568-99, as amended by Resolution No. 579-99, not expressly amended hereby shall remain unchanged and in full force and effect.

Yeas: Mayor White, Directors Carter, Carmody, Konicek, Balraj, Ricchiuto, Whitlow, Acting Director Shepard, Directors Jackson, Hudecek, Patterson, Warren, Axelrod.

Nays: None.

Absent: None.

Resolution No. 639-99.

By Director Jackson.

Be it resolved by the Board of Control of the City of Cleveland that Board of Control Resolution No. 569-99, adopted August 25, 1999, as amended by Resolution No. 580-99, adopted September 1, 1999, pursuant to the authority of Ordinance No. 1087-99, passed June 7, 1999, approv-

ing the bid of The East Ohio Grass Company, Inc. as lowest and best for labor and materials to plant trees at various locations throughout the City of Cleveland on City owned properties, is hereby further amended by adding after the item numbers the words "under Option A", and by increasing the estimated contract amount by Six Thousand, Six Hundred and Eighty Five Dollars (\$6,685.00) to a total of Sixty Two Thousand, Three Hundred Dollars (\$62,300.00).

Be it further resolved that all other terms and provisions of said Resolution No. 569-99, as amended by Resolution No. 580-99, not expressly amended hereby shall remain unchanged and in full force and effect.

Yeas: Mayor White, Directors Carter, Carmody, Konicek, Balraj, Ricchiuto, Whitlow, Acting Director Shepard, Directors Jackson, Hudecek, Patterson, Warren, Axelrod.

Nays: None.

Absent: None.

Resolution No. 640-99.

By Director Jackson.

Resolved by the Board of Control of the City of Cleveland that the bid of U.S. Floor Service for the following: Gym Floor Renovations (All Items) for the Division of Recreation, Department of Parks, Recreation and Properties, received on the eleventh day of March, 1999, pursuant to the authority of Ordinance No. 1727-98, passed October 19, 1998, which on the basis of order quantity would amount to \$10,656.00 Dollars (20%-30 Days), is hereby approved as the lowest and best bid, and the Director of Parks, Recreation and Properties is hereby requested to enter into contract for such items.

Yeas: Mayor White, Directors Carter, Carmody, Konicek, Balraj, Ricchiuto, Whitlow, Acting Director Shepard, Directors Jackson, Hudecek, Patterson, Warren, Axelrod.

Nays: None.

Absent: None.

Resolution No. 641-99.

By Director Hudecek.

Whereas, pursuant to Ordinance No. 2076-76 passed October 25, 1976, the City is conducting a Land Reutilization Program in accordance with the provision of Chapter 5722 of the Ohio Revised Code; and

Whereas, City has acquired Permanent Parcel Nos. 106-23-002 and 106-23-003 under said Land Reutilization Program; and

Whereas, Ordinance No. 1452-99 passed August 11, 1999, authorized the sale of said parcels for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Jacqueline Flournoy has proposed to the City to purchase and develop said parcels; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 1452-99 passed August 11, 1999, by the Cleveland City Council, the Mayor is hereby authorized to execute an official deed for and on behalf of the City of Cleveland with Jacqueline Flournoy for the sale and development of Permanent Parcel Nos. 106-23-002 and 106-23-003, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcels shall be

\$100.00 (each), which amount is hereby determined to be not less than the fair market value of said parcels for uses in accordance with the Land Reutilization Program.

Yeas: Mayor White, Directors Carter, Carmody, Konicek, Balraj, Ricchiuto, Whitlow, Acting Director Shepard, Directors Jackson, Hudecek, Patterson, Warren, Axelrod.

Nays: None.

Absent: None.

Resolution No. 642-99.

By Directors Balraj and Warren.

Be it resolved by the Board of Control of the City of Cleveland that Resolution Number 375-99, approved by this Board of Control on June 16, 1999, directing the Commissioner of Purchases and Supplies to sell certain City-owned land to Cleveland Business Park, Ltd., is hereby amended by decreasing the area of increasing the consideration to be paid for said land as follows:

"27.6272 acres (Parcel B)" is deleted, and "27.0477 acres (Parcel B)" is inserted in lieu thereof, where appearing;

"30.9838 acres (Parcel C)" is deleted, and "21.3340 acres (Parcel C)" is inserted in lieu thereof, where appearing;

"Twenty-four Thousand Seventy and Fifty Hundredths Dollars (\$24,070.50)" is deleted, and "Twenty-five Thousand, Five Hundred Thirty-five Dollars (\$25,535.00)" is inserted in lieu thereof, where appearing; and

"Twenty-eight Thousand Seven Hundred Twenty-four and Seventy Hundredths Dollars (\$28,724.70)" is deleted, and "Thirty Thousand, Five Hundred Thirty-five Dollars (\$30,535.00)" is inserted in lieu thereof, where appearing.

Be it further resolved that all other provisions of said Resolution Number 375-99 not expressly amended hereby shall remain unchanged and in full force and effect.

Yeas: Mayor White, Directors Carter, Carmody, Konicek, Balraj, Ricchiuto, Whitlow, Acting Director Shepard, Directors Jackson, Hudecek, Patterson, Warren, Axelrod.

Nays: None.

Absent: None.

JEFFREY B. MARKS,
Secretary

CIVIL SERVICE NOTICES

General Information

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

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

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

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

ANNE BLOOMBERG,
President

CIVIL SERVICE NOTICE

ANNOUNCEMENTS - 1999

Announcement No.	Classification
------------------	----------------

55	Commissioner of Engineering and Construction (Non-Comp)
----	---

PROOF OF CITY RESIDENCY

Any applicant wishing to receive residency credit will be asked to show that he/she is a bona fide resident of the City of Cleveland. The following list gives examples of items that an applicant may present **at the time of filing**. The Civil Service Commission requires a minimum of three items from at least three **different** categories, where applicable. All items must be **current**. Please note that presentation of these items does not constitute conclusive proof of bona fide residency. Acceptable categories include, but are not limited to, the following:

Lease - from rental agency.

Lease - from independent party. Must include copy of cancelled check or money order receipts for previous rent and/or security deposit, and fully executed; otherwise, it is unacceptable.

Utility bills bearing the property address **and** your name.

Post Office change of address form properly date stamped.

Official documents relating to home ownership including deed, purchase agreement, or insurance policy.

Bank statements (Within last three months).

School registration of children.

Car insurance documents.

Car registration **or** Driver's License **or** Ohio I.D. (**One only**).

Loans and credit card statements (Within last three months).

Rental contracts (e.g.: furniture, tools, car, etc.).

Current bills not listed above (Within last three months).

The following are examples of **unacceptable** categories of proof:

Library cards.

Voter registration cards.

Birth certificates.

Notarized letters or affidavits.

Social Security card.

Rental receipts from independent party without cancelled checks or money order receipt.

APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 55

COMMISSIONER OF ENGINEERING
AND CONSTRUCTION (Non- Comp)

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of a non-competitive examination for the above mentioned classification.

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$43,672.91 to \$115,714.26 per year.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 1701 East 13th Street. No other form will be accepted. APPLICATIONS WILL BE RECEIVED FOR ENTRANCE TO THIS EXAMINATION FROM 8:30 A.M. ON MONDAY, OCTOBER 4TH UNTIL 4:30 P.M. ON FRIDAY, OCTOBER 8, 1999.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON OCTOBER 8, 1999.

THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.

EXAMINATION INFORMATION

TYPE: EXPERIENCE EVALUATION: Applicant's grade will be determined based on Education and Experience found in Resume.

NOTE: Each applicant is required to submit a detailed resume of his/her education and Experience at the time of filing application.

NOTE: THE CIVIL SERVICE COMMISSION RESERVES THE RIGHT TO REVIEW AND EVALUATE ANY AND ALL INFORMATION CONTAINED IN THE APPLICATION OR RESUME. LACK OF HONESTY WILL RESULT IN IMMEDIATE REMOVAL FROM THE ELIGIBLE LIST.

DUTIES OF THE POSITION

Under administrative direction, oversees the activities performed within the Engineering and Construction Division. Conducts negotiations with contractors concerning design and construction work. Performs other job-related duties as required.

MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:

Bachelor's Degree in Civil Engineering or related field required; ten years experience managing major engineering and construction projects, four of which must be in a supervisory capacity; or any equivalent combination of education, training, and experience which provides the requisite knowledge, skills, and abilities for this job. State of Ohio Drivers's License is required; Must be a Registered Professional Engineer in the State of Ohio; Must possess strong analytical, problem-solv-

ing, communication, and budgeting skills. Prior experience supervising in a union environment is preferred.

NOTE: All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Civil Service will make copies for a standard fee.

NOTE: Any applicant who resigns or is dismissed from employment with the City of Cleveland will have his/her name removed from the eligible list

AN EQUAL OPPORTUNITY EMPLOYER

ANNE BLOOMBERG,
President

September 29, 1999

SCHEDULE OF THE BOARD
OF APPEALS

MONDAY, OCTOBER 11, 1999

9:30 A.M.

Calendar No. 99-214: Appeal of Lynda J. Gillinov

Lynda J. Gillinov, owner, appeals under Section 209.01 of the Codified Ordinances from the decision of Richard L. Silva, Commissioner of Park Maintenance and Properties, that the properties in question, parcel numbers 124-02-032, 124-03-075, 124-03-076, 124-05-038, 124-05-045, 124-05-046, and 126-31-043 were in violation of the Cleveland Codified Ordinance Section 209.01 where no owner or person in possession or control of any lot or land within the City shall fail to keep such lot or land free of refuse, etc. (as noted in Section 209.01) and for which violations City maintenance services were required and the appellant was billed accordingly.

EUGENE CRANFORD, JR.,
Secretary

SCHEDULE OF THE BOARD
OF ZONING APPEALS

MONDAY, OCTOBER 11, 1999

9:30 A.M.

Calendar No. 99-228: 4201 Jennings Road (Ward 15)

Angelo Martin, owner, and Chris Hawling, tenant, appeal to park 20 tractor trailers on an approximate 75' x 170' parcel situated on the east side of Jennings Road at 4201 Jennings Road; said proposed parking being contrary to the Industrial District Regulations of Section 345.02(g)(1) where permitted uses in a Residence Industry District allow all uses as permitted in a Multi-Family District and a truck parking lot is not permitted in a Multi-Family District and contrary to the Off-Street Parking and Loading Requirements where a gravel lot is proposed and all off-street parking lots must be paved and drained within the premises as stated in Section 349.07 of the Codified Ordinances.

Calendar No. 99-229: 4205 Jennings Road (Ward 15)

John Joseph, owner, and Chris Hawling, tenant, appeal to park 20 tractor trailers on an approximate 250' x 403' parcel situated on the east side of Jennings Road at 4205 Jennings Road; said proposed park-

ing being contrary to the Industrial District Regulations of Section 345.02(g)(1) where permitted uses in a Residence Industry District allow all uses as permitted in a Multi-Family District and a truck parking lot is not permitted in a Multi-Family District and contrary to the Off-Street Parking and Loading Requirements where a gravel lot is proposed and all off-street parking lots must be paved and drained within the premises as stated in Section 349.07 of the Codified Ordinances.

Calendar No. 99-249: 2180 West 11th Street (Ward 13)

Eikona, Inc., owner c/o Nicholas Loya, appeals to change the use of an existing 26' 2" x 52' 10" two-story masonry building into an art studio on the first floor and residence units on the second floor all situated on a 52' x 68' parcel located in a Multi-Family District at the northwest corner of Fairfield Avenue and West 11th Street; said change of use being contrary to the Enforcement and Penalty Regulations of Section 327.02(e) where a site plan is required drawn to scale and contrary to the Off-Street Parking and Loading Requirements of Section 349.04 where 4 parking spaces are required and 0 are proposed, and Section 349.07(a) where paving and drainage are required and Section 349.07(c)(2) where no driveway shall be so located that there would be less than 15' between the point of tangency of the driveway apron radius and the outside crosswalk line at the intersection when such driveway is on the approach side of an intersection, and Section 349.07(c)(3) where the maximum width of driveway shall be 30' and the apron radius not less than 6' and Section 349.08 where screening from the adjoining lots is required with a fence or a strip of landscaping densely planted with shrubs planted 4' wide; and contrary to the Area Requirement Regulations where the maximum gross floor area required is 1,768 and 3,228 is proposed and contrary to the Yards and Courts Regulations of Section 357.04 where a 7' front yard setback is required and 0' is proposed, and Section 357.05 where a 5' side yard setback is required and 0' is proposed, and Section 357.08 where a 20' rear yard setback is required and 0' is provided and subject to the existing nonconforming use limitations of Section 359.01 of the Codified Ordinances.

Calendar No. 99-250: 9101 Kinsman Road (Ward 4)

McDonalds Corporation, owner c/o Dave Gnatowski, and W.A.R. Management c/o Wilson Rogers, tenant, appeal to install a 76.5 sq. ft. free standing sign to the north of the building and a 44.7 sq. ft. menu board sign and two 11.8 sq. ft. menu board signs to the north of the building and two 9 sq. ft. 3' high directional signs to the south of the building all situated on an irregular shaped acreage parcel on the north side of Kinsman Road at 9101 Kinsman Road; said signage installation being contrary to the Sign Regulations Requirements of Section 350.14(f) where one free standing menu board sign is permitted and 3 are proposed and exceed the maximum square footage and subject to the existing nonconforming use limitations of Section 359.01 of the Codified Ordinances.

Calendar No. 99-251: 10510-10540 Wilbur Avenue (Ward 6)

Ohio College of Podiatric Medicine, owner c/o Bernard Shupp, appeal to expand an existing 173 spaces parking lot for an additional 80 parking spaces on an approximate 427' x 174' acreage parcel located on the southwest corner of East 105th Street and Wilbur Avenue at 10510-10540 Wilbur Avenue; said expansion of the existing parking lot being contrary to Section 325.03 where the required area for parking spaces is 180 sq. ft. and 162 sq. ft. are provided, and contrary to the Business District Regulations of Section 343.01 where a parking lot is not permitted when not conforming to Section 349.13(C)(6 & 7) and contrary to the Off-Street Parking and Loading Requirements of Section 349.05 where a 10' setback is required along Cedar Avenue and 5' are provided and a 20' setback is required along East 106th Street and the proposed parking is 6' within the required setback on East 106th Street, and Section 349.08 where a minimum of 6' high board-on board fence or 4' landscaping and shrubs are required along the southerly portion of the lot near the residential district and subject to the existing nonconforming use limitations of Section 359.01 of the Codified Ordinances.

Calendar No. 99-252: 2382 East 74th Street (Ward 5)

Reverend Bruce Goode, owner, appeals to construct and enclose the 8' x 32'-6" first floor and second floor front porches of an existing two-story apartment building situated on a 53' x 80' parcel and located in a General Retail District on the west side of East 74th Street at 2382 East 74 Street; said construction and enclosures being contrary to the Yards and Courts Regulations of Section 357.04(a) where the required front yard setback is 15' and 12' are proposed and enclosed front porches projecting not more than 4' and no aggregate a vertical area in any story more than 20% of the area facade in that story as stated in Section 357.13(B)(4) of the Codified Ordinances.

Calendar No. 99-253: 5200-5208 Bridge Avenue (Ward 17)

Bridge Housing Corporation appeals to construct 5 townhouse units each at 16' x 38' and all situated on an 88' x 80' corner parcel and in a Two-Family District on the northwest corner of West 52nd Street and Bridge Avenue at 5200-5208 Bridge Avenue; said construction being contrary to the Residential District Regulations of Section 337.03 where residential attached units are not permitted in a Two-Family District and contrary to Area Requirement Regulations of Section 355.04 where 4,800 sq. ft. are required for a single lot and 1,254-1,818 sq. ft. are proposed and contrary to the Yards and Courts Regulations of Section 357.09 where 3' minimum and 10' aggregate side yards are required and 0 are proposed, and no building shall be erected less than 10' from a main building on an adjoining lot as stat-

ed in Section 357.09 of the Codified Ordinances.

EUGENE CRANFORD, JR.,
Secretary

REPORT OF THE BOARD OF ZONING APPEALS

MONDAY, SEPTEMBER 27, 1999

At the meeting of the Board of Zoning Appeals on Monday, September 27, 1999, the following appeals were heard by the Board:

The following appeals were **Approved:**

Calendar No. 99-236: 5701 Memphis Avenue

Bert Baker, owner, and Thomas Walsh, tenant, appealed to change the use of a repair garage into a restaurant and lounge in a Local Retail Business District.

Calendar No. 99-238: 1270 East 58th Street

Santos Torres, owner, appealed to construct a one-story wood frame storage addition to the rear of an existing two dwelling unit in a Two-Family District.

Calendar No. 99-239: 1701 Payne Avenue

Victor Shaia, owner, and Mental Health Services, Inc., c/o Jim Nagle, tenant, appealed to change the use of an existing one-story masonry building into a homeless shelter in a Semi-Industry District; approval conditioned upon submission for review of a definitive program plan, identifying occupancy, staffing (including security details), hours of operation and the services that will be provided.

Calendar No. 99-240: 6421 St. Clair Avenue

Slovenian National Home, owner, and Auto Parts Center, tenant, appealed to install a 6' x 12' wall sign and a 3'-6" x 8' window sign to the front and side of an existing one-story masonry building in a Local Retail Business District.

Calendar No. 99-248: 1209-1219 West 69th Street

Nalasco Housing Corporation, owner c/o Charles Manno, and Denison Homes, Inc. c/o Michael DeCesare, contractor, appealed to construct a 5 unit townhouse on a 98' x 122' parcel in a Multi-Family District.

The following appeals were **Denied:**

Calendar No. 99-180: 4810 State Road

Gurdev Rai and Karnail Raina, owners, appealed to expand an existing 108' x 64' eighteen car beverage store parking lot in a Local Retail District to create seven additional spaces where the proposed 40' x 50' addition would expand into a One-Family District.

The following appeal was **Postponed:**

Calendar No. 99-237: 10500-10520 Tacoma Avenue postponed to November 1, 1999.

On Monday, September 27, 1999, in Executive Session:

The following appeals were heard on Monday, September 20, 1999, and said decisions were approved and adopted by the Board on September 27, 1999:

The following appeals were **Approved:**

Calendar No. 99-233: 383 Eddy Road Christina Barhams, owner, appealed to enclose an existing 25' x 8' front porch of an existing 25' x 40' two dwelling house in a B-Two-Family District.

Calendar No. 99-235: 1031 East 105th Street

Cleveland Church of Christ, owner, appealed to construct a 200' x 175' two-story masonry church building on a 251' x 200' parcel in a Local Retail Business District.

The following appeals were **Denied:**

Calendar No. 99-230: Appeal of Eric Hensal

Eric Hensal, appealed from being cited for parking in an area not intended for accessory off-street parking located at 3611 Riverside Avenue.

Calendar No. 99-231: Appeal of Rudy Zupan

Rudy Zupan, appealed from being cited for parking in the driveway and lawn areas at the location of 9400 Clifton Boulevard.

EUGENE CRANFORD, JR.,
Secretary

REPORT OF THE BOARD OF APPEALS

MONDAY, SEPTEMBER 27, 1999

At the meeting of The Board of Appeals on Monday, September 27, 1999, the following appeal was heard by the Board.

The following appeal was **Denied:**

Calendar No. 99-184: Appeal of Samuel C. Sparacino

Samuel C. Sparacino, appealed from the recommendation of Chief Martin Flask, Cleveland Police Division, that he be denied a handgun registration and handgun owner's identification card.

EUGENE CRANFORD, JR.,
Secretary

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

NO MEETING

PUBLIC NOTICE

The following are in violation of C.O. 623.14:

Richard Alt, last known address, 1742 West 29th Street, Cleveland, Ohio 44113.

Richard Norris, last known address, 10127 South Blvd., Apartment 2, Cleveland, Ohio 44108.

NOTICE OF PUBLIC HEARING**Notice of Public Hearing
By the Council Committee
On City Planning**

**Mercedes Cotner
Committee Room 217
City Hall, Cleveland, Ohio
On Wednesday, October 6, 1999
1:00 P.M.**

Notice is hereby given to all interested property owners that the Council Committee on City Planning will hold a public hearing in the Mercedes Cotner Committee Room 217, City Hall, Cleveland, Ohio, on Wednesday, October 6, 1999, at 1:00 P.M., to consider the following ordinances now pending in the Council:

Ord. No. 270-99.

By Councilman Westbrook.

An ordinance to change the Use and Area Districts of lands on the north side of Madison Avenue, N.W. between West Park Boulevard and West 100th Street. (Map Change No. 1987, Sheet No. 1).

Ord. No. 594-99.

By Councilman Coats.

An ordinance to change the Use and Area Districts of lands on the westerly corner of Cliffview Road, N.E. and Belvoir Boulevard, N.E. (Map Change No. 1990, Sheet No. 7).

Ord. No. 898-99.

By Councilman Cimperman.

An ordinance to change the Use, Area, and Height Districts of lands on the southeasterly side of Glass Avenue, N.E. between E. 61 Street and Norwood Avenue, N.E. (Map Change No. 1992, Sheet No. 4).

Ord. No. 1093-99.

By Councilman Dolan.

An ordinance to change the Use District for the land area south of Old Lorain Road in the proposed expanded Fairview Hospital River-edge parking facility to a Parking District and a 'C' Area District (Map Change No. 1993, Sheet No. 12).

Ord. No. 1130-99.

By Councilman Cintron.

An ordinance to change the Use District of lands on the northerly side of Detroit Avenue, N.W., between W. 45 Street and west of W. 38 Street (Map Change No. 1996, Sheet No. 1).

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

ODELIA V. ROBINSON,
Chairman
Committee on City Planning

September 22, 1999 and September 29, 1999

CITY OF CLEVELAND BIDS**For All Departments**

Sealed bids will be received at the office of the Commissioner of Purchases and Supplies, Room 128, City Hall, in accordance with the append-

ed schedule, and will be opened and read in Room 128, City Hall, immediately thereafter.

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

187.10 Negotiated contracts; Notice required in Advertisement for Bids.

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

FRIDAY, OCTOBER 8, 1999

Cardinal Mindszenty Plaza Renovations Phase II, for the Division of Water, Department of Public Utilities, as authorized by Ordinance Nos. 1254-92 and 2096-92, passed by the Council of the City of Cleveland, June 15, 1992 and December 14, 1992, respectively.

A DEPOSIT OF ONE HUNDRED DOLLARS (\$100.00) CERTIFIED CHECK OR MONEY ORDER WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS. THE DEPOSIT WILL BE REFUNDED IF THE PLANS AND SPECIFICATIONS ARE RETURNED IN GOOD CONDITION WITHIN FIFTEEN (15) DAYS AFTER THE BID OPENING DATE.

A PRE-BID MEETING WILL BE HELD ON SEPTEMBER 30, 1999, 10:00 A.M., IN THE FOURTH FLOOR ATRIUM CONFERENCE ROOM, 1201 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

PSAP TDD Modules, for the Department of Public Safety, as authorized by Ordinance No. 182-99, passed by the Council of the City of Cleveland, June 7, 1999.

September 22, 1999 and September 29, 1999

FRIDAY, OCTOBER 15, 1999

Lifepak 12 ECG Monitor/Defibrillators, for the Department of Public Safety, as authorized by Ordinance No. 1954-98, passed by the Council of the City of Cleveland, December 22, 1998.

Physiocontrol Lifepak 500 Automated External Defibrillators and AED Trainers, for the Department of Public Safety, as authorized by Ordinance No. 1954-98, passed by the Council of the City of Cleveland, December 22, 1998.

September 22, 1999 and September 29, 1999

WEDNESDAY, OCTOBER 20, 1999

Upgrading the Heating Boilers at Nottingham Waterworks Plant, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 2167-98, passed by the Council of the City of Cleveland, March 29, 1999.

A DEPOSIT WILL BE REFUNDED IF THE PLANS AND SPECIFICATIONS ARE RETURNED IN GOOD CONDITION WITHIN FIFTEEN (15) DAYS AFTER THE BID OPENING DATE. A PRE-BID MEETING WILL BE HELD ON FRIDAY, OCTOBER 8, 1999, 10:00 A.M., AT THE NOTTINGHAM WATERWORKS PLANT, 1230 CHARDON ROAD.

Computer Related Hardware Equipment, for the Various Divisions of City Government, Department of Finance, as authorized by Ordinance No. 1057-99, passed by the Council of the City of Cleveland, June 14, 1999.

A PRE-BID MEETING WILL BE HELD ON WEDNESDAY, OCTOBER 6, 1999, 10:00 A.M., IN ROOM 400, 1404 EAST 9TH STREET, CLEVELAND, OHIO 44114.

September 29, 1999 and October 6, 1999

THURSDAY, OCTOBER 21, 1999

Labor and Materials to Maintain and Replace Exterior Site Landscaping, for the Various Divisions of the Department of Port Control, as authorized by Ordinance No. 576-99, passed by the Council of the City of Cleveland, June 7, 1999.

A PRE-BID MEETING WILL BE HELD ON MONDAY, OCTOBER 11, 1999, 1:00 P.M. IN THE BAGGAGE CLAIM A CONFERENCE ROOM, TERMINAL BUILDING, CLEVELAND HOPKINS INTERNATIONAL AIRPORT, 5300 RIVERSIDE DRIVE.

September 29, 1999 and October 6, 1999

FRIDAY, OCTOBER 22, 1999

Diesel-Powered Lift Truck, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 2000-98, passed by the Council of the City of Cleveland, December 14, 1998.

September 29, 1999 and October 6, 1999

**ADOPTED RESOLUTIONS
AND ORDINANCES****Res. No. 271-99.**

By Councilman Melena (by request). An emergency resolution declaring the intention to vacate a portion of West 76th Street.

Whereas, this Council; is satisfied that there is good cause to vacate all that portion of West 76th Street as hereinafter described, 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 it hereby declares its intention to vacate all those portions of the following described real property:

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

WEST 76TH STREET (20.00 feet wide) extending Northerly from the Northerly line of Lorain Avenue (66.00 feet wide) to the Southerly line of Colgate Court (14.00 feet wide).

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

Adopted September 20, 1999.
Effective September 27, 1999.

Res. No. 1585-99.

By Councilman Coats.

An emergency resolution urging Congress to adopt legislation to ensure the provisions of the Voting Rights Act of 1965 remain in place permanently.

Whereas, the 15th amendment to the United States Constitution prohibits racial discrimination in voting; and

Whereas, to ensure that this constitutional requirement was upheld, Congress enacted the Voting Rights Act of 1965 to address the widespread discrimination that existed in many areas of the country where African Americans were not permitted to vote, and those who registered to vote or assisted in registering others to vote risked losing their jobs, their homes and even their lives; and

Whereas, the Voting Rights Act of 1965 provided, among other things, for federal registrars to register voters in certain areas, federal monitors for elections, and prohibited the creation of voting procedures that were racially discriminatory; and

Whereas, the provisions of the Voting Rights Act were extended in 1970, 1975 and 1982 and are now scheduled to expire in 2007, if not further extended; and

Whereas, this Council of the City of Cleveland abhors racial discrimination in all forms, and particularly with respect to the ability to vote since that right is the cornerstone of our democracy; and

Whereas, the United States Congress should enact a measure that ensures that the mechanisms to monitor discrimination in voting established by the Voting Rights Act of 1965 will remain in effect permanently; now therefore

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

Section 1. That the Council of the City of Cleveland urges Congress to enact legislation that will ensure that the procedures to monitor and prevent discrimination in voting established by the Voting Rights Act of 1965 will remain in effect permanently, and not be subject to periodic review by Congress.

Section 2. That the Clerk of Council is hereby requested to transmit a copy of this resolution to the following members of Congress: Dennis Kucinich; Stephanie Tubbs Jones; Steve LaTourette; George Voinovich and Mike DeWine.

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

Adopted September 13, 1999.
Effective September 27, 1999.

Res. No. 1671-99.

By Councilman Lewis.

An emergency resolution withdrawing objection to the issuance of a C1 Liquor Permit to 1905 E. 55th St., and repealing Res. No. 469-99, objecting to said issuance.

Whereas, this Council objected to the issuance of a C1 Liquor Permit to 1905 E. 55th St., by Res. No. 469-99, adopted March 22, 1999; and

Whereas, this Council wishes to withdraw its objection to the above issuance and consents to said issuance based upon and pursuant to a cooperation agreement signed July 29, 1999, a copy of which is in the file for this address in the City Law Department; and

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

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

Section 1. That objection to the issuance of a C1 Liquor Permit to 1905 E. 55th St., be and the same is hereby withdrawn and Res. No. 469-99, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate issuance thereof.

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

Adopted September 20, 1999.
Effective September 27, 1999.

Res. No. 1672-99.

By Councilman Patmon.

An emergency resolution objecting to the issuance of a C1 Liquor Permit to 907 E. 105th St.

Whereas, Council has been notified by the Director of Liquor Control of an application for the issuance of a C1 Liquor Permit to Permit No. 6937588, Schereese H. Phippen, DBA Pippens Beverage & Corner Store, 907 E. 105th St., Cleveland, Ohio 44108; 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, property, safety and welfare pursuant to Section 4303.26 of the Ohio Revised Code. Council's objection to said permit must be received by the Director of Liquor Control within 30 days of notification; now, therefore,

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

Section 1. That Council does hereby record its objection to the issuance of a C1 Liquor Permit to Permit No. 6937588, Schereese H. Phippen, DBA Pippens Beverage & Corner Store, 907 E. 105th St., Cleveland, Ohio 44108 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 hereby is directed to transmit two certified copies of this resolution, together with two copies of a letter of objection and two copies of a letter requesting that the hearing be held in Cleveland, Cuyahoga County.

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

Adopted September 20, 1999.
Effective September 27, 1999.

Res. No. 1673-99.

By Councilman Robinson.

An emergency resolution objecting to the transfer of ownership of a C1 Liquor Permit to 3350 E. 116th St.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a C1 Liquor Permit from Permit No. 03695110015, Bagn Inc., DBA Fuel Stop, 3350 E. 116th St., Cleveland, Ohio 44120, to Permit No. 1550346, Cleveland Speedway Inc., DBA Citgo, 3350 E. 116th St., Cleveland, Ohio 44120; 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 oper-

ated 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, property, safety and welfare pursuant to Section 4303.26 of the Ohio Revised Code. Council's objection to said permit must be received by the Director of Liquor Control within 30 days of notification; now, therefore,

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a C1 Liquor Permit from Permit No. 03695110015, Bagn Inc., DBA Fuel Stop, 3350 E. 116th St., Cleveland, Ohio 44120, to Permit No. 1550346, Cleveland Speedway Inc., DBA Citgo, 3350 E. 116th St., Cleveland, Ohio 44120 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 hereby is directed to transmit two certified copies of this resolution, together with two copies of a letter of objection and two copies of a letter requesting that the hearing be held in Cleveland, Cuyahoga County.

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

Adopted September 20, 1999.
Effective September 27, 1999.

Res. No. 1674-99.
By Councilmen Westbrook and Willis.

An emergency resolution rejecting newly adopted Ohio Revised Code Sections 4939.01-.04 as unconstitutional and as an unnecessary intrusion into the right and obligation of the Council to enact legislation to regulate the right-of-way in the City of Cleveland.

Whereas, the City of Cleveland has the authority under the laws and Constitution of the State of Ohio, including Article 18, Sections 3 and 4, to exercise powers of local self-government, exercise police power and to regulate the impact of the use of the right-of-way within its municipal boundaries; and

Whereas, pursuant to Charter Section 190, "Council shall at all times control the distribution of space in, over, under or across all streets or public grounds and occupied by public utility fixtures. All rights granted for the construction and operation of public utilities shall be subject to the continuing right of the Council to require such reconstruction, relocation, change or discontinuance of the appliances used by the utility in the streets, alleys, avenues, and highways, of the City, as shall in the opinion of the Council be necessary in the public interest"; and

Whereas, in accordance with Charter Section 190, effective November 9, 1931, and the powers granted to the City pursuant to the Constitution of the State of Ohio, the Council of the City of Cleveland has enacted numerous ordinances regulating the public right-of-way throughout the City, as evidenced by the adoption of many chapters of the Codified Ordinances, including but not limited to, Chapters 503, 507, 508, 509, 521, 523, 531, 535, 541, 543, 670B, 675, 680, 3105, 3109, 3123, as well as the granting of franchises in accordance with Chapter 35 of the Charter, and is considering further regulation of the right-of-way through enactment of currently pending Ordinance No. 1412-99; and

Whereas, the Council unanimously approved Resolution No. 1175-99 on June 14, 1999, urging the State General Assembly to reject H.B. 283 which would usurp local home rule powers and would limit the authority of municipalities to regulate and charge fees for the use of its rights-of-way by public utilities, communication providers and cable television companies; and

Whereas, the state legislature nevertheless enacted Revised Code Sections 4939.01 - 4939.04 on June 30, 1999 which limit the City's ability to control, regulate and assess fees for the use of its right-of-way; and

Whereas, the Council considers this measure to be unconstitutional and violative of the City's right, duty and obligation to maintain and protect the public right-of-way in a safe and efficient manner; and

Whereas, the Council has and will continue to exercise its rights, duties and obligations to regulate the public right-of-way in the best interest of the health, safety and welfare of the citizens of the City of Cleveland; now, therefore,

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

Section 1. That the Council of the City of Cleveland has and will continue to regulate, control and maintain the public right-of-way in a manner that will protect and promote the health, safety and welfare of the citizens of the City of Cleveland.

Section 2. That the Council of the City of Cleveland rejects newly adopted Ohio Revised Code Sections 4939.01-.04 as unconstitutional and as an unnecessary and unwarranted intrusion into the right and obligation of the Council of the City of Cleveland to enact legislation to regulate, control and maintain the public right-of-way in the municipal boundaries of the City of Cleveland.

Section 3. That the Clerk of Council is hereby requested to transmit a copy of this resolution to the following: Governor Robert Taft; JoAnn Davidson, Speaker of the Ohio House of Representatives; Richard Finan, President of the

Ohio Senate; all area State Senators and State Representatives.

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

Adopted September 20, 1999.
Effective September 27, 1999, without the signature of the Mayor.

Res. No. 1675-99.

By Councilman Cintron.

An emergency resolution supporting the City of Mayfield Heights in its federal lawsuit relating to provision of waste collection services.

Whereas, the City of Mayfield Heights is currently in a legal battle relative to the provision of waste collection services for residents of condominiums; and

Whereas, requiring the municipality to collect the trash from condominiums would cost the City of Mayfield Heights in excess of \$1 million a year; and

Whereas, there are over 42 million Americans that live in condominiums throughout the country; and

Whereas, a ruling against the City of Mayfield Heights may have a devastating impact on municipalities throughout the nation; now, therefore,

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

Section 1. That the Council of the City of Cleveland supports the City of Mayfield Heights in its lawsuit currently pending before the Sixth Circuit Court of Appeals.

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

Adopted September 20, 1999.
Effective September 27, 1999, without the signature of the Mayor.

Ord. No. 1431-99.

By Councilmen White and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Personnel and Human Resources to enter into contract with various entities to provide services under Titles IIA and IIC of the 1999 Job Training Partnership Act; and authorizing the Directors of Personnel and Human Resources and Public Safety to enter into a memorandum of understanding to implement training.

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 Personnel and Human Resources is authorized to enter into contract with Famicos Foundation, The Merrick House, the Cleveland School Board, Ohio Technical College, Cleveland Truck and Bus Driving Academy, Inc., Meadowmark Computer Training, Inc., and King Col-

lege of Business dba Sawyer College, for the delivery of adult and youth employment and training services under Title IIA-77%, Title IIA-5% and Title IIC-82% of the 1999 Job Training Partnership Act.

Section 2. That the Director of Personnel and Human Resources is authorized to enter into a memorandum of understanding with the Director of Public Safety to implement the delivery of youth employment and training services under the 1999 Job Training Partnership Act.

Section 3. That the contracts authorized above and implementation of the memorandum of understanding shall not exceed \$854,507.00 and shall be paid from Fund Nos. 15 SF 091 and 15 SF 095, Request Nos. 8925, 8926, 8927, 8928, 8931, 8932, 8981, 8982, 8983, and 8995.

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.

Passed September 20, 1999.
Effective September 27, 1999.

Ord. No. 1668-99.
By Councilmen O'Malley, Jackson, Patmon, Willis, Westbrook, Zone, Lewis, Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing the Mayor to apply to the District One Public Works Integrating Committee for state funding of various infrastructure capital improvement projects and state funding to obtain credit enhancements and loan assistance in support of the City's 2000 general obligation issue for road and bridge improvements; and authorizing the Mayor to accept grants from the Ohio Public Works Commission for improvements to State Road, Central Avenue, East 110th Street, West 110th Street and East 79th Street.

Whereas, pursuant to Article VIII, Section 2k of the Ohio Constitution, the State of Ohio is authorized to issue bonds and other obligations of the State for the purpose of financing public infrastructure capital improvements of political subdivisions as designated by law; and

Whereas, pursuant to Section 164.03 of the Revised Code, the District One Public Works Integrating Committee has been created to evaluate applications for state financing of capital improvement projects of local subdivisions in Cuyahoga County; 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 Mayor is hereby authorized to apply to the District One Public Works Integrating Committee for state funding of the following infrastructure capital improvement projects:

1. State Road Rehabilitation (from Brookpark Road to Pearl Road);
2. Central Avenue Rehabilitation (from East 22nd Street to East 55th Street);
3. East 110th Street Rehabilitation (from St. Clair Avenue to Dundee Drive);

4. West 110th Street Rehabilitation (from Berea Road to Lorain Avenue); and

5. East 79th Street Rehabilitation (from Chester Avenue to St. Clair Avenue).

Section 2. That the Mayor is hereby authorized to apply to the District One Public Works Integrating Committee for state funding to obtain credit enhancements and loan assistance in support of the City's 2000 general obligation bond issue for bridge and road improvements.

Section 3. That the Mayor is hereby authorized to accept a grant in the approximate amount of \$4,051,840, from the Ohio Public Works Commission, acting by and through its Director, to finance the capital improvement of rehabilitating State Road from Brookpark Road to Pearl Road; that the Mayor is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds are hereby appropriated for the purposes set forth in the application for said grant. That the application, File No. 1668-99-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects, including the obligation of the City of Cleveland to provide cash matching funds in the approximate amount of \$1,012,960, to be paid from the fund or funds to which are credited the proceeds of the sale of general obligation bonds issued for this purpose in 2000.

Section 4. That the Mayor is hereby authorized to accept a grant in the approximate amount of \$4,440,000, from the Ohio Public Works Commission, acting by and through its Director, to finance the capital improvement of rehabilitating Central Avenue from East 22nd Street to East 55th Street; that the Mayor is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds are hereby appropriated for the purposes set forth in the application for said grant. That the application, placed in the above referenced file, made a part hereof as if fully rewritten herein, is hereby approved in all respects, including the obligation of the City of Cleveland to provide cash matching funds in the approximate amount of \$1,110,000, to be paid from the fund or funds to which are credited the proceeds of the sale of general obligation bonds issued for this purpose in 2000.

Section 5. That the Mayor is hereby authorized to accept a grant in the approximate amount of \$2,360,000, from the Ohio Public Works Commission, acting by and through its Director, to finance the capital improvement of rehabilitating East 110th Street from St. Clair Avenue to Dundee Drive; that the Mayor is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds are hereby appropriated for the purposes set forth in the application for said grant. That the application, placed in the above referenced file, made a part hereof as if fully rewritten herein, is hereby approved in all respects, including the obligation of the City of Cleveland to provide cash matching funds in the approximate amount of \$590,000, to be paid from the fund or funds to which are credited the proceeds of the sale of general obli-

tion bonds issued for this purpose in 2000.

Section 6. That the Mayor is hereby authorized to accept a grant in the approximate amount of \$5,291,200, from the Ohio Public Works Commission, acting by and through its Director, to finance the capital improvement of rehabilitating West 110th Street from Berea Road to Lorain Avenue; that the Mayor is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds are hereby appropriated for the purposes set forth in the application for said grant. That the application, placed in the above referenced file, made a part hereof as if fully rewritten herein, is hereby approved in all respects, including the obligation of the City of Cleveland to provide cash matching funds in the approximate amount of \$1,322,800, to be paid from the fund or funds to which are credited the proceeds of the sale of general obligation bonds issued for this purpose in 2000.

Section 7. That the Mayor is hereby authorized to accept a grant in the approximate amount of \$5,433,600, from the Ohio Public Works Commission, acting by and through its Director, to finance the capital improvement of rehabilitating East 79th Street from Chester Avenue to St. Clair Avenue; that the Mayor is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds are hereby appropriated for the purposes set forth in the application for said grant. That the application, placed in the above referenced file, made a part hereof as if fully rewritten herein, is hereby approved in all respects, including the obligation of the City of Cleveland to provide cash matching funds in the approximate amount of \$1,358,400, to be paid from the fund or funds to which are credited the proceeds of the sale of general obligation bonds issued for this purpose in 2000.

Section 8. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Passed September 20, 1999.
Effective September 27, 1999.

Ord. No. 1669-99.
By Councilman Cimperman.
An emergency ordinance consenting and approving the issuance of a permit for the Americas Walk For Diabetes (WALKTOBERFEST) on October 3, 1999, sponsored by American Diabetes Association.

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

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

Section 1. That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio, 1976, this Council consents to and approves the holding of the Americas Walk For Diabetes (WALKTOBERFEST), sponsored by American Diabetes

Association, on October 3, 1999, starting at Nautica Stage — Boardwalk, turn left on Center Road — cross Riverbed and Merwin Roads, turn left on Carter Road (this becomes Robert Lockwood Road), turn right on Front Street, turn right on West 9th Street, turn left on Lakeside Avenue, turn right on West 6th Street, turn left on Superior Avenue, circle Public Square via Tower City (not into circle), BP Building, Society Bank and the Illuminating Building, turn right on West 3rd Street, turn left onto Lakeside Avenue, turn right onto West 9th Street, turn onto Front Street, turn left onto Old River Road, turn right onto Center Street, turn right onto Main Street, which leads straight to Nautica Boardwalk/Finish Line, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinance of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

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

Passed September 20, 1999.
Effective September 27, 1999.

Ord. No. 1670-99.
By Councilman Patmon.
An emergency ordinance consenting and approving the issuance of a permit for the 2nd Annual Glenville Harvest Community Festival on October 23, 1999, sponsored by the Ward 8 Festival Committee.

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

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

Section 1. That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio, 1976, this Council consents to and approves the holding of the 2nd Annual Glenville Harvest Festival, sponsored by the Ward 8 Festival Committee, on October 23, 1999, starting at Lakeview Road (E. 110th Street)

and will continue down St. Clair Ave. onto the park on East 88th Street, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinance of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

Passed September 20, 1999.
Effective September 27, 1999.

**COUNCIL COMMITTEE
MEETINGS**

NO MEETINGS

Index

Bold figures—Final Publication; D—Defeated; R—Reprint; T—Tabled; V—Vetoed;
Bold type in sections indicates amendments

AIDS

2000 AIDS Prevention Program — grant — Health Department (O 1711-99).....1864

Agreements

Council's archive project — First Amendment Agreement — Richard Klein, PhD — Clerk of Council (O 1717-99).....1865

American Diabetes Association

Americas Walk for Diabetes (WALKTOBERFEST) — permit (O 1669-99)**1877**

Banners

Hayes Temple — banner — special church event (O 1718-99)1865

Board of Building Standards and Building Appeals

Agenda for Public Hearing — Board of Building Standard and Building Appeals — Wednesday, September 29, 1999 (F 1690-99)1861

Board of Control - Cleveland Business Park

Sell parcels - amend BOC Res. 375-99 (BOC Res. 642-99).....1871

Board of Control - Cleveland Hopkins International Airport Division

Residential Sound Insulation Program, Phase 2 Continuation (Group F-99) - contract pursuant to Ord. 930-95 and 469-98 to Koch Corporation - Division of Cleveland Hopkins International Airport, Dept. of Port Control (BOC Res. 631-99)1869

Residential Sound Insulation Program, Phase 2 Continuation (Group E-99) - contract pursuant to Ord. 930-95 and 469-98 to Standen Contracting Company - Division of Cleveland Hopkins International Airport, Dept. of Port Control (BOC Res. 632-99).....1869

Board of Control - Community Development Department

East 82nd Street, 1619 and 1623 (Ward 7) - PPN 106-23-002/003 - to Jacqueline Flournoy pursuant to Ord. 1452-99 (BOC Res. 641-99) 1871

Board of Control - Economic Development Department

Sell parcels - amend BOC Res. 375-99 (BOC Res. 642-99)..... 1871

Board of Control - Finance Department

Payroll system maintenance - amend Contract #54239 with Ceridian Employer Services, Inc. - Dept. of Finance (BOC Res. 625-99)..... 1868
Sell parcels - amend BOC Res. 375-99 (BOC Res. 642-99)..... 1871

Board of Control - Fire Division

Hoses, nozzles, fittings and adapters - contract pursuant to Ord. 1954-98 to Finley Fire Equipment Co. - Division of Fire, Dept. of Public Safety (BOC Res. 635-99) 1870
Hoses, nozzles, fittings and adapters - contract pursuant to Ord. 1954-98 to Maltese Fire Equipment Co. - Division of Fire, Dept. of Public Safety (BOC Res. 636-99) 1870
Hoses, nozzles, fittings and adapters - contract pursuant to Ord. 1954-98 to Cleveland Fire Distributors - Division of Fire, Dept. of Public Safety (BOC Res. 637-99) 1870

Board of Control - Land Reutilization Program

East 82nd Street, 1619 and 1623 (Ward 7) - PPN 106-23-002/003 - to Jacqueline Flournoy pursuant to Ord. 1452-99 (BOC Res. 641-99) 1871

Board of Control - Land Reutilization Program (Ward 7)

East 82nd Street, 1619 and 1623 (Ward 7) - PPN 106-23-002/003 - to Jacqueline Flournoy pursuant to Ord. 1452-99 (BOC Res. 641-99) 1871

Board of Control - Land Sales

Sell parcels - amend BOC Res. 375-99 (BOC Res. 642-99)..... 1871

Board of Control - Motor Vehicle Maintenance Division

Hydraulic cylinder repair - contract pursuant to Ord. 789-99 to Custom Clutch Joint and Hydraulics, Inc. - Division of Motor Vehicle Maintenance, Dept. of Public Service (BOC Res. 633-99) 1869
Tire recapping - contract pursuant to Ord. 792-99 to Tire Distributors, Inc. - Division of Motor Vehicle Maintenance, Dept. of Public Service (BOC Res. 634-99) 1870

Board of Control - Park Maintenance and Properties Division

Trees, labor and materials to plant on City-owned property - further amend BOC Res. 568-99 - Division of Park Maintenance and Properties, Dept. of Parks, Recreation and Properties (BOC Res. 638-99) 1870
Trees, labor and materials to plant on City-owned property - further amend BOC Res. 569-99 - Division of Park Maintenance and Properties, Dept. of Parks, Recreation and Properties (BOC Res. 639-99) 1870

Board of Control - Parks, Recreation and Properties Department

Gym floor renovations - contract pursuant to Ord. 1727-98 to U.S. Floor Service - Division of Recreation, Dept. of Parks, Recreation and Properties (BOC Res. 640-99)..... 1871
Trees, labor and materials to plant on City-owned property - further amend BOC Res. 568-99 - Division of Park Maintenance and Properties, Dept. of Parks, Recreation and Properties (BOC Res. 638-99) 1870
Trees, labor and materials to plant on City-owned property - further amend BOC Res. 569-99 - Division of Park Maintenance and Properties, Dept. of Parks, Recreation and Properties (BOC Res. 639-99) 1870

Board of Control - Port Control Department

Residential Sound Insulation Program, Phase 2 Continuation (Group F-99) - contract pursuant to Ord. 930-95 and 469-98 to Koch Corporation - Division of Cleveland Hopkins International Airport, Dept. of Port Control (BOC Res. 631-99) 1869
Residential Sound Insulation Program, Phase 2 Continuation (Group E-99) - contract pursuant to Ord. 930-95 and 469-98 to Standen Contracting Company - Division of Cleveland Hopkins International Airport, Dept. of Port Control (BOC Res. 632-99)..... 1869

Board of Control - Professional Service Contracts

Engineering and environmental consulting services - contract pursuant to Ord. 452-99 to Parsons Engineering Science, Inc. - Division of Water, Dept. of Public Utilities (BOC Res. 626-99) 1868

Engineering and environmental consulting services - contract pursuant to Ord. 452-99 to Solar Testing Laboratories, Inc. - Division of Water, Dept. of Public Utilities (BOC Res. 627-99) 1869

Board of Control - Public Improvement Contracts

Residential Sound Insulation Program, Phase 2 Continuation (Group F-99) - contract pursuant to Ord. 930-95 and 469-98 to Koch Corporation - Division of Cleveland Hopkins International Airport, Dept. of Port Control (BOC Res. 631-99) 1869

Residential Sound Insulation Program, Phase 2 Continuation (Group E-99) - contract pursuant to Ord. 930-95 and 469-98 to Standen Contracting Company - Division of Cleveland Hopkins International Airport, Dept. of Port Control (BOC Res. 632-99) 1869

Board of Control - Public Safety Department

Hoses, nozzles, fittings and adapters - contract pursuant to Ord. 1954-98 to Finley Fire Equipment Co. - Division of Fire, Dept. of Public Safety (BOC Res. 635-99) 1870

Hoses, nozzles, fittings and adapters - contract pursuant to Ord. 1954-98 to Maltese Fire Equipment Co. - Division of Fire, Dept. of Public Safety (BOC Res. 636-99) 1870

Hoses, nozzles, fittings and adapters - contract pursuant to Ord. 1954-98 to Cleveland Fire Distributors - Division of Fire, Dept. of Public Safety (BOC Res. 637-99) 1870

Board of Control - Public Service Department

Hydraulic cylinder repair - contract pursuant to Ord. 789-99 to Custom Clutch Joint and Hydraulics, Inc. - Division of Motor Vehicle Maintenance, Dept. of Public Service (BOC Res. 633-99) 1869

Tire recapping - contract pursuant to Ord. 792-99 to Tire Distributors, Inc. - Division of Motor Vehicle Maintenance, Dept. of Public Service (BOC Res. 634-99) 1870

Board of Control - Public Utilities Department

Aluminum sulfate - polyelectrolyte blend coagulants - amend BOC Res. 519-99 - Division of Water, Dept. of Public Utilities (BOC Res. 628-99) 1869

Engineering and environmental consulting services - contract pursuant to Ord. 452-99 to Parsons Engineering Science, Inc. - Division of Water, Dept. of Public Utilities (BOC Res. 626-99) 1868

Engineering and environmental consulting services - contract pursuant to Ord. 452-99 to Solar Testing Laboratories, Inc. - Division of Water, Dept. of Public Utilities (BOC Res. 627-99) 1869

Flashers, safety lights, arrow bars and traffic control devices, rental and / or purchases of - pursuant to Ord. 1945-98 - all bids rejected - Dept. of Public Utilities (BOC Res. 630-99) 1869

Water meter parts - contract pursuant to C.O. Sec. 129.25 to Sensus Technologies, Inc. - Division of Water, Dept. of Public Utilities (BOC Res. 629-99) 1869

Board of Control - Purchases and Supplies Division

Sell parcels - amend BOC Res. 375-99 (BOC Res. 642-99) 1871

Board of Control - Recreation Division

Gym floor renovations - contract pursuant to Ord. 1727-98 to U.S. Floor Service - Division of Recreation, Dept. of Parks, Recreation and Properties (BOC Res. 640-99) 1871

Board of Control - Requirement Contracts

Aluminum sulfate - polyelectrolyte blend coagulants - amend BOC Res. 519-99 - Division of Water, Dept. of Public Utilities (BOC Res. 628-99) 1869

Hoses, nozzles, fittings and adapters - contract pursuant to Ord. 1954-98 to Finley Fire Equipment Co. - Division of Fire, Dept. of Public Safety (BOC Res. 635-99) 1870

Hoses, nozzles, fittings and adapters - contract pursuant to Ord. 1954-98 to Maltese Fire Equipment Co. - Division of Fire, Dept. of Public Safety (BOC Res. 636-99) 1870

Hoses, nozzles, fittings and adapters - contract pursuant to Ord. 1954-98 to Cleveland Fire Distributors - Division of Fire, Dept. of Public Safety (BOC Res. 637-99) 1870

Hydraulic cylinder repair - contract pursuant to Ord. 789-99 to Custom Clutch Joint and Hydraulics, Inc. - Division of Motor Vehicle Maintenance, Dept. of Public Service (BOC Res. 633-99) 1869

Tire recapping - contract pursuant to Ord. 792-99 to Tire Distributors, Inc. - Division of Motor Vehicle Maintenance, Dept. of Public Service (BOC Res. 634-99) 1870

Trees, labor and materials to plant on City-owned property - further amend BOC Res. 568-99 - Division of Park Maintenance and Properties, Dept. of Parks, Recreation and Properties (BOC Res. 638-99) 1870

Trees, labor and materials to plant on City-owned property - further amend BOC Res. 569-99 - Division of Park Maintenance and Properties, Dept. of Parks, Recreation and Properties (BOC Res. 639-99) 1870

Water meter parts - contract pursuant to C.O. Sec. 129.25 to Sensus Technologies, Inc. - Division of Water, Dept. of Public Utilities (BOC Res. 629-99) 1869

Board of Control - Standard Purchase Contracts

Gym floor renovations - contract pursuant to Ord. 1727-98 to U.S. Floor Service - Division of Recreation, Dept. of Parks, Recreation and Properties (BOC Res. 640-99)..... 1871

Board of Control - Water Division

Aluminum sulfate - polyelectrolyte blend coagulants - amend BOC Res. 519-99 - Division of Water, Dept. of Public Utilities (BOC Res. 628-99) 1869

Engineering and environmental consulting services - contract pursuant to Ord. 452-99 to Parsons Engineering Science, Inc. - Division of Water, Dept. of Public Utilities (BOC Res. 626-99) 1868

Engineering and environmental consulting services - contract pursuant to Ord. 452-99 to Solar Testing Laboratories, Inc. - Division of Water, Dept. of Public Utilities (BOC Res. 627-99) 1869

Water meter parts - contract pursuant to C.O. Sec. 129.25 to Sensus Technologies, Inc. - Division of Water, Dept. of Public Utilities (BOC Res. 629-99) 1869

Board of Zoning Appeals - Report

Clifton Boulevard, 9400, (Ward 17) - Rudy Zupan - appeal denied and adopted on 9/27/99 (Cal. 99-231)..... 1873

East 105th Street, 1031, (Ward 8) - Cleveland Church of Christ, owner - appeal granted and adopted on 9/27/99 (Cal. 99-235)..... 1873

East 58th Street, 1270, (Ward 13) - Santos Torres, owner - appeal heard on 9/27/99 (Cal. 99-238)..... 1873

Eddy Road, 383, (Ward 10) - Christina Barhams, owner - appeal granted and adopted on 9/27/99 (Cal. 99-233) 1873

Memphis Avenue, 5701, (Ward 16) - Bert Baker, owner, and Thomas Walsh, tenant - appeal heard on 9/27/99 (Cal. 99-236) 1873

Payne Avenue, 1701, (Ward 13) - Victor Shaia, owner, and Mental Health Services, Inc., c/o Jim Nagle, tenant - appeal heard on 9/27/99 (Cal. 99-239) 1873

Riverside Avenue, 3611, (Ward 15) - Eric Hensal - appeal denied and adopted on 9/27/99 (Cal. 99-230) 1873

Sparacino, Samuel C. - appeal denied and adopted on 9/27/99 (Cal. 99-184) 1873

St. Clair Avenue, 6421, (Ward 13) - Slovenian National Home, owner, and Auto Parts Center, tenant - appeal heard on 9/27/99 (Cal. 99-240)..... 1873

State Road, 4810, (Ward 16) - Gurdev Rai and Karnail Raina, owners - appeal heard on 9/27/99 (Cal. 99-180) 1873

Tacoma Avenue, 10500-10520, (Ward 8) - Greater Abyssinia Baptist Church, owner, and T.L. Steward, agent - appeal postponed to 11/1/99 on 9/27/99 (Cal. 99-237)..... 1873

West 69th Street, 1209-1219, (Ward 17) - Nalasco Housing Corporation, owner, c/o Charles Manno, and Denison Homes, Inc., c/o Michael DeCesare, contractor - appeal heard on 9/27/99 (Cal. 99-248) 1873

Board of Zoning Appeals - Schedule

Bridge Avenue, 5200-5208, (Ward 17) - Bridge Housing Corporation - appeal to be heard on 10/11/99 (Cal. 99-253) 1873

East 74th Street, 2382, (Ward 5) - Reverend Bruce Goode, owner - appeal to be heard on 10/11/99 (Cal. 99-252) 1873

Gillinov, Lynda J. - appeal to be heard on 10/11/99 (Cal. 99-214) 1872

Jennings Road, 4201, (Ward 15) - Angelo Martin, owner and Chris Hawling, tenant - appeal to be heard on 10/11/99 (Cal. 99-228)..... 1872

Jennings Road, 4205, (Ward 15) - John Joseph, owner and Chris Hawling, tenant - appeal to be heard on 10/11/99 (Cal. 99-229)..... 1872

Kinsman Road, 9101, (Ward 4) - McDonalds Corporation, owner, c/o Dave Gnatowski, and W.A.R. Management, c/o Wilson Rogers, tenant - appeal to be heard on 10/11/99 (Cal. 99-250)..... 1872

West 11th Street, 2180, (Ward 13) - Eikona, Inc., owner, c/o Nicholas Loya - appeal to be heard on 10/11/99 (Cal. 99-249) 1872

Wilbur Avenue, 10510-10540, (Ward 6) - Ohio College of Podiatric Medicine, owner, c/o Bernard Shupp - appeal to be heard on 10/11/99 (Cal. 99-251) 1873

Bridges

Columbus Road Vertical Lift Bridge — interim repair — Amend Section 11 or Ordinance No. 456-99 (O 1562-99)	1867-1868
Quincy Avenue Bridge — rehabilitation — amend Section 11 of Ordinance No. 1161-94 (O 1719-99).....	1866

Buckeye Area Development Corporation

East 119th Street, 2798 (Ward 6) — Buckeye Area Development Corporation — rehabilitation — Community Development (O 1715-99).....	1865
---	------

City Council

Council's archive project — First Amendment Agreement — Richard Klein, PhD — Clerk of Council (O 1717-99).....	1865
--	------

City of Cleveland Bids

Cardinal Mindszenty Plaza renovations, Phase II - Department of Public Utilities - Division of Water - per Ord. 1254-92 and 2096-92 - bid due October 8, 1999 (advertised 9/22/99 and 9/29/99)	1874
Computer related hardware equipment - Department of Finance - per Ord. 1057-99 - bid due October 20, 1999 (advertised 9/29/99 and 10/6/99)	1874
Landscaping exterior sites, labor and materials to maintain and replace - Department of Port Control - per Ord. 576-99 - bid due October 21, 1999 (advertised 9/29/99 and 10/6/99).....	1874
Lifepak 12 ECG monitor / defibrillators - Department of Public Safety - per Ord. 1954-98 - bid due October 15, 1999 (advertised 9/22/99 and 9/29/99)	1874
Lift truck, diesel-powered - Department of Public Utilities - Division of Water - per Ord. 2000-98 - bid due October 22, 1999 (advertised 9/29/99 and 10/6/99)	1874
Nottingham Waterworks Plant heating boiler upgrade - Department of Public Utilities - Division of Water - per Ord. 2167-98 - bid due October 20, 1999 (advertised 9/29/99 and 10/6/99)	1874
Physiocontrol Lifepak 500 automated external defibrillators and AED trainers - Department of Public Safety - per Ord. 1954-98 - bid due October 15, 1999 (advertised 9/22/99 and 9/29/99)	1874
PSAP TDD Modules - Department of Public Safety - per Ord. 182-99 - bid due October 8, 1999 (advertised 9/22/99 and 9/29/99).....	1874

City Planning Commission

Cliffview Road, N.E. and Belvoir Boulevard, N.E. — Change the Use and Area Districts (O 594-99)	1874
Declaring the intention to vacate a portion of West 76th Street (R 271-99)	1874
Detroit Avenue, N.W. between West 45th St. and West 38th St. — change the Use District (O 1130-99).....	1874
Fairview Hospital Riveredge parking facility — change the Use District — Parking District and 'C' Area District (O 1093-99)	1874
Glass Avenue, southeasterly side — change Use, Area and Height Districts (Ward 13) (O 898-99)	1874
To change the use and area districts of lands on the north side of Madison Avenue, N.W. between West Park Boulevard and West 100th Street (Map Change No. 1987, Sheet No. 1) (O 270-99).....	1874

City Planning Department

East 63rd Street — Waterman Avenue, S.E. — change Use, Area and Height Districts (O 1712-99).....	1864
---	------

Codified Ordinances

New Section 381.101 — outdoor grilling restrictions — Codified Ordinances (O 1663-95).....	1867
--	------

Communications

Agenda for Public Hearing — Board of Building Standard and Building Appeals — Wednesday, September 29, 1999 (F 1690-99)	1861
Excess Property — Reference No. 006-99 — Purchases and Supplies Division (F 1691-99)	1861
Worker's Compensation Contracts Department Change — Community Development Department (F 1692-99)	1861

Community Development

East 119th Street, 2798 (Ward 6) — Buckeye Area Development Corporation — rehabilitation
 — Community Development (O 1715-99).....1865
 Worker's Compensation Contracts Department Charge — Community Development Department
 (F 1692-99)1861

Condolences

Acy, Rommel Edward (R 1724-99)1862
 Czacherski, Virginia (R 1723-99)1861
 Newsome-Ware, Harriett Luversia (R 1721-99).....1861
 Pollard, Ronald William (R 1722-99).....1861

Congratulations

Arab-American Community (R 1726-99).....1862
 Cheek, Stephen D. (R 1725-99).....1862
 Christopher O. Johnson Day in Midtown (R 1729-99).....1862
 Cudell Improvement, Inc. (R 1731-99)1862
 Galicki, Leonard S. (R 1727-99).....1862
 Pianka, Karen (R 1730-99)1862
 Schaub, Craig (R 1728-99).....1862

Congress of United States

Voting Rights Act of 1965 — Congress — adopt legislation (R 1585-99)1875

Contracts

East 40th Street, Phase III — public improvement — Service Department
 (O 1707-99).....1863
 East 55th Street, Phase III — public improvement — Service Department
 (O 1708-99).....1863

Grants

2000 AIDS Prevention Program — grant — Health Department (O 1711-99).....1864
 2000 Infant Mortality Reduction (Initiative) Project — grant — Health Department
 (O 1710-99).....1864
 City's 2000 general obligation issue — State Road, Central Avenue, East 110th Street,
 West 110th Street and East 79th Street — state funding — grants — Ohio Public
 Works Commission — Mayor (O 1668-99)1877

Health Department

2000 AIDS Prevention Program — grant — Health Department (O 1711-99).....1864
 2000 Infant Mortality Reduction (Initiative) Project — grant — Health Department
 (O 1710-99).....1864

Job Training Partnership Act

Title IIA and IIC of the 1999 Job Training Partnership Act — Memorandum of understanding
 — Personnel and Safety Department (O 1431-99)1876

Liquor Permits

Dolloff Road, 5346 (Ward 13) — New Application (F 1693-99).....1861
 East 105th Street, 907 (Ward 8) — Objecting to the issuance of a C1 (R 1672-99).....1875
 East 116th Street, 3350 (Ward 3) — Objecting to transfer of ownership (R 1673-99).....1875
 East 55th Street, 1905 (Ward 7) — Withdrawing objection to the issuance of C1
 (R 1671-99)1875
 Euclid Avenue, 5405 (Ward 5) — Transfer of Ownership (F 1695-99).....1861
 Huron Road, 200 fourth floor N.W. corner (Ward 13) — Transfer of Ownership
 (F 1697-99)1861
 West 105th Street, 3309 first floor and basement (Ward 19) — Transfer of Ownership
 (F 1696-99)1861
 West 130th Street, 3892 (Ward 20) — New Application (F 1694-99)1861
 West 130th Street, 3892 (Ward 20) — objection to issuance of a C1 (R 1720-99).....1866

Lutheran Metropolitan Ministry Association

2000 Infant Mortality Reduction (Initiative) Project — grant — Health Department
(O 1710-99).....1864

Mayor

City's 2000 general obligation issue — State Road, Central Avenue, East 110th Street,
West 110th Street and East 79th Street — state funding — grants — Ohio Public
Works Commission — Mayor (O 1668-99)1877

Memoranda of Understanding

Title IIA and IIC of the 1999 Job Training Partnership Act — Memorandum of understanding
— Personnel and Safety Department (O 1431-99).....1876

MetroHealth System

Two-story arcade along Scranton Avenue — MetroHealth Medical Center — Service Department
(O 1706-99).....1862

Ohio Public Works Commission

City's 2000 general obligation issue — State Road, Central Avenue, East 110th Street,
West 110th Street and East 79th Street — state funding — grants — Ohio Public
Works Commission — Mayor (O 1668-99)1877

Ohio Revised Code

Rejecting newly adopted Ohio Revised Code Sections 4939.01-04 — enact legislation
to regulate the right-of-way in the City of Cleveland (R 1674-99)1876

Outdoor Grilling

New Section 381.101 — outdoor grilling restrictions — Codified Ordinances
(O 1663-95).....1867

Peddlers

Orr, Robert Jr. (Ward 5) — Peddling (O 1714-99)1865
Williams Charles (Ward 5) — peddling (O 1713-99)1865

Permits

2nd Annual Glenville Harvest Community Festival — permit — Ward 8 Festival Committee
(O 1670-99).....1878
Americas Walk for Diabetes (WALKTOBERFEST) — permit (O 1669-99)1877
Hayes Temple — banner — special church event (O 1718-99)1865

Personnel Department

Title IIA and IIC of the 1999 Job Training Partnership Act — Memorandum of understanding
— Personnel and Safety Department (O 1431-99)1876

Port Control Department

Building automation computer systems and associated equipment — maintain and repair —
Port Control (O 1705-99)1862

Public Hearing Notice

Cliffview Road, N.E. and Belvoir Boulevard, N.E. — Change the Use and Area Districts
(O 594-99)1874
Declaring the intention to vacate a portion of West 76th Street (R 271-99)1874
Detroit Avenue, N.W. between West 45th St. and West 38th St. — change the Use District
(O 1130-99).....1874
Fairview Hospital Riveredge parking facility — change the Use District — Parking
District and 'C' Area District (O 1093-99)1874
Glass Avenue, southeasterly side — change Use, Area and Height Districts (Ward 13)
(O 898-99)1874
To change the use and area districts of lands on the north side of Madison Avenue, N.W.
between West Park Boulevard and West 100th Street (Map Change No. 1987, Sheet No.
1) (O 270-99).....1874

Purchases and Supplies Department

East 40th Street, Phase III — public improvement — Service Department
(O 1707-99).....1863

East 55th Street, Phase III — public improvement — Service Department
(O 1708-99).....1863

Excess Property — Reference No. 006-99 — Purchases and Supplies Division
(F 1691-99)1861

Resolutions — Miscellaneous

Federal lawsuit relating to provision of waste collection services — supporting City of
Mayfield Heights (R 1675-99)1876

Rejecting newly adopted Ohio Revised Code Sections 4939.01-04 — enact legislation
to regulate the right-of-way in the City of Cleveland (R 1674-99)1876

Voting Rights Act of 1965 — Congress — adopt legislation (R 1585-99)1875

Safety Department

Title IIA and IIC of the 1999 Job Training Partnership Act — Memorandum of understanding
— Personnel and Safety Department (O 1431-99)1876

Service Department

City's 2000 general obligation issue — State Road, Central Avenue, East 110th Street,
West 110th Street and East 79th Street — state funding — grants — Ohio Public
Works Commission — Mayor (O 1668-99)1877

Columbus Road Vertical Lift Bridge — interim repair — Amend Section 11 or Ordinance No.
456-99 (O 1562-99)1867-1868

Declaring the intention to vacate a portion of West 76th Street (R 271-99)1874

Disposal of Solid waste — Waste Collection Division (O 1124-99)1866-1867

East 40th Street, Phase III — public improvement — Service Department
(O 1707-99).....1863

East 55th Street, Phase III — public improvement — Service Department
(O 1708-99).....1863

Hayes Temple — banner — special church event (O 1718-99)1865

Quincy Avenue Bridge — rehabilitation — amend Section 11 of Ordinance No. 1161-94
(O 1719-99).....1866

State Road — Brookpark Road to Pearl Road — design improvement — Service Department
(O 1709-99).....1864

Two-story arcade along Scranton Avenue — MetroHealth Medical Center — Service Department
(O 1706-99).....1862

Statement of Work Acceptance

(RSIP) Improvement — Contract No. 53179 (Group L) — Port Control Department
(F 1698-99)1861

(RSIP) Improvement — Contract No. 53198 (Group N) — Port Control Department
(F 1701-99)1861

(RSIP) Improvement — Contract No. 53199 (Group O) — Port Control Department
(F 1700-99)1861

(RSIP) Improvement — Contract No. 53450 (Group J) — Port Control Department
(F 1699-99)1861

Delta Plumbing, Inc. — Contract No. 50884A — Utilities Department (F 1702-99).....1861

Franklin Loew Park — Ball Diamond Improvements - Phase I — Contract No. 53153 — Parks,
Recreation and Properties (F 1716-99)1861

Streets - Vacation

Declaring the intention to vacate a portion of West 76th Street (R 271-99)1874

Utilities Department

Correlator leak detector with accessories — Water Division — Utilities Department
(O 1704-99).....1862

Hydraulic testing equipment, internal pipeline inspection system and leak detection and
location system — Water Division (O 1416-99).....1867-1868

Maintain and repair elevators — Water Division — Utilities Department
(O 1413-99)1866-1868

One Motor — Water Division — Utilities Department (O 1703-99)1862

Repair water mains and appurtenances — Water Division (O 1415-99)1866-1868

Trac-vac residuals collection system — Water Division (O 1417-99)1867-1868

Waste Collections

Disposal of Solid waste — Waste Collection Division (O 1124-99)1866-1867

Water Division

Correlator leak detector with accessories — Water Division — Utilities Department
(O 1704-99).....1862

Hydraulic testing equipment, internal pipeline inspection system and leak detection and
location system — Water Division (O 1416-99)..... 1867-1868

Maintain and repair elevators — Water Division — Utilities Department
(O 1413-99)1866-1868

One Motor — Water Division — Utilities Department (O 1703-99) 1862

Repair water mains and appurtenances — Water Division (O 1415-99) 1866-1868

Trac-vac residuals collection system — Water Division (O 1417-99) 1867-1868

Zoning

Cliffview Road, N.E. and Belvoir Boulevard, N.E. — Change the Use and Area Districts
(O 594-99) **1874**

Declaring the intention to vacate a portion of West 76th Street (R 271-99) **1874**

Detroit Avenue, N.W. between West 45th St. and West 38th St. — change the Use District
(O 1130-99)..... 1874

Fairview Hospital Riveredge parking facility — change the Use District — Parking
District and 'C' Area District (O 1093-99) 1874

Glass Avenue, southeasterly side — change Use, Area and Height Districts (Ward 13)
(O 898-99) 1874

To change the use and area districts of lands on the north side of Madison Avenue, N.W.
between West Park Boulevard and West 100th Street (Map Change No. 1987, Sheet No.
1) (O 270-99)..... 1874

Zoning — Public Hearings — City Planning Committee

Cliffview Road, N.E. and Belvoir Boulevard, N.E. — Change the Use and Area Districts
(O 594-99) **1874**

Declaring the intention to vacate a portion of West 76th Street (R 271-99) **1874**

Detroit Avenue, N.W. between West 45th St. and West 38th St. — change the Use District
(O 1130-99)..... 1874

Fairview Hospital Riveredge parking facility — change the Use District — Parking
District and 'C' Area District (O 1093-99) 1874

Glass Avenue, southeasterly side — change Use, Area and Height Districts (Ward 13)
(O 898-99) 1874

To change the use and area districts of lands on the north side of Madison Avenue, N.W.
between West Park Boulevard and West 100th Street (Map Change No. 1987, Sheet No.
1) (O 270-99)..... 1874