

The City Record

Official Publication of the City of Cleveland

January the Twenty-Fourth, Two Thousand and One

Mayor	
Michael R. White	
President of Council	
Michael D. Polensek	
Clerk of Council	
Ruby F. Moss	
Ward	Name
1	Joseph T. Jones
2	Robert J. White
3	Zachary Reed
4	Kenneth L. Johnson
5	Frank G. Jackson
6	Patricia J. Britt
7	Fannie M. Lewis
8	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	Dona Brady
20	Martin J. Sweeney
21	Michael A. Dolan

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DIRECTORY OF CITY OFFICIALS

CITY COUNCIL—LEGISLATIVE

President of Council—Michael D. Polensek

Ward	Name	Residence	
1	Joseph T. Jones	4691 East 177th Street	44128
2	Robert J. White	3760 East 126th Street	44105
3	Zachary Reed	3232 East 119th 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.	3004 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	Dona Brady	3466 Bosworth Road	44111
20	Martin J. Sweeney	3632 West 133rd Street	44111
21	Michael A. Dolan	16519 West Park Road	44111

MAYOR – Michael R. White

Judith Zimomra, Chief of Staff
 Barry Withers, Executive Assistant for Administration
 Susan E. Axelrod, Senior Executive Assistant for Health and Human Services
 Kenneth Silliman, Executive Assistant for Development
 Nicholas P. Jackson, Executive Assistant for Services
 Nina Turner, Executive Assistant for Legislative Affairs
 Lucille Ambroz, Director, Office of Equal Opportunity

DEPT. OF LAW – Cornell P. Carter, Director, Pinky Carr, Chief Counsel, Room 106
 Lauren Moore, Chief City Prosecutor; Criminal Branch – Justice Center 8th Floor, Court Towers, 1200 Ontario Street
 Karen E. Martinez, Law Librarian, Room 100

DEPT. OF FINANCE – Ronald E. Brooks, Director, Room 104;
 Frank Badalamenti, Manager, Internal Audit
DIVISIONS – Accounts – Marilyn Henderson, Commissioner, Room 19
 City Treasury – Algeron Walker, Treasurer, Room 115
 Assessments and Licenses – Robert C. Brown, Commissioner, Room 122
 Purchases and Supplies – Myrna Branche, Commissioner, Room 128
 Printing and Reproduction – Diante Fritzgerald, Acting Commissioner, 1735 Lakeside Avenue
 Taxation – Nassim Lynch, Tax Administrator, 1701 Lakeside Avenue
 Financial Reporting and Control – Robert Dolan, Controller, Room 18
 Information Systems Services – Daniel Jarvis, 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 – Reuben Sheperd, Director,
 Cleveland Hopkins International Airport, 5300 Riverside Drive;
 Cleveland Hopkins International Airport – Mark D. Vanloh, Commissioner
 Burke Lakefront Airport – _____, 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, Commissioner, Harvard Yards
 Architecture – Paul Burik, Acting Commissioner, Room 517

DEPT. OF PUBLIC HEALTH – Michele C. Whitlow, Director, Mural Building 1925 St. Clair Avenue
DIVISIONS – Health – Cheri Hahn, Commissioner, Mural Building, 1925 St. Clair Avenue
 Environment – Donald Culp, 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 – Lt. Richard Petrencsik, Commissioner, 4150 East 49th Street, Building #1
 Dog Pound – John Baird, Chief Dog Warden, 2690 W. 7th Street
 Emergency Medical Service – Edward Eckart, Commissioner, 1708 South Pointe Drive

DEPT. OF PARKS, RECREATION & PROPERTIES – Alfred T. Miller, Jr., 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 – Tom Nagle, Commissioner, East 49th & Harvard

Parking Facilities – Dennis Donahue, Commissioner, Public Auditorium, E. 6th and Lakeside Ave.
 Park Maintenance and Properties – Richard L. Silva, 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 Vilkas, 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 – Dolores Alexander, Director, Room 122

COMMUNITY RELATIONS BOARD – Room 11, Dennis D. Dove, Director; Mayor Michael R. White, Chairman Ex-Officio; Mary Adele Springman, Vice-Chairman; Councilman Dona Brady, Councilman Joe Cimperman, City Council Representatives; Rev. Bruce Goode, Paula Castleberry, Charles E. McBee, Mary Adele Springman, Esq., Terez E. Woods, Emmett Saunders, John Banno, Mary Jane Buckshot, Kathryn M. Hall, Raymond Negron, Evangeline Hardaway, Edna Fuentes-Casiano, Janet Jankura, Gia Hoa Ryan.

CIVIL SERVICE COMMISSION – Room 119, Anne Bloomberg, President; _____, 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; Council President Michael D. Polensek.

BOARD OF ZONING APPEALS – Room 516, Carol Johnson, Chairman; Members: Chris Carmody, Margaret 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 Ronald E. Brooks, Secretary; Council President Michael D. Polensek.

BOARD OF SIDEWALK APPEALS – Service Director Mark Ricchiuto; Law Director Cornell P. Carter; Councilman Nelson Cintron, Jr.

BOARD OF REVIEW – (Municipal Income Tax) – Law Director Cornell P. Carter; Utilities Director Michael Konicek; Council President Michael D. Polensek.

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 Joseph Cimperman.

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

MORAL CLAIMS COMMISSION – Law Director Cornell P. Carter; Chairman; Finance Director Ronald E. Brooks; Council President Michael D. Polensek; Councilman Bill Patmon; Councilman Martin J. Sweeney.

BOARD OF EXAMINERS OF ELECTRICIANS – Samuel Montfort, Chairman; Donald Baulknigh, Anton J. Eichmuller, J. Gilbert Steele, Raymond Ossovic, 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, Lawrence Skule, 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 Joseph Cimperman, Councilman Timothy J. Melena, 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 C. Ellen Connally	15C
Judge Sean C. Gallagher	12C
Judge Mabel M. Jasper	14D
Judge Kathleen Ann Keough	13D
Judge Mary E. Kilbane	14C
Judge Ralph J. Perk, Jr.	14B
Judge Raymond L. Pianka (Housing Court Judge)	13B
Judge Angela R. Stokes	13A
Judge Robert J. Triozzi	14A
Judge Joseph J. Zone	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



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Vol. 88

WEDNESDAY, JANUARY 24, 2001

No. 4546

CITY COUNCIL

MONDAY, JANUARY 22, 2001

The City Record

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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:** Rybka, Chairman; Dolan, Vice Chairman; Brady, Britt, Johnson, Reed, Sweeney.

MONDAY—Alternating

11:00 A.M.—**Public Service Committee:** Cintron, Chairman; Sweeney, Vice Chairman; Coats, Johnson, Jones, Melena, O'Malley, Westbrook, Willis.

11:00 A.M.—**Employment, Affirmative Action & Training Committee:** White, Chairman; Lewis, Vice Chairman; Cintron, Coats, Gordon, Johnson, Jones.

MONDAY

2:00 P.M.—**Finance Committee:** Patmon, Chairman; Rybka, Vice Chairman; Britt, Cintron, Dolan, Lewis, Melena, O'Malley, Polensek, Sweeney, White.

TUESDAY

9:30 A.M.—**Community and Economic Development Committee:** Melena, Chairman; Lewis, Vice Chairman; Brady, Cimperman, Cintron, Jackson, Johnson, Jones, Willis.

TUESDAY—Alternating

1:00 P.M.—**Public Health Committee:** Gordon, Chairman; Brady, Vice Chairman; Cimperman, Jackson, Reed, Westbrook, Willis.

1:30 P.M.—**Legislation Committee:** Lewis, Chairman; Jones, Vice Chairman; Coats, Gordon, Reed, Westbrook, White.

WEDNESDAY—Alternating

10:00 A.M.—**Aviation & Transportation Committee:** Dolan, Chairman; O'Malley, Vice Chairman; Brady, Jones, Patmon, Rybka, Sweeney.

10:00 A.M.—**Public Safety Committee:** Polensek, Chairman; Patmon, Vice Chairman; Britt, Cimperman, Coats, Gordon, Jackson, Melena, Sweeney.

WEDNESDAY—Alternating

1:30 P.M.—**Public Utilities Committee:** O'Malley, Chairman; Patmon, Vice Chairman; Britt, Coats, Dolan, Melena, Polensek, Westbrook, Willis.

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

The following Committee is subject to the Call of the Chairman:

Mayor's Appointment Committee: O'Malley, Chairman; Britt, Cimperman, Patmon, Sweeney.

OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio
Monday, January 22, 2001.

The meeting of the Council was called to order, the President, Michael D. Polensek, in the Chair.

Councilmen present: Brady, Cimperman, Cintron, Coats, Dolan, Gordon, Jackson, Johnson, Jones, Lewis, Melena, O'Malley, Patmon, Reed, Rybka, Sweeney, Westbrook, White and Willis.

Also present were Directors Carter, Brooks, Konicek, Sheperd, Ricchiuto, Whitlow, Miller, Hudecek, Warren, Patterson, Alexander, Dove, Morrison, McCall and Acting Director Szabo.

Absent: Mayor White and Director Guzman.

Pursuant to Ordinance No. 2976-76, the Council Meeting was opened with a prayer offered by Rev. Gregory E. Coles, Associate Pastor of Olivet Institutional Baptist Church, located at 8712 Quincy Avenue in Ward 6 and President of the Boys and Girls Clubs of Cleveland. Pledge of Allegiance.

MOTION

On the motion of Councilman White, the reading of the minutes of the last meeting was dispensed with and the journal approved. Seconded by Councilman Patmon.

COMMUNICATIONS

File No. 41-01.

From the Department of Law re: Contract No. 56681 — Ulmer & Berne, LLP re: Year 2000 computer concerns. Received.

File No. 42-01.

From the Ohio Department of Rehabilitation & Correction — Bureau of Adult Detention re: review and inspection — 4th, 5th, and 6th District City Jails. Received.

File No. 43-01.

From the Office of Equal Opportunity re: Listing for Certification and Decertification of Minority and Female Business Enterprises, Fourth Quarter 2000. Received.

File No. 44-01.

From the Cleveland Bicentennial Commission re: acceptance of gift — decorative bridge lighting — Norfolk Southern Train Bridge. Received.

File No. 45-01.

From the Director of Public Service re: Subsidiary agreement — Perk Co. — W. 3rd St. Ramp Repairs — contract increase — \$498,846.00. Received.

File No. 46-01.

From the Director of Law re: Contract No. 57134 — Wesley Baker & Assoc. — property appraisal — 4615-4801 Chester Ave. (former Ward Bakery Building). Received.

FROM DEPARTMENT OF LIQUOR CONTROL

File No. 47-01.

Re: New Application - 56036170025 - Mascot Petroleum Co., Inc., d.b.a. Sunoco Marketing, 15240 Triskett Ave. (Ward 21). Received.

File No. 48-01.

Re: Transfer of Ownership Application - 4973904 - Lakecliff, Inc., 1261 West 76th Street & patio. (Ward 17). Received.

File No. 49-01.

Re: Transfer of Ownership Application - 42683440010 - Jeg Lounge Bar, Inc., 4995-97 Denison Avenue, first floor and basement. (Ward 16). Received.

File No. 50-01.

Re: Transfer of Ownership Application - 4197482 - David Lee Jackson Jr., d.b.a. Pat's Delicatessen, 5204 St. Clair Avenue, first floor front. (Ward 13). Received.

File No. 51-01.

Re: Transfer of Ownership Application - 6526720 - Okia, Inc., d.b.a. Pearl Road Tavern & Eatery, 4370 Pearl Road, first floor and basement. (Ward 16). Received.

File No. 52-01.

Re: Transfer of Ownership Application - 4275986 - Jennifer, Inc., d.b.a. Frank's Delicatessen, 4051 West 140th Street. (Ward 20). Received.

File No. 53-01.

Re: Transfer of Ownership Application - 8198305 - Sitaaras Security, Inc., d.b.a. Whitmores Kinsman BBQ, 15301-03-05 Kinsman Road. (Ward 3). Received.

File No. 54-01.

Re: Stock Transfer Application - 1171178 - C. T. L. J., Inc. d.b.a. Spy Bar, 1261-65 West 6th Street. (Ward 13). Received.

File No. 55-01.

Re: Stock Transfer Application - 5804911 - Meera, Inc., d.b.a. Lorain Sunoco, 13601 Lorain Avenue. (Ward 20). Received.

File No. 56-01.

Re: New Application - 2022968 - Delaney Village Enterprises, Inc., d.b.a. Sav Mor, 6206 Woodland Avenue. (Ward 5). Received.

File No. 57-01.

Re: Transfer of Location Application - 65493340001 - 5015 Detroit Ave, Inc., d.b.a. Amy Food Market, 5009 Detroit Ave. (Ward 17). Received.

File No. 58-01.

Re: Transfer of Ownership and Location Application - 1642235 - Colony Chop House, Inc., d.b.a. Colony Chop House, 503 Prospect Avenue. (Ward 13). Received.

File No. 59-01.

Re: Proposed Assignment of Liquor Agency Contract - Tops Market LLC, 10950 Lorain Avenue. (Ward 19). Received.

File No. 60-01.

Re: Transfer of Ownership and Location Application - 96100440040 - Wild Oats Mkts, Inc., d.b.a. Wild Oats Market, 13128-30 Shaker Boulevard. (Ward 4). Received.

CONDOLENCE RESOLUTIONS

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

Res. No. 61-01—Bessie Pierre Bullock Bradford.

Res. No. 62-01—Catherine McAlpine-Sales.

Res. No. 63-01—Evelyn Y. Harrell.

Res. No. 64-01—Miller E. Mischal.
Res. No. 65-01—Alberta Odessa Hollins.

Res. No. 66-01—Bennie Lois Oliver-Carson.

Res. No. 67-01—Harry C. Stewart, Jr.

Res. No. 68-01—Maria Ortiz Torres.

Res. No. 69-01—Clinton Roy Shepherd.

Res. No. 70-01—Dorothy Tolliver.

CONGRATULATION RESOLUTIONS

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

Res. No. 71-01—Clarence D. Rogers, Jr.

Res. No. 72-01—Seth Edgar Akoto.
Res. No. 73-01—Vietnamese New Year.

FIRST READING EMERGENCY ORDINANCES REFERRED**Ord. No. 74-01.**

By Mayor White.

An emergency ordinance to establish the Residential Neighborhood Revolving Sidewalk Repair Fund for the improvement and repair of sidewalks in the City's residential neighborhoods.

Whereas, the City of Cleveland will receive a refund from the Ohio Bureau of Workers' Compensation ("OBWC") during 2001 of premiums previously paid by the City to the OBWC; and

Whereas, these funds should be combined with other available monies in order to establish a fund to improve and repair sidewalks in the City's residential neighborhoods; 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 there is hereby established a Residential Neighborhood Revolving Sidewalk Repair Fund to be funded from monies refunded by the Ohio Bureau of Workers' Compensation during 2001, reimbursements from previous and continuing sidewalk assessments and other funds lawfully available for this purpose. Funds deposited into the Residential Neighborhood Revolving Sidewalk Repair Fund are hereby appropriated to pay up to fifty percent (50%) of the cost of improving and repairing sidewalks within the rights-of-way of the City's residential neighborhoods and to advance up to fifty percent (50%) of the cost of such sidewalk improvements and repairs, which costs may be reimbursed through assessment.

Section 2. That notwithstanding and as an exception to any previous ordinance, any funds received by the City through the sidewalk assessment process shall henceforth be deposited into the Residential Neighborhood Revolving Sidewalk Repair Fund to be used for the purposes set forth in Section 1 of this ordinance.

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 Finance, Law; Committee on Finance.

Ord. No. 75-01.

By Mayor White.

An emergency ordinance authorizing the Director of Port Control to enter into a requirement contract with Standard Signs, Inc. for the labor and materials necessary to install runway signs for the designation of the runways, for the Division of Cleveland Hopkins International Airport, Department of Port Control.

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

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

Section 1. That it is hereby determined that the within services are non-competitive and cannot be secured from any source other than Standard Signs, Inc. Therefore, the Director of Port Control is hereby authorized to make a written requirement contract with Standard Signs, Inc. for the labor and materials necessary to install runway signs for the designation of the runways, for the Division of Cleveland Hopkins International Airport, Department of Port Control.

Section 2. That the cost of said contract shall be charged against the proper appropriation account and the Director of Port Control 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 30914)

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. 76-01.

By Councilman Patmon (by departmental request).

An emergency ordinance authorizing the Director of Finance to lease space at the Ninth Street Plaza Building from MJM Management Company, or its designee, for a term not to exceed three years, for the public purpose of office space for the Division of Information Systems Services.

Whereas, the City of Cleveland requires certain space located on the fourth floor of the Ninth Street Plaza Building for the public purpose of leasing space for the offices of the Division of Information Systems Services; and

Whereas, MJM Management Company, or its designee, has proposed to lease said space to the City of Cleveland; and

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

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

Section 1. That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Finance is authorized to lease from MJM Management Company, or its designee, certain space more fully described as follows: The fourth floor of the Ninth Street Plaza Building, approximately 18,750 square feet of space.

Section 2. That the term of the lease authorized hereby shall be three years commencing January 1, 2001.

Section 3. That the rent for the lease hereby authorized shall be \$16.00 per square foot per year, plus allocable utility, operating and maintenance costs, and shall be subject to annual appropriation.

Section 4. That the lease may authorize the City to make improvements to the leased premises under terms to be determined by the parties with the public purpose or purpose of leasing space for the offices of the Division of Information Systems Services.

Section 5. That the cost of the lease shall be paid from Fund No. 70 SF 140, Request No. 7793.

Section 6. That the lease shall be prepared by the Director of Law and shall contain such authorized terms and conditions as are required to protect the interests of the City.

Section 7. That the Director of Finance and the Director of Law, and other appropriate City officials, are authorized to execute such other documents and certificates, and take such other actions as may be necessary or appropriate to effect the lease authorized by this ordinance.

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 Finance, Law; Committee on Finance.

Ord. No. 77-01.

By Councilmen Polensek, Patmon and White.

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Chapter 188 relating to employment of City residents for certain public improvement contracts.

Whereas, the Council of the City of Cleveland believes strongly in employment opportunities for minorities, females and Cleveland residents; and

Whereas, despite, billions of dollars being expended in the City of Cleveland on projects recently completed or currently under construction, few of the employment opportunities arising from those projects have gone to minorities, females and Cleveland residents; and

Whereas, this Council believes that construction workers working on City-funded projects should employ City residents in the furtherance of the City-funded projects or face financial penalties for failing to do so; and

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

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

Section 1. That, notwithstanding and as an exception to any provision of the Codified Ordinances of Cleveland, Ohio, 1976 to the contrary, the Codified Ordinances of Cleveland, Ohio, 1976, are hereby supplemented by enacting new Chapter 188, to read as follows:

Chapter 188

CITY RESIDENT EMPLOYMENT

Section 188.01 Definition of Terms
Section 188.02 Employment of City Residents

Section 188.03 Exception and Waivers

Section 188.04 Monitoring By Director; Reporting By Contractor

Section 188.05 Violation and Penalty

Section 188.06 Effective Date

Section 188.01 Definition of Terms.

As used in this chapter, the following words, phrases and terms shall be defined as set forth below:

(a) "City" means the City of Cleveland, Ohio.

(b) "Construction contract" means any binding agreement executed on or after the effective date of this chapter whereby the City either grants a privilege or is committed to expend or does expend funds or other resources for the erection, rehabilitation, alteration, conversion, extension, demolition or repair of improvements to real property, including facilities providing utility service and includes the supervision, inspection, and other on-site functions incidental to construction.

(c) "Director" means the Director of the Office of Equal Opportunity.

(d) "Residents" or "Residents of the City" shall mean persons domiciled within the boundaries of City of Cleveland. The domicile is an individual's one and only true, fixed and permanent home and principal establishment.

(e) "Skilled and unskilled construction trades workers" includes all work site foremen, journeymen, including technical engineers, apprentices, construction trainees and elevator construction helpers, and apprentices that are in a bona fide apprenticeship training program that is certified by the U.S. Department of Labor Bureau of Apprenticeship and Training. Salaried superintendents are excluded from the coverage of this special provision, as well as other helpers, watchmen, clerical workers, security guards, and custodial workers.

Section 188.02 Employment of City Residents.

(a) For any construction contract awarded after the effective date of this chapter and which is funded entirely or in part by the City of Cleveland, or in part with federal grant opportunities for the poor, minorities, and/or unemployed including, without limitation, Community Development Block Grants, Urban Development Action Grants

and Economic Development Administration Grants in which the City agrees to expend at least \$100,000 or more, Residents of the City shall perform 40% of the total construction worker hours performed by the contractor and the subcontractors in the categories of skilled and unskilled construction trade workers.

(b) For any construction contract awarded after January 1, 2003 and which is funded entirely or in part by the City of Cleveland, or in part with federal grant opportunities for the poor, minorities, and/or unemployed including, without limitation, Community Development Block Grants, Urban Development Action Grants and Economic Development Administration Grants in which the City agrees to expend at least \$100,000 or more, Residents of the City shall perform 45% of the total construction worker hours performed by the contractor and the subcontractors in the categories of skilled and unskilled construction trade workers.

(c) For any construction contract awarded after January 1, 2004 and which is funded entirely or in part by the City of Cleveland, or in part with federal grant opportunities for the poor, minorities, and/or unemployed including, without limitation, Community Development Block Grants, Urban Development Action Grants and Economic Development Administration Grants in which the City agrees to expend at least \$100,000 or more, Residents of the City of Cleveland shall perform 50% of the total construction worker hours performed by the contractor and the subcontractors in the categories of skilled and unskilled construction trade workers.

(d) These percentage levels are intended as minimum goals for utilization of Residents of the City of Cleveland on the construction projects and shall not be construed as limiting or deferring the full utilization of Residents of the City beyond this numerical level.

Section 188.03 Exceptions and Waivers.

(a) The Director shall develop standards and procedures for reducing or waiving the minimum percentage level of Residents set forth in Section 188.02. Such standards and procedures shall be provided to Council for review and publication in the City Record within thirty (30) days of the passage of this chapter. Such standards and procedures shall specify that the employment of the minimum percentage of Residents may be reduced only when a bidder can demonstrate the impracticality or excessive cost of complying with this percentage level for particular contracts or classes of employees.

(b) A waiver or reduction may be deemed appropriate by the Director if a bidder has unsuccessfully solicited a sufficient number of Residents of the City to perform the work identified in the bid solicitation and has documented such effort to the satisfaction of the Director. In addition, such standards and procedures shall require that a bidder seeking a waiver or reduction shall have provided timely notice of the need for qualified residents of the City of Cleveland to an appropriate

source of referrals, which source shall be entitled to comment on any waiver or reduction application. If the Director determines that a lesser percentage standard is appropriate with respect to a particular contract subject to competitive bidding prior to the bid solicitations for such contract, such bid solicitations shall include a statement of such revised standards.

(c) The Director shall file her determination on all reduction or waiver requests made pursuant to this paragraph with the Clerk of Council and the Employment Affirmative Action and Training Committee of this City Council within five (5) days of making such determination.

Section 188.04 Monitoring by Director; Reporting by Contractor.

(a) The Director shall separately monitor the utilization of Residents of the City of Cleveland on all applicable projects in skilled and unskilled construction trades workers positions, and shall report her findings in writing to the Clerk of Council and to the Employment Affirmative Action and Training Committee of this Council on a quarterly basis.

(b) The contractor shall provide for the maintenance of adequate employee residency records to ensure that Residents of the City are employed on the construction project. The contractor and subcontractors shall maintain copies of personnel documents supportive of every Cleveland employee's actual record of residence.

(c) Weekly certified payroll reports (U.S. Department of Labor Form WH-347 or equivalent) shall be submitted to the Director for applicable construction contracts and shall identify clearly the actual residence of every employee on each submitted certified payroll. The first time that an employee's name appears on a payroll, the date that the company hired the employee should be written in after the employee's name.

(d) Full access to the contractors' and subcontractors' employment records shall be granted to the Director, her designated agents, the Chief of Police, or any duly authorized representative thereof. The contractors and subcontractors shall maintain all relevant personnel data in records for a period of at least three years after final acceptance of work.

(e) At the direction of the Director, affidavits and other supporting documentation will be required of the contractor to verify or clarify an employee's actual address when doubt or lack of clarity has arisen.

Section 188.05 Violation and Penalty.

(a) When work on the construction project is completed, and in the event that the Director determines that the contractor has failed to fulfill the requirements of Section 188.02 concerning hours of work performed by Residents of the City or has failed to report in the manner set forth in Section 188.04, the City is deemed to have been damaged. Good faith efforts on the part of the contractor to provide employment to Residents of the City shall not suf-

fice to replace the actual, verified achievement of the requirements of Section 188.02.

(b) In the event of noncompliance with Section 188.02, 1/20 of 1 percent (.05%), 0.0005, of the approved contract value for the applicable contract shall be surrendered by the contractor to the City in payment for each percentage of shortfall toward the residency percentage set forth in Section 188.02.

(c) Failure to report the residency of employees in accordance with Section 188.04 shall result in the surrender of the entire penalty provided in section (b) hereof, and such penalty shall be calculated as if no Residents of the City were employed on the construction project.

(d) The willful falsification of statements or the certification of payroll data may subject the contractor or subcontractor or employee to prosecution.

(e) Any retainage to cover contract performance that may become due to the contractor pursuant to the Codified Ordinances of the City of Cleveland may be withheld by the City pending the determination by the Director whether the contractor must surrender damages as provided in this paragraph.

(f) In addition to assessing the monetary damages set forth above, the City may, for a period of five (5) years after a violation of this chapter, require the contractor to post a surety bond or other appropriate security in an amount representing twenty percent (20%) of the contract price for any subsequent contract on which the contractor bids, which the contractor shall agree and shall be required to forfeit in its entirety in the event that full compliance with the requirements of this chapter are not achieved during the performance of any future contract. This surety bond shall be in addition to such other surety bonds that are required pursuant to the Codified Ordinances of Cleveland, Ohio.

(g) Any person who is employed on a construction project subject to the provisions of this chapter who knowingly supplies false information concerning his or her residence shall be subject to a fine of not more than \$500.00 for each offense. Any person found to have violated knowingly supplied false information shall also be barred by the City from employment on any construction project subject to this chapter for a period of five years.

Section 188.06 Effective Date.

This chapter shall be effective on and after July 1, 2001.

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.

Referred to Directors of Office of Equal Opportunity, Personnel and Human Resources, Finance, Law; Committees on Employment, Affirmative Action and Training, Legislation, Finance.

Ord. No. 78-01.

By Councilmen Westbrook, O'Malley, Cimperman and Patmon (by departmental request).

An emergency ordinance determining the method of making the public improvement of constructing the Garrett A. Morgan Museum within the Garrett A. Morgan Water Treatment Plant; authorizing the Director of Public Utilities to enter into contract for the making of such improvement; and authorizing said director to employ one or more professional consultants to design the improvement.

Whereas, the City of Cleveland owns and operates the Garrett A. Morgan Water Treatment Plant and such plant is part of the Cleveland water system; and

Whereas, the Cleveland water system includes water intake tunnels and during the construction of such tunnels numerous disasters occurred resulting in the death of over one hundred individuals; and

Whereas, one such disaster occurred on July 14, 1916, when workers were constructing a tunnel and struck a pocket of natural gas thereby resulting in an explosion; and

Whereas, Garrett A. Morgan and three other individuals entered the gas-filled tunnel with a gas mask invented by Mr. Morgan and rescued several workers; and

Whereas, the gas mask invented by Mr. Morgan is a significant contribution to public safety and it is the desire of this Council to create a museum honoring Mr. Morgan and the individuals who perished in the construction of the Cleveland water system; and

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

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

Section 1. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of constructing the Garrett A. Morgan Museum within the Garrett A. Morgan Water Treatment Plant, for the Division of Water, Department of Public Utilities, by contract duly let to the lowest responsible bidder after competitive bidding for a gross price for the improvement.

Section 2. That, the Director of Public Utilities is hereby authorized to enter into contract for the making of the above public improvement with the lowest responsible bidder after competitive bidding for a gross price 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 for a gross price. Upon request of said Director the contractor shall furnish a correct schedule of unit prices, including profit and overhead, for all items constituting units of said improvement.

Section 3. That the Director of Public Utilities is hereby authorized to employ by contract one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed

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

The selection of said consultants for such services shall be made by the Board of Control upon the nomination of the Director of Public Utilities 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 Utilities 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 Utilities, and certified by the Director of Finance.

Section 4. That the cost of said improvement shall not exceed \$40,000 and the cost of said professional services hereby authorized shall not exceed \$10,000 and shall be paid from Fund No. 52 SF 001.

Section 5. 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, City Planning Commission, Finance, Law; Directors of Public Utilities, City Planning, Finance.

Ord. No. 79-01.

By Councilmen Rybka, Cimperman and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to apply for and accept a grant from the State of Ohio, Department of Administrative Services, for projects authorized under the State Capital Appropriation Grant; determining the method of making the public improvement necessary to implement the grant; authorizing said Director to enter into contract for the making of such public improvement; and authorizing said Director to employ professional services necessary to design 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 the Director of Parks, Recreation and Properties is hereby authorized to apply for and accept a grant in the amount of \$655,000, from the State of Ohio, Department of Administrative Services, for the following projects authorized under the State Capital Appropriation Grant, which are set forth in the award letter and according thereto: improving Rockefeller Park Public Greenhouse; renovating and improving Halloran Park; and constructing site improvements to Hanna Plaza. That the Director of Parks, Recreation and Properties 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 award letter for said grant.

Section 2. That the award letter for said grant, File No. 79-01-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

Section 3. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of renovating and improving Halloran Park, for the Department of Parks, Recreation and Properties, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.

That the Director of Parks, Recreation and Properties is hereby authorized to enter into a 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, or such trades or components may be the subject of a separate contract upon a unit basis.

Section 4. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of constructing site improvements to Hanna Plaza, for the Department of Parks, Recreation and Properties, by contract duly let to the lowest responsible bidder after competitive bidding for a gross price for the improvement.

That the Director of Parks, Recreation and Properties is hereby authorized to enter into a contract for the making of the above public improvement with the lowest responsible bidder after competitive bidding for a gross price 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, or such trades or components may be the subject of a separate contract for a gross price. Upon request of said Director the contractor shall furnish a correct schedule of unit prices, including profit and overhead, for all items constituting units of said improvements.

Section 5. That the Director of Parks, Recreation and Properties is hereby authorized to employ by contract one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to design the public improvements authorized above.

The selection of said consultants for such services shall be made by the Board of Control upon the nomination of the Director of Parks, Recreation and Properties from a list of qualified consultants available for such employment as may be

determined after a full and complete canvass by the Director of Parks, Recreation and Properties 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 Parks, Recreation and Properties, and certified by the Director of Finance.

Section 6. That the cost of the public improvement and professional services authorized herein shall be paid from the grant proceeds accepted pursuant to this ordinance.

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

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

Ord. No. 80-01.

By Councilmen Rybka and Patmon (by departmental request).

An emergency ordinance authorizing the procurement by requirement contract for the rental of golf carts for Highland and Seneca golf courses, Department of Parks, Recreation and Properties, for a period of five 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 Parks, Recreation and Properties 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 five years for the necessary items of the rental of golf carts for Highland and Seneca golf courses in the approximate amount as purchased during the preceding term, to be procured by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Recreation, Department of Parks, Recreation and Properties. 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 five 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 procurement thereunder, which procurement, together with all subsequent procurements, 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 32502)

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

Ord. No. 81-01.

By Councilmen Rybka and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of food and beverage items, for the Division of Recreation, Department of Parks, Recreation and Properties, for a period not to exceed three 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 Parks, Recreation and Properties 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 three years for the necessary items of food and beverage items 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 Division of Recreation, Department of Parks, Recreation and Properties. 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 three 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 32533)

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

Ord. No. 82-01.

By Councilmen Rybka and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of various pool chemicals, for the Division of Recreation, Department of Parks, Recreation and Properties.

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

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

Section 1. That the Director of Parks, Recreation and Properties 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 one year for the necessary items of various pool chemicals 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 Recreation, Department of Parks, Recreation and Properties. 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 a year 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 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 32532)

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

Ord. No. 83-01.

By Councilmen Dolan and Rybka. An emergency ordinance authorizing and directing the Director of Port Control to enter into a First Amendment to the Lease Agreement with Anthony M. Pilla, Contract No. 33383, for the operation and maintenance of a chapel at Cleveland Hopkins International Airport.

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

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

Section 1. That notwithstanding any provisions of the Codified Ordinances of Cleveland, Ohio, 1976 to the contrary, the Director of Port Control is authorized and directed to enter into a First Amendment to the Agreement with Anthony M. Pilla, Bishop of the Catholic Diocese of Cleveland, Contract No. 33383, for the operation and maintenance of the chapel at Cleveland Hopkins International Airport. The First Amendment shall extend the existing term for a period of ten (10) years; all other terms and provisions of Contract No. 33383 shall remain in effect and unchanged.

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.

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

Ord. No. 84-01.

By Councilmen Cintron, Cimperman and Patmon (by departmental request).

An emergency ordinance authorizing an amendment to the Lease with the Cleveland Browns to delete a certain portion of the Leased Premises for use as a public right-of-way necessary to facilitate access to Cleveland Cuyahoga County Port Authority property; and to enter into an agreement with the Cleveland Cuyahoga County Port Authority to grant consent to it to effectuate public improvements in the construction of an access road.

Whereas, the Cleveland Cuyahoga County Port Authority desires to improve access to its property by constructing an access road, making public improvements to the West Third Street Bridge and relocating the West Third Street ramps to the Cleveland Memorial Shoreway; and

Whereas, the City entered into a Lease By Way of Concession dated April 26, 1996, (the "Lease") with the National Football League ("NFL") pursuant to Ordinance No. 303-96, passed March 18, 1996, (subsequently assigned by the NFL to the Cleveland Browns football team) leasing certain premises set forth in Exhibit B of the Lease (the "Leased Premises"); and

Whereas, the City wishes to use a certain portion of the Leased Premises as a public right-of-way to improve access to Cleveland Cuyahoga County Port Authority property; and

Whereas, the Cleveland Cuyahoga County Port Authority will use its own funds for these public improvements and has also secured funding from the Ohio Department of Development and the Ohio Department of Transportation; and

Whereas, the City of Cleveland agrees that the public improvements described above are necessary and will benefit the City of Cleveland; and

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

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

Section 1. That the Director of Parks, Recreation and Properties is hereby authorized to enter into an amendment to the Lease with the Cleveland Browns to delete a certain portion of the Leased Premises, specifically a six foot strip of land along the southern edge of the current Leased Premises, for use as a

public right-of-way necessary to facilitate access to Cleveland Cuyahoga County Port Authority property. The legal description of the Leased Premises after the deletion of the certain portion of land is contained in File No. 84-01-A.

All other terms and conditions contained in the original lease shall remain the same.

Section 2. That the Director of Public Service is hereby authorized to enter into an agreement with the Cleveland Cuyahoga County Port Authority to grant consent to it to effectuate public improvements to the West Third Street Bridge and the ramps at West Third Street to the Cleveland Memorial Shoreway and to construct an access road leading to the Port Authority property.

Section 3. That the amendment and agreement herein authorized shall be prepared by the Director of Law and shall contain such terms and conditions as said Director deems necessary to protect the City of Cleveland and benefit the public 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.

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

Ord. No. 85-01.

By Councilman Westbrook (by request).

An emergency ordinance authorizing the Director of Public Service to issue a permit to Cudell Improvement, Inc. to encroach into the right-of-way of Detroit Avenue between West 110th and West 117th Streets with approximately nineteen (19) banners to be attached to CPP utility poles (by separate permission) for an on-going banner program for the Detroit Business District.

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 hereby is authorized to issue a permit, revocable at the will of Council, and assignable by the Permittee with the written consent of the Director of Public Service to Cudell Improvement, Inc., 11650 Detroit Avenue, Cleveland, Ohio 44102, its successors and assigns, for the construction, use and maintenance of an on-going banner program which will include approximately nineteen (19) banners for the Detroit Avenue Business District, to be attached to Cleveland Public Power utility poles (by separate permission) which will encroach into the public right-of-way of Detroit Avenue between West 110th Street and West 117th Street at the locations more fully described as follows:

<u>LOCATION:</u>	<u>POLE NUMBER:</u>	<u>USE:</u>
<u>DETROIT AVENUE:</u>		
11006 Detroit (N)	E-7-11	Banner
11014 Detroit (N)	No Tag	Banner
11024 Detroit (N)	E-7-12	Banner
11210 Detroit (N)	E-7-15	Banner
11500 Detroit (N)	E-7-17	Banner
11500 Detroit (N)	E-7-19	Banner
11604 Detroit (N)	E-7-21	Banner
11650 Detroit (N)	E-7-23	Banner
NE Corner of Detroit & W. 117 St.	E-7-24	Banner
SE Corner of Detroit & W. 117 St.	E-8-2	Banner
11609 Detroit (S)	E-8-4	Banner
11603 Detroit (S)	E-8-5	Banner
11411 Detroit (S)	E-8-9	Banner
11411 Detroit (S)	E-8-7	Banner
11215 Detroit (S)	E-8-10	Banner
11201 Detroit (S)	E-8-11	Banner
11103 Detroit (S)	E-8-13	Banner
11101 Detroit (S)	E-8-14	Banner

Section 2. That said banners will be placed within the public right-of-way as aforesaid in Section 1, and will be constructed in accordance with plans and specifications approved by the Commissioner of Engineering and Construction. That all other required permits, including a Building Permit, shall be obtained before said fence is constructed.

Section 3. That nothing in this ordinance grants or shall be considered to grant to Permittee any right, privilege or permission to use or to attach or affix any object to poles described in Section 1 of this ordinance.

Section 4. That the permit herein authorized shall be prepared by the Director of Law and shall be issued only when in the opinion of the Director of Law, the City of Cleveland has been properly indemnified against any and all loss which may result from said permit.

Section 5. 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. 86-01.
By Councilmen Gordon and Patmon (by departmental request).
An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the United States Department of Justice for the 2001 Cleveland Community Re-entry 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 amount of \$46,195, from the United States Department of Justice, OCJS, to conduct the 2001 Cleveland Community Re-entry 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. 86-01-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 \$15,399, payable from Fund No. 01-600200-639905, is hereby approved in all respects.

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

Ord. No. 87-01.
By Councilmen Lewis, Melena, Cimperman and Patmon (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 1176, 1178, 1174 East 79th Street to The House of God, The Church of the Living God, The Pillar and the Ground of the Truth, The House of Prayer for All People, Inc. of Kentucky.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 105-32-163, 105-32-164 and 105-32-165, as more fully described below, to The House of God, The Church of the Living God, The Pillar and the Ground of the Truth, The House of Prayer for All People, Inc. of Kentucky.

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

P. P. Nos. 105-32-163 and 105-32-164
Parcel No. 1

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 99 in Beckwith, Fuller and Stone's Subdivision of part of Original One Hundred Acre Lot No. 348, as shown by the recorded plat in Volume 9 of Maps, Page 23 of Cuyahoga County Records and being 51 feet 8-1/2 inches front on the Westerly side of East 79th Street (formerly Woolsey Street), 130 feet on the Southerly line, (which is also the Northerly line of Donald Avenue, N.E.), 130 feet on the Northerly line, and having a rear line of 51 feet 8 inches as appears by said plat, be the same more or less, but subject to all legal highways.

Parcel No. 2

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Westerly 30 feet of Sublot No. 72 in J.T. Avery's Subdivision of part of Original One Hundred Acre Lots Nos. 348 and 350 as shown by the recorded plat in Volume 17 of Maps, Page 26 of Cuyahoga County Records, and bounded and described as follows:

Beginning in the Southwesterly corner of said Sublot, thence Northerly along the Westerly line of Sublot No. 72, 34.85 feet to the Northwesterly corner thereof, thence Easterly along the Northerly line of said Sublot, 30 feet, thence Southerly parallel with said Westerly line of said Sublot to a point the Southerly line thereof, which is distant 30 feet Easterly from the Southwesterly corner of said Sublot, thence Westerly along said Southerly line, 30 feet to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

P. P. No. 105-32-165
 Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Easterly part of Sublot No. 72 in J.T. Avery's Subdivision of part of Original One Hundred Acre Lots Nos. 348 and 350, as shown by the recorded plat in Volume 17 of Maps, Page 26 of Cuyahoga County Records, bounded and described as follows:

Beginning on the Westerly line of East 79th Street (formerly Woolsey Street), at the Southeasterly corner of said Sublot No. 72; thence Northerly along said Westerly line of East 79th Street, 35 feet to the North-easterly corner of said Sublot No. 72; thence Westerly along the Northerly line of said Sublot No. 72, 100 feet; thence Southerly on a line parallel to the Westerly line of said Sublot

No. 72 about 34.96 feet to the Southerly line of said Sublot No. 72; thence Easterly along said Southerly about 100 feet to the place of beginning, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any

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

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

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

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

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

FIRST READING EMERGENCY RESOLUTION REFERRED

Res. No. 88-01.

By Councilman Britt (by request).
An emergency resolution declaring the intention to vacate a portion of Reserve Court N.E.

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

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

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

Section 1. That it hereby declares its intention to vacate the following described real property:

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and described as being all that portion of RESERVE COURT N.E. (20.00 feet wide), extending Easterly from the Easterly line of East 105th Street as widened about 190.00 feet.

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

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

FIRST READING EMERGENCY ORDINANCES READ IN FULL AND PASSED

Ord. No. 89-01.

By Mayor White.

An emergency ordinance authorizing the Director of Port Control to enter into a requirement contract with Standard Signs, Inc. for the labor and materials necessary to install runway signs for the designation of the runways, for the Division of Cleveland Hopkins International Airport, Department of Port Control.

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

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

Section 1. That it is hereby determined that the within services are non-competitive and cannot be secured from any source other than Standard Signs, Inc. Therefore, the Director of Port Control is hereby authorized to make a written requirement contract with Standard Signs, Inc. for the labor and materials necessary to install runway signs for the designation of the runways, for the Division of Cleveland Hopkins International Airport, Department of Port Control.

Section 2. That the cost of said contract shall be charged against the proper appropriation account and the Director of Port Control 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. The amount paid under this contract shall not exceed \$35,000. (RL 30914)

Section 3. That the authority to enter into a contract under this ordinance expires on June 17, 2001.

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 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 90-01.

By Councilman Cimperman.

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with the Cleveland Development Foundation for support their study of Live/Work space regulations in other cities through ArtSpace Cleveland, to further the public purpose of conducting building and zoning policy research through the use of Ward 13 Neighborhood Equity Funds.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with the Cleveland Development Foundation for support their study of Live/Work space regulations in other cities through ArtSpace Cleveland, to further the public purpose of conducting building and zoning policy research through the use of Ward 13 Neighborhood Equity Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$12,500 and shall be paid from Fund No. 10 SF 166.

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

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

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

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 91-01.

By Councilman Cimperman.

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Goodrich-Gannett Neighborhood Center for an Outreach/Safety Associate position to carry out the public purpose of supporting agency operations and providing social services for residents of the City of Cleveland through the use of Ward 13 Neighborhood Equity Funds.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with Goodrich-Gannett Neighborhood Center for an Outreach/Safety Associate position to carry out the public purpose of supporting agency operations and providing social services for residents of the City of Cleveland through the use of Ward 13 Neighborhood Equity Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$32,000 and shall be paid from Fund No. 10 SF 166.

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

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

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

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 92-01.

By Councilman Cimperman.

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Cuyahoga Metropolitan Housing Authority for summer youth programs at Lakeview Estates, senior programs at Riverview and Bohn Towers, and program related property improvements for the public purpose of supporting senior and youth programs for residents of the City of Cleveland through the use of Ward 13 Neighborhood Equity Funds.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with Cuyahoga Metropolitan Housing Authority for summer youth programs at Lakeview Estates, senior programs at Riverview and Bohn Towers, and program related property improvements for the public purpose of supporting senior and youth programs for residents of the City of Cleveland through the use of Ward 13 Neighborhood Equity Funds.

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

Section 3. That the Director of Law shall prepare and approve 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 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 93-01.**By Councilman Cimperman.**

An emergency ordinance authorizing the Director of Community Development to enter into a grant agreement with University Settlement for providing an analysis for the streetscape and design of construction in North Broadway on Broadway from East 9 Street to Barkwill Avenue in order to carry out the public purpose of conducting pre-development studies for public right-of-way improvements through the use of Ward 13 Neighborhood Equity Funds.

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

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

Section 1. That the Director of Community Development is to enter into a grant agreement with University Settlement for providing an analysis for the streetscape and design of construction in North Broadway on Broadway from East 9 Street to Barkwill Avenue in order to carry out the public purpose of conducting pre-development studies for public right-of-way improvements through the use of Ward 13 Neighborhood Equity Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$5,000 and shall be paid from Fund No. 10 SF 166.

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

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

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

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 94-01.**By Councilman Cintron.**

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with the Boys & Girls Clubs of Cleveland for operating funds for their Westside Club to further the public purpose of providing recreational opportunities for youth and other residents of the City of Cleveland through the use of Ward 14 Neighborhood Equity Funds.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with the Boys & Girls Clubs of

Cleveland for operating funds for their Westside Club to further the public purpose of providing recreational opportunities for youth and other residents of the City of Cleveland through the use of Ward 14 Neighborhood Equity Funds.

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

Section 3. That the Director of Law shall prepare and approve 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 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 95-01.**By Councilman Cintron.**

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Ohio City Near West Development Corporation for improvements to the commercial portions of the Fries and Schuele building, located on 2525 Market Ave., to further the public purpose of creating or preserving jobs or employment opportunities to preserve the economic welfare of the State through the use of Ward 14 Neighborhood Equity Funds.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with Ohio City Near West Development Corporation for improvements to the commercial portions of the Fries and Schuele building, located on 2525 Market Ave., to further the public purpose of creating or preserving jobs or employment opportunities to preserve the economic welfare of the State through the use of Ward 14 Neighborhood Equity Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$100,000 and shall be paid from Fund No. 10 SF 166.

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

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

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

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

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 96-01.**By Councilmen O'Malley and White (by departmental request).**

An emergency ordinance authorizing the Director of Public Utilities to enter into an amendment to City Contract No. 55898 with Libby Construction Co., Inc. to extend the term of the contract for an additional three months or until a new contract is entered into, whichever occurs first.

Whereas, pursuant to Ordinance No. 1071-99, passed June 14, 1999, the Director of Public Utilities entered into City Contract No. 55898 with Libby Construction Co., Inc. for the City's requirements for a term of one (1) year for labor and materials necessary to repair or replace fire hydrants for the Division of Water; and

Whereas, City Contract No. 55898 will expire on February 21, 2001, and this Council finds it necessary to authorize an amendment to such Requirement Contract in order to ensure the adequate continuing maintenance of fire hydrants throughout the City of Cleveland; and

Whereas, such an amendment is necessary to protect the public health, safety and welfare of the citizens of the City of Cleveland; and

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

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

Section 1. That the Director of Public Utilities is hereby authorized to enter into an amendment to City Contract No. 55898 with Libby Construction Co., Inc. to extend the term of the said contract from February 21, 2001 to May 21, 2001, or until a new contract is entered into, whichever occurs first, in order to continue provision of services.

Section 2. That such amendment to City Contract No. 55898 shall be prepared and approved by the Director of Law and shall contain such provisions as he deems necessary to protect the public interest.

Section 3. That all expenditures pursuant to the amendment authorized herein shall not exceed \$375,000.00.

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.

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

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 97-01.**By Councilman Patmon.**

An emergency ordinance authorizing the Director of Community Development to enter into a grant agreement with FAMICOS Foundation to provide for office space and utilities for the Ward 8 Police mini-station, to further the public purpose of providing neighborhood based safety services through the use of Ward 8 Neighborhood Equity Funds.

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

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

Section 1. That the Director of Community Development is authorized to enter into a grant agreement with FAMICOS Foundation to provide for office space and utilities for the Ward 8 Police mini-station, to further the public purpose of providing neighborhood based safety services through the use of Ward 8 Neighborhood Equity Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$8,000, and shall provide for services rendered by the grantee from January 1, 2001 to December 31, 2001, 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 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 98-01.**By Councilmen Polensek and Patmon (by departmental request).**

An emergency ordinance to amend the title and Section 1 of Ordinance No. 904-2000, passed August 7, 2000, relating to the purchase by requirement contract of various on-road vehicles and off-road equipment, for the Department of Public Safety.

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

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

Section 1. That the title and Section 1 of Ordinance No. 904-2000, passed August 7, 2000, are hereby amended to read, respectively, as follows:

An emergency ordinance authorizing the purchase by requirement

contract of various on-road vehicles and off-road equipment, **cabs, bodies and accessories, equipment and other aftermarket items necessary to equip the vehicles authorized for their intended purposes**, including labor and materials necessary for vehicle rehabilitation, for the Department of Public Safety, Divisions of Police, Fire, Emergency Medical Service and Traffic Engineering.

Section 1. That the Director of Finance 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 one year for the necessary items of various on-road vehicles and off-road equipment, **cabs, bodies and accessories, equipment and other aftermarket items necessary to equip the vehicles authorized for their intended purposes**, including labor and materials necessary for vehicle rehabilitation, for the Department of Public Safety, Divisions of Police, Fire, Emergency Medical Service, and Traffic Engineering, as such vehicles and equipment are described in File No. 904-2000-B, in the estimated sum of \$6,786,000.00, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of City government. 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 a year 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 the existing title and Section 1 of Ordinance No. 904-2000, passed August 7, 2000, are 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 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 99-01.**By Councilmen Polensek and Patmon (by departmental request).**

An emergency ordinance to amend the title and Section 1 of Ordinance No. 1685-2000, passed October 30, 2000, relating to the purchase by requirement contract of various on-road vehicles and off-road equipment, for the various divisions of City government, excluding various divisions of the Department of Public Safety.

Whereas, this ordinance consti-

ting for the usual daily operation of a municipal department; now, therefore,

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

Section 1. That the title and Section 1 of Ordinance No. 1685-2000, passed October 30, 2000, are hereby amended to read, respectively, as follows:

An emergency ordinance authorizing the purchase by requirement contract of various on-road vehicles and off-road equipment, **cabs, bodies and accessories, equipment and other aftermarket items necessary to equip the vehicles authorized for their intended purposes**, including labor and materials necessary for vehicle rehabilitation, for the various divisions of City government, excluding various divisions of the Department of Public Safety.

Section 1. That the Director of Finance 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 one year for the necessary items of various on-road and off-road equipment, **cabs, bodies and accessories, equipment and other aftermarket items necessary to equip the vehicles authorized for their intended purposes**, including labor and materials necessary for vehicle rehabilitation, excluding the Divisions of Police, Fire, Emergency Medical Service, and Traffic Engineering, Department of Public Safety, as such vehicles and equipment are described in File No. 1685-2000-A, in the estimated sum of \$11,791,220.00, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of City government, excluding the Divisions of Police, Fire, Emergency Medical Service, and Traffic Engineering, Department of Public Safety. 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 a year 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 the existing title and Section 1 of Ordinance No. 1685-2000, passed October 30, 2000, are 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 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 100-01.**By Councilman Reed.**

An emergency ordinance authorizing the Director of Community Development to enter into a grant agreement with the Boys and Girls Clubs of Cleveland for the renovation of the interior and exterior of their facility, located at 3689 East 131st Street, to further the public purpose of providing recreational opportunities for youth and other residents of the City of Cleveland through the use of Ward 3 Neighborhood Equity Funds.

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

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

Section 1. That the Director of Community Development is authorized to enter into a grant agreement with the Boys and Girls Clubs of Cleveland for the renovation of the interior and exterior of their facility, located at 3689 East 131st Street, to further the public purpose of providing recreational opportunities for youth and other residents of the City of Cleveland through the use of Ward 3 Neighborhood Equity Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$220,000 and shall be paid from Fund No. 10 SF 166.

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

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

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

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 101-01.**By Councilman White.**

An emergency ordinance authorizing the Director of Community Development to enter into a grant agreement with Miles Avenue Family YMCA for recreation facility improvements and the purchase of fitness equipment to further the public purpose of providing recreation services to residents of the City of Cleveland through the use of Ward 2 Neighborhood Equity Funds.

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

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

Section 1. That the Director of Community Development is authorized to enter into a grant agreement with Miles Avenue Family

YMCA for recreation facility improvements and the purchase of fitness equipment to further the public purpose of providing recreation services to residents of the City of Cleveland through the use of Ward 2 Neighborhood Equity Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$75,000 and shall be paid from Fund No. 10 SF 166.

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

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

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

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

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

Res. No. 102-01.**By Councilman Cimperman.**

An emergency resolution objecting to the stock transfer of a D5 and D6 Liquor Permit to 1261-65 West 6th Street

Whereas, Council has been notified by the Director of Liquor Control of an application for the stock transfer of a D5 and D6 Liquor Permit to 1261-65 West 6th Street to Permit No. 1171178, CTLJ Inc., DBA Spy Bar, 1261-65 West 6th Street, Cleveland, Ohio 44113; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the stock transfer of a D5 and D6 Liquor Permit to 1261-65 West 6th Street to Permit No. 1171178, CTLJ Inc., DBA Spy Bar, 1261-65 West 6th Street, Cleveland, Ohio 44113 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Adopted. Yeas 20. Nays 0.

Res. No. 103-01.**By Councilman Cintron.**

An emergency resolution objecting to the transfer of ownership of a D2, D2X, D3 and D3A Liquor Permit to 3085-89 West 25th Street, 1st Fl. & Bsmnt.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a D2, D2X, D3 and D3A Liquor Permit from Permit No. 09300840005, Breege Inc., DBA Attitudes, 3085-89 West 25th Street, 1st Fl. & Bsmnt., Cleveland, Ohio 44113 to Permit No. 5563409, Marquise Café Inc., 3085-89 West 25th Street, Cleveland, Ohio 44113; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a D2, D2X, D3 and D3A Liquor Permit from Permit No. 09300840005, Breege Inc., DBA Attitudes, 3085-89 West 25th Street, 1st Fl. & Bsmt., Cleveland, Ohio 44113 to Permit No. 5563409, Mar-quisé Café Inc., 3085-89 West 25th Street, Cleveland, Ohio 44113 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Adopted. Yeas 20. Nays 0.

Res. No. 104-01.

By Councilman Coats.

An emergency resolution objecting to the transfer of ownership of a C1 Liquor Permit to 831 East 140th Street.

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. 3700511, Sabrina A. Head, DBA East 140th Food & Beverage, 831 East 140th Street, Cleveland, Ohio 44110 to Permit No. 2455371, Eight Hundred Thirty One Corporation, 831 East 140th Street, Cleveland, Ohio 44110; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a C1 Liquor Permit from Permit No. 3700511, Sabrina A. Head, DBA East 140th Food & Beverage, 831 East 140th Street, Cleveland, Ohio 44110 to Permit No. 2455371, Eight Hundred Thirty One Corporation, 831 East 140th Street, Cleveland, Ohio 44110 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Adopted. Yeas 20. Nays 0.

Res. No. 105-01.

By Councilman Jones.

An emergency resolution strongly urging the Democratic members of the United States Senate to oppose the confirmation of John Ashcroft as U.S. Attorney General.

Whereas, President George W. Bush's nominee for U.S. Attorney General, John Ashcroft, has refused to disassociate himself from the Southern Partisan Magazine, a journal which supports ideology of the old southern confederacy; and

Whereas, the recent hearings in the Senate Judiciary Committee showed that Mr. Ashcroft engaged in vituperative personal attacks on the nomination of African-American Missouri Supreme Court Judge Ronnie White to the federal bench, which was successfully opposed; and

Whereas, the sanctity of our democratic system was already compromised by the actions of the United States Supreme Court in selecting George W. Bush as President, and the Constitutional rights of all citizens would be further threatened by having someone like John Ashcroft as Attorney General, with the power and authority to deploy the FBI and an army of prosecutors; and

Whereas, the Bush administration representing a minority of the voters and facing a divided Congress, wishes for the confirmation of an individual to U.S. Attorney General, who has in the past stated his opposition to affirmative action, gun control, desegregation orders, and gay rights; and

Whereas, such a confirmation of John Ashcroft as U.S. Attorney General could result in the Attorney General's Office promoting and enforcing policies that could prove very harmful to an American citizenry that is racially, culturally, and religiously diverse; now, therefore

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

Section 1. That the Council of the City of Cleveland strongly urges the Democratic members of the United States Senate to oppose the confirmation of John Ashcroft as U.S. Attorney General.

Section 2. That the Clerk of Council be and she hereby is directed to transmit a certified copy of this resolution to Senator Edward Kennedy and all other Democratic members of the Senate Judiciary Committee on Tuesday, January 23, 2001, since a Committee vote on the Ashcroft nomination is scheduled for January 24, 2001.

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 20. Nays 0. Read second time. Read third time in full. Adopted. Yeas 20. Nays 0.

Res. No. 106-01.
By Councilman Polensek.
An emergency resolution urging the Greater Cleveland Regional Transit Authority to implement a recycling collection program using new public recycling bins at its area bus shelters.

Whereas, trash and broken bottles at various bus shelters owned by the Greater Cleveland Regional Transit Authority (RTA) are unsightly and send a message to citizens that those responsible for the property cannot or will not control the problem; and

Whereas, recycling containers in various cities throughout Canada, such as Toronto, Ontario, have become an increasingly popular way of cutting down on litter; and

Whereas, several American cities, such as Pittsburgh, Atlantic City, San Francisco and New Orleans, have expressed interest in implementing a recycling program using the new public recycling bins; and

Whereas, these recycling containers are large, compartmentalized bins designed to collect waste and litter, recyclable paper and recyclable containers such as plastic, glass and aluminum; and

Whereas, use of these containers by RTA would cut down on litter, popularize recycling in the city, and beautify the areas surrounding bus shelters on city streets and in neighborhoods; and

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

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

Section 1. That the Council of the City of Cleveland urges the Greater Cleveland Regional Transit Authority to implement a recycling collection program using new public recycling bins at its area bus shelters.

Section 2. That the Clerk of Council is hereby directed to transmit certified copies of this resolution to Joseph Calabrese, CEO and General Manager, Greater Cleveland Regional Transit Authority.

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 20. Nays 0. Read second time. Read third time in full. Adopted. Yeas 20. Nays 0.

Res. No. 107-01.
By Councilman Sweeney.
An emergency resolution withdrawing objection to the transfer of ownership of a C1 and C2 Liquor Permit to 4200 West 130th Street, and repealing Res. No. 1366-2000 objecting to said transfer of ownership.

Whereas, this Council objected to the transfer of ownership of a C1 and C2 Liquor Permit to 4200 West 130th Street by Res. No. 1366-2000 adopted by Council on July 28, 2000; and

Whereas, this Council wishes to withdraw its objection to the above transfer of ownership and consents to said transfer of ownership; 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 transfer of ownership of a C1 and C2 Liquor Permit to 4200 West 130th Street, be and the same if hereby withdrawn and Res. No. 1366-2000, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate transfer of ownership thereof.

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

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

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Adopted. Yeas 20. Nays 0.

Res. No. 108-01.
By Councilman Sweeney.
An emergency resolution withdrawing objection to the issuance of a C1 Liquor Permit to 14930 Puritas Avenue, and repealing Res. No. 1984-2000 objecting to said issuance.

Whereas, this Council objected to the issuance of a C1 Liquor Permit to 14930 Puritas Avenue by Res. No. 1984-2000 adopted by Council on October 30, 2000; and

Whereas, this Council wishes to withdraw its objection to the above issuance and consents to said issuance; 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 14930 Puritas Avenue, be and the same is hereby withdrawn and Res. No. 1984-2000, 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.

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

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Adopted. Yeas 20. Nays 0.

Res. No. 109-01.
By Councilman Sweeney.
An emergency resolution withdrawing objection to the transfer of ownership of a C1 Liquor Permit to 4611 West 130th Street, and repealing Res. No. 2055-2000 objecting to said transfer of ownership.

Whereas, this Council objected to the transfer of ownership of a C1 Liquor Permit to 4611 West 130th Street by Res. No. 2055-2000 adopted by Council November 13, 2000; and

Whereas, this Council wishes to withdraw its objection to the above transfer of ownership and consents to said transfer of ownership; 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 transfer of ownership of a C1 Liquor Permit to 4611 West 130th Street, be and the same is hereby withdrawn and Res. No. 2055-2000, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate transfer of ownership thereof.

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

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

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Adopted. Yeas 20. Nays 0.

SECOND READING EMERGENCY ORDINANCES

Ord. No. 852-2000.
 By Councilmen Lewis, Melena, Cimperman and Patmon (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 8501 Kosciuszko Avenue to John D. Rowe.

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

Ord. No. 853-2000.
 By Councilmen Lewis, Melena, Cimperman and Patmon (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 1410 East 88th Street to Annie Carter (ow Anna Carter).

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

Ord. No. 854-2000.

By Councilmen Lewis, Melena, Cimperman and Patmon (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 8712 Harkness Road to John E. Watt and Evelyn H. Watt.

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

Ord. No. 855-2000.

By Councilmen Lewis, Melena, Cimperman and Patmon (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on Whittier Avenue to Betty J. Shabazz.

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

Ord. No. 1798-2000.

By Mayor White.

An emergency ordinance authorizing the Director of Port Control to employ one or more consultants or one or more firms of consultants to provide professional services necessary to conduct annual audits of select vendors and concessionaires for Fiscal Year 2000 for the various divisions of the Department of Port Control.

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

1. Insert New Section 2 to read as follows:

"Section 2. That all professional services authorized herein shall be completed within one (1) year from the passage date of this Ordinance."

2. In existing Section 2, line 2, after "shall" insert the following: **"not exceed \$50,000.00 and shall"**.

3. Renumber existing "Section 2" to new **"Section 3"** and "Section 3" to new **"Section 4"**.

Amendments agreed to.

Ord. No. 2100-2000.

By Councilmen O'Malley and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to repair or replace fire hydrants, 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; when amended as follows:

1. In the title, lines 7 and 8, strike "for a period not to exceed two years".

2. In Section 1, line 4 and in line 12, strike "two years" and insert in lieu thereof **"one year"**; and at the end of the section, add the following: **"The successful bidder shall use its best efforts to hire Cleveland residents for fifty percent of any job openings during the course of the contract."**

3. Insert new Section 2 to read as follows:

"Section 2. That the list of prospective bidders for the requirement contract authorized herein shall include employees within the Division of Water and their respective unions and such list shall be forwarded to the Chairman of the Public Utilities committee. The bidding process, including advertisements for bids, shall occur in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976."

4. Renumber existing Sections 2 and 3, respectively, to new **"Section 3"** and **"Section 4"**.

5. In existing Section 2, line 1, after "shall" insert the following: **"not exceed \$1,500,000 and shall"**.

Amendments agreed to.

Ord. No. 2101-2000.

By Councilmen O'Malley and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to repair or replace plumbing equipment and for water, sewer and gas line repair, for the Division of Cleveland Public Power, 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; when amended as follows:

1. In Section 2, line 1, after "shall" insert **"not exceed \$55,000 and shall"**; and in line 7, after "Finance." insert the following new sentence: **"The Director of Finance or the Director of Public Utilities shall notify the President of Council, the Chairman of the Public Utilities Committee, and the Chairman of the Finance Committee of any expenditures under this requirement contract within thirty (30) days of such expenditure."**

Amendments agreed to.

Ord. No. 2207-2000.

By Councilmen Cimperman, Lewis, Polensek and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to install mastarms and signals on Payne Avenue, for the Division of Traffic Engineering and Parking, Department of Public Safety.

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

1. In Section 1, line 7, strike "in the estimated sum of \$200,000" and insert in lieu thereof the following: **"and for the mastarms and signals at the intersections of East 105th Street and St. Clair, in a sum not to exceed \$250,000"**.

Amendment agreed to.

Ord. No. 2210-2000.

By Councilmen Polensek and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of traffic signals, poles, controllers, sign blanks, reflective

sheeting and other related materials, for the Division of Traffic Engineering and Parking, Department of Public Safety.

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

1. In Section 1, lines 6 and 7, strike "the approximate amount as purchased during the preceding term" and insert in lieu thereof **"an amount not to exceed \$300,000"**.

Amendment agreed to.

Ord. No. 2265-2000.

By Councilmen Patmon and Lewis (by departmental request).

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, be enacting new Section 189.031 thereof, relating to health care insurance preference.

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

Ord. No. 2267-2000.

By Councilman Cintron (by request).

An emergency ordinance authorizing the Director of Public Service to issue a permit to Stonebridge Building and Design, Inc. for Phase II Stonebridge Apartments Project for architectural, aerial and streetscape encroachments into the right-of-way of Detroit Avenue and the Superior Viaduct.

Approved by Directors of Public Service, City Planning Commission, Finance, Law; Relieved of Committees on Public Service, City Planning; Recommended by Committee on Finance.

Ord. No. 2272-2000.

By Councilmen White, Melena and Patmon (by departmental request).

An emergency ordinance to amend Section 3 of Ordinance No. 1117-2000, passed October 16, 2000, relating to the public improvement of constructing Phase IV improvements to the Mill Creek Housing Development Project.

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

SECOND READING EMERGENCY ORDINANCES PASSED

Ord. No. 2306-2000.

By Councilmen O'Malley, Melena, Cimperman, Lewis, Brady, Jones and Patmon (by departmental request).

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Sections 354.01 through 354.14 thereof, relating to wireless telecommunications facilities; and to amend Section 353.06 of said codified ordinances, as amended by Ordinance No 2035-93, passed September 19, 1994, relating to exceptions to height regulations.

Approved by Directors of Public Utilities, Community Development, City Planning Commission, Finance, Law; Recommended by Committees on Public Utilities, Community and Economic Development, City Planning, Legislation, Finance; when amended as follows:

1. In Section 1, at Section 354.03(b)(1), line 2, after "building;" insert **"and"**; in (b)(2), line 1, strike

"a building mounted antenna" and insert in lieu thereof the following: "an antenna mounted to a building or other non-telecommunications tower"; in line 6, after "District"; strike "and", and strike (b)(3) in its entirety.

2. In Section 1, at Section 354.05(a), line 2, strike "exceeding fifty (50) feet in height".

3. In Section 1, at Section 354.06(a), line 1, strike "by Zoning District"; and in line 4, strike "Residence-Industry"; and at the end, after "District" insert the following: "or a public park".

4. In Section 1, at Section 354.06(b), line 5, strike "twice" and insert in lieu thereof "three times".

5. In Section 1, at Section 354.06, insert new division (e) to read as follows:

"(e) Setback from Public Park. No portion of a telecommunications tower subject to the regulations of this chapter shall be located closer to a public park than a distance equal to three times the height of the tower."

6. In Section 1, at Section 354.06, reletter existing divisions (e), (f), (g), (h), (i) and (j), to new divisions "(f)", "(g)", "(h)", "(i)", "(j)" and "(k)".

7. In Section 1, at Section 354.06, strike existing division (h) in its entirety and insert in lieu thereof the following:

"(h) Spacing from Other Towers. A new telecommunications tower that exceeds the height limit established on the zoning map shall be located no closer than three times the height of the new tower from any existing tower."

8. In Section 1, at Section 354.09(a), line 5, strike "six (6)" and insert in lieu thereof "ten (10)".

9. In Section 1, at Section 354.11(a), line 8, strike "a report" and insert in lieu thereof the following: "an affidavit".

10. In Section 1, at Section 354.11(b), insert new division (1) to read as follows:

"(1) Performance Bond. At all times the permit holder shall maintain a performance bond sufficient to cover the demolition and removal of the telecommunications facility. Such bond shall be sufficient to guarantee full and faithful performance of the requirements of this chapter and shall be satisfactory to the Commissioner of Building and Housing and the Director of Law. On each biennial anniversary of the issuance of the Certificate of Occupancy for a telecommunications tower, or not more than ninety (90) days prior to that date, the permit holder shall provide to the Commissioner of Building and Housing proof that the performance bond requirements of this section are met."

11. In Section 1, at Section 354.11(b), renumber existing divisions (1) and (2), respectively to new division "(2)" and "(3)".

12. In Section 1, strike Section 354.12(f), in its entirety and insert in lieu thereof the following:

"(f) Notice Requirements. (1) Upon receipt of an application, the Commissioner of Building and Housing shall notify any Councilmember who represents the ward in which the proposed tower is to be located, the Department of Port Control, the Department of Public Safety and the Office of Radio Communications of the Department of Public Utilities.

(2) Prior to taking action on a ground-mounted telecommunications tower application subject to conditional approval, the City Planning Commission shall mail notices describing the proposal to all property owners located within a distance of the proposed tower equal to three times the height of the tower. Such notice shall be sent by first-class mail or an equivalent method at least ten (10) calendars prior to the date of the public meeting. The Commission shall also provide notice in the same time frame to the any Councilmember who represents an area in which notices are to be mailed to property owners."

13. In Section 1, at Section 354.13(a), at the end, insert new divisions (7) and (8) to read as follows:

"(7) A statement indicating the estimated construction cost of the telecommunications tower and a statement indicating the estimated cost for demolition and removal of the telecommunications tower.

(8) A performance bond sufficient to cover the estimated demolition and removal of the telecommunications tower."

14. In Section 1, at Section 354.14(a), line 1, after "Exceptions.", strike "The" and insert in lieu thereof the following: "Subsequent to providing public notice in accordance with the provisions of division (f) of Section 354.12, the".

Amendments agreed to.
The rules were suspended. Yeas 20. Nays 0. Read third time in full. Passed. Yeas 20. Nays 0.

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

MOTION

By Councilman White and seconded by Councilman Patmon and unanimously carried that the absence of Councilman Patricia J. Britt be and is hereby authorized.

MOTION

The Council adjourned at 8:45 p.m. to meet on Monday, January 31, 2001.



Clerk of Council

THE CALENDAR

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

ORDINANCES

Ord. No. 852-2000.

By Councilmen Lewis, Melena, Cimperman and Patmon (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 8501 Kosciuszko Avenue to John D. Rowe.

Ord. No. 853-2000.

By Councilmen Lewis, Melena, Cimperman and Patmon (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 1410 East 88th Street to Annie Carter (ow Anna Carter).

Ord. No. 854-2000.

By Councilmen Lewis, Melena, Cimperman and Patmon (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 8712 Harkness Road to John E. Watt and Evelyn H. Watt.

Ord. No. 855-2000.

By Councilmen Lewis, Melena, Cimperman and Patmon (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on Whittier Avenue to Betty J. Shabazz.

Ord. No. 1798-2000.

By Mayor White.

An emergency ordinance authorizing the Director of Port Control to employ one or more consultants or one or more firms of consultants to provide professional services necessary to conduct annual audits of select vendors and concessionaires for Fiscal Year 2000 for the various divisions of the Department of Port Control.

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

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

Section 1. That the Director of Port Control is hereby authorized to employ by contract one or more consultants or one or more firms of consultants to provide professional services necessary to conduct annual audits of select vendors and concessionaires for Fiscal Year 2000 for the various divisions of the Department of Port Control.

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

Section 2. That all professional services authorized herein shall be completed within one (1) year from the passage date of this Ordinance.

Section 3. That the costs for such contract herein authorized shall not exceed \$50,000.00 and shall be paid from Fund No. 60 SF 001, Request No. 30903.

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.

Ord. No. 2100-2000.

By Councilmen O'Malley and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to repair or replace fire hydrants, 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 requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of **one year** of the necessary items of labor and materials necessary to repair or replace fire hydrants, 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 Division of Water, Department of Public Utilities. 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 **one year** may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term. **The successful bidder shall use its best efforts to hire Cleveland residents for fifty percent of any job openings during the course of the contract.**

Section 2. That the list of prospective bidders for the requirement contract authorized herein shall include employees within the Division of Water and their respective unions and such list shall be forwarded to the Chairman of the Public Utilities committee. **The bidding process, including advertisements for bids, shall occur in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976.**

Section 3. That the cost of said contract shall **not exceed \$1,500,000 and 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 33696)

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.

Ord. No. 2101-2000.

By Councilmen O'Malley and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to repair or replace plumbing equipment and for water, sewer and gas line repair, for the Division of Cleveland Public Power, Department of Public Utilities, 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 Public Utilities 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 of the necessary items of labor and materials necessary to repair or replace plumbing equipment and for water, sewer and gas line repair, 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 Division of Cleveland Public Power, Department of Public Utilities. 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 **not exceed \$55,000 and 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. **The Director of Finance or the Director of Public Utilities shall notify the President of Council, the Chairman of the Public Utilities Committee, and the Chairman of the Finance Committee of any expenditures under this requirement contract within thirty (30) days of such expenditure.** (RL 31572)

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.

Ord. No. 2207-2000.

By Councilmen Cimperman, Lewis, Polensek and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to install mastarms and signals on Payne Avenue, for the Division of Traffic Engineering and Parking, Department of Public Safety.

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

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

Section 1. That the Director of Public Safety is 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 one year for the necessary items of labor and materials necessary to install mastarms and signals to complete the Downtown signalization project on Payne Avenue **and for the mastarms and signals at the intersections of East 105th Street and St. Clair, in a sum not to exceed \$250,000** to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Traffic Engineering and Parking, Department of Public Safety. 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 a year 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 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 34411)

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.

Ord. No. 2210-2000.

By Councilmen Polensek and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of traffic signals, poles, controllers, sign blanks, reflective sheeting and other related materials, for the Division of Traffic Engineering and Parking, Department of Public Safety.

Whereas, this ordinance constitutes an emergency measure provid-

ing for the usual daily operation of a municipal department; now, therefore,

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

Section 1. That the Director of Public Safety 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 one year for the necessary items of traffic signals, poles, controllers, sign blanks, reflective sheeting and other related materials in an amount not to exceed \$300,000 to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Traffic Engineering and Parking, Department of Public Safety. 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 a year 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 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 34410)

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.

Ord. No. 2265-2000.

By Councilmen Patmon and Lewis (by departmental request).

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, be enacting new Section 189.031 thereof, relating to health care insurance preference.

Ord. No. 2267-2000.

By Councilman Cintron (by request).

An emergency ordinance authorizing the Director of Public Service to issue a permit to Stonebridge Building and Design, Inc. for Phase II Stonebridge Apartments Project for architectural, aerial and streetscape encroachments into the right-of-way of Detroit Avenue and the Superior Viaduct.

Ord. No. 2272-2000.

By Councilmen White, Melena and Patmon (by departmental request).

An emergency ordinance to amend Section 3 of Ordinance No. 1117-2000, passed October 16, 2000, relating to the public improvement of constructing Phase IV improvements to the Mill Creek Housing Development Project.

BOARD OF CONTROL

January 17, 2001

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, January 17, 2001, at 11:00 a.m. with Director Carter presiding.

Present: Directors Carter, Brooks, Konicek, Acting Directors Borokhovich, Owens, Directors Whitlow, Guzman, Miller, Hudecek, Patterson, Warren and Alexander.

Absent: Mayor White.
Others: Myrna Branche, Commissioner, Purchases and Supplies, Lucille Ambroz, Director, Office of Equal Opportunity.

On motion, the following resolutions were adopted.

Resolution No. 22-01.

By Director Brooks.
Resolved by the Board of Control of the City of Cleveland, that pursuant to Section 101 of the Charter, Section 181.19 of the Codified Ordinances of Cleveland, Ohio 1976, and Resolution No. 921-52, adopted by the Board of Control on November 26, 1952 the report of the Commissioner of Purchases and Supplies for the sale of scrap, personal property, and by-products during the month of December, 2000 in the amount of \$1,377.29, hereto attached and made a part hereof, is hereby received, approved and ordered filed.

Yeas: Directors Carter, Brooks, Konicek, Acting Director Owens, Directors Whitlow, Guzman, Miller, Hudecek, Patterson, Warren and Alexander.

Nays: None.
Absent: Mayor White and Acting Director Borokhovich.

Resolution No. 23-01.

By Director Brooks.
Resolved, by the Board of Control of the City of Cleveland that the bid of J & L Door Service, Inc. for an estimated quantity of Maintenance and Repair of Overhead Doors (all items) for the Various Divisions of City Government, Department of Finance, for the period of two (2) years beginning with the date of execution of a contract received on December 15, 2000, pursuant to the authority of Ordinance No. 472-00, passed April 17, 2000, which on the basis of the estimated quantity would amount to Two Hundred Twenty Thousand and 00/100 Dollars, (\$220,000.00), (Net), is hereby affirmed and approved as the lowest and best bid, and the Director of Finance 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. 29413 - \$10,000.00
Division of Motor Vehicle Maintenance

Requisition No. 30839 - \$22,000.00
Cleveland Hopkins International Airport
which shall be certified against such contract in the sum of Thirty-Two Thousand and 00/100 Dollars (\$32,000.00).

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: Directors Carter, Brooks, Konicek, Acting Director Owens, Directors Whitlow, Guzman, Miller, Hudecek, Patterson, Warren and Alexander.

Nays: None.
Absent: Mayor White and Acting Director Borokhovich.

Resolution No. 24-01.

By Director Konicek.
Be it resolved by the Board of Control of the City of Cleveland that the bid of U.S. Filter Distribution Group for an estimated quantity of service fittings (Item nos. 2, 3, 4, 5, 6, 12, 14, 15, 16, 17, 18, 19, 20, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 43, 44 and 47), 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 15th day of September, 2000, 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 Sixty-Eight Thousand Nine Hundred Thirty-Five and 30/100 Dollars, (\$68,935.30) (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. 33498
which shall be certified against such contract in the sum of Three Thousand Four Hundred Forty-Six and 77/100 Dollars (\$3,446.77).

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: Directors Carter, Brooks, Konicek, Acting Directors Borokhovich, Owens, Directors Whitlow, Guzman, Miller, Hudecek, Patterson, Warren and Alexander.

Nays: None.
Absent: Mayor White.

Resolution No. 25-01.

By Director Konicek.
Be it resolved by the Board of Control of the City of Cleveland that the bid of Julian Supply Corp. (FBE) for an estimated quantity of service fittings (Item nos. 7, 8, 9, 10, 45, 51 and 52), 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 15th day of September, 2000, 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 Forty-Five Thousand Six Hundred Seventy-Nine Dollars, (\$45,679.00), (2% - 10 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. 33497

which shall be certified against such contract in the sum of Two Thousand Two Hundred Eighty-Three and 95/100 Dollars (\$2,283.95).

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: Directors Carter, Brooks, Konicek, Acting Directors Borokhovich, Owens, Directors Whitlow, Guzman, Miller, Hudecek, Patterson, Warren and Alexander.

Nays: None.

Absent: Mayor White.

Resolution No. 26-01.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Hughes Supply, Inc. for an estimated quantity of service fittings (Item nos. 48, 49 and 50), 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 15th day of September, 2000, 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 Sixty-Three Thousand Eight Hundred Two Dollars, (\$63,802.00) (2% 10th - 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. 33496

which shall be certified against such contract in the sum of Three Thousand One Hundred Ninety and 10/100 Dollars (\$3,190.00).

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: Directors Carter, Brooks, Konicek, Acting Directors Borokhovich, Owens, Directors Whitlow, Guzman, Miller, Hudecek, Patterson, Warren and Alexander.

Nays: None.

Absent: Mayor White.

Resolution No. 27-01.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Pipelines, Inc. for an estimated quantity of service fittings (Item nos. 1, 11, 13, 21, 22, 23, 24, 36, 37, 38, 39, 40, 41, 42 and 46), 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 15th day of September, 2000, 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 Forty-Two Thousand Forty-Two Hundred and 04/100 Dollars, (\$42,042.04)

(Net), 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. 33499

which shall be certified against such contract in the sum of Two Thousand One Hundred Two and 10/100 Dollars (\$2,102.10).

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: Directors Carter, Brooks, Konicek, Acting Directors Borokhovich, Owens, Directors Whitlow, Guzman, Miller, Hudecek, Patterson, Warren and Alexander.

Nays: None.

Absent: Mayor White.

Resolution No. 28-01.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland, that the bid of Fabrizi Trucking & Paving Company for the public improvement of Snyder Avenue Area Sewer Replacement (Items 202, 400, 603, 604, 608, 609, 619, 623, 659, and special items, including the 10% contingency allowance) for the Division of Water Pollution Control, Department of Public Utilities, received on November 30, 2000, pursuant to the authority of Ordinance No. 2157-99 passed March 27, 2000, upon a unit basis for the improvement, in the aggregate amount of Four Hundred Forty Thousand Three Hundred Seventy-Five and 50/100 Dollars (\$440,375.50), is hereby affirmed and approved as the lowest responsible bid; and the Director of Public Utilities is hereby authorized to enter into contract for said improvement with said bidder.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by Fabrizi Trucking & Paving Company for the above-mentioned public improvement is hereby approved:

**SUBCONTRACTOR
WORK**

Cook Paving Company
MBE — \$84,000.00 — (19%)

Julian Supply
FBE — \$ 7,200.00 — (2%)

Yeas: Directors Carter, Brooks, Konicek, Acting Directors Borokhovich, Owens, Directors Whitlow, Guzman, Miller, Hudecek, Patterson, Warren and Alexander.

Nays: None.

Absent: Mayor White.

Resolution No. 29-01.

By Director Konicek.

Be it resolved, by the Board of Control of the City of Cleveland that all bids received on November 10, 2000 for maintenance and calibration of biological and chemical testing apparatus and appurtenances

(Item nos. 3, 6 and 7) for the Division of Water, Department of Public Utilities, pursuant to the authority of Codified Ordinances of the City of Cleveland, Sec. 129.28 are hereby rejected.

Yeas: Directors Carter, Brooks, Konicek, Acting Directors Borokhovich, Owens, Directors Whitlow, Guzman, Miller, Hudecek, Patterson, Warren and Alexander.

Nays: None.

Absent: Mayor White.

Resolution No. 30-01.

By Director Ricchiuto.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of Petroleum Traders Corporation for an estimated quantity of diesel fuel (all items), for the Division of Motor Vehicle Maintenance, Department of Public Service, for the period of one (1) year beginning with the date of execution of a contract received on December 29, 2000, pursuant to the authority of Ordinance No. 2023-2000, passed by the Council of the City of Cleveland on December 18, 2000, which on the basis of the estimated quantity would amount to One Million Nine Thousand Eight Hundred Fifty Five and 80/100 Dollars, (\$1,009,855.80), (Net), 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. 29414

which shall be certified against such contract in the sum of Four Hundred Thousand and no/100 Dollars (\$400,000.00).

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: Directors Carter, Brooks, Konicek, Acting Directors Borokhovich, Owens, Directors Whitlow, Guzman, Miller, Hudecek, Patterson, Warren and Alexander.

Nays: None.

Absent: Mayor White.

Resolution No. 31-01.

By Director Guzman.

Resolved by the Board of Control of the City of Cleveland that the bid of Flight Suits, for an estimated quantity of Flight Helmets, for the Division of Police, Department of Public Safety, for the period of one (1) year beginning with the date of execution of a contract received on December 14, 2000, pursuant to the authority of Ordinance No. 1005-2000, passed on July 17, 2000, which on the basis of the estimated quantity would amount to Eleven Thousand, One Hundred Thirty and 43/100 Dollars, (\$11,130.43), (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. 32269

as specified, which shall be certified against such contract in the sum of Eleven Thousand, One Hundred Thirty and 43/100 Dollars (\$11,130.43).

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: Directors Carter, Brooks, Konicek, Acting Directors Borokhovich, Owens, Directors Whitlow, Guzman, Miller, Hudecek, Patterson, Warren and Alexander.

Nays: None.

Absent: Mayor White.

Resolution No. 32-01.

By Director Guzman.

Resolved by the Board of Control of the City of Cleveland that the bid of Police Foundation for an estimated quantity of Electronic Risk Analysis System, for the Division of Police, Department of Public Safety, for the period of one (1) year beginning with the date of execution of a contract received on December 13, 2000, pursuant to the authority of Ordinance No. 1656-99, passed December 6, 2000, which on the basis of the estimated quantity would amount to Forty Eight Thousand, Forty Seven and 00/100 Dollars, (\$48,047.00), (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. 32259

as specified, which shall be certified against such contract in the sum of Forty Eight Thousand, Forty Seven and 00/100 Dollars (\$48,047.00).

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: Directors Carter, Brooks, Konicek, Acting Directors Borokhovich, Owens, Directors Whitlow, Guzman, Miller, Hudecek, Patterson, Warren and Alexander.

Nays: None.

Absent: Mayor White.

Resolution No. 33-01.

By Director Hudecek.

Resolved, by the Board of Control of the City of Cleveland that the bid of Noritsu America Corporation for an estimated quantity of One Hybrid mini-lab (all items) for the Various divisions of the Department of Community Development for the period of one year beginning with the date of execution of a contract received on December 29, 2000, pursuant to the authority of Ordinance No. 1210-2000, passed August 7, 2000, which on the basis of the estimated quantity would amount to Eighty-Six Thousand Eight Dollars, (\$86,008.00), (Net 30), is hereby

affirmed and approved as the lowest and best bid, and the Director of Community Development 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. 19897

which shall be certified against such contract in the sum of Eighty-Six Thousand Eight Dollars (\$86,008.00).

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: Directors Carter, Brooks, Konicek, Acting Directors Borokhovich, Owens, Directors Whitlow, Guzman, Miller, Hudecek, Patterson, Warren and Alexander.

Nays: None.

Absent: Mayor White.

Resolution No. 34-01.

By Director Hudecek.

Resolved by the Board of Control of the City of Cleveland, that all bids received on November 30, 2000 for X-Ray Fluorescent Portable lead analyzer and supporting services for the various divisions in the Department of Community Development, Department of Community Development pursuant to the authority of Ordinance No. 1210-2000, passed by the Council of the City of Cleveland on August 7, 2000, be and the same are hereby rejected.

Yeas: Directors Carter, Brooks, Konicek, Acting Directors Borokhovich, Owens, Directors Whitlow, Guzman, Miller, Hudecek, Patterson, Warren and Alexander.

Nays: None.

Absent: Mayor White.

Resolution No. 35-01.

By Director Miller.

Whereas, pursuant to the authority of Ordinance No. 2103-98, passed by the Council of the City of Cleveland on December 14, 1998, and Board of Control Resolutions No. 838-98, adopted December 23, 1998, No. 311-99, adopted May 19, 1999, as amended by Resolution No. 340-99, adopted June 2, 1999, the City, through the Director of Parks, Recreation & Properties, entered into concession agreements with Volume/English Enterprises, LLC to operate the food and beverage services concession at the Cleveland Convention Center for five (5) years with two (2) options to extend the term for one (1) year each, Contract No. 53846 to operate the food and beverage services concession at the Cleveland City Hall Cafeteria, Contract No. 55789, for a term of four (4) years and eight (8) months, with two (2) options to extend the term for one (1) year each; and

Whereas the City of Cleveland and Volume/English Enterprises, LLC have mutually determined to terminate said Contract No. 53846 and 55789, effective January 31, 2001; now, therefore,

Be it resolved by the Board of Control of Cleveland that pursuant to the authority of Ordinance No. 2103-98, passed by the Council of

the City of Cleveland on December 14, 1998, EC/EC Joint Venture Company, is hereby selected from a list of firms determined, as the firm to be employed by contract to provide the professional services necessary for the operation of first-class food and beverage services concessions at the Cleveland Convention Center and the City Hall Cafeteria.

Be it further resolved that the Director of Parks, Recreation and Properties is hereby requested to enter into a concession agreement or agreements with said EC/EC Joint Venture Company, to operate the food and beverage services concessions at the Cleveland Convention Center and Cleveland City Hall Cafeteria for the unexpired portions of the terms provided under said Contract No. 53846 and Contract No. 55789, for the following percentages of gross receipts:

City Hall Cafeteria
8%

Cleveland Convention Center
15% plus

50% of the net profits
from valet parking

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

Yeas: Directors Carter, Brooks, Konicek, Acting Directors Borokhovich, Owens, Directors Whitlow, Guzman, Miller, Hudecek, Patterson, Warren and Alexander.

Nays: None.

Absent: Mayor White.

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

**SCHEDULE OF THE BOARD
OF ZONING APPEALS**

MONDAY, FEBRUARY 5, 2001

9:30 A.M.

Calendar No. 00-377: 9719 Ramona Boulevard (Ward 4)

Damascus Missionary Baptist Church, owner c/o Forest Reynolds, agent, appeal to install an 8' long x 5' wide x 9 1/4" thick and 9' high monument sign within the front setback area of a 50' x 150' parcel located in a Two-Family District on the north side of Ramona Boulevard at 9719 Ramona Boulevard; said installation being contrary to the Sign Regulations of Section 350.13(a) where the height of sign must be no greater than 5' and 9' is proposed and the proposed sign is set back 10'-7" and 20' is required as stated in Section 350.13(b) of the Codified Ordinances.

Calendar No. 00-378: 3302 Ralph Avenue (Ward 16)

Mary Franks, owner, appeals to install approximately 97 linear feet of 6' high wooden fencing to the east of a 43' x 130' parcel situated in a One-Family District on the northwest corner of West 32nd Street and Ralph Avenue at 3302 Ralph Avenue, said installation being contrary to the Yards and Courts Requirements where a 6' high fence is proposed and the maximum height of fencing allowed at the side yard on a corner lot is 4'-6" as stated in Section 357.13(b)(3) of the Codified Ordinances.

Calendar No. 00-379: 1847 East 63rd Street (Ward 5)

East 63rd Real Estate Company Ltd., owners c/o Albert Walcott, appeal to construct an approximate 180' x 228' twenty foot high, one-story masonry and metal storage building and a parking lot for 37 cars on the northeast of the property and a parking lot for 25 cars on the southwest of the property all situated on an approximate 320' x 251' irregular shaped corner parcel, located in a Multi-Family District on the north side of Euclid Avenue between East 63rd Street and East 65th Street at 1847 East 63rd Street; said construction being contrary to the Residential District Requirements of Section 337.08 where storage and plastic coating parts are not permitted in a Multi-Family District but first permitted in a Semi-Industry District as stated in Section 345.03(c)(32 & 33) and contrary to the Landscaping and Screening Requirements where a 6' landscaped strip is required between East 65th Street and the proposed parking area as stated in Section 352.10 and 352.11 of the Codified Ordinances.

Calendar No. 01-01: 3277 West 33rd Street (Ward 14)

Higinio Justiniano, Jr., owner, appeals to construct a 30' x 24' two-story, frame 3-car garage on a 35' x 134' parcel located in a Two-

Family District on the east side of West 33rd Street at 3277 West 33rd Street; said construction being contrary to the Residential District Requirements of Section 337.23, where the maximum floor area for an accessory building in a residence district shall not exceed 650 sq. ft. and 720 sq. ft. is proposed and contrary to the Height Regulations, where a 21'-6" high garage is proposed and the maximum height of an accessory building in a residence district shall not exceed 15' in height as stated in Section 353.05 of the Codified Ordinances.

Calendar No. 01-02: 3556 West 66th Street (Ward 16)

Carla Speta, owner, appeals to install an 8' x 12' aluminum awning to the front of an existing 22' x 30' two family dwelling situated on a 40' x 100' parcel located in a Two-Family District on the west side of West 66th Street at 3556 West 66th Street; said installation being contrary to the Yards and Courts Requirements where the proposed awning projects 8' and no fixed or rectangular awning shall project more than 6' from the building line as stated in Section 357.13(b)(1) of the Codified Ordinances.

EUGENE CRANFORD, JR.,
Secretary

**REPORT OF THE BOARD
OF ZONING APPEALS**

MONDAY, JANUARY 22, 2001

At the meeting of the Board of Zoning Appeals on Monday, January 22, 2001, the following appeals were heard by the Board:

The following appeals were **Approved:**

Calendar No. 00-366: 1936-1948 West 25th Street

Fries and Schuele LLC, owner, appealed to change the use of a five-story building into a restaurant and retail space on the first floor and 36 dwelling units on the upper four floors in a General Retail Business District.

Calendar No. 00-367: 5921 St. Clair Avenue

Silvia Ahmetovic, owner, appealed to use a two-story frame building for storage of hot dog vendor carts in a Local Retail Business District; approval upon condition that no propane tanks be kept in the building and that there be no residential occupancy in the dwelling unit.

Calendar No. 00-373: 5810-5822 Superior Avenue

The City of Cleveland, owner, and Sam Qasem, prospective purchaser, appealed to construct a one-story convenient store building and 14 space parking lot in a Two-Family District; approval upon submission of a descriptive landscaping plan.

Calendar No. 00-330: 4703 Pearl Road

John and Mandy Siakantaris, owners, and Michael M. Ellis, tenant, appealed to change the use of a one-story masonry building at the rear of a parcel on the east side of Pearl Road to an automobile laundry in a Local Retail Business District; upon condition that there be no ingress nor egress from Germaine Avenue; that no vehicles are parked on the premises after business hours; that hours of operation end at 6 p.m., Monday through Saturday and no hours of operation on Sundays.

The following appeal was **Denied:**

Calendar No. 00-364: 2070 West 65th Street

Neil T. Clough, owner, appealed to change the use of a two-story dwelling unit into three dwelling units in a General Retail Business District.

The following appeal was **Postponed:**

Calendar No. 00-363: 16122 Lake Shore Boulevard postponed to February 12, 2001.

The following appeal was **Withdrawn:**

Calendar No. 00-362: 18625 St. Clair Avenue

Estate of Josephine T. Turcolivieri, owner, and Walking in the Light Chosen Generation Church c/o Beverly Johnson, tenant, appealed to change the use of the restaurant portion of a two-story brick restaurant and laundry building to a church and laundry building in a Local Retail Business District.

The following appeal was **Dismissed:**

Calendar No. 00-336: 11620 Edgewater Drive

Jeff Eisenberg, owner, appealed to construct a 24' x 20' two-story frame, 2 car, gable, private garage in a limited One-Family District.

On Monday, January 22, 2001, in Executive Session:

The following appeals were heard on Tuesday, January 16, 2001, and said decisions were approved and adopted by the Board on January 22, 2001:

The following appeals were **Approved:**

None.

The following appeal was **Denied:**

Calendar No. 00-361: 11307 Harbor View Drive

David J. Untener, owner, appealed from the issuance of a Violation Notice by the Division of Building and Housing on November 21, 2000.

EUGENE CRANFORD, JR.,
Secretary

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

Re: Report of the Meeting of
January 17, 2000

As required by the provisions of Section 3103.20(2) of the Codified Ordinances of the City of Cleveland, Ohio 1976, the following brief of action of the subject meeting is given for publication in The City Record:

* * *

Docket A-83-00.

Re: Appeal of John G. Medas, Owner of the Industrial Metal Fabrication Masonry Semi-Industry Property located on the premises known as 5105 Fowler Avenue from a NOTICE OF VIOLATION/CHANGE OF USE of the Commissioner of the Division of Building and Housing dated April 19, 2000, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

A motion is in order at this time to require that a team inspection be scheduled within two (2) weeks between the Appellant and the Building Department and to grant the Appellant two (2) months in which to prepare plans and meet with the Building Department to present a plan of action to abate the violations, noting that any residential occupancy is prohibited at this time; and to REMAND the property at this time to the Division of Building and Housing for supervision and required further action. Motion so in order. Motioned by Mr. Sullivan and seconded by Mr. Saunders.

Yeas: Messrs. Denk, Bowes, Williams, Saunders, Sullivan. Nays: None.

* * *

Docket A-169-00.

Re: Appeal of Harold Stern, Owner of the Property located on the premises known as 16501 Euclid Avenue from a NOTICE OF VIOLATION/FIRE CODE of the Chief of the Division of Fire dated September 20, 2000, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

No action on this docket at this time; the docket will be rescheduled after the property is re-inspected by the Fire Department.

* * *

Docket A-179-00.

Re: Appeal of Neil T. Clough, Owner of the Two & One/half Story Frame Three Dwelling Unit Residential Property located on the premises known as 2070 West 65th Street from a VACATE ORDER/VACANT STRUCTURE/RESIDENTIAL MAINTENANCE of the Commissioner of the Division of Building and Housing dated October 5, 2000, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

Docket A-179-00 has been POSTPONED; to be rescheduled for January 31, 2001.

* * *

Docket A-191-00.

Re: Appeal of Guy Templeton Black & Lottie M. Sulzer, Owners of the Two & One/half Story Frame Residential Property located on the premises known as 753 Brayton Avenue from a NOTICE OF VIOLATION/EXTERIOR MAINTENANCE of the Commissioner of the Division of Building and Housing dated October 19, 2000, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

Docket A-191-00 has been POSTPONED; to be rescheduled for January 31, 2001.

* * *

Docket A-192-00.

Re: Appeal of DRH Company, Owner of the Property located on the premises known as 4543 Hinckley Industrial Parkway from a NOTICE OF VIOLATION/FIRE CODE of the Chief of the Division of Fire dated August 29, 2000, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

Docket A-192-00 has been WITHDRAWN at the request of the Appellant.

* * *

Docket A-193-00.

Re: Appeal of Maurice & Pam Burch, Owners of the Single Family Residential Property located on the premises known as 4207 Ardmore Avenue from a NOTICE OF NONCONFORMANCE of the Commissioner of the Division of Building and Housing dated November 17, 2000, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to grant the variance to (CABO R-211; R-212) and permit the enclosure on the front porch to be installed as indicated on the Patio Enclosure drawing, noting that there is a three (3) foot primary exit door and an additional sliding door with steps leading out to grade at the rear of the house, and that this door will never be used as an entrance/exit opening. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Bowes.

Yeas: Messrs. Denk, Bowes, Williams, Saunders, Sullivan. Nays: None.

* * *

Docket A-198-00.

Re: Appeal of Schilling Square Development, LLC, Owner of the Property, located on the premises known as 11014 Detroit Avenue (a.k.a. 11014-24 Detroit Avenue) from a NOTICE OF VIOLATION/NONCOMPLIANCE of the Commissioner of the Division of Building and Housing

dated November 3, 2000, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

Docket A-198-00 has been POSTPONED; to be rescheduled for February 28, 2001.

* * *

Docket A-202-00.

Re: Appeal of P&D Realty/Phil D'Amico, Owner of the One Story Brick Commercial Factory Property located on the premises known as 6621 Morgan Avenue from a NOTICE OF VIOLATION/NO PERMIT of the Commissioner of the Division of Building and Housing, dated October 23, 2000, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

Docket A-202-00 has been POSTPONED; to be rescheduled for January 31, 2001.

* * *

Docket A-205-00.

Re: Appeal of Kiser L. Houston, Owner of the Two Story Brick Auto Wrecking Property located on the premises known as 1154 East 134th Street (a.k.a. 1154-60 East 134th Street) from a NOTICE OF VIOLATION/COMMERCIAL MAINTENANCE of the Commissioner of the Division of Building and Housing dated November 15, 2000, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to REMAND the property at 1154 East 134th Street (a.k.a. 1154-60 East 134th Street) to the Division of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Sullivan.

Yeas: Messrs. Denk, Bowes, Williams, Saunders, Sullivan. Nays: None.

* * *

Docket A-6-01.

Re: Appeal of Second General Properties, LLC, Owner of the Property located on the premises known as 3029 Prospect Avenue from an ADJUDICATION ORDER of the Commissioner of the Division of Building and Housing dated January 3, 2001, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to grant the variance to (OBBC Section 1014.11) and permit the door from the toilet room area and elevator door to open into the stairwell as indicated on the drawings with the provision that a hardware smoke detector system and alarms be installed throughout; and to grant the exception to the variance to the limited use elevator to allow its travel distance to be twenty-nine (29) feet/ten (10) inches in lieu of the twenty-five (25) feet code require-

ment. Motion so in order. Motioned by Mr. Williams and seconded by Mr. Saunders.

Yeas: Messrs. Denk, Bowes, Williams, Saunders, Sullivan. Nays: None.

* * *

APPROVAL OF RESOLUTIONS:

Separate motions were entered by Mr. Saunders and seconded by Mr. Bowes for Approval and Adoption of the Resolutions as presented by the Secretary for the following Dockets respectively, subject to the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC):

- A-167-00—1476 Davenport Limited Partnership.
- A-186-00—Brenda J. Aleshire.
- A-187-00—Brenda J. Aleshire.
- A-204-00—David Rudiger.
- A-211-00—Fairmont Snacks Groups, Inc.

Yeas: Messrs. Denk, Bowes, Saunders, Sullivan. Nays: None. Not Voting: Mr. Williams.

* * *

Separate motions were entered by Mr. Sullivan and seconded by Mr. Bowes for Approval and Adoption of the Resolutions as presented by the Secretary for the following Dockets respectively, subject to the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC):

- A-188-00—Raw Properties.
- A-210-00—Holy Redeemer Church.
- A-213-00—Sunshine Limited Properties.
- A-215-00—Prime Properties Ltd. Partnership.

Yeas: Messrs. Denk, Bowes, Saunders, Sullivan. Nays: None. Not Voting: Mr. Williams.

* * *

APPROVAL OF MINUTES:

Separate motions were entered by Mr. Sullivan and seconded by Mr. Saunders, for Approval and Adoption of the Minutes as presented by the Secretary, subject to the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC):

January 3, 2001

Yeas: Messrs. Denk, Bowes, Saunders, Sullivan. Nays: None. Not Voting: Mr. Williams.

JOSEPH F. DENK,
CHAIRMAN

PUBLIC NOTICE

NONE

NOTICE OF PUBLIC HEARING

NONE

CITY OF CLEVELAND BIDS

For All Departments

Sealed bids will be received at the office of the Commissioner of Purchases and Supplies, Room 128, City Hall, in accordance with the appended schedule, and will be opened and read in Room 128, City Hall, immediately thereafter.

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

187.10 Negotiated contracts; Notice required in Advertisement for Bids.

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

WEDNESDAY, FEBRUARY 14, 2001

Baldwin Building Renovation Project, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 818-2000, passed by the Council of the City of Cleveland, October 9, 2000. **A NON-REFUNDABLE FEE OF ONE HUNDRED DOLLARS (\$100.00) CERTIFIED CHECK, BANK CHECK OR MONEY ORDER WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS. PROSPECTIVE BIDDERS WILL RECEIVE A VOUCHER TO PRESENT TO THE DESIGNATED PRINTER FOR BID DOCUMENTS. OUT OF AREA BIDDERS — PLEASE PROVIDE FEDERAL EXPRESS, UPS OR OTHER ACCOUNT INFORMATION FOR SHIPMENT. PACKAGE/FEE INCLUDES PLANS, TECHNICAL SPECIFICATIONS AND CONTRACTUAL REQUIREMENTS AND ANY ADDENDA.**

A PRE-BID MEETING WILL BE HELD ON WEDNESDAY, JANUARY 23, 2001, 10:00 A.M., AT THE CARL B. STOKES PUBLIC UTILITIES BUILDING, 1201 LAKESIDE AVENUE, AUDITORIUM. THOUGH NOT MANDATORY, ATTENDANCE IS STRONGLY RECOMMENDED. ALL QUESTIONS PRIOR TO AND/OR SUBSEQUENT TO THE PRE-BID MEETING MUST BE SUBMITTED IN

WRITING VIA FACSIMILE TO MITCHELL BROOKS IN THE DIVISION OF PURCHASES AND SUPPLIES (FAX 216-664-2611). A COPY MUST ALSO BE FORWARDED TO DAVE ROSSETTI, PROGRAM MANAGEMENT CONSULTANT (FAX 216-623-2683). QUESTIONS WILL BE RECEIVED UNTIL 5:00 P.M. FEBRUARY 2, 2001.

PROJECT SCOPE INCLUDES, BUT IS NOT LIMITED TO: ARCHITECTURAL AND STRUCTURAL RENOVATION OF THE FILTER BUILDING EXTERIOR SHELL, INCLUDING ROOF RENOVATION, WINDOW REPLACEMENT, AND MASONRY REPAIR. EAST WING FILTER AREA CONCRETE ROOF RECONSTRUCTION IS ALSO PLANNED. WORK SHALL BE PERFORMED TO MAINTAIN HISTORICAL ACCURACY OF THIS LANDMARK STRUCTURE.

January 10, 2001, January 17, 2001 and January 24, 2001

THURSDAY, FEBRUARY 1, 2001

Office Renovation, Division of Engineering and Construction, for the Division of Architecture, Department of Public Service, as authorized by Ordinance No. 1747-99, passed by the Council of the City of Cleveland.

A DEPOSIT OF FIFTY DOLLARS (\$50.00) CERTIFIED CHECK 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.

January 17, 2001 and January 24, 2001

FRIDAY, FEBRUARY 2, 2001

Cushman Parts and Labor, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 2022-2000, passed by the Council of the City of Cleveland, December 18, 2000.

Ford Tractor, Mower and Construction Equipment Parts and Labor, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 2021-2000, passed by the Council of the City of Cleveland, December 18, 2000.

January 17, 2001 and January 24, 2001

THURSDAY, FEBRUARY 15, 2001

Meters and Metering Equipment, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Section 129.26 of the Codified Ordinances of the City of Cleveland, 1976.

A PRE-BID MEETING WILL BE HELD ON THURSDAY, FEBRUARY 8, 2001, 3:00 P.M., AT THE OFFICE OF CLEVELAND PUBLIC POWER, 1300 LAKESIDE AVENUE. ATTENDANCE IS MANDATORY.

January 17, 2001 and January 24, 2001

FRIDAY, FEBRUARY 16, 2001

Various Cab/Chassis With Refuse Packers, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 1685-2000, passed by the Council of the City of Cleveland, October 30, 2000.

January 17, 2001 and January 24, 2001

**Request for Qualifications (RFQ):
WBS NO. K510 — INTERIM MEASURES FEASIBILITY STUDIES**

Interested firms may obtain Qualification Packages beginning January 19, 2001 by going to:

www.clevelandairport.com

Submit Questions (prior to the Pre-Qualification meeting) via the website or e-mail at:

proposal@clevelandairport.com

SUBMITTAL DUE DATE:

FRIDAY, FEBRUARY 9, 2001
AT 12:00 O'CLOCK NOON

PRE-QUALIFICATIONS MEETING:

THURSDAY, JANUARY 25, 2001
10:00 a.m.
Program Management
Team Office
19501 Five Points Road
Cleveland, Ohio 44135

For Further Information Contact:

Denise Hale, Mon. - Fri. 8 A.M. - 5 P.M.
(216) 676-9699 x 103
(216) 676-9778 (fax)

January 17, 2001 and January 24, 2001

FRIDAY, FEBRUARY 9, 2001

Plumbing Supplies, for the Various Divisions of City Government, Department of Finance, as authorized by Ordinance No. 713-99, passed by the Council of the City of Cleveland, May 17, 1999.

X-Ray Fluorescent Portable Lead Analyzers (XRF), for the Division of Administrative Services, Department of Community Development, as authorized by Ordinance No. 1201-2000, passed by the Council of the City of Cleveland, August 7, 2000.

January 24, 2001 and January 31, 2001

THURSDAY, FEBRUARY 15, 2001

Fifth District Police Headquarters Roof Replacement and Partial Masonry Restoration, for the Department of Public Safety, as authorized by Ordinance No. 56-2000, passed by the Council of the City of Cleveland.

A PRE-BID MEETING WILL BE HELD ON TUESDAY, FEBRUARY 6, 2001, 10:00 A.M., AT THE FIFTH DISTRICT POLICE HEADQUARTERS, EAST 107TH STREET AND CHESTER AVENUE, CLEVELAND, OHIO.

Grinding of Pavement, for the Division of Streets, Department of Public Service, as authorized by Ordinance No. 1681-2000, passed by the Council of the City of Cleveland, November 27, 2000.

Bunker Gear, for the Various Divisions of the Department of Port Control, as authorized by Ordinance No. 1066-99, passed by the Council of the City of Cleveland, June 14, 1999.

Turnout Clothing, for the Division of Fire, Department of Public Safety, as authorized by Section 135.06 of the Codified Ordinances of the City of Cleveland, 1976.

January 24, 2001 and January 31, 2001

FRIDAY, FEBRUARY 16, 2001

Two (2) Cab/Chassis with Material Handling Aerial Bucket, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 1685-2000, passed by the Council of the City of Cleveland, October 30, 2000.

cil of the City of Cleveland, October 30, 2000.

Shop Equipment, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 904-2000, passed by the Council of the City of Cleveland, August 7, 2000.

Six (6) Fire Pumpers, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 847-2000, passed by the Council of the City of Cleveland, August 7, 2000.

January 24, 2001 and January 31, 2001

**Request for Qualifications (RFQ):
WBS NO. K50 —
ENVIRONMENTAL ANALYTICAL SERVICES**

Interested firms may obtain Qualification Packages beginning January 19, 2001 by going to:

www.clevelandairport.com

Submit Questions (prior to the Pre-Qualification meeting) via the website or e-mail at:

proposal@clevelandairport.com

SUBMITTAL DUE DATE:

FRIDAY, FEBRUARY 16, 2001
AT 12:00 O'CLOCK NOON

PRE-QUALIFICATIONS MEETING:

THURSDAY, FEBRUARY 1, 2001
12:00 p.m.
Program Management
Team Office
19501 Five Points Road
Cleveland, Ohio 44135

For Further Information Contact:

Denise Hale, Mon. - Fri. 8 A.M. - 5 P.M.
(216) 676-9699 x 103
(216) 676-9778 (fax)

January 24, 2001 and January 31, 2001

**Certified MBEs and FBE
Reporting Period: Fourth Quarter, 2000**

Pursuant to Chapter 187 of the Codified Ordinances of the, City Of Cleveland, Ohio, listed below are the firms that have been certified as Minority Business Enterprises (MBEs) and Female Business Enterprises (FBEs) by the Mayor's Office of Equal opportunity during the Fourth Quarter of 2000.

Company	MBE/FBE	Certdate	Description
21st Century Air, Inc.	MBE	10/30/2000	Air charter and air cargo service
A-Tech International Corp.	MBE	11/30/2000	Lawn care services and pest control
ABS Construction	MBE	12/16/2000	Contractor specializing in carpentry, drywall, painting and drivit (stucco) work
Alpha Omega Chemical Co.	MBE	11/14/2000	Mgmt. services: asbestos/lead abatement. Underground storage tank removal. Excavation, hazardous waste removal. Environmental consulting, remediation, clean-up; analytical laboratory
American Petrographic, D.a.R.	MBE	10/31/2000	Petrographic examination of concrete samples; examination of bulk samples for asbestos contents
Aries Distribution	FBE	11/6/2000	Distributor: janitorial supplies including paper products
ASC Group, Inc.	FBE	10/13/2000	Cultural resource surveys including archeology & architectural history; also, ecological and wetland surveys

Company	MBE/FBE	Certdate	Description
Aviles Construction Company	MBE	11/13/2000	General contractor specializing in commercial residential remodeling, electrical, plumbing, HVAC and insulation
Ballast Construction dba Ballast Fence	FBE	11/26/2000	Fencing contractor
Barry Booker Trucking	MBE	12/27/2000	Trucking; hauling of various materials
Bell & Lindsay, Inc.	MBE/FBE	10/28/2000	Training consultant; organizational development, human resources
Bland, Inc.	FBE	11/23/2000	Asphalt contractor
Cavotta Landscapers, Inc.	FBE	12/15/2000	Landscaper
Clarkstone Contracting Company	MBE/FBE	11/1/2000	Contractor: inspect sewer and install water lines, test tees (repair and replace), install sodding
Class Construction, Inc.	FBE	12/14/2000	Painting Contractor
Cleveland Granite & Marble Co.	FBE	11/11/2000	Custom stone fabrication; wholesale nature stone products
Coleman Development, Inc.	MBE	11/13/2000	Mechanical dismantling and interior wrecking services
Corlett Trenching and Plumbing	MBE	12/16/2000	Sewer and water line installation and repairs
Dan Platt Draperies	FBE	11/27/2000	Custom design window treatments, residential & commercial
Dan Ray Construction Co., Inc.	MBE	11/1/2000	Soil preparation, seeding, strawing, landscaping
Danoli Landscape, Inc.	MBE	10/9/2000	Landscape and landscape design; commercial and non-commercial
DLS Design	FBE	11/14/2000	Full service computerized graphic design studio
Emerald Sage bda Aamco Transmissions, Inc.	FBE	10/20/2000	Repair transmissions & driveline (axles, cv boots, mounts, etc.) including 4wds, clutches, transfer cases for domestic & foreign cars, light trucks, vans for both automatic & standard shift vehicles
Epstein Design Partners, Inc.	FBE	12/15/2000	Graphic design
F.B.E. Construction Co., Inc.	FBE	12/10/2000	Plastering, exterior stucco, drywall and taping
Focal Plane Photography	FBE	11/30/2000	Photography specializing in aerials: construction projects and architectural
Fortney Electric, Inc.	FBE	11/27/2000	Electrical contractor
Gayle's Welding & Fabrication Company	MBE	10/12/2000	Certified welder and steel fabrication
General Preventive Maintenance	FBE	11/19/2000	Construction contractor specializing in exterior restoration, caulking, tuckpointing, waterproofing, brick and window replacement
Gold N Imports, Inc.	MBE	11/14/2000	Supplier: Marble, granite, slate, ceramic tile and aggregates
Grattan Building Specialties	FBE	11/14/2000	Supplier of commercial building specialties and products
Greater Cleveland Home Inspection Services	MBE	11/10/2000	Building/home inspections: provide narrative, conduct relocation inspections: provide radon, carbon monoxide & combustible gas testing
H.M.C. Plumbing and Heating	MBE	11/29/2000	Plumber: commercial and residential
H2N Design, Inc.	FBE	10/20/2000	Graphic design including corporate identity, publications, annual reports, advertising, website design
Hammond Corporation	MBE/FBE	11/23/2000	Mechanical contractor: HVAC, plumbing and process piping
Hogan Electric Company	MBE	11/10/2000	Electrical contractor
Infrastructure Services, Inc.	MBE	10/12/2000	Engineering services: civil, structural, inspections, drafting and surveying
Interconnect Cabling Network Services, Inc.	FBE	10/2/2000	Installation of telecommunication networks: LAN, WAN, WIN: design & consulting. Supply network hardware & components
Interstate Express Tire Service, Inc.	MBE	10/31/2000	24 hour tire repair and road service
J.B. Neal Associates	MBE/FBE	10/20/2000	Consultant; employee relations, workforce education
Janitorial Specialists, Inc.	MBE	10/2/2000	Janitorial services: cleaning of walls, windows, carpet, light fixtures; building maintenance
Jet 4500 Service, Inc.	MBE	11/14/2000	General contractor specializing in concrete and asphalt paving
Johmyell Contractors, Inc.	MBE/FBE	10/29/2000	General contractor
K.L.E. Construction Company	MBE	10/29/2000	Install concrete
Kapp & Associates	FBE	10/28/2000	Communication design firm specializing in print communications and environmental graphic design
Kingsway Contracting & Excavating Co., Inc.	MBE/FBE	12/15/2000	General contractor specializing in demolition and excavation; sewer work and underground drainage
L.T. Davis and Associates, Inc.	MBE	10/12/2000	Real estate appraiser
Lake Architectural Products	FBE	11/5/2000	Supplier of bath accessories and partitions
Lawrence Harris Construction, Inc.	MBE	11/12/2000	General contractor specializing in asphalt & concrete, cable trenches, filter fabric underdrains, bases, foundation, and excavation and demolition

Company	MBE/FBE	Certdate	Description
LDW Construction Company	MBE/FBE	10/20/2000	General contractor specializing in clean-outs, janitorial, removal of defective point, installation of chain link fences
Ledyard Mechanical Corporation	MBE	10/20/2000	General contractor specializing in complete HVAC/mechanical construction as well as complete in-house sheet metal fabrication services
Leoni Companies, The	MBE	12/5/2000	General contractor specializing in rehab, renovations and decorating
Mahoney Design, Inc,	MBE	11/6/2000	Graphic design, digital printing, web design, marketing
Markie Construction Co., Inc.	FBE	11/20/2000	General contractor specializing in underground utilities, sewer and water line installation
Mayer Associates Manufacturers Agent, Inc.	FBE	12/15/2000	Waste treatment: filters and pumps
McDevitt Mechanical Contractors, Inc.	FBE	10/17/2000	General contractor specializing in plumbing, HVAC & process piping, commercial and industrial
MCM Company, Inc.	FBE	10/22/2000	General contractor, constructment management, project management services
Micro Plus	MBE	12/8/2000	Supplier: computer hardware, software, & peripherals (printers, modems, monitors, diskettes)
Microplex, Inc.	FBE	10/9/2000	Manufacture of custom cables for computers and network systems
Montalvo General Home Repair & Improvement	MBE	12/10/2000	Supplier: fixtures, plumbing & mechanical; general contractor specializing in interior & exterior improvements and renovations, storefront renovations, residential and commercial
New Age Cement Company	MBE	12/14/2000	Concrete contractor: flat work, residential and commercial
New Concepts Consulting, Inc.	MBE/FBE	10/30/2000	Customized software, database design & development, network installation & support, web page dev., client server/mainframe placement. Software training; video production, editing
New Era Builders	MBE	12/15/2000	General contractor specializing in carpentry, installation of concrete, and interior demolition; concrete restoration and construction management
New Life Painting Company	MBE	11/1/2000	Painting contractor
Nordonia Building Products, Inc.	FBE	11/20/2000	Commercial and industrial metal siding and roofing contractor
Northland Research Corp.	MBE	10/12/2000	Real estate consulting, appraising, & market analysis
Omex, Inc.	MBE	10/31/2000	General contractor specializing in property rehabilitation and restoration; sewer and concrete repair work: blast cleaning of interior and exterior buildings
One Way Express, Inc.	FBE	12/23/2000	Commercial freight trucking: local, interstate, intrastate including Canada
Outside In, Inc., The	MBE	10/16/2000	Interior and exterior plantscaping. Landscape architectural services: planning & urban design, site, park, recreational and transportation design, environmental designs and studies
Paramount Heating & Air Conditioning	MBE	11/27/2000	Install and repair heating, ventilation and air conditioning and sheet metal
Perk Company	MBE	12/8/2000	General contractor specializing in demolition and excavating, trucking, masonry, traffic painting, street & highway construction, utilities work, landscaping, concrete work, asphalt paving
Phil & Partners Trucking Corp.	MBE	11/8/2000	Complete trucking: hauling, delivery and transfer service
Pneumatic Specialties, Inc.	FBE	11/13/2000	Air dryers, air compressors, fittings, tubing for pressurization of cables within the telecommunications industry
Post Painting, Inc.	FBE	10/21/2000	Commercial painting and wallcovering contractor
Premier Building & Contracting, Inc,	FBE	11/14/2000	General contractor specializing in carpentry: framing & finishing
Prime Engineering & Architecture, Inc.	MBE/FBE	11/23/2000	Architectural & engineering services: civil, structural, geotechnical, material testing and site development
Purefoy & Associates	MBE	12/15/2000	Personnel and management consultants specializing in affirmative action
Pyramid Cleaning Group, Inc., The	MBE	11/8/2000	Mobile pressure wash and steam cleaning
Quality Ribbons and Supplies Co.	FBE	10/20/2000	Office and computer supplies, equipment; janitorial supplies

Company	MBE/FBE	Certdate	Description
R-CAP, Ltd,	MBE/FBE	12/1/2000	Security services
Ralph C. Tyler, P.E., P.S., Ltd.	MBE	12/4/2000	Engineering: civil, electrical, mechanical, rail transit, railroad, structural, transportation: architectural design; surveying and project management
Ran Security Services, Inc.	MBE	11/30/2000	Provide armed & unarmed security, pre employment screening, crime prevention training, security training, executive protection, vulnerability survey
Relocation Specialists, Inc.	FBE	12/23/2000	Office and industrial relocation, management & consulting
Resource International, Inc.	FBE	12/17/2000	Engineering, geotechnical, testing laboratory, systems design & software, research and development, management services
Ridge Painting Company, Inc.	FBE	11/5/2000	Paint contractor: interior, exterior, commercial, industrial, and residential
Rittman Inc. dba Mull Iron	MBE	11/12/2000	Fabrication & erection of structural, ornamental & misc. steel products
RLM Development Company	MBE	11/27/2000	Contractor specializing in installation and servicing of HVAC equipment
RMC, Inc.	MBE	12/5/2000	Cleaning/cement mortar lining of distribution water mains; repair, replace and plug of water mains and appurtenances: general contractor specializing in carpentry, millwork, replacement, restoration, installation of nipples, valves
Roberts Consultants, Inc.	MBE	12/11/2000	Engineer services: electrical systems and mechanical engineer
Roger's Towing, Inc.	FBE	11/24/2000	Towing of automobiles and trucks
Romor Products	MBE	10/22/2000	Supplier: janitorial and industrial products
Sanchlu & Associates, Inc.	MBE	12/19/2000	Consulting engineer services including design of HVAC, plumbing, fire protection, process piping, temp controls, instrumentation & energy management
SBK-Brooks Investment Corp.	MBE	11/22/2000	Investment banking, institutional securities and trading
September & Associates	FBE	12/23/2000	Commercial and residential real estate appraising
Sigma Associates, Inc.	MBE/FBE	11/30/2000	Engineer/architect consulting for studies, design, construction oversight, operation/maintenance training for infrastructure and facilities
Smart Solutions dba Microage Computer Store	MBE	12/8/2000	Computer store: personal computers, networks, peripherals, and support services
Soehnlén Piping Company, Inc.	FBE	11/10/2000	Commercial and industrial mechanical contractor, HVAC, process piping, fabrication
Star Beverage Corp.	MBE	10/2/2000	Manufacture, market, ship and sell carbonated and non-carbonated soft drinks
Suburban Janitorial Service, Inc.	FBE	10/22/2000	Janitorial and cleaning services
Take 5 Coffee Company	FBE	11/19/2000	Coffee and food concessions
Texcel, Incorporated	MBE	11/16/2000	Computer system integration and services including consulting
Thermo-Tec Insulation, Inc.	FBE	11/15/2000	Industrial and commercial duct and pipe insulation
Tom Paige Catering	MBE	12/8/2000	Catering and other food services
Top Quality Cleaning	FBE	11/11/2000	Janitorial services
Traffic Control Products, Inc.	FBE	11/23/2000	Traffic signals and controls: traffic counters, computerized traffic systems
Trans-Enviro, Inc.	MBE	12/23/2000	Certified environmental analytical testing laboratory, transportation of hazardous and non hazardous waste, waste management of industrial & clean-up of industrial complexes
Trilogic Corporation	MBE	11/12/2000	Computer integrated systems design and computer programming services
United Ready Mix	MBE	10/20/2000	Manufacture and distribute ready mix concrete
Vicki L. Banda Freelance Stenographer	MBE/FBE	11/21/2000	Stenographer: record & transcriptions
Washington Insurance Agency, Inc.	MBE	10/12/2000	Insurance agency: multi lines, life, health, auto, commercial, homeowners and group
Wiggins Interiors	MBE	11/27/2000	General contractor specializing in carpentry; installation of cabinets, drywall, ceilings, floors and renovation
Woles Inc., dba Elie Wrecking	MBE	11/15/2000	General contractor specializing in complete liquidation and site clearance
Work Best Electric	FBE	12/23/2000	Electrical contractor

Denials of Certification — Fourth Quarter, 2000

Pursuant to Chapter 187 of the Codified Ordinances of the City of Cleveland and its amendment, Ordinance No. 1186-92, which was passed by City Council on Monday, June 15, 1992, attached is a listing of firms that have applied for certification and were denied. These firms are not prohibited from doing business as prime contractors with the City of Cleveland. In actuality, the purported owners could not clearly define that they were bona fide minority and/or female owned and controlled firms or they applied for certification and were out of the geographic location that met the requirements of the MBE/FBE Ordinances and the regulations that govern the MBE/FBE certification status.

FBEs:

Global Painting Co., Inc.
Pinnacle Business Solutions
Samos Enterprises, Inc.
Serve Right

MBEs:

Advanced Federated Protection, Inc.
Banks Robins Construction Corporation
Benchmark Construction Co., Inc.
Ecological Services, Inc.
Laser Expedited Transportation
McDaniel's Construction Corp., Inc.
RM Chin & Associates, Inc.
Ringold Office Products, Inc.
Wilcot Construction

**MBEs/FBEs DELETED FROM OEO'S DATABASE
Fourth Quarter, 2000**

The attached firms, that were previously certified as a MBE and/or FBE have been dropped from the MBE/FBE database. The firms listed were sent at least two (2) letters and elected not to re-certify for various reasons, including going out of business and changes in geographic location.

MBE/FBE	Company
FBE	AAA Pipe Cleaning Corp.
FBE	ABC CLE-Inc.
FBE	Andreano's D & Js Inc.
FBE	Aurora Technology Group, Inc., The
FBE	Beacon Metal Fabricators, Inc.
FBE	Bonnie Kay Unlimited
FBE	Cambridge Hall
FBE	Christina Farinella, Inc.
FBE	Cichan Landscape Architect
FBE	City Life, Inc.
FBE	Corner Stone Professional Land Surveyors
FBE	Customized Solutions, Inc.
FBE	Davison & Company
FBE	DLS Design
FBE	Envision Graphics
FBE	European Tile Company
FBE	F.C.G., Inc.
FBE	Giddy Piper & Associates
FBE	Hall Metal Fabricators, Inc.
FBE	Heckaman, Maria and Associates, Inc.
FBE	Heisley Electric Co., Inc.
FBE	Integrated Marketing Communications, Inc.
FBE	Lee Infrastructure Restoration, Inc.
FBE	Lohn Envelopes & Graphics
FBE	Mart, The
FBE	MKH Consulting

MBE/FBE	Company
FBE	National PowerX
FBE	NCT Technologies
FBE	North Coast Tropics
FBE	Piping Equipment, Inc.
FBE	Preisler Lumber Company
FBE	Richmond Valve & Pipe Company, Inc.
FBE	SGD Design, Inc.
FBE	Snavely Construction Co., Inc.
FBE	Ty, Incorporated
MBE	A-1 Nursing Care of Cleveland, Inc.
MBE	Advanced Engineering, P.C. (AEPC)
MBE	AFCON, Inc.
MBE	An-Gay, Inc. dba A.C. Lock and Key Services
MBE	AR Whitfield & Associates
MBE	Arrow Fabricating Company, Inc.
MBE	Arrowhead Office Services
MBE	Banks Construction Company
MBE	Benchmark Construction Co., Inc.
MBE	Boone Enterprises & Distribution Systems
MBE	Britt Business Systems, Inc.
MBE	Caraballo Custom Home Works, Inc.
MBE	Carter Exterminating Co.
MBE	Carter Home Remodeling, Inc.
MBE	Celestial Electric Company, Inc.
MBE	Charles Coleman Corp.
MBE	Clotman and Sons, Inc.
MBE	CM Diversified Ltd.
MBE	Committed Services, Inc.
MBE	Couch's Country Style Sausage, Inc.
MBE	Craig Long Trucking
MBE	David G. Hill & Associates, Co., LPA
MBE	David Toguchi Landscape Architect
MBE	Delta Products Company, Inc.
MBE	Erie Shores Computer, Inc.
MBE	Fultco Security Services, Inc.
MBE	G.A. Construction Co., Inc.
MBE	Gentry Brothers Painting
MBE	Grimes Delivery
MBE	Gwembs & Associates, Inc.
MBE	H.M.C. Plumbing and Heating
MBE	Hale Construction Group, Inc., The
MBE	Harper's Heating & Air Conditioning Service
MBE	Hudson Transport, Inc.
MBE	Impulse Technologies bda Impulse Trucking
MBE	JF Trucking, Inc.
MBE	John E. Foster & Associates, Inc.
MBE	John Price Trucking, Inc.
MBE	Kahm Services, Inc.
MBE	Kelly-N-Son Painting & Decorating
MBE	King, Roberts & Associates
MBE	Lake Industrial Supply Corp.-LISCO
MBE	Lal C. Jagetia, CPA
MBE	Lee Anderson Trucking
MBE	Los Chinos Management Group, Inc.
MBE	LUE Trucking
MBE	Mainthia Technologies, Inc.
MBE	Maxlink, Inc.
MBE	Metro Minority Enterprises, Inc.
MBE	Michael L. Nelson, Sr. & Associates
MBE	Miles Building Supply
MBE	Monarch Impressions

MBE/FBE	Company
MBE	Northcoast Mechanical Company
MBE	Northstar Printing
MBE	Overlook Communications
MBE	Ozanne Construction Co., Inc.
MBE	Poly Carb, Inc.
MBE	Power Works Service Corporation
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MBE	R & R International, Inc.
MBE	R & R Mechanical Corp.
MBE	Rodney L. Brown Photography
MBE	Royal Electric Company
MBE	S & B Floor Covering, Inc.
MBE	S.L. King & Associates, Inc.
MBE	S.L.W. General Services
MBE	Shackleford Enterprises, Inc.
MBE	Singleton Construction Co.
MBE	Sircle Construction, Inc.
MBE	Square One, Inc.
MBE	Star Express Delivery Service
MBE	Steel City Electric
MBE	Steven Cooper Landscape Contractor, Inc.
MBE	Toner Brothers Contracting & Supply, Inc.
MBE	Thomas T.K. Zung Architects, Inc.
MBE	Timkim Enterprises
MBE	Totem Rebar Incorporated
MBE	Traders Group, Inc.
MBE	U.S. One Control Data, Inc.
MBE	Villa Realty, Inc., The
MBE	Ware Plumbing & Heating Co., Inc.
MBE	Watson & Rice & Company
MBE	West Akron Glass & Mirror, Inc.
MBE	White's Information Systems, Inc.
MBE	Wilkerson & Associates, LPA
MBE	Wobash Electronic Display Systems, Inc.
MBE/FBE	Alexa Trucking, Inc.
MBE/FBE	B. Ransom Professional Office Services
MBE/FBE	Bohannon Construction Consultants, Inc.
MBE/FBE	Classic Graphics & Communications Enterprises
MBE/FBE	Education-Yours, Inc.
MBE/FBE	Frontier Services Corp.
MBE/FBE	GAP Productions, Inc.
MBE/FBE	Harold Insurance Agency
MBE/FBE	Human Resources Connections, Inc.
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MBE/FBE	Photo-To-Art
MBE/FBE	Singh & Associates
MBE/FBE	Starr Catering and Food Service, Inc.
MBE/FBE	Washington Group, The
MBE/FBE	Williams Employment & Training Company
MBE/FBE	Zanacakes

**ADOPTED RESOLUTIONS
AND ORDINANCES**

NONE

**COUNCIL COMMITTEE
MEETINGS**

Monday, January 22, 2001

Public Parks, Recreation and Properties Committee: 9:30 a.m.— Present: Rybka, Chairman; Dolan, Vice Chairman; Brady, Johnson, Reed, Sweeney. Excused: Britt.

Employment, Affirmative Action and Training Committee: 11:00 a.m.— Present: White, Chairman; Lewis, Vice Chairman; Cintron, Coats, Gordon, Johnson, Jones.

Community & Economic Development Committee (Joint with Public Utilities Committee, Legislation Committee and Finance Committee): 1:00 p.m.— Present: Melena, Chairman; Lewis, Vice Chairman; Brady, Cimperman, Cintron, Jackson, Johnson, Jones, Willis.

Public Utilities Committee (Joint with Community & Economic Development Committee, Legislation Committee and Finance Committee): 1:00 p.m.— Present: O'Malley, Chairman; Patmon, Vice Chairman; Coats, Dolan, Melena, Polensek, Westbrook, Willis. Excused: Britt.

Legislation Committee (Joint with Community & Economic Development Committee, Public Utilities Committee and Finance Committee): 1:00 p.m.— Present: Lewis, Chairman; Jones, Vice Chairman; Coats, Gordon, Reed, White, Westbrook.

Finance Committee (Joint with Community & Economic Development Committee, Public Utilities Committee and Legislation Committee): 1:00 p.m.— Present: Patmon, Chairman; Rybka, Vice Chairman; Cintron, Dolan, Lewis, Melena, O'Malley, Polensek, Sweeney, White. Excused: Britt.

Public Utilities Committee (Joint with Finance Committee): 1:30 p.m.— Present: O'Malley, Chairman;

Patmon, Vice Chairman; Coats, Dolan, Melena, Polensek, Westbrook, Willis. Excused: Britt.

Finance Committee (Joint with Public Utilities Committee): 1:30 p.m.— Present: Patmon, Chairman; Rybka, Vice Chairman; Cintron, Dolan, Lewis, Melena, O'Malley, Polensek, Sweeney, White. Excused: Britt.

Finance Committee: 2:00 p.m.— Present: Patmon, Chairman; Rybka, Vice Chairman; Cintron, Dolan, Lewis, Melena, O'Malley, Polensek, Sweeney, White. Excused: Britt.

Wednesday, January 24, 2001

Public Safety Committee: 10:00 a.m.— Present: Polensek, Chairman; Patmon, Vice Chairman; Britt, Cimperman, Coats, Gordon, Sweeney. Excused: Britt, Jackson, Melena.

Public Utilities Committee: 1:30 p.m.— Present: O'Malley, Chairman; Patmon, Vice Chairman; Coats, Dolan, Polensek, Willis. Excused: Britt, Melena, Westbrook.

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