

# The City Record

Official Publication of the City of Cleveland

February the Thirteenth, Two Thousand and Two

<b>Mayor</b>	
Jane L. Campbell	
<b>President of Council</b>	
Frank G. Jackson	
<b>Clerk of Council</b>	
Ruby F. Moss	
<b>Ward</b>	<b>Name</b>
1	Joseph T. Jones
2	Robert J. White
3	Zachary Reed
4	Kenneth L. Johnson
5	Frank G. Jackson
6	Patricia J. Britt
7	Fannie M. Lewis
8	Sabra Pierce Scott
9	Kevin Conwell
10	Roosevelt Coats
11	Michael D. Polensek
12	Edward W. Rybka
13	Joe Cimperman
14	Nelson Cintron, Jr.
15	Merle R. Gordon
16	Michael C. O'Malley
17	Matthew Zone
18	Jay Westbrook
19	Dona Brady
20	Martin J. Sweeney
21	Michael A. Dolan

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# DIRECTORY OF CITY OFFICIALS

## CITY COUNCIL—LEGISLATIVE

Ward	Name	Residence	
	President of Council—Frank G. Jackson		
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	Pannie M. Lewis .....	7416 Star Avenue	44103
8	Sabra Pierce Scott .....	9212 Kempton Avenue	44108
9	Kevin Conwell .....	774 East 131st Street	44108
10	Roosevelt Coats .....	1775 Cliffview Road	44112
11	Michael D. Polensek .....	17855 Brian Avenue	44119
12	Edward W. Rybka .....	6832 Indiana Avenue	44105
13	Joe Cimperman .....	3053 West 12th Street	44113
14	Nelson Cintron, Jr. ....	3004 Vega Avenue	44113
15	Merle R. Gordon .....	1700 Denison Avenue	44109
16	Michael C. O'Malley .....	6710 Brookside Drive	44144
17	Matthew Zone .....	1228 West 69th Street	44102
18	Jay Westbrook .....	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** – Jane L. Campbell  
 Rosalind A. Brewster, Executive Assistant  
 Terrell Cole, Executive Assistant  
 Erik Janas, Executive Assistant  
 Rodney Jenkins, Executive Assistant  
 David M. McGuirk, Executive Assistant  
 Timothy Mueller, Executive Assistant  
 Henry Guzman, Director, Office of Equal Opportunity

**DEPT. OF LAW** – Richard F. Horvath, Acting Director, Galen L. Schuerlein, Acting Chief Counsel, Room 106  
 Karen E. Martines, Law Librarian, Room 100

**DEPT. OF FINANCE** – Betsy Hruby, Acting Director, Room 104;  
 Frank Badalamenti, Manager, Internal Audit  
**DIVISIONS:** Accounts – Shareen Jackson, Commissioner, Room 19  
 Assessments and Licenses – Dedrick Stephens, Commissioner, Room 122  
 City Treasury – Algeron Walker, Treasurer, Room 115  
 Financial Reporting and Control – Joel Nacion, Acting Controller, Room 18  
 Information Systems Services – Cleo Henderson, Commissioner, 1404 E. 9th St.  
 Purchases and Supplies – Myrna Branche, Commissioner, Room 128  
 Printing and Reproduction – Michael Hewitt, Commissioner, 1735 Lakeside Avenue  
 Taxation – Nassim Lynch, Tax Administrator, 1701 Lakeside Avenue

**DEPT. OF PUBLIC UTILITIES** – Darnell Brown, Acting Director, 1201 Lakeside Avenue  
**DIVISIONS** – 1201 Lakeside Avenue  
 Cleveland Public Power – James F. Majer, Commissioner  
 Street Lighting Bureau – Frank Schilling, Acting Chief  
 Utilities Fiscal Control – Dennis Nichols, Commissioner  
 Water – Julius Ciaccia, Jr., Commissioner  
 Water Pollution Control – Darnell Brown, Commissioner

**DEPT. OF PORT CONTROL** – Michael G. Konicek, Acting Director, Cleveland Hopkins International Airport, 5300 Riverside Drive;  
 Burke Lakefront Airport – Khalid Bahkur, Commissioner  
 Cleveland Hopkins International Airport – Fred Szabo, Commissioner

**DEPT. OF PUBLIC SERVICE** – Mark Ricchiuto, Director, Room 113  
**DIVISIONS:** Architecture – Kurt Weibusch, Commissioner, Room 517  
 Engineering and Construction – Randall E. DeVaul, Commissioner, Room 518  
 Motor Vehicle Maintenance, Daniel A. Novak, Commissioner, Harvard Yards Streets – Randell T. Scott, Commissioner, Room 25  
 Traffic Engineering & Parking – Robert Mavec, Commissioner, 4150 East 49th Street, Building #1  
 Waste Collection and Disposal – Ron Owens, Commissioner, 5600 Carnegie Avenue.

**DEPT. OF PUBLIC HEALTH** – Susan E. Axelrod, Acting Director, Mural Building, 1925 St. Clair Avenue  
**DIVISIONS:** Correction – Robert Tasky, Commissioner, Cleveland House of Corrections, 4041 Northfield Road  
 Environment – Michael Krzywicki, Acting Commissioner, Mural Building, 1925 St. Clair Avenue  
 Health – Susan E. Axelrod, Commissioner, Mural Building, 1925 St. Clair Avenue

**DEPT. OF PUBLIC SAFETY** – David M. McGuirk, Acting Director, Room 230  
**DIVISIONS:** Dog Pound – John Baird, Chief Dog Warden, 2690 W. 7th Street  
 Emergency Medical Service – Edward Eckart, Commissioner, 1708 South Pointe Drive  
 Fire – Kevin G. Gerrity, Chief, 1645 Superior Avenue  
 Police – Mary G. Bounds, Chief, Police Hdqtrs. Bldg., 1300 Ontario Street

**DEPT. OF PARKS, RECREATION & PROPERTIES** – James Glending, Acting Director, Cleveland Convention Center, Clubroom A, 1220 E. 6th St.  
**DIVISIONS:** Convention Center & Stadium – James Glending, Commissioner, Public Auditorium, E. 6th and Lakeside Ave.  
 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.  
 Property Management – Tom Nagle, Commissioner, East 49th & Harvard  
 Recreation – Michael Cox, Commissioner, Room 8  
 Research, Planning & Development – Mark Fallon, Commissioner, 1501 N. Marginal Road, Burke Lakefront Airport

**DEPT. OF COMMUNITY DEVELOPMENT** – Linda M. Hudecek, Director, 3rd Floor, City Hall.

**DIVISIONS:** Administrative Services – Terrence Ross, Commissioner.  
 Building & Housing – Robert Vilkas, Commissioner, 5th Floor, City Hall.  
 Neighborhood Services – Louise V. Jackson, Commissioner.  
 Neighborhood Development – Sharon Dumas, Commissioner.

**DEPT. OF PERSONNEL AND HUMAN RESOURCES** – Eduardo A. Romero, Director, Room 121

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

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

**DEPT. OF CONSUMER AFFAIRS** – Kenya Taylor, Director

**COMMUNITY RELATIONS BOARD** – Room 11, Dennis D. Dove, Director; Mayor Jane L. Campbell, Chairman Ex-Officio; Mary Adele Springman, Vice-Chairman; Councilman \_\_\_\_\_, Councilman \_\_\_\_\_, 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; Rev. Earl Preston, Vice President; Jonalyn M. Krupka, Secretary; Members: Marie Gustavsson-Monago, Cornell P. Carter, Matthew Dotson.

**SINKING FUND COMMISSION** – Jane L. Campbell, President; Betsy Hruby, Asst. Sec'y.; \_\_\_\_\_, Director; Council President Frank G. Jackson.

**BOARD OF ZONING APPEALS** – Room 516, Carol Johnson, Chairman; Members; Margreat Hopkins, Ozell Dobbins, Joan Shaver-Washington, Eugene Cranford, Jr., Secretary.

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

**BOARD OF REVISION OF ASSESSMENTS** – Law Director Richard F. Horvath, President; Finance Director Betsy Hruby, Secretary; Council President Frank G. Jackson.

**BOARD OF SIDEWALK APPEALS** – Service Director Mark Ricchiuto; Law Director Richard F. Horvath; Councilman Martin J. Sweeney.

**BOARD OF REVIEW** – (Municipal Income Tax) – Law Director Richard F. Horvath; Utilities Director Darnell Brown; Council President Frank G. Jackson.

**CITY PLANNING COMMISSION** – Room 501 – Christopher S. Ronayne, Director; Anthony J. Coyne, Chairman; David Bowen, Lillian W. Burke, Lawrence A. Lumpkin, Gloria Jean Pinkney, Rev. Sam Edward Small, Councilman Joseph Cimperman.

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

**MORAL CLAIMS COMMISSION** – Law Director, Richard F. Horvath; Chairman; Finance Director Betsy Hruby; Council President Frank G. Jackson; Councilman Dona Brady; Councilman Martin J. Sweeney.

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

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

**CLEVELAND LANDMARKS COMMISSION** – Room 519 – Richard Schanfarber, Chairman; Paul Volpe, Vice Chairman; N. Kurt Wiebush, James Gibans, Sandra Morgan, Hunter Morrison, Theodore Sande, Galen Schuerlein, Randall Shorr, Councilman Joseph Cimperman, Councilman \_\_\_\_\_, Robert Keiser, Executive Secretary.

CLEVELAND MUNICIPAL COURT		
JUSTICE CENTER – 1200 ONTARIO STREET		
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 Emanuella Groves		12B
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, Michael E. Flanagan-Court Administrator, Paul J. Mizerak-Bailiff; Kenneth Thomas-Chief Probation Officer, Gregory F. Clifford-Chief Magistrate

# The City Record



OFFICIAL PUBLICATION OF THE CITY OF CLEVELAND

Vol. 89

WEDNESDAY, FEBRUARY 13, 2002

No. 4601

## CITY COUNCIL

MONDAY, FEBRUARY 11, 2002

### The City Record

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City of Cleveland  
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**RUBY F. MOSS**

Clerk of Council  
216 City Hall

### PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 2002-2005

#### MONDAY

9:30 A.M. — **Public Parks, Property & Recreation Committee:** Johnson, Chairman; White, Vice Chairman; Cimperman, Dolan, Jones, Rybka, Sweeney.

#### MONDAY—Alternating

11:00 A.M. — **Public Service Committee:** Sweeney, Chairman; Jones, Vice Chairman; Brady, Cimperman, Johnson, O'Malley, Polensek, White, Zone.

11:00 A.M. — **Employment, Affirmative Action & Training Committee:** Lewis, Chairman; Conwell, Vice Chairman; Cintron, Coats, Johnson, Reed, Polensek.

#### MONDAY

2:00 P.M. — **Finance Committee:** Jackson, Chairman; Sweeney, Vice Chairman; Brady, Britt, Coats, Gordon, O'Malley, Reed, Scott, Westbrook, White.

#### TUESDAY

9:30 A.M. — **Community and Economic Development Committee:** Gordon, Chairman; Cimperman, Vice Chairman; Cintron, Coats, Jones, Lewis, Reed, Scott, Zone.

#### TUESDAY—Alternating

1:00 P.M. — **Public Health Committee:** Britt, Chairman; Zone, Vice Chairman; Cintron, Conwell, Gordon, Scott, Polensek.

1:30 P.M. — **Legislation Committee:** White, Chairman; Scott, Vice Chairman; Dolan, Gordon, Johnson, Rybka, Westbrook.

#### WEDNESDAY—Alternating

10:00 A.M.—**Aviation & Transportation Committee:** Westbrook, Chairman; Sweeney, Vice Chairman; Britt, Dolan, Gordon, Reed, Rybka.

10:00 A.M.—**Public Safety Committee:** Reed, Chairman; Britt, Vice Chairman; Brady, Cimperman, Coats, Conwell, Jones, White, Zone.

#### WEDNESDAY—Alternating

1:30 P.M.—**Public Utilities Committee:** Coats, Chairman; O'Malley, Vice Chairman; Brady, Cintron, Jones, Polensek, Sweeney, Westbrook, Zone.

1:30 P.M.—**City Planning Committee:** Cimperman, Chairman, Rybka, Vice Chairman, Conwell, Lewis, O'Malley, Scott, Westbrook.

The following Committees are subject to the Call of the Chairman:  
**Rules Committee:** Jackson, Chairman; O'Malley, Reed, Sweeney.  
**Personnel and Operations Committee:** Gordon, Chairman; Britt, Cimperman, Coats, Scott.

### OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio

Monday, February 11, 2002.

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

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

Also present were Mayor Campbell and Acting Director Horvath, Acting Director Hruby, Acting Director Brown, Acting Director Konicek, Director Draper, Acting Director Glending, Director Hudecek, Director Romero, Director Warren, Director Ronayne, Director Guzman and Chief Tame, Rodney, Jenkins, Executive Assistant to the Mayor, Rosalind A. Brewster, Executive Assistant to the Mayor, Lynette Jackson, Executive Assistant to the Mayor were also present.

Pursuant to Ordinance No. 2926-76, the Council Meeting was opened with a prayer offered by Bishop Eugene W. Ward, Jr. of Greater Love Missionary Baptist Church, located at 3636 East 116th Street in Ward 3. Pledge of Allegiance.

#### MOTION

Motion by Council Member Rybka, seconded by Council Member Cimperman, that in the absence of Clerk

Ruby F. Moss from the meeting of February 11, 2002, that the Council hereby appoints Sandra Franklin as Clerk Pro Tempore for purposes of the February 11th meeting. Without objection, the motion was approved.

#### MOTION

On the motion of Council Member Rybka the reading of the minutes of the last meeting was dispensed with and the journal approved. Seconded by Council Member Cimperman.

#### FROM DEPARTMENT OF LIQUOR CONTROL

##### File No. 193-02.

Re: New Application — 4987164 — Lamanna Enterprises, Inc., d.b.a. West Park Shell, 13960 Lorain Avenue. (Ward 20). Received.

##### File No. 194-02.

Re: Transfer of Ownership Application — 64237440005 — Noahs Ark Bar, Inc., d.b.a. The Hi & Dry Cafe, 2207 West 11th Street, first floor, basement and patio. (Ward 13). Received.

##### File No. 195-02.

Re: Transfer of Ownership Application — 0084367 — A. K. A. Grocery, Inc., 7905 Cedar Avenue. (Ward 6). Received.

##### File No. 196-02.

Re: Stock Transfer Application — 6548589 — One Stop Liquor, Inc., d.b.a. One Stop Liquor Agency 934, 4071 Lee Road, Unit 290, first floor. (Ward 1). Received.

##### File No. 197-02.

Re: Liquor Agency Contract — 6548589 — One Stop Liquor, Inc., d.b.a. One Stop Liquor Agency 934, 4071 Lee Road, Unit 2902 first floor. (Ward 1). Received.

#### CONDOLENCE RESOLUTIONS

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

**Res. No. 198-02**—Frances Jones.

**Res. No. 199-02**—Lula Maxine Abram.

**Res. No. 200-02**—Deacon Earnest C. Raines.

**Res. No. 201-02**—Irene Feckanin.

#### CONGRATULATION RESOLUTIONS

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

**Res. No. 202-02**—Commander Charles R. McNeeley.

**Res. No. 203-02**—Bernadine Sajovec.

**Res. No. 204-02**—Franklin Circle Christian Church 160th Anniversary.

**Res. No. 205-02**—Helen Cooper Troha.

**Res. No. 206-02**—Vietnamese New Year.

**Res. No. 207-02**—Judge Larry A. Jones.

**Res. No. 208-02**—St. Peter-Chanel High School Football Team.

**Res. No. 209-02**—Tony Franklin.

#### RECOGNITION RESOLUTION

The rules were suspended and the following Resolution was adopted without objection:

**Res. No. 210-02**—Louise Harris.

#### WELCOME RESOLUTION

The rules were suspended and the following Resolution was adopted without objection:

**Res. No. 211-02**—Dr. Claud Anderson.

#### FIRST READING EMERGENCY ORDINANCES REFERRED

**Ord. No. 212-02.**

**By Councilman Jackson (by departmental request).**

**An emergency ordinance authorizing the Director of Finance to enter into an agreement with Holland & Knight LLP for Washington lobbying services for the City of Cleveland.**

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 Finance is hereby authorized to enter into an agreement with Holland & Knight LLP for Washington lobbying services for the City of Cleveland, for the sum of \$120,000.00 and a period not to exceed one year, payable from Fund No. 01-99-98-0320, Request No. 106421.

**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 Finance, Law; Committee on Finance.

**Ord. No. 213-02.**

**By Councilman Coats (by departmental request).**

**An emergency ordinance authorizing the purchase by requirement contract of hauling and disposing of water plant residuals, for the Division of Water, 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 re-

quirements for the period of two years of the necessary items of hauling and disposing of water plant residuals, 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 two years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

**Section 2.** That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 114471)

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

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

**Ord. No. 214-02.**

**By Councilmen Coats and Jackson (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.**

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 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 two years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made

for the requirements for the entire term.

**Section 2.** That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 114464)

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

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

**Ord. No. 215-02.**

**By Councilmen Sweeney, Westbrook, Cimperman and Jackson (by departmental request).**

**An emergency ordinance authorizing the Director of Port Control to execute easements granting to The Cleveland Electric Illuminating Company certain easement rights in property located in Cleveland necessary to effect the Brookpark Road relocation project and declaring said easement rights no longer needed for public use; proffering certain representations for purposes of the Trust Indenture from the City of Cleveland to the Chase Manhattan Trust Company, National Association, as successor trustee and authorizing the Director of Port Control to apply to the bond trustee for land release.**

Whereas, The Cleveland Electric Illuminating Company has requested the Director of Port Control to convey certain easement rights in property located in Cleveland necessary to effect the Brookpark Road relocation project; and

Whereas, the easement rights to be granted are no longer needed for public use; 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, it is hereby found and determined that easement interests in the following described property are no longer needed for public use:

The Cleveland Electric Illuminating Company Brookpark Road Relocation (NASA 34 kV Project)  
Electric Line Easement

City of Cleveland (Grantor)

Situated in the City of Cleveland, County of Cuyahoga, State of Ohio and known as being a part of Rockport Township Section No. 4. Also being a part of the lands conveyed to the City of Cleveland as record-

ed in Volume 6010 Pages 487-491 of the Cuyahoga County Deed Records, being more definitely described as follows:

Commencing at an iron pin in a monument box found at the intersection of the centerline of Old Grayton Road and the centerline of Brookpark Road;

Thence, along the proposed centerline of Relocated Brookpark Road, South 89° 45' 56" East, 0.78 feet;

Thence, continuing along said proposed centerline, along the arc of a curve which deflects to the left, 293.11 feet, said curve having a radius of 674.07 feet, a delta of 24° 54' 52" and a chord of 290.81 feet which bears North 77° 15' 53" East;

Thence, leaving said proposed centerline, North 25° 11' 33" West, 50.00 feet to an iron pin set in the Northerly proposed right of way of Relocated Brookpark Road and the True Point of Beginning for the parcel herein described;

Thence, along said proposed right of way, along the arc of a curve which deflects to the right, 26.04 feet, said curve having a radius of 25.00 feet, a delta of 59° 41' 00" and a chord of 24.88 feet which bears North 85° 21' 03" West;

Thence, leaving said proposed right of way, along the arc of a curve which deflects to the left, 90.94 feet, said curve having a radius of 612.07 feet, a delta of 8° 30' 48" and a chord of 90.86 feet which bears North 62° 34' 17" East;

Thence North 58° 18' 53" East, 15.37 feet;

Thence South 31° 41' 07" East, 6.00 feet;

Thence North 58° 18' 53" East, 796.64 feet;

Thence, along the arc of a curve which deflects to the right, 16.83 feet, said curve having a radius of 730.07, a delta of 1° 19' 15" and a chord of 16.83 feet which bears North 58° 58' 31" East;

Thence North 30° 21' 52" West, 6.00 feet;

Thence, along the arc of a curve which deflects to the right, 78.64 feet to the Southerly line of lands conveyed to The Ullrich Family Limited Partnership as recorded in Volume 97-07511 Page 6 of the Cuyahoga County Official Records, said curve having a radius of 736.07 feet, a delta of 6° 07' 18" and a chord 78.61 feet which bears North 62° 41' 47" East;

Thence, along Ullrich's Southerly line, South 89° 24' 17" East, 29.77 feet to an iron pin set in the Northerly proposed right of way of Relocated Brookpark Road.

Thence, leaving Ullrich's Southerly line, along said proposed right of way, along the arc of a curve which deflects to the left, a distance of 121.07 feet to a PK nail set, said curve having a radius of 724.07 feet, a delta of 09° 34' 50" and a chord of 120.93 feet which bears South 63° 06' 18" West;

Thence, South 58° 18' 53" West, 812.01 feet, to an iron pin set;

Thence, along the arc of a curve which deflects to the right, 70.72 feet to the point of beginning, said curve having a radius of 624.07 feet, a delta of 06° 29' 33" and a chord of 70.68 feet which bears South 61° 33' 40" West.

Containing within said bounds 0.1649 acres (7,185 square feet) of land.

All iron pins set are 5/8" x 30" capped rebar inscribed "KS ASSOCS INC PROP MARKER".

Bearings are based on Ohio State Plane, North Zone "Grid North" NAD83(1995).

#### City of Cleveland (Grantor)

Situated in the City of Cleveland, County of Cuyahoga, State of Ohio and known as being a part of Rockport Township Section No. 4. Also being a part of the lands conveyed to the City of Cleveland as recorded in Volume 3433 Page 340 and Volume 6010 Pages 487-491 of the Cuyahoga County Deed Records, being more definitely described as follows:

Commencing at an iron pin in a monument box found at the intersection of the centerline of Old Grayton Road and the centerline of Brookpark Road;

Thence, along said centerline of Brookpark Road, South 89° 43' 19" West, 704.03 feet to the Southeastly corner of lands conveyed to the United States of America as recorded in Volume 8041 Page 262 of the Cuyahoga County Deed Records;

Thence, leaving said centerline, along United States of America's Easterly line, also being the Corporation line between the City of Cleveland and the City of Fairview Park, North 00° 36' 32" West, 50.00 feet to the Northerly right of way of Brookpark Road and the True Point of Beginning for the parcel herein described, and passing through a 1/2" iron pin with a cap inscribed "Wheeler & Melena" at 49.71 feet;

Thence, continuing along United States of America's Easterly line, North 00° 36' 32" West, 6.00 feet;

Thence, leaving United States of America's Easterly line, North 89° 43' 19" East, 705.48 feet;

Thence, along the arc of a curve which deflects to the left, 149.81 feet to the Westerly proposed right of way of Relocated Old Grayton Road, said curve having a radius of 618.06 feet, a delta of 13° 53' 17" and a chord of 149.45 feet which bears North 82° 44' 43" East;

Thence, along said proposed right of way, along the arc of a curve which deflects to the right, 25.76 feet to an iron pin set in the Northerly proposed right of way of Relocated Brookpark Road, said curve having a radius of 50.00 feet, a delta of 29° 31' 15" and a chord of 25.48 feet which bears South 63° 19' 31" West;

Thence, leaving said proposed right of way of Relocated Old Grayton Road, along said proposed right of way of Relocated Brookpark Road, along the arc of a curve which deflects to the right, a distance of 126.39 feet to an iron pin set in the Northerly existing right of way of Brookpark Road, said curve having a radius of 624.06 feet, a delta of 11° 36' 14" and a chord of 126.17 feet which bears South 83° 53' 15" West;

Thence, leaving said proposed right of way of Relocated Brookpark Road, along said existing right of way of Brookpark Road, South 89° 43' 19" West, 705.45 feet to the point of beginning.

Containing within said bounds 0.1168 acres (5,087 square feet) of land.

All iron pins set are 5/8" x 30" capped rebar inscribed "KS ASSOCS INC PROP MARKER".

Bearings are based on Ohio State Plane, North Zone "Grid North" NAD83 (1995)

#### City of Cleveland (Grantor)

Situated in the City of Cleveland, County of Cuyahoga, State of Ohio and known as being a part of Rockport Township Section No. 4 and No. 3. Also being a part of Orchard Glen Subdivision Volume 62 Page 12 and West Lawn Subdivision Volume 70 Page 28 of the Cuyahoga County Map Records, being more definitely described as follows:

Commencing at an iron pin in a monument box found at the intersection of the centerline of Relocated Grayton Road and the centerline of Brookpark Road;

Thence, along said centerline of Brookpark Road, North 89° 54' 00" East, 120.00 feet;

Thence, leaving said centerline, North 00° 05' 29" West, 50.00 feet to the intersection of the Northerly right of way of Brookpark Road and the Easterly right of way of Relocated Grayton Road;

Thence, along said right of way of Relocated Grayton Road, North 00° 05' 29" West, 450.00 feet, said point is referenced by a 1/2" iron pin with a cap inscribed "Wheeler & Melena" found 0.13 feet North;

Thence, North 04° 38' 33" West, 161.33 feet to an iron pin set in the Northerly proposed right of way of Relocated Brookpark Road and the True Point of Beginning for the parcel herein described;

Thence, continuing along said right of way of Relocated Grayton Road, North 04° 38' 33" West, 6.03 feet;

Thence, leaving said right of way, South 88° 55' 58" East, 25.22 feet;

Thence North 01° 04' 02" East, 6.00 feet;

Thence South 88° 55' 58" East, 67.81 feet;

Thence, along the arc of a curve which deflects to the right, 52.21 feet, said curve having a radius of 1589.89 feet, a delta of 1° 52' 53" and a chord of 52.20 feet which bears South 87° 59' 32" East;

Thence South 01° 04' 02" West, 6.00 feet;

Thence, along the arc of a curve which deflects to the right, 415.26 feet, said curve having a radius of 1538.89 feet, a delta of 15° 01' 18" and a chord of 414.07 feet which bears South 79° 32' 01" East;

Thence South 72° 01' 22" East, 435.76 feet;

Thence North 17° 58' 38" East, 6.00 feet;

Thence South 72° 01' 22" East, 143.32 feet;

Thence South 17° 58' 38" West, 6.00 feet;

Thence South 72° 01' 22" East, 826.34 feet;

Thence North 17° 58' 38" East, 6.00 feet;

Thence South 72° 01' 22" East, 71.86;

Thence, along the arc of a curve which deflects to the left, 58.52 feet, said curve having a radius of 1465.89 feet, a delta of 2° 17' 14" and a chord of 58.51 feet which bears South 73° 09' 50" East;

Thence South 15° 41' 33" West, 6.00 feet;

Thence, along the arc of a curve which deflects to the left, 405.77 feet, said curve having a radius of 1471.89 feet, a delta of 15° 47' 43" and a chord of 404.49 feet which bears South 82° 12' 18" East;

Thence North 89° 53' 59" East, 264.76 feet;

Thence North 85° 00' 43" East, 107.51 feet;

Thence South 89° 59' 17" East, 8.75 feet to the Westerly right of way of Riverside Drive;

Thence, along said right of way, South 24° 24' 35" West, 16.64 feet to the Northerly right of way of Brookpark Road;

Thence, along said right of way of Brookpark Road, South 89° 54' 00" West, 373.85 feet to an iron pin set in the Northerly proposed right of way of Relocated Brookpark Road;

Thence, leaving the right of way of Brookpark Road, along said proposed right of way of Relocated Brookpark Road, along the arc of a curve which deflects to the right, a distance of 466.29 feet to an iron pin set, said curve having a radius of 1477.89 feet, a delta of 18° 04' 39" and a chord of 464.36 feet which bears North 81° 03' 33" West;

Thence, North 72° 01' 22" West, 1477.28 feet to an iron pin set;

Thence, along the arc of a curve which deflects to the left, a distance of 465.9 feet to an iron pin set, said curve having a radius of 1577.89 feet, a delta of 16° 54' 36" and a chord of 464.00 feet which bears North 80° 28' 40" West;

Thence, North 88° 55' 58" West, 92.43 feet to the point of beginning;

Containing within said bounds 0.4632 acres (20,177 square feet) of land.

All iron pins set are 5/8" x 30" capped rebar inscribed "KS ASSOCS INC PROP MARKER".

Bearings are based on Ohio State Plane, North Zone "Grid North" NAD83 (1995).

City of Cleveland (Grantor)

Situated in the City of Cleveland, County of Cuyahoga, State of Ohio and know as being a part of Rockport Township Section No. 3. Also being a part of the lands conveyed to the City of Cleveland as recorded in Instrument No. 199904061116 of the Cuyahoga County Land Records, being more definitely described as follows:

Commencing at the intersection of the centerline of Riverside Drive and the centerline Brookpark Road, also being the Southerly line of said Rockport Township Section No. 3;

Thence, along said centerline of Brookpark Road, South 89° 59' 11" East, 38.43;

Thence, leaving said centerline, North 24° 24' 35" East, 32.94 feet to the intersection of the Northerly right of way of Brookpark Road and the Easterly right of way of Riverside Drive and the True Point of Beginning for the parcel herein described;

Thence, along said right of way of Riverside Drive, North 24° 24' 35" East, 17.66 feet;

Thence, leaving said right of way, South 89° 59' 11" East, 111.89 feet;

Thence North 85° 00' 49" East, 138.69 feet to Westerly limited access line of Relocated Rocky River Drive;

Thence, along said limited access line, South 00° 00' 49" West, 10.04 feet;

Thence, leaving said limited access line, South 85° 00' 49" West, 208.09 feet to the Northerly right of way of Brookpark Road;

Thence, along said right of way, North 89° 59' 11" West, 50.04 feet to the point of beginning;

Containing within said bounds 0.0697 acres (3,036 square feet) of land.

Bearings are based on Ohio State Plane, North Zone "Grid North" NAD83 (1995).

**Section 2.** That the easements shall be nonexclusive and the purpose of the easements shall be to construct, maintain and operate underground electric and communication cables, ducts, conduits and other facilities necessary for distributing and transmitting electricity and communications systems necessary as part of the Brookpark Road relocation project.

**Section 3.** That by and at the direction of the Board of Control, the Commissioner of Purchases and Supplies is authorized to convey the above-described, non-exclusive easement interests to The Cleveland Electric Illuminating Company at a price not less than fair market value as determined by the Board of Control.

**Section 4.** That the duration of the easements shall be perpetual but shall revert to the City if abandoned by the Cleveland Electric Illuminating Company; that the easements shall include reasonable right of entry rights to the City to the City; that the easement shall be assignable only through the legislative authority of Cleveland City Council; that the easements shall require the grantee to indemnify the City, provide reasonable insurance, maintain any grantee improvements located within the easements, and pay any applicable taxes and assessments.

**Section 5.** That the conveyances referred to above shall be made by Official Deeds of Easement prepared by the Director of Law and executed by the Director of Port Control on behalf of the City of Cleveland. The Deeds of Easement shall contain such additional terms and conditions as are required to protect the interests of the City. The Directors of Law and Port Control are authorized to execute such other documents, including without limitation, contracts for right of entry, as may be necessary to effect the improvements within the property described herein.

**Section 6.** That the City acknowledges, states and affirms, pursuant to Article IX of the Trust Indenture from the City of Cleveland to the Chase Manhattan Trust Company, National Association, as successor trustee, dated November 1, 1976, as amended (the "Indenture"), that the City desires and requests that certain portions of its land heretofore subject to the Indenture be released and removed from all obligations under said Indenture. Further, the City acknowledges, states and affirms that it is not in default under said Indenture; that release of such land is necessary in order to serve the public purpose of providing public utilities; and that certain public improvements will be constructed on the land to be released, including public utilities.

**Section 7.** That the Director of Port Control is authorized to apply to the Chase Manhattan Trust Company, National Association, as successor trustee, for release of the land described herein, pursuant to the Indenture.

**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 Port Control, City Planning Commission, Finance, Law; Committees on Aviation and Transportation, City Planning, Finance.

**Ord. No. 216-02.**

**By Councilmen Westbrook and Jackson (by departmental request).**

**An emergency ordinance to repeal Section 4 of Ordinance No. 1576-2000, passed February 12, 2001, and to renumber existing Section 5 to new Section 4, relating to the removal of rubber and paint from paved surfaces, for 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 Section 4 of Ordinance No. 1576-2000, passed February 12, 2001, is hereby repealed.

**Section 2.** That existing Section 5 of Ordinance No. 1576-2000, passed February 12, 2001 is hereby renumbered to new "Section 4".

**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. 217-02.**

**By Councilmen Cintron, Sweeney and Jackson (by departmental request).**

**An emergency ordinance to amend Section 4 of Ordinance No. 609-01, passed June 11, 2001, relating to the public improvement of reconstructing West 31st Street between Hancock Avenue and Keene Court.**

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

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

**Section 1.** That Section 4 of Ordinance No. 609-01, passed June 11, 2001, is hereby amended to read as follows:

Section 4. That the cost of said improvement hereby authorized shall be paid from Fund Nos. 52 SF 001, 10 SF 166 and 10 SF 168, Request No. 34445.

**Section 2.** That existing Section 4 of Ordinance No. 609-01, passed June 11, 2001, is hereby repealed.

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

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

**Ord. No. 218-02.****By Councilman Johnson.  
An emergency ordinance to vacate a portion of Williams Ave. and East 128th Street hereinafter described.**

Whereas, on the 12th day of February 2001, the Council of the City of Cleveland adopted Resolution No. 2034-2000 declaring its intention to vacate a portion of Williams Avenue and East 128th Street, hereinafter described.

Whereas, notice of the adoption of the above Resolution No. 2034-2000 has been served upon the owners of all the property abutting Williams Avenue and East 128th Street affected by said Resolution, notifying the said property owners of the time and place at which objections can be heard before the Board of Revision of Assessments, and

Whereas, on the 18th day of December, 2001, the Board of Revision of Assessments approved the vacation of Williams Avenue and East 128th Street, hereinafter described, in accordance with the provisions of Section 176 of the Charter of the City of Cleveland; and

Whereas, this Council is satisfied that there is good cause for vacating Williams Avenue and East 128th Street, hereinafter described and that it will not be detrimental to the general interest and ought to be made; 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 all that portion of Williams Avenue and East 128th Street situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Original 100 Acre Lots No. 429 and further bounded and described as follows:

Beginning at the intersection of the centerline of East 127th Street (44.00 feet wide) and the centerline of Williams Avenue (50.00 feet wide);

Thence North 89°-36'-00" East along the centerline of Williams Avenue, 190.25 feet to the principal place of beginning of Williams Avenue to be vacated and further bounded and described as follows:

Thence North 00°-24'-00" West, 25.00 feet to a point on the northerly line of Williams Avenue;

Thence North 89°-36'-00" East along the northerly line of Williams Avenue, 49.63 feet to a point of curvature;

Thence along the curved line of Williams Avenue deflecting to the right, an arc of 76.83 feet, said curve having a radius of 89.61 feet and a chord that bears South 20°-16'-40" East, 74.50 feet to a point on the curved easterly line of East 128th Street;

Thence continuing along the curved line of East 128th Street, deflecting to the right, an arc of 48.58 feet, said curve having a radius of 89.61 feet and a chord that bears South 11°-14'-43" East 47.99 feet to a point of tangency;

Thence South 04°-16'-45" West along the easterly line of East 128th Street, 142.34 feet to a point of curvature;

Thence along a curved turnout to East 128th Street deflecting to the left, an arc of 32.18 feet, said curve having a radius of 19.86 feet and a

chord that bears South 42°-07'-32" East, 28.77 feet to a point on the northerly line of Drexmore Road, (60.00 feet wide);

Thence North 88°-31'-50" West along the westerly prolongation of Drexmore Road, 65.91 feet to the westerly line of East 128th Street;

Thence North 04°-16'-45" East along the westerly line of East 128th Street, 165.61 feet to a point of curvature;

Thence along the curved turnout of East 128th Street deflecting to the left, an arc of 65.54 feet, said curve having a radius of 40.00 feet and a chord that bears North 42°-39'-38" West, 58.45 feet to a point in the southerly line of Williams Avenue;

Thence South 89°-36'-00" West along the southerly line of Williams Avenue, 53.55 feet to a point;

Thence North 00°-24'-00" West, 25.00 feet to the principle place of beginning and containing 0.1215 acres of land with Williams Avenue and 0.2238 acres of land with East 128th Street as calculated and described by North Coast Engineering and Surveying Co., in May, 2000, be the same more or less, but subject to all legal highways, be and the same is hereby vacated.

**Section 2.** That there be and hereby is reserved to the City of Cleveland easements to the Division of Water, Dominion East Ohio Gas, Division of Water Pollution Control, and the Division of Cleveland Public Power for existing equipment.

The description of the easement is as follows:

That portion of Williams Avenue and East 128th Street situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Original 100 Acre Lots No. 429 and further bounded and described as follows:

Beginning at the intersection of the centerline of East 127th Street (44.00 feet wide) and the centerline of Williams Avenue (50.00 feet wide);

Thence North 89°-36'-00" East along the centerline of Williams Avenue, 190.25 feet to the principal place of beginning of Williams Avenue to be vacated and further bounded and described as follows:

Thence North 00°-24'-00" West, 25.00 feet to a point on the northerly line of Williams Avenue;

Thence North 89°-36'-00" East along the northerly line of Williams Avenue, 49.63 feet to a point of curvature;

Thence along the curved line of Williams Avenue deflecting to the right, an arc of 76.83 feet, said curve having a radius of 89.61 feet and a chord that bears South 20°-16'-40" East, 74.50 feet to a point on the curved easterly line of East 128th Street;

Thence continuing along the curved line of East 128th Street, deflecting to the right, an arc of 48.58 feet, said curve having a radius of 89.61 feet and a chord that bears South 11°-14'-43" East 47.99 feet to a point of tangency;

Thence South 04°-16'-45" West along the easterly line of East 128th Street, 142.34 feet to a point of curvature;

Thence along a curved turnout to East 128th Street deflecting to the left, an arc of 32.18 feet, said curve having a radius of 19.86 feet and a chord that bears South 42°-07'-32" East, 28.77 feet to a point on the northerly line of Drexmore Road, (60.00 feet wide);

Thence North 88°-31'-50" West along the westerly prolongation of Drexmore Road, 65.91 feet to the westerly line of East 128th Street;

Thence North 04°-16'-45" East along the westerly line of East 128th Street, 165.61 feet to a point of curvature;

Thence along the curved turnout of East 128th Street deflecting to the left, an arc of 65.54 feet, said curve having a radius of 40.00 feet and a chord that bears North 42°-39'-38" West, 58.45 feet to a point in the southerly line of Williams Avenue;

Thence South 89°-36'-00" West along the southerly line of Williams Avenue, 53.55 feet to a point;

Thence North 00°-24'-00" West, 25.00 feet to the principle place of beginning and containing 0.1215 acres of land with Williams Avenue and 0.2238 acres of land with East 128th Street as calculated and described by North Coast Engineering and Surveying Co., in May, 2000, be the same more or less, but subject to all legal highways.

That no structures shall be hereafter erected on the premises described in this easement except those constructed in accordance with the approval of, and in compliance with, plans approved by the Dominion East Ohio Gas Company, the Division of Fire, Division of Water, and Cleveland Public Power of the City of Cleveland.

**Section 3.** That the Clerk of Council be and is hereby directed to notify the Auditor of Cuyahoga County of the vacation of all that portion of Williams Avenue and East 128th Street, herein provided by sending him a copy of this ordinance.

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

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

**Ord. No. 219-02.****By Councilman Rybka.****An emergency ordinance to vacate a portion of Engel Court S.E., Woolen Court S.E. and Recreation Court S.E. hereinafter described.**

Whereas, on the day of December 18, 2001, the Council of the City of Cleveland adopted Resolution No. 1169-01 declaring its intention to vacate a portion of Engel Ct. S.E., Woolen Ct., and Recreation Ct. S.E., hereinafter described.

Whereas, notice of the adoption of the above Resolution No. 1169-01 has been served upon the owners of all the property abutting Engel Ct. S.E., Woolen Ct. S.E., and Recreation Ct. S.E. affected by said Resolution, notifying the said property owners of the time and place at which objections can be heard before the Board of Revision of Assessments, and

Whereas, on the 18th day of December, 2001, the Board of Revision of Assessments approved the vacation of Engel Ct. S.E., Woolen Ct. S.E., and Recreation Ct. S.E., hereinafter described, in accordance with the provisions of Section 176 of the Charter of the City of Cleveland; and

Whereas, this Council is satisfied that there is good cause for vacating Engel Ct. S.E., Woolen Ct. S.E., and Recreation Ct. S.E., hereinafter described and that it will not be detrimental to the general interest and ought to be made; 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 all that portion of ENGEL COURT S.E., (15.00 feet wide), extending Westerly from the Westerly line of Broadway S.E. (60.00 feet wide), to the Westerly line of Woolen Court S.E. (14.00 feet wide); AND, being all that portion of WOOLEN COURT S.E., (14.00 feet wide), extending Southerly from the Northerly line of Engel Court S.E. (15.00 feet wide), to the Southerly line of Recreation Court S.E. (10.00 feet wide); AND, being all that portion of RECREATION COURT S.E., (10.00 feet wide), extending Easterly from the Westerly line of Woolen Court S.E., (14.00 feet wide), to the Westerly line of Broadway S.E. (60.00 feet wide), be and the same is hereby vacated.

**Section 2.** That the Clerk of Council be and she is hereby directed to notify the Auditor of Cuyahoga County of the vacation of all that portion Engel Court S.E., Woolen Court S.E., and Recreation Court S.E., herein provided by sending him a copy 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 Public Service, City Planning Commission, Finance, Law; Committees on Public Service, City Planning, Finance.

**Ord. No. 220-02.**

**By Councilmen Johnson and Cimperman (by departmental request).**

**An emergency ordinance authorizing the Commissioner of Purchases and Supplies to purchase a site adjacent to League Park for expansion purposes, for the Department of Parks, Recreation and Properties.**

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

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

**Section 1.** That notwithstanding and as an exception to the provisions of Chapter 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to purchase the following described property for the purpose of expanding League Park:

1654 East 70th Street (Rear)  
Permanent Parcel No. 106-13-070

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Sublot No. 124 in W.S. Streater and D. Adams Subdivision of part of Original One Hundred Acre Lots Nos. 338 and 341 as shown by the recorded plat in Volume 4 of Maps,

Page 4 of Cuyahoga County Records and bounded and described as follows:

Beginning on the Westerly line of East 70th Street, formerly known as Russell Avenue, at the Southeasterly corner of said Sublot No. 124;

Thence Northerly along the Westerly line of East 70th Street, 17 feet to the Southeasterly corner of land conveyed to Marie Posey by deed dated March 27, 1974 and recorded in Volume 13682, Page 319 of Cuyahoga County Records;

Thence Westerly along the Southerly line of land conveyed to Marie Posey 95.60 feet to the Southwesterly corner thereof;

Thence Northerly along the Westerly line of land, 33 feet to the Northerly line of said Sublot No. 124;

Thence Westerly along the Northerly line of said Sublot No. 124, a distance of 84.40 feet to the Northwesterly corner thereof;

Thence Southerly along the Westerly line of said Sublot No. 124, a distance of 50 feet to the Southwesterly corner thereof;

Thence Easterly along the Southerly line of said Sublot No. 124, a distance of 180 feet to the principal place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

6909 Lexington Avenue N.E.  
Permanent Parcel No. 106-13-068

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Sublots Nos. 121, 122, and 123 in Streater and Adams' Subdivision of part of Original 100 Acre Lots Nos. 338 and 341, as shown by the recorded plat in Volume 4 of Maps, Page 4 of Cuyahoga County Records, and together forming a parcel of land bounded and described as follows:

Beginning on the Northerly line of Lexington Avenue N.E., at a point distant 148.07 feet Westerly, measured along said Northerly line, from its intersection with the Westerly line of East 70th Street;

Thence Northerly and parallel with the Westerly line of East 70th Street, 96.15 feet;

Thence Easterly and parallel with the Northerly line of Lexington Avenue N.E., 29.25 feet;

Thence Northerly and parallel with the Westerly line of East 70th Street, 5 feet to the Southerly line of said Sublot No. 123;

Thence Easterly along the Southerly line of said Sublot No. 123 about 30.82 feet to a point distant 88 feet Westerly, measured along the Southerly line of said Sublot No. 123, from the Westerly line of East 70th Street;

Thence Northerly and parallel with the Westerly line of East 70th Street, 50.55 feet to the Northerly line of said Sublot No. 123;

Thence Westerly along the Northerly line of said Sublot No. 123, 93.25 feet to the Northwesterly corner thereof;

Thence Southerly along the Westerly line of said Sublots Nos. 123, 122, and 121, 151.92 feet to the Northerly line of Lexington Avenue N.E.;

Thence Easterly along the Northerly line of Lexington Avenue N.E., 33.18 feet to the place of beginning, be the same more or less, but subject to all legal highways.

**Section 2.** That the Director of Parks, Recreation and Properties is hereby authorized to execute on

behalf of the City of Cleveland all necessary documents to acquire such property and to employ and pay all fees for title companies, surveys, escrows, appraisers, environmental audits, and all other costs necessary for the acquisition of such property.

**Section 3.** That the consideration to be paid for such property shall not exceed its fair market value.

**Section 4.** That all costs of acquisition of real property shall be paid from Fund Nos. 17 SF 003 and 10 SF 501, Request No. 107912.

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

**Ord. No. 221-02.**

**By Councilmen Cintron, Gordon, Cimperman and Jackson (by departmental request).**

**An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 4114 Franklin Boulevard to David A. Lechner and Diane K. Lechner.**

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). 003-25-070, as more fully described below, to David A. Lechner and Diane K. Lechner.

**Section 2.** That the real property to be sold pursuant to this ordinance is more fully described as follows:

P.P. No. 003-25-070

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 13 in the Franklin Allotment of Sublot No. 97 in the Taylor Farm Allotment and Sublot Nos. 92, 93, 106, 107 and 110 in the Perkins Allotment of part of Original Brooklyn Township Lot No. 51, as shown by the recorded plat in Volume 3 of Maps, Page 11 of Cuyahoga County Records, and being 40 feet front on the Northwesterly



side of Frank Boulevard, N.W. (formerly Franklin Avenue), and extending back about 150 feet on the Easterly line, 160 feet 7 inches on the Westerly line, and having a irregular line of 40 feet 11 inches (said rear line being also the Southeasterly line of Vine Court, N.W.) as appears by said plat, 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.

**Ord. No. 222-02.**

**By Councilmen Coats, Gordon, Cimperman and Jackson (by departmental request).**

**An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 12409 St. Clair Avenue to Frances Shelby.**

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). 111-11-002, as more fully described below, to Frances Shelby.

**Section 2.** That the real property to be sold pursuant to this ordinance is more fully described as follows:

P.P. No. 111-11-002

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being a part of Original One Hundred Acre Lot No. 364, and bounded and described as follows:

Beginning at a point in the Northerly line of St. Clair Avenue, N.E., 45 feet Easterly of the intersection of the Easterly line of East 124th Street, as now dedicated and recorded in Volume 39 of Maps, Page 2, of Cuyahoga County Records; thence Easterly along the Northerly line of St. Clair Avenue, N.E., 40 feet; thence Northerly and parallel with the Easterly line of East 124th Street, 150 feet; thence Westerly and parallel with the Northerly line of St. Clair Avenue, N.E., 20 feet; thence Southerly and parallel with the Easterly line of East 124th Street, 25 feet; thence Westerly and parallel with the Northerly line of St. Clair Avenue, N.E., 20 feet; thence Southerly and parallel with the Easterly line of East 124th Street, 125 feet to the place of beginning, and being further known as Sublot No. 2 in the Schatzinger and Tremaine proposed Subdivision of a part of Original One Hundred Acre Lot No. 364, be the same more or less, but subject to all legal highways.

**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.

**Ord. No. 223-02.**

**By Councilmen Jackson, Gordon and Cimperman (by departmental request).**

**An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at East 80th Street and Preble; East 81st Street to KINBESS, LLC.**

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). 127-07-014 and 127-07-104; 127-07-061, as more fully described below, to KINBESS, LLC.

**Section 2.** That the real property to be sold pursuant to this ordinance is more fully described as follows:

P.P. Nos. 127-07-014 and 127-07-104

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being all of Sublot No. 119 and the Northerly one-half of Sublot No. 120 in Charles Leavitt's Allotment of part of Original One Hundred Acre Lot No. 431, as shown by the recorded plat in Volume 5 of Maps, Page 62 of Cuyahoga County Records, and together forming a parcel of land having a frontage of 50 feet on the Easterly side of East 80th Street and extending back of equal width 140 feet, 11-1/4 inches along the Northerly line, which is the Southerly side of Preble Avenue, S.E.; 140 feet, 9-1/2 inches on its Southerly line and having a rear line of 50 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

P. P. No. 127-07-061

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 48 in C.C. Baldwin's Re-Allotment of A.C. Armstrong's Subdivision, of part of Original One Hundred Acre Lot No. 431, as shown by the recorded plat in Volume 14 of Maps, Page 20 of Cuyahoga County Records, and being 35 feet front on the Easterly

side of East 81st Street (formerly Fredwill Street), and extending back of equal width 120 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to 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.

**Ord. No. 224-02.**

**By Councilmen Gordon, Sweeney, Coats, Cimperman and Jackson (by departmental request).**

**An emergency ordinance determining the method of making the public improvement of constructing Phase I improvements to the Woodhaven Development Project, and authorizing the Directors of Community Development, Public Service and Public Utilities to enter into contract for the making of such improvement.**

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

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

**Section 1.** That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of constructing Phase I improvements to the Woodhaven Development Project which include, but are not limited to grading, installing water and sewer lines, sidewalks, landscaping, curbs, street paving and lighting and related street improvements, for the Departments of Community Development,

Public Service and Public Utilities, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.

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

**Section 3.** That the cost of said improvement hereby authorized shall be paid from Fund Nos. 20 SF 352 and 20 SF 311, Request No. 104691.

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

**Ord. No. 225-02.**

**By Councilmen White, Reed, Jackson, Scott and Cintron.**

**An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on scattered sites to Cleveland Housing Network, Inc.**

Whereas, the City of Cleveland adopted and implemented 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. 007-01-024 as more fully described below, to Cleveland Housing Network, Inc.

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

P.P. No. 007-01-024

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Northerly 20 feet of Sublot No. 20

and all of Sublot No. 19 in Mueller and Meyer's Peach Orchard Allotment of part of Original Brooklyn Township Lot No. 52, as shown by the recorded plat in Volume 2 of Maps, Page 55 of Cuyahoga County Records, and together forming a parcel of land 50 feet front on the Westerly side of West 41st Street (formerly Burton Street) and extending back of equal width 125 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

**Section 3.** 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. 007-12-064 as more fully described below, to Cleveland Housing Network, Inc.

**Section 4.** That the real property to be sold pursuant to this ordinance is more fully described as follows:

P. P. No. 007-12-064

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 9 in Selden and Sargent's Re-Subdivision of Sublots Nos. 403 and 404 on Barber and Lord's Subdivision of part of Original Brooklyn Township Lots Nos. 51, 52, 69 and 70, as shown by the recorded plat in Volume 2 of Maps, Page 29 of Cuyahoga County Records and being 30 feet front on the Westerly side of West 30th Street (formerly Mill Street) and extending back of equal width 140 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

**Section 5.** 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. 007-12-065 as more fully described below, to Cleveland Housing Network, Inc.

**Section 6.** That the real property to be sold pursuant to this ordinance is more fully described as follows:

P. P. No. 007-12-065

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 8 in Selden and Sargent's Subdivision of part of Original Brooklyn Township Lot No. 69, as shown by the recorded plat in Volume 2 of Maps, Page 29 of Cuyahoga County Records, and being 30 feet front on the Southwesterly side of West 30th Street, (formerly Mill Street), and extending back of equal width 140 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

**Section 7.** 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. 007-12-067 as more fully described, to Cleveland Housing Network, Inc.

**Section 8.** That the real property to be sold pursuant to this ordinance is more fully described as follows:

P. P. No. 007-12-067

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No.

6 and the Southerly 2 feet of Sublot No. 5 in Selden and Sargent's Re-subdivision of part of Original Brooklyn Township Lot No. 69, as shown by the recorded plat in Volume 2 of Maps, Page 19 of Cuyahoga County Records, and together forming a parcel of land 41 feet front on the Westerly side of West 30th Street (formerly Mill Street), and extending back of equal width 140 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

**Section 9.** 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. 007-31-138 as more fully described below, to Cleveland Housing Network, Inc.

**Section 10.** That the real property to be sold pursuant to this ordinance is more fully described as follows:

P. P. No. 007-31-138

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 3 in the N. Heisel's Subdivision of part of Original Brooklyn Township Lot No. 67, as shown by the recorded plat in Volume 3 of Maps, Page 17 of Cuyahoga County Records and the Easterly 5 feet of Sublot No. 36 in the N. Heisel Subdivision of part of Original Brooklyn Township Lot No. 67 as shown by the recorded plat in Volume 3 of Maps, Page 25 of Cuyahoga County Records and together forming a parcel of land having a frontage of 46.67 feet on the Westerly side of West 31st Street and extending back between parallel lines 139 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

**Section 11.** That pursuant to Section 1823.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 109-09-111 as more fully described below, to Cleveland Housing Network, Inc.

**Section 12.** That the real property to be sold pursuant to this ordinance is more fully described as follows:

P. P. No. 109-09-111

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 210 and the Westerly 2.00 feet of Sublot No. 209, in Superior Park Subdivision No. 5 of part of Original One Hundred Acre Lots Nos. 376 and 377 as shown by the recorded plat in Volume 41 of Maps, Page 10 of Cuyahoga County Records and being 45.18 feet front on the Northerly side of North Boulevard N.E., and extending back of equal width 108.90 feet deep on the Westerly line, about 99.00 feet deep on the Easterly line and 44 feet wide in the rear, as appears by said plat, be the same more or less, but subject to all legal highways.

**Section 13.** 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. 109-09-112 as more fully described below, to Cleveland Housing Network, Inc.

**Section 14.** That the real property to be sold pursuant to this ordinance is more fully described as follows:

P. P. No. 109-09-112

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 211 in Superior Park Subdivision No. 5 of a part of Original One Hundred Acre Lots Nos. 376 and 377 as shown by the recorded plat in Volume 41 of Maps, Page 10 of Cuyahoga County Records. Said Sublot has a frontage of 42.13 feet on the Northerly side of North Boulevard, N.E., by a depth of 108.90 feet on the Easterly line, 111.29 feet on the Westerly line, and being 42 feet in the rear, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

**Section 15.** 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. 109-09-126 as more fully described below, to Cleveland Housing Network, Inc.

**Section 16.** That the real property to be sold pursuant to this ordinance is more fully described as follows:

P. P. No. 109-09-126

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 289 and the Easterly 5 feet of Sublot No. 288 in Superior Park Subdivision No. 1 of part of Original One Hundred Acre Lot No. 377, as shown by the recorded plat in Volume 35 of Maps, Page 20 of Cuyahoga County Records, and together forming a parcel of land 45 feet front on the Southerly side of Ostend Avenue, N.E., 105.57 feet deep on the Easterly line, about 105.65 feet deep on the Westerly line and 45 feet in the rear, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

**Section 17.** 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. 109-19-075 as more fully described below, to Cleveland Housing Network, Inc.

**Section 18.** That the real property to be sold pursuant to this ordinance is more fully described as follows:

P. P. No. 109-19-075

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 79 in Curtiss, Ambler and Johnson's Subdivision of a part of Original One Hundred Acre Lots Nos. 378 and 386 in said City, said Sublot No. 79 has a frontage of 35 feet on the Northerly side of Hathaway Avenue, N.E., and extending back of equal width 120 feet deep, as per plat of said Subdivision recorded in Volume 16 of Maps, Page 10 of Cuyahoga County Records, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

**Section 19.** 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. 123-22-013 as more fully described below, to Cleveland Housing Network, Inc.

**Section 20.** That the real property to be sold pursuant to this ordinance is more fully described as follows:

P. P. No. 123-22-013

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot Nos. 23 and 24 in Abel Meads Survey Allotment of part of Original One Hundred Acre Lot No. 324 as shown by the recorded plat in Volume 4 of Maps, Page 41 of Cuyahoga County Records and together forming a parcel of land bounded and described as follows:

Beginning on the Southeasterly line of Mead Avenue, S.E., at the most Northerly corner of said Sublot Nos. 23 and 24; thence Southeasterly along the Northeasterly line of said Sublots 115 feet 6 inches to the most Easterly corner of said Sublots; thence Southwesterly along the Southeasterly line of said Sublots 15 feet; thence Northwesterly in a direct line to a point on the Southeasterly line of Mead Avenue, S.E., 29 feet 11 inches Southwesterly from the place of beginning; thence Northeasterly along said Southeasterly line 29 feet 11 inches to the place of beginning as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

**Section 21.** 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. 123-22-014 as more fully described below, to Cleveland Housing Network, Inc.

**Section 22.** That the real property to be sold pursuant to this ordinance is more fully described as follows:

P. P. No. 123-22-014

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 23 in Abel Mead's Allotment of a part of Original One Hundred Acre Lot No. 324, as shown by the recorded plat in Volume 4 of Maps, Page 41 of Cuyahoga County Records and bounded and described as follows:

Beginning at the intersection of the Southwesterly line of said Sublot No. 23 with the Southeasterly line of Mead Avenue, S.E.; thence Southeasterly along the Southwesterly line of Sublot No. 23, 112 feet to the Southeasterly line of said Sublot 23; thence Northeasterly along the Southeasterly line of said Sublot, 15 feet; thence Northwesterly to a point in the Southeasterly line of Mead Avenue, S.E., 29 11/12 feet Northeasterly from the place of beginning; thence Southwesterly along the Southeasterly line of Mead Avenue, S.E., 29 11/12 feet to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

**Section 23.** 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. 127-27-081 as more fully described below, to Cleveland Housing Network, Inc.

**Section 24.** That the real property to be sold pursuant to this ordinance is more fully described as follows:

P. P. No. 127-27-081

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southerly 5 feet of Sublot No. 58 and

all of Sublot No. 59 in Southern and Latimer's Highland Park Subdivision of part of Original One Hundred Acre Lot No. 443, as shown by the recorded plat in Volume 15 of Maps, Page 8 of Cuyahoga County Records, and together forming a parcel of land having a frontage of 45 feet on the Easterly side of East 114th Street (formerly Weidner Avenue) and extending back between parallel lines 150 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

**Section 25.** 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. 130-20-138 as more fully described below, to Cleveland Housing Network, Inc.

**Section 26.** That the real property to be sold pursuant to this ordinance is more fully described as follows:

P. P. No. 130-20-138

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 27 in Karoline Knopf's Allotment of part of Original One Hundred Acre Lot No. 444, as shown by the recorded plat in Volume 32 of Maps, Page 23 of Cuyahoga County Records, and being 40 feet front on the Westerly side of East 117th Street (formerly Adam Street), and extending back of equal width 127 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

**Section 27.** 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. 131-20-003 as more fully described below, to Cleveland Housing Network, Inc.

**Section 28.** That the real property to be sold pursuant to this ordinance is more fully described as follows:

P. P. No. 131-20-003

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 42 in Hickox, Hosmer and Smith's Allotment of a part of Original One Hundred Acre Lot No. 320 as shown by the recorded plat of said Allotment in Volume 8 of Maps, Page 14 of Cuyahoga County Records. Said Sublot No. 42 has a frontage of 40 feet on the Easterly side of East 49th Street, and extends back between parallel lines 130 feet as appears by said plat.

Also subject to all zoning ordinances, if any.

**Section 29.** 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. 131-20-005 as more fully described below, to Cleveland Housing Network, Inc.

**Section 30.** That the real property to be sold pursuant to this ordinance is more fully described as follows:

P. P. No. 131-20-005

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 44 in Hickox, Hosmer and Smith's Allotment of part of Original One

Hundred Acre Lot No. 320 as shown by the recorded plat in Volume 8 of Maps, Page 14 of Cuyahoga County Records, and being 45 feet front on the Easterly side of East 49th Street, and extends back of equal width 130 feet as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

**Section 31.** 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. 135-18-016 as more fully described below, to Cleveland Housing Network, Inc.

**Section 32.** That the real property to be sold pursuant to this ordinance is more fully described as follows:

P. P. No. 135-18-016

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 64 in Elwell and Hadley's Subdivision of part of Original One Hundred Acre Lot No. 450, as shown by the recorded plat in Volume 7 of Maps, Page 27 of Cuyahoga County Records, and being 40 feet front on the Southerly side of Sandusky Avenue, S.E., (formerly Wood Street), and extending back of equal width 110 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

**Section 33.** 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. 135-18-060 as more fully described below, to Cleveland Housing Network, Inc.

**Section 34.** That the real property to be sold pursuant to this ordinance is more fully described as follows:

P. P. No. 135-18-060

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 154 in Coe, Brainard and Cheney's Allotment of part of Original One Hundred Acre Lot No. 458, as shown by the recorded plat in Volume 7 of Maps, Page 23 of Cuyahoga County Records and being 40 feet front on the Northerly side of Way Avenue, S.E., and extending back 109.895 feet on the Westerly line, 110.71 feet on the Easterly line, and has a rear line of 40 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

**Section 35.** 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. 136-02-063 as more fully described below, to Cleveland Housing Network, Inc.

**Section 36.** That the real property to be sold pursuant to this ordinance is more fully described as follows:

P. P. No. 136-02-063

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 30 in the J.J. Hoyt Re-Subdivision of part of Original One Hundred Acre Lot No. 457 as shown by the recorded plat in Volume 4 of Maps, Page 26 of Cuyahoga County Records, and being 40 feet front on the Northerly

side of Nelson Avenue, S.E. and extending back of equal width 115 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

**Section 37.** 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. 136-04-021 as more fully described below, to Cleveland Housing Network, Inc.

**Section 38.** That the real property to be sold pursuant to this ordinance is more fully described as follows:

P. P. No. 136-04-021

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 223 in James M. and Colgate Hoyt's Allotment of a part of Original One Hundred Acre Lot No. 458, as shown by the recorded plat in Volume 4 of Maps, Page 27 of Cuyahoga County Records, and being 40 feet front on the Northerly side of Nelson an and extending back between parallel lines 140 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

**Section 39.** 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. 136-04-025 as more fully described below, to Cleveland Housing Network, Inc.

**Section 40.** That the real property to be sold pursuant to this ordinance is more fully described as follows:

P. P. No. 136-04-025

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 219 in James M. Hoyt and Colegate Hoyt's Allotment of part of Original One Hundred Acre Lot No. 458, as shown by the recorded plat in Volume 4 of Maps, Page 27 of Cuyahoga County Records, and being 40 feet front on the Northerly side of Nelson Avenue, S.E. and extending back of equal width 140 feet as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

**Section 41.** 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. 136-05-082 as more fully described below, to Cleveland Housing Network, Inc.

**Section 42.** That the real property to be sold pursuant to this ordinance is more fully described as follows:

P. P. No. 136-05-082

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being all of Sublot No. 356 in the Elworthy Helwick Home Gardens Subdivision of part of Original One Hundred Acre Lot No. 459, as shown by the recorded plat in Volume 63 of Maps, Page 28 of Cuyahoga County Records, and being 38 feet front on the Northerly side of Dove Avenue, S.E., and extending back of equal width, 143.01 feet deep as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

**Section 43.** 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. 136-09-009 as more fully described below, to Cleveland Housing Network, Inc.

**Section 44.** That the real property to be sold pursuant to this ordinance is more fully described as follows:

P. P. No. 136-09-009

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 419 in James M. Joyt's Allotment of part of Original One Hundred Acre Lot No. 458, as shown by the recorded plat in Volume 4 of Maps, Page 27 of Cuyahoga County Records, and being 40 feet front on the Southerly side of Avon Avenue extending back 122 feet 3 inches on the Easterly line, 116 feet 7 inches on the Westerly line, and having a rear line of 40 feet, as appears by said plat.

Also subject to all zoning ordinances, if any.

**Section 45.** 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. 136-10-016 as more fully described below, to Cleveland Housing Network, Inc.

**Section 46.** That the real property to be sold pursuant to this ordinance is more fully described as follows:

P. P. No. 136-10-016

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 399 in James Hoyt and Colgate Hoyt's Allotment of part of Original One Hundred Acre Lot No. 458, as shown by the recorded plat of said Allotment in Volume 4 of Maps, Page 27 of Cuyahoga County Records. Said Sublot No. 399 has a frontage of 40 feet on the Southerly side of Avon Avenue, S.E., and extending back between parallel lines 140 feet, as appears by said plat.

Also subject to all zoning ordinances, if any.

**Section 47.** 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. 137-02-133 as more fully described below, to Cleveland Housing Network, Inc.

**Section 48.** That the real property to be sold pursuant to this ordinance is more fully described as follows:

P. P. No. 137-02-133

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot Nos. 179 and 180 in Peter and Caroline Ray's Allotment of part of Original One Hundred Acre Lot No. 452 as shown by the recorded plat in Volume 14 of Maps, Page 2 of Cuyahoga County Records, and together forming a parcel of land bounded and described as follows:

Beginning on the Easterly line of East 120th Street (formerly Longacre Street) at a point 137 feet Southerly (measured along said Easterly line) form its point of intersection with the Southerly line of Union Avenue, S.E. (formerly Union Street); thence Southerly along said Easterly line of East

120th Street, 37 feet to a point; thence Easterly parallel with the Southerly line of Union, S.E., 80 feet to a point in the Easterly line of said Sublot No. 179 in said Allotment; thence Northerly along the Easterly line of said Sublot No. 179, 37 feet to a point; thence Westerly parallel with the Southerly line of Union Avenue, S.E., 80 feet to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

**Section 49.** 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. 138-09-005 as more fully described below, to Cleveland Housing Network, Inc.

**Section 50.** That the real property to be sold pursuant to this ordinance is more fully described as follows:

P. P. No. 138-09-005

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 231 in Fowler and Corlett Subdivision of part of Original One Hundred Acre Lot No. 469 as shown by the recorded plat in Volume 24 of Maps, Page 12 of Cuyahoga County Records and being 40 feet front on the Westerly side of East 123rd Street and extending back of equal width 130 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

**Section 51.** 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 52.** 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 53.** 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 54.** That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

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

**Ord. No. 226-02.**

**By Councilmen Lewis, White and Jackson (by departmental request).**

**An emergency ordinance to amend Section 171.371 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1105-98, passed March 29, 1999, relating to payment of costs of attracting certain personnel.**

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

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

**Section 1.** That Section 171.371 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1105-98, passed March 29, 1999, is hereby amended to read as follows:

**Section 171.371 Payment of Costs of Attracting Certain Personnel**

(a) When the Mayor or a designee deems it necessary for the successful recruitment of qualified persons for eligible positions in the service of the City of Cleveland, as eligible positions are defined below, he or she may authorize payment of costs to recruit such persons and may authorize payment of reasonable and necessary expenses incurred by applicants who live outside of the Cleveland metropolitan area for traveling to and from Cleveland for the purpose of being interviewed for employment by the City. Reasonable and necessary travel expenses shall include lodging, meals, incidentals, and transportation from the applicant's place of residence, or mileage, provided that payment for mileage shall not exceed the round-trip airfare of a common carrier and provided further that no payment shall be authorized for:

(1) Fines, penalties, and/or forfeitures;

(2) Tobacco, alcoholic beverages, entertainment, gratuities, personal telephone calls and telegrams, or other like personal items;

(3) First-class travel accommodations unless coach or economy accommodations were not available; or

(4) Meals in lieu of other meals or food services provided during the period of travel by a carrier and included in the fare charged.

(b) The Mayor or a designee may approve payment of costs to search for and recruit and travel expenses for applicants for eligible positions, which are positions that meet the following criteria:

(1) Director, Assistant Director, Secretary to the Director, Chief Counsel, Commissioner, Special Assistant to the Mayor, Executive Assistant to the Mayor and Secretary to the Mayor; or

(2) The following highly specialized technical personnel:

Air Pollution Control Engineer; Airport Chief Engineer; Airport Comptroller; Airport Safety Manager; Architect; Air Trade Development Manager; Assistant Director of Law; Assistant Superintendent of Electric Transmission and Distribution; Chief Air Pollution Inspector; Chief Architect; Chief Assistant Director of Law; Chief Building Official; Chief Engineer — Civil; Chief Engineer — Mechanical; Chief of Environmental Health-Engineering; Chief Plan Examiner; Chief Traffic

Engineer; Chief of Water Distribution and Water Plant Manager; City Budget Manager; City Comptroller; City Treasurer; Consulting Engineer; Deputy Commissioner of Cleveland Hopkins International Airport; Deputy Commissioner of Convention Center, Stadium and West Side Market; Electrical/Electronic Engineer; Engineer of Hydraulic Surveys; Manager of Data Processing Center; Manager of Parks and Urban Forestry; Manager of Electric System Operation; Secretary to the Civil Service Commission; Superintendent of Electric Transmission and Distribution.

(c) Payment of authorized travel expenses may be made directly to a vendor, or the applicant may be reimbursed for authorized expenses paid out of pocket. Claims for payment of authorized expenses, other than mileage and incidentals, shall be submitted to the Mayor or a designee and shall be accompanied by invoices and/or receipts showing payment of such claimed expenses. Invoices and/or receipts showing payment of overnight lodging expenses shall have clearly identified thereon the rate for the accommodations utilized.

The maximum amount that may be paid to any one person who is a candidate for one of the eligible positions for travel and related interview expenses shall be two thousand five hundred dollars (\$2500.00) per interview trip.

(d) The Director of Finance is authorized to pay funds or reimburse costs for the recruiting and travel expense payments authorized in this Section from funds appropriated for this purpose.

(e) If necessary to obtain the services of persons for eligible positions, as defined above, the City may pay moving expenses incurred by them in relocating to the City upon presentation of verifying documents, as long as those persons have moved from a distance consistent with the Internal Revenue Service distance test for moving expense deductions.

(f) The phrase "moving expenses" includes expenses incurred for transportation to Cleveland to secure housing, as well as food and lodging expenses for a period not to exceed five (5) days, incurred while engaged in securing housing. Moving expenses also shall include all lodging, food, and transportation expenses of family and household goods and personal effects which are incurred solely for the purpose of relocating, from departure of such family and goods from the place of current residence until the time that the family and possessions arrive in Cleveland, unless such expenses have been otherwise reimbursed.

The authorized maximum rate for moving expenses as defined herein shall be ten thousand dollars (\$10,000).

(g) The Director of Finance is authorized to pay funds or reimburse costs for the moving expense payments authorized in this section from funds appropriated for that purpose.

(h) A person who receives moving expenses shall sign an agreement that should such person voluntarily leave the City's employ within one (1) year of initial appointment to a

position, he or she shall reimburse the City for all moving expenses plus any applicable interest as calculated pursuant to relevant Internal Revenue Code provisions. The Mayor may waive or modify the repayment amount upon the showing of mitigating circumstances.

(i) The Director of Personnel and Human Resources shall notify the Clerk of Council, with a copy to each Council member, when any costs authorized by this section are paid.

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

**Ord. No. 227-02.**

**By Councilmen Cimperman, Gordon and Jackson (by departmental request).**

**An emergency ordinance authorizing the Director of Economic Development to enter into a grant agreement with Gravity Games, LLC, or its designee to provide economic development assistance to partially finance the production of a nine-day youth oriented sports festival.**

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 Economic Development is hereby authorized to enter into a grant agreement with Gravity Games, LLC, or its designee, to provide economic development assistance to partially finance the production of a nine-day youth oriented sports festival, to carry out the public purpose of the creation and retention of job opportunities in the City of Cleveland.

**Section 2.** That the terms of said grant shall be in accordance with the terms as set forth in the summary contained in File No. 227-02-A.

**Section 3.** That the costs of said grant shall not exceed Four Hundred Thousand Dollars and shall be paid from Fund No. 17 SF 652, Request No. 103534.

**Section 4.** That the Director of Law is hereby authorized to prepare said grant agreement and such other documents as may be appropriate to complete the transaction.

**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 Economic Development, Finance, Law; Committees on Community and Economic Development, Finance.

**Ord. No. 228-02.**

**By Councilmen Gordon, Cimperman and Jackson (by departmental request).**

**An emergency ordinance authorizing the Directors of Economic Development and the City Planning Commission to apply for and accept a grant from the Economic Development Administration, Department of Commerce for the Economic Adjustment Strategy Grant; and authorizing said Directors to employ one or more consultants to provide professional services needed to implement the grant.**

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

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

**Section 1.** That the Directors of Economic Development and the City Planning Commission are hereby authorized to apply for and accept a grant in the amount of \$600,000, from the Economic Development Administration, Department of Commerce, to conduct the Economic Adjustment Strategy Grant, for the purposes set forth in the application and according thereto; that the Directors of Economic Development and the City Planning Commission are 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. 228-02-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

**Section 3.** That the Directors of Economic Development and the City Planning Commission are hereby authorized to employ by contract one or more architects, designers, planners, engineers, or one or more firms of architects, designers, planners, engineers, or other consultants necessary to implement the grant, from a list of qualified consultants available for such employment as may be determined after a full and complete canvass by the Directors of Economic Development and the City Planning Commission 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 Directors of Economic Development and the City Planning Commission, and certified by the Director of Finance.

**Section 4.** That the costs for such services herein contemplated shall be paid from the fund or funds to which are credited the grant proceeds accepted pursuant to this ordinance, and are hereby appropriated for this purpose.

**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 Community Development, City Planning Commission, Finance, Law; Committees on Community and Economic Development, City Planning, Finance.

**Ord. No. 229-02.**

**By Councilmen Westbrook, Gordon, Cimperman and Jackson (by departmental request).**

**An emergency ordinance authorizing the Director of Economic Development to enter into an Option to Acquire Agreement with Riser Foods Company, for properties located at 11623 Lake Avenue and a tract of land located on West 116th Street and for all appurtenances and buildings located thereon; and if the Option is so exercised, authorizing said Director to accept a gift from Riser Foods Company, for the Department of Economic Development.**

Whereas, Riser Foods Company has indicated a desire to offer to the City of Cleveland a gift of real estate, including appurtenances and buildings located thereon, located at 11623 Lake Avenue (formerly known as the Fifth Church of Christ) and a tract of land located at 1227 West 116th Street, which has a value in excess of \$10,000; and

Whereas, prior to the City accepting this gift, the City desires to exercise due diligence obligations, including but not limited to inspections regarding the physical status of the building, environmental assessments, engineering studies and development potential; and

Whereas, the City and Riser Foods Company agree that an Option to Acquire Agreement for a period of six months is acceptable while these due diligence inspections are being conducted; and

Whereas, if the due diligence inspections prove that the property defined in the Option to Acquire Agreement is desired by the City, then the City wishes to accept the gift offered by Riser Foods Company; 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 Economic Development is hereby authorized to enter into an Option to Acquire Agreement with Riser Foods Company, for properties located at 11623 Lake Avenue and 1227 West 116th Street and for all appurtenances and buildings located thereon ("Option Agreement").

**Section 2.** That the Option Agreement shall be for a period not to exceed six months, commencing upon execution of a Memorandum of Agreement signed by the Director of Economic Development and Riser Foods Company.

**Section 3.** That the Option Agreement shall be prepared by the Director of Law and in addition to the provisions detailed in File No. 229-02-A, shall contain such other terms and conditions as are necessary to protect the interests of the City.

**Section 4.** That, if the Director of Economic Development desires to exercise the option to acquire under the Option Agreement, the Director of Economic Development is hereby authorized to accept as a gift, on behalf of the City of Cleveland, the property, buildings and appurtenances described in the Option Agreement authorized herein, valued in excess of \$10,000, from Riser

Foods Company to be used for future development activity.

**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 Community Development, City Planning Commission, Finance, Law; Committees on Community and Economic Development, City Planning, Finance.

**FIRST READING EMERGENCY RESOLUTIONS REFERRED**

**Res. No. 230-02.**

**By Councilman Brady (by request).**

**An emergency resolution declaring the intention to vacate a portion of Oliver Road S.W.**

Whereas, this Council; is satisfied that there is good cause to vacate a portion of Oliver Road S.W. 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 portions of the following described real property:

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and being all that portion of the Northeasterly 10.00 feet by rectangular measurement of Oliver Road S.W. (50.00 feet wide) extending Southeasterly from the Southerly line of Jasper Avenue S.W. (60.00 feet wide), to its intersection with the Westerly line of a parcel of land conveyed to Leonard N. & M. J. Andreasik by deed recorded in Volume 41339, Page 66 of Cuyahoga County Records.

**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.

**Res. No. 231-02.**

**By Councilman Polensek.**  
**An emergency resolution declaring Council's intention to examine the status of compliance with the Settlement Agreement entered into between the City of Cleveland and Eller Media Company.**

Whereas, pursuant to Ordinance No. 452-01, passed June 19, 2001, the Council enacted zoning code changes regarding billboards and land use; and

Whereas, the Council considered the Settlement Agreement between Eller Media and the City, as referenced in Section 8 of the above-referenced ordinance during the hearings on the ordinance; and

Whereas, the Council desires to determine the status of that Settlement Agreement; 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 Cleveland City Council declares its intention to examine the status of compliance with the Settlement Agreement entered into between the City of Cleveland and Eller Media Company dated March, 2001 concerning the erection and removal of certain billboards in Cleveland neighborhoods and that the Finance or City Planning Committee will hold a hearing on this matter within thirty days of passage of this resolution.

**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 Committee on Finance.

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

**Ord. No. 232-02.**

**By Councilman Conwell.**

**An emergency ordinance authorizing the Director of Community Development to enter into an agreement with CCCS/St. Martin de Porres Family Center for the At Risk Youth and Families Program through the use of Ward 9 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 CCCS/St. Martin de Porres Family Center for the At Risk Youth and Families Program for the public purpose of providing after school service activities to at risk youth in the City of Cleveland through the use of Ward 9 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 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. Nays 0.

**Ord. No. 233-02.**  
**By Councilmen Pierce Scott and Britt.**

**An emergency ordinance consenting and approving the issuance of a permit for a Relay Race, The Hudson Relays, on Saturday, April 27, 2002 sponsored by Case Western Reserve University.**

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

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

**Section 1.** That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of a Relay Race, The Hudson Relays sponsored by Case Western Reserve University on April 27, 2002, beginning at "The Rock", next to Fribley, near the bottom of the Elephant Stairs, in front of Carlton Commons, top of stairs, top of Edgemoor at Overlook, in front of the Greenhouse Restaurant, corner of Euclid and Adelbert (runner must pass baton after crossing Euclid, in front of Severance Hall), 25 mph sign on MLK directly before statue at Juniper, side driveway to Crawford Museum on East 108th Street, Wade Park at corner of East 115th Street, corner of Bellflower and Ford Drive, back at "The Rock", PRESIDENT'S LAP IS LAST LAP ONLY! The last runner (President) receives the baton at The Rock by Adelbert Hall and runs into the Quad up the Pardee side and around and back to The Rock down the Yost side. This will conclude the team's official finish, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

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

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

**Ord. No. 234-02.**  
**By Councilman Polensek.**

**An emergency ordinance amending Section 3 of Ordinance No. 501-01, passed June 19, 2001, relating to the public improvement of rehabilitating and improving Neff Park.**

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

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

**Section 1.** That Section 3 of Ordinance No. 501-01, passed June 19,

2001 is hereby amended to read as follows:

**Section 3.** That an amount not to exceed **Five Hundred Sixty Thousand Dollars (\$560,000)** for said improvement hereby authorized shall be paid from Fund No. 10 SF 166, Request No. 47601.

**Section 2.** That existing Section 3 of Ordinance No. 501-01, passed June 19, 2001 is hereby repealed.

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

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

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

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

**Res. No. 235-02.**

**By Councilmen Cimperman, Coats, Brady, Britt, Cintron, Conwell, Dolan, Gordon, Jackson, Johnson, Jones, Lewis, O'Malley, Polensek, Reed, Rybka, Scott, Sweeney, Westbrook, White and Zone.**

**An emergency resolution urging President Bush to take immediate action to respond to the crisis facing the U.S. steel industry.**

Whereas, the Council of the City of Cleveland has been deeply concerned about the closure of LTV Steel Company and its impact on our citizens, our economy and the ability to continue producing steel in the United States; and

Whereas, the United States is currently experiencing a recession and, as a result of the tragedy of September 11, 2001, is embroiled in international military action and, as such, the loss of the capability to produce steel domestically poses a threat to national security and the nation's ability to retain a manufacturing base; and

Whereas, America's crumbling infrastructure needs to be rebuilt and domestically produced steel could be used to assist in the rebuilding of our cities and towns; and

Whereas, foreign steel imports have spiked to 40% of the U.S. market, up from 20% just two years ago, by selling steel at prices that are significantly below the cost of production; and

Whereas, this resolution constitutes an emergency measure providing for the immediate preservation of the public safety, welfare and health; now therefore,

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

**Section 1.** That the Council of the City of Cleveland supports all actions that will support and sustain the domestic steel industry and: (1) urges President Bush to initiate immediate action under Section 201 of the Trade Act of 1974 to use all appropriate remedies to limit the saturation of the U.S. domestic steel industry by imposing tariffs that equalize steel prices for domestic and foreign-made steel; and (2) urges President Bush to support any legislative action that will provide legacy cost relief for the domestic

steel industry.

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

**Res. No. 236-02.**

**By Councilmen Cintron, Cimperman and Zone.**

**An emergency resolution supporting O.C.D.S. Limited Partnership in its effort to develop affordable housing units in Wards 13, 14, and 17 in the City of Cleveland through use of housing tax credits from the Ohio Housing Finance Agency.**

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

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

Whereas, O.C.D.S. Limited Partnership is proposing to develop up to 70 housing units in Wards 13, 14 and 17 of the City of Cleveland located at 3200 Lorain Avenue; 2001-2001 West 41st; 4101 through 4121 Lorain Avenue; 3607 Clinton Avenue; 6501-6515 Detroit Avenue; and

Whereas, 85% of these housing units will be occupied by low income families, with 15% being market rate units; and

Whereas, 20% of these housing units will serve a specific needs population, namely households whose annual income is below 35% of the area of median income; and

Whereas, this resolution constitutes an emergency measure providing for the immediate preservation of the public safety, welfare and health; now therefore,

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

**Section 1.** That the Council of the City of Cleveland supports the proposal of O.C.D.S. Limited Partnership to provide affordable housing for the Citizens of Cleveland through use of housing tax credits from the Ohio Housing Finance Agency.

**Section 2.** That the Clerk of Council is hereby requested to transmit a copy of this resolution to the Executive Director of the Ohio City Near West Development Corporation.

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



**Res. No. 237-02.**  
**By Councilman Pierce Scott.**  
**An emergency resolution objecting to the issuance of a C1 Liquor Permit to 1208 East 105th Street.**

Whereas, Council has been notified by the Director of Liquor Control of an application for the issuance of a C1 Liquor Permit to Permit No. 5781386, James A. McNair, DBA Tune Palace, 1208 East 105th Street, Cleveland, Ohio 44108; and

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

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

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

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

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

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

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

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

**Section 1.** That Council does hereby record its objection to the issuance of a C1 Liquor Permit to Permit No. 5781386, James A. McNair, DBA Tune Palace, 1208 East 105th Street, Cleveland, Ohio 44108 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

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

**SECOND READING EMERGENCY ORDINANCES PASSED**

**Ord. No. 1952-01.**

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

An emergency ordinance authorizing the purchase by contract of a yard sweeper, for the Division of Water, Department of Public Utilities.

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

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

**Ord. No. 2151-01.**

By Councilman Cimperman.

An emergency ordinance authorizing the Director of Public Service to issue a permit to the Federal Reserve Bank of Cleveland, Ohio to encroach within the public right-of-way of Rockwell Avenue N.E. with two (2) Guard Booths which will include an integral Protective Bollard System surrounding each booth.

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

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

**Ord. No. 2153-01.**

By Councilmen Cintron and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Public Service to employ one or more professional consultants necessary to perform geotechnical testing and consulting services.

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

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

**Ord. No. 2154-01.**

By Councilmen Cintron and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of parts for Chevrolet-GMC vehicles, including installation if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service.

Approved by Directors of Public Service, Finance, Law; Passage recommended by Committees on Public Service, Finance.

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

**Ord. No. 2155-01.**

By Councilmen Cintron and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement

contract of Ford passenger and police car parts, including installation if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service.

Approved by Directors of Public Service, Finance, Law; Passage recommended by Committees on Public Service, Finance.

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

**Ord. No. 2156-01.**

By Councilmen Cintron and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to repair or replace the fuel dispensing pumps and systems necessary for fuel operations, fuel tankers, hydraulic lifts, oil and grease dispensing equipment, stationary air compressor, and for emergency cleanup and replacement of leaking underground storage tanks and systems, for the Division of Motor Vehicle Maintenance, Department of Public Service.

Approved by Directors of Public Service, Finance, Law; Passage recommended by Committees on Public Service, Finance.

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

**Ord. No. 2158-01.**

By Councilmen Cintron and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of EZ Pack packer parts, including labor to install if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service.

Approved by Directors of Public Service, Finance, Law; Passage recommended by Committees on Public Service, Finance.

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

**Ord. No. 2161-01.**

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

An emergency ordinance giving consent of the City of Cleveland for the resurfacing of Broadway Avenue/Orange Avenue between Hope Memorial Bridge and East 37th Street to the State of Ohio; and authorizing the Director of Public Service to enter into any agreements relative thereto.

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

1. In the title, at the end, strike the period and insert in lieu thereof the following: **“; and authorizing said Director to cause payment of the City's share to the State of Ohio for the cost of the improvement.”.**

Amendment agreed to.

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

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

**Ord. No. 2368-01.**

By Councilmen Cintron and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Public Service to enter into a Second Modification to City Contract No. 40826 with Stilson and Associates, Inc. to design the Adelbert Road bridge; authorizing the Director of Public Service to accept a cash contribution from CSX Transportation, Inc.; and authorizing the Director of Public Service to enter into an agreement with CSX Transportation, Inc.

Approved by Directors of Public Service, Finance, Law; Passage recommended by Committees on Public Service, Finance.

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

**SECOND READING EMERGENCY RESOLUTION ADOPTED**

**Res. No. 2374-01.**

By Councilman Cimperman (by request).

An emergency resolution declaring the intention to vacate a portion of West 7th Place.

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

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

**THIRD READING EMERGENCY ORDINANCES PASSED**

**Ord. No. 1809-01.**

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

An emergency ordinance authorizing the purchase by contract of one single drive recorder, including monitor, keyboard and mouse, for the Division of Water Pollution Control, Department of Public Utilities.

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

**Ord. No. 1949-01.**

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

An emergency ordinance authorizing the Director of Public Utilities to employ one or more professional consultants to provide troubleshooting, monitoring, configuration and programming support for network and interface equipment of the various divisions of the Department of Public Utilities.

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

**Ord. No. 1950-01.**

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

An emergency ordinance authorizing the Director of Public Utilities to enter into contract with one or more computer software vendors to provide standard business software and upgrades, including implementation, if necessary for the Divisions of

Water and Cleveland Public Power, Department of Public Utilities.

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

**Ord. No. 2023-01.**

By Councilman Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of landscape material and supplies, for the various divisions of City government, for a period not to exceed two years.

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

**Ord. No. 2024-01.**

By Councilman Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of janitorial supplies, for the various divisions of City government, for a period not to exceed one year.

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

**Ord. No. 2026-01.**

By Councilman Patmon (by departmental request).

An emergency ordinance authorizing the Director of Finance to enter into contract with PeopleSoft, Inc. to provide training for employees on various PeopleSoft products, for the Division of Financial Reporting and Control, Department of Finance.

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

**Ord. No. 2028-01.**

By Councilmen Cintron and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of remanufactured vehicle transmissions, including installation if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service.

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

**Ord. No. 2347-01.**

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

An emergency ordinance authorizing the Director of Public Utilities to enter into contract without competitive bidding with Warwick Communications, Inc. for the purchase of maintenance on Harris and Warwick telephone systems, for the Division of Water, Department of Public Utilities.

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

**Ord. No. 2355-01.**

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

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to maintain, repair, replace and test motor control centers, including switchgear, controls and appurtenances, for the Division of Water, Department of Public Utilities, for a period not to exceed two years.

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

**Ord. No. 2356-01.**

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

An emergency ordinance authorizing the purchase by requirement

contract of labor and materials necessary to maintain, repair and replace electric motors, including switchgear, controls and appurtenances, lower than 125 HP, for the Division of Water, Department of Public Utilities, for a period not to exceed two years.

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

**Ord. No. 2358-01.**

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 fencing, including installation if necessary, for the Divisions of Cleveland Public Power and Water, Department of Public Utilities, for a period not to exceed two years.

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

**MOTION**

By Council Member Rybka and seconded by Council Member Cimperman and unanimously carried that the absence of Council Member Joseph T. Jones, Council Member Sabra Pierce Scott and Council Member Robert J. White be and is hereby authorized.

**MOTION**

The Council Meeting adjourned at 8:25 p.m. to meet on Monday, February 25, 2002, at 7:00 p.m. in the Council Chambers.



Clerk Pro Tempore  
(First Assistant Clerk)

**THE CALENDAR**

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

NONE

**BOARD OF CONTROL**

February 6, 2002

The special meeting of the Board of Control convened in the Mayor's office on Wednesday, February 6, 2002, at 8:00 a.m. with Mayor Campbell presiding.

Present: Mayor Campbell, Acting Directors Horvath, Hruby, Brown, Directors Konicek, Ricchiuto, Acting Director McGuirk, Director Draper, Acting Directors Glending, Dumas, Directors Romero, Warren and Taylor.

Absent: None.

Others: Myrna Branche, Commissioner, Purchases and Supplies.

Henry Guzman, Director, Office of Equal Opportunity.

On motion, the following resolutions were adopted.

**Resolution No. 45-02.**

By Acting Director Hruby.  
 Resolved, by the Board of Control of the City of Cleveland that the bid of V & H, Inc. for an estimated quantity of 25-cubic yard refuse packer body replacements, for the various divisions of City government, for the period of one (1) year beginning with the date of execution of a contract, received on November 9, 2001, pursuant to the authority of Ordinance No. 1685-2000, passed by the Council of the City of Cleveland on October 30, 2000, and Ordinance No. 99-01, passed by the Council of the City of Cleveland on January 22, 2001, which on the basis of the estimated quantity would amount to Five Hundred Eighty-Six Thousand Two Hundred and 00/100 Dollars (\$586,200.00) (Net 10 Days) 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. 105650 which shall be certified against such contract in the sum of Five Hundred Eighty-Six Thousand Two Hundred and 00/100 Dollars (\$586,200.00).

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.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractor by V & H, Inc., for the above mentioned purchase is hereby approved:

Independent Brokers Ltd.  
 MBE — \$500.00 per unit

Yeas: Mayor Campbell, Acting Directors Horvath, Hruby, Brown, Directors Konicek, Ricchiuto, Acting Director McGuirk, Acting Directors Glending, Dumas, Directors Romero, Warren and Taylor.

Nays: None.  
 Absent: Director Draper.

**Resolution No. 46-02.**

By Acting Director Brown.  
 Be it resolved by the Board of Control of the City of Cleveland that the bid of Westside Power Wash for an estimated quantity of truck and car washing and car waxing, item no. 1, for the Division of Cleveland Public Power, Department of Public Utilities, for a period of one (1) year beginning with the date of execution of a contract, received on the 13th day of December 2001, pursuant to the authority of Ordinance No. 1047-01, passed October 8, 2001, on the basis of the estimated quantity would amount to Thirty Three Thousand Eight Hundred Forty and no/100 Dollars (\$33,840.00), (2% - 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 requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 115707 which shall be certified against such contract in the sum of Fifteen Thousand and no/100 Dollars (\$15,000.00).

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

Yeas: Mayor Campbell, Acting Directors Horvath, Hruby, Brown, Directors Konicek, Ricchiuto, Acting Directors McGuirk, Glending, Dumas, Directors Romero, Warren and Taylor.

Nays: None.  
 Absent: None.

**Resolution No. 47-02.**

By Acting Director Brown.  
 Be it resolved by the Board of Control of the City of Cleveland that the bid of Mr. Magic Carnegie, Inc., d.b.a. Mr. Magic Carwash & Detail Center for an estimated quantity of truck and car washing and car waxing, item nos. 2 and 3, for the Division of Cleveland Public Power, Department of Public Utilities, for a period of one (1) year beginning with the date of execution of a contract, received on the 13th day of December 2001, pursuant to the authority of Ordinance No. 1047-01, passed October 8, 2001, on the basis of the estimated quantity would amount to Nineteen Thousand Five Hundred Twenty and no/100 Dollars (\$19,520.00) (2% - 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 requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 115708 which shall be certified against such contract in the sum of Ten Thousand and no/100 Dollars (\$10,000.00).

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

Yeas: Mayor Campbell, Acting Directors Horvath, Hruby, Brown, Directors Konicek, Ricchiuto, Acting Director McGuirk, Director Draper, Acting Directors Glending, Dumas, Directors Romero, Warren and Taylor.

Nays: None.  
 Absent: None.

**Resolution No. 48-02.**

By Acting Director Brown.  
 Be it resolved, by the Board of Control of the City of Cleveland that the bid of Fabrizi Trucking & Paving Co., Inc. for the public improvement of Ostend Avenue Sewer Project (Base Bid Items including the 10% Contingency) for the Division of Water Pollution Control, Department of Public Utilities, received on January 3, 2002, pursuant to the authority of Ordinance No. 845-01, passed June 11, 2001, upon a unit basis for the improvement in the aggregate amount of Two Hundred Forty-Five Thousand Seven

Hundred Forty and 00/100 Dollars (\$245,740.00), 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 Co., Inc. for the contract authorized herein is approved:

<u>SUBCONTRACTOR</u>	<u>MBE/FBE</u>	<u>WORK</u>
Cook Paving		
MBE	\$40,000.00 (16%)	
Julian Supply		
FBE	\$2,000.00 (1%)	
Friedel Trucking		
FBE	\$5,000.00 (2%)	

Yeas: Mayor Campbell, Acting Directors Horvath, Hruby, Brown, Directors Konicek, Ricchiuto, Acting Director McGuirk, Director Draper, Acting Directors Glending, Dumas, Directors Romero, Warren and Taylor.

Nays: None.  
 Absent: None.

**Resolution No. 49-02.**

By Director Konicek.  
 Be it resolved by the Board of Control of the City of Cleveland that pursuant to Board of Control Resolution No. 194-01, adopted March 28, 2001, pursuant to Ordinance No. 2102-97, passed May 18, 1998, approving Architectural Graphics, Inc., for the public improvement of Master Land-side Signage for the Division of Cleveland Hopkins International Airport, Department of Port Control, the employment of the following subcontractors for the above-mentioned public improvement project is hereby approved.

<u>SUBCONTRACTORS</u>	<u>SERVICE</u>
All Sign & Light	Installation of the roadway signage with the exception of the steel supports
Dentz Painting	Patch and repair of interior and exterior walls in all Areas
EnterTech	Primavera scheduling
GE Capital	Providing lease of office trailer to be used on-site
Hi-Tech Electronic Displays	Provide two (2) outdoor LED display units for sign type 209
Interstate Highway Sign Corporation	Fabrication of panels for the roadway signage.

Yeas: Mayor Campbell, Acting Directors Horvath, Hruby, Brown, Directors Konicek, Ricchiuto, Acting Director McGuirk, Director Draper, Acting Directors Glending, Dumas, Directors Romero, Warren and Taylor.

Nays: None.  
Absent: None.

**Resolution No. 50-02.**

By Director Konicek.

Resolution by the Board of Control of the City of Cleveland, that all bids received on November 1, 2001 for the purchase of one jet bridge at Gate A-14, for the Division of Cleveland Hopkins International Airport, Department of Port Control, pursuant to the authority of Ordinance No. 70-98, passed by the Council of the City of Cleveland on March 2, 1998, be and the same hereby rejected.

Yeas: Mayor Campbell, Acting Directors Horvath, Hruby, Brown, Directors Konicek, Ricchiuto, Acting Director McGuirk, Director Draper, Acting Directors Glending, Dumas, Directors Romero, Warren and Taylor.

Nays: None.  
Absent: None.

**Resolution No. 51-02.**

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 item 1 (a, b) and item 3 (a, b, c), 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 January 25, 2002, pursuant to the authority of Ordinance No. 2157-01, passed by the Council of the City of Cleveland on January 28, 2002, which on the basis of the estimated quantity would amount to Two Hundred Sixty Four Thousand Eight Hundred Seventy Two and no/100 Dollars (\$264,872.00) (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. 105718 which shall be certified against such contract in the sum of Fifty Thousand and no/100 Dollars (\$50,000.00).

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 and which, together with all other contracts entered into pursuant to the above mentioned ordinance, does not in total exceed \$1,400,000.00.

Yeas: Mayor Campbell, Acting Directors Horvath, Hruby, Brown, Directors Konicek, Ricchiuto, Acting Director McGuirk, Director Draper, Acting Directors Glending, Dumas, Directors Romero, Warren and Taylor.

Nays: None.  
Absent: None.

**Resolution No. 52-02.**

By Director Ricchiuto.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of Universal Oil, Inc. for an estimated quantity of diesel fuel item 2 (a, b, c) 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 January 25, 2002, pursuant to the authority of Ordinance No. 2157-01, passed by the Council of the City of Cleveland on January 28, 2002, which on the basis of the estimated quantity would amount to Three Hundred Thirteen Thousand Eight Hundred Twenty Eight and no/100 Dollars (\$313,828.00) (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. 105719 which shall be certified against such contract in the sum of One Hundred Fifty Thousand and no/100 Dollars (\$150,000.00).

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 and which, together with all other contracts entered into pursuant to the above mentioned ordinance, does not in total exceed \$1,400,000.00.

Yeas: Mayor Campbell, Acting Directors Horvath, Hruby, Brown, Directors Konicek, Ricchiuto, Acting Director McGuirk, Director Draper, Acting Directors Glending, Dumas, Directors Romero, Warren and Taylor.

Nays: None.  
Absent: None.

**Resolution No. 53-02.**

By Director Ricchiuto.

Resolved by the Board of Control of the City of Cleveland, that all bids received on September 13, 2001 for anti-freeze (all items) for the Division of Motor Vehicle Maintenance, Department of Public Service pursuant to the authority of Ordinance No. 381-01, passed by the Council of the City of Cleveland on April 9, 2001, be and the same are hereby rejected.

Yeas: Mayor Campbell, Acting Directors Horvath, Hruby, Brown, Directors Konicek, Ricchiuto, Acting Director McGuirk, Director Draper, Acting Directors Glending, Dumas, Directors Romero, Warren and Taylor.

Nays: None.  
Absent: None.

**Resolution No. 54-02.**

By Acting Director McGuirk.

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authority of Section 203.10 of the Codified Ordinances of Cleveland, Ohio, 1976, Schneider Laboratories, Inc., is hereby selected upon the nomination of the Director

of Public Health, after inquiry and investigation, as the company best qualified to be employed by contract for the purpose of providing Environmental Laboratory services for the City of Cleveland's Childhood Lead Poisoning Prevention Program in the Division of Environment, Department of Public Health.

Be it further resolved that the Director of Public Health is hereby authorized to enter into a written contract with Schneider Laboratories, Inc. based on its proposal dated January 7, 2002 for a continuing term until compensation not to exceed \$50,000 is reached. Such contract shall be prepared by the Director of Law and shall contain such other provisions as said Director deems necessary to protect and benefit the public interest.

Yeas: Mayor Campbell, Acting Directors Horvath, Hruby, Brown, Directors Konicek, Ricchiuto, Acting Director McGuirk, Director Draper, Acting Directors Glending, Dumas, Directors Romero, Warren and Taylor.

Nays: None.  
Absent: None.

**Resolution No. 55-02.**

By Acting Director Glending.

Resolved by the Board of Control of the City of Cleveland, that all bids received on January 9, 2002 for the purchase of fertilizer, pesticides and seed, for the Division of Recreation, Department of Parks, Recreation and Properties pursuant to the authority of Ordinance No. 81-01 passed by the Council of the City of Cleveland on April 9, 2001, be and the same are hereby rejected.

Yeas: Mayor Campbell, Acting Directors Horvath, Hruby, Brown, Directors Konicek, Ricchiuto, Acting Director McGuirk, Director Draper, Acting Directors Glending, Dumas, Directors Romero, Warren and Taylor.

Nays: None.  
Absent: None.

**Resolution No. 56-02.**

By Acting Director Glending.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Architectural Floors of Cleveland, Inc., for the public improvement of re-carpeting of the Highland Park Golf Course Clubhouse, base bid, for the Department of Parks, Recreation and Properties, received on December 27, 2001, pursuant to the authority of Ordinance No. 1728-2000, passed April 9, 2001, for a gross price for the improvement in the aggregate amount of Twenty Nine Thousand Eight Hundred Ninety Nine and no/100 Dollars (\$29,899.00), is hereby affirmed and approved as the lowest responsible bid, and the Director of Parks, Recreation and Properties is hereby authorized to enter into contract for said improvement with said bidder.

Yeas: Mayor Campbell, Acting Directors Horvath, Hruby, Brown, Directors Konicek, Ricchiuto, Acting Director McGuirk, Director Draper, Acting Directors Glending, Dumas, Directors Romero, Warren and Taylor.

Nays: None.  
Absent: None.

JEFFREY B. MARKS,  
Secretary

**CIVIL SERVICE NOTICES****General Information**

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

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

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

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

ANNE BLOOMBERG,  
President

**SCHEDULE OF THE BOARD OF ZONING APPEALS**

**MONDAY, FEBRUARY 25, 2002**

**9:30 A.M.**

**Calendar No. 02-01:** 2819 Jay Avenue (Ward 13)

Jon Barry Post, owner, appeals to install a 9' high, wooden privacy fence to the rear of a 38' x 108' parcel located in a Two-Family District on the south side of Jay Avenue at 2819 Jay Avenue; said installation being contrary to the Fence Regulations where a 9' high fence is proposed and fences in the actual rear yard shall not exceed 6' in height as stated in Section 358.04(a) of the Codified Ordinances.

**Calendar No. 02-02:** 2535 Superior Avenue (Ward 13)

BP Oil Company, owner c/o Alvin Schneider, agent, appeals to construct an approximate 40' x 80' one-story sales building and a 24' x 106' canopy and 8 pump stations and 14 parking spaces all situated on an approximate 184' x 195' corner parcel located in a Semi-Industry District on the northwesterly corner of East 26th Street and Superior Avenue at 2535 Superior Avenue; said construction being contrary to the Business District Regulations of Section 343.18(d), where the maximum width of a driveway is 30' with a 6' curb cut and a 39' driveway is proposed with a curb cut on only one side and contrary to the sign regulations where 168.75 sq. ft. of signage is proposed and the maximum area of canopy and wall signage permitted is 100 sq. ft. as stated in Section 350.14(e)(3) of the Codified Ordinances.

**Calendar No. 02-03:** 2820 Detroit Avenue (Ward 13)

J.A.S. Partnership, owner, and Kimball Hill Homes, prospective pur-

chaser c/o Julie Trott, agent, appeal to renovate an existing 60' x 80' four-story, masonry warehouse building into residential condominiums and add a 5th floor penthouse with a roof deck, all situated on a 105' x 243' parcel located in a Semi-Industry District on the northwest corner of West 28th Street and Detroit Avenue at 2820 Detroit Avenue; said renovation and construction being contrary to the Enforcement and Penalty Requirements of Section 327.02, where adequate site plan is required and the proposed site plan does not match the engineering lot description and contrary to the Yards and Courts Requirements of Section 357.04(a) where a 25' front yard setback is required and 0' is proposed and Section 357.08(b)(2), where a 38' rear yard setback is required and 0' is proposed and the proposed side street and interior side yard equal 0' and an interior side yard of 19' is required and a 5' side street yard is required as stated in Section 357.08(b)(2) of the Codified Ordinances.

**Calendar No. 02-04:** 9001 Broadway Avenue (Ward 2)

P. Papouras, property owner, and Sprint, lessee, and Voicestream, prospective co-lessee c/o Christine Phillips, agent, appeal to collocate communication antennas and equipment on an existing telecommunication tower situated on an approximate 62' x 168' irregular shaped corner parcel located in a One-Family District on the north side of Broadway Avenue at 9001 Broadway Avenue; said collocation being contrary to the Cell Tower Requirements of Section 354.10, where alterations and use expansion to a nonconforming tower requires the Board of Zoning Appeals approval and an addition or expansion of a nonconforming use requires the Board of Zoning Appeals approval as stated in Section 3:59.01 of the Codified Ordinances.

**Calendar No. 02-05:** 12210 Imperial Avenue (Ward 3)

Fawcett Bess, owner, appeals to add a second floor to an existing 24' x 25' one-story garage for storage of construction equipment, situated on in approximate 39' x 120' corner parcel located in a Local Retail Business District on the southwest corner of East 123rd Street and Imperial Avenue at 12210 Imperial Avenue; said addition and construction being contrary to the Business District Requirements where storage of construction materials is not permitted in a Local Retail Business District as stated in Section 343.01(b) of the Codified Ordinances.

**Calendar No. 02-06:** 2483 West 5th Street (Ward 13)

Rysar Properties, owner c/o Paul Capka, agent, appeals to construct a 20' x 34' two-story, frame one family dwelling on a 38' x 148.50' parcel located in a Two-Family District on the west side of West 5th Street at 2483 West 5th Street; said construction being contrary to the Yards and Courts Requirements where an interior side yard of 2' is proposed and 3' is required as stated in Section 357.09(b) of the Codified Ordinances.

**Calendar No. 02-07:** 1848 West 25th Street (Ward 13)

Teg Properties, owner c/o Brian Dolzine, agent, appeals to change

the use of an existing 27' x 109' one-story hardware store building into a restaurant all situated on an approximate 28' x 112' parcel located in a General Retail Business District on the west side of West 25th Street at 1848 West 25th Street; said change of use being contrary to the Off-Street Parking and Loading Requirements where 19 parking spaces are required and 6 are credited, leaving a remainder of 13 required as stated in Section 349.04(f) of the Codified Ordinances.

**Calendar No. 02-08:** 17305 Grovewood Avenue (Ward 11)

Rick King, owner, appeals to change the use of an existing approximate 28' x 58' two-story, masonry store and 1 dwelling unit building into a day care and a 1 dwelling unit building, all situated on an approximate 47' x 130' corner parcel located in a Local Retail Business District on the northwest corner of East 174th Street and Grovewood Avenue at 17305 Grovewood Avenue; said change of use being contrary to the Business District Requirements, where the proposed day care abuts a Two-Family District at the rear of the property and is referenced as regulated in a Multi-Family District (Section 3137.08(e)), where a day care is required to be 15' from any adjoining premises in a Residential District not used for similar purposes as stated in Section 343.01 of the Codified Ordinances.

EUGENE CRANFORD, JR.,  
Secretary

**REPORT OF THE BOARD OF ZONING APPEALS**

**MONDAY, FEBRUARY 11, 2002**

At the meeting of the Board of Zoning Appeals on Monday, February 11, 2002, the following appeals were heard by the Board:

The following appeals were **Approved:**

**Calendar No. 01-359:** 731-747 East 152nd Street

Rick Semersky d.b.a. VIP Restoration, appealed to establish use of a 155' x 194' parcel as outdoor storage of new and used building materials on a 155' x 194' parcel in Local Retail and General Retail Districts granted conditionally.

**Calendar No. 01-360:** 818 East 105th Street

Strowder's Funeral Chapels, Inc., owner, appealed to add a 38' x 150' one-story extension to the south wall of an existing 48' x 150' one-story, nonconforming funeral home building and to provide a 71 car accessory off-street parking lot on a 205' x 247' parcel in a Local Retail Business District.

**Calendar No. 01-364:** 5713 Ira Avenue

Joseph Marche, owner, appealed to construct a 30' x 40' reverse gable garage to the rear of a 50' x 177' parcel in a Two-Family District.

**Calendar No. 01-301:** 770 East 185th Street

Joe Muska, owner, and Al Bucco, tenant, appealed to change use of a one-story bowling alley building into a nightclub/dance hall in a

Local Retail Business District; granted on condition that the appellants establish a restaurant, only, providing no dance floor nor live entertainment in the premises and submit a plan showing landscape and fence details.

**Calendar No. 01-313:** 5506 Dollof Road

Gary Meadows, owner, appealed to change use of a 28' x 45' one-story masonry building into a tire sales store and used car lot on a 146' x 183' parcel in a Local Retail Business District; granted upon condition that appellant eliminate used car lot and provide improved landscape plan.

The following appeals were **Postponed:**

**Calendar No. 01-363:** 976-984 East 63rd Street postponed to February 25, 2002.

**Calendar No. 01-365:** 13600 Deise Avenue postponed to March 18, 2002.

**On Monday, February 11, 2002, in Executive Session:**

The following appeals were heard on Monday, February 4, 2002, and said decisions were approved and adopted by the Board on February 11, 2002:

The following appeals were **Approved:**

**Calendar No. 01-325:** 1983 West 58th Street

Evergreen 58 Corporation appealed to construct a 16' x 50' three-story, potential two dwelling townhouse unit and detached garage on a 19'-6" x 125' parcel in an RA-2 District.

**Calendar No. 01-326:** 2003 West 58th Street

Evergreen 58 Corporation appealed to construct a 19'-6" x 50' three-story, single dwelling townhouse unit and detached garage on a 19'-6" x 125' parcel in an RA-2 District.

**Calendar No. 01-327:** 1985 West 58th Street

Evergreen 58 Corporation appealed to construct a 16' x 50' three-story, potential two dwelling townhouse unit and detached garage on a 19'-6" x 125' parcel in an RA-2 District.

**Calendar No. 01-328:** 2005 West 58th Street

Evergreen 58 Corporation appealed to construct a 19'-6" x 50' three-story, potential two dwelling townhouse unit and detached garage on a 19'-6" x 125' parcel in an RA-2 District.

**Calendar No. 01-329:** 1987 West 58th Street

Evergreen 58 Corporation appealed to construct a 16' x 50' three-story, potential two dwelling townhouse unit and detached garage on a 19'-6" x 125' parcel in an RA-2 District.

**Calendar No. 01-330:** 2007 West 58th Street

Evergreen 58 Corporation appealed to construct a 19'-6" x 50' three-story, potential two dwelling townhouse unit and detached

garage on a 19'-6" x 125' parcel in an RA-2 District.

**Calendar No. 01-331:** 1989 West 58th Street

Evergreen 58 Corporation appealed to construct a 16' x 50' three-story, potential two dwelling townhouse unit and detached garage on a 19'-6" x 125' parcel in an RA-2 District.

**Calendar No. 01-332:** 20019 West 58th Street

Evergreen 58 Corporation appealed to construct a 19'-6" x 50' three-story, potential two dwelling townhouse unit and detached garage on a 19'-6" x 125' parcel in an RA-2 District.

**Calendar No. 01-333:** 2011 West 58th Street

Evergreen 58 Corporation appealed to construct a 16' x 50' three-story, potential two dwelling townhouse unit and detached garage on a 19'-6" x 125' parcel in an RA-2 District.

**Calendar No. 01-334:** 19511 West 58th Street

Evergreen 58 Corporation appealed to construct a 16' x 50' three-story, potential two dwelling townhouse unit and detached garage on a 19'-6" x 125' parcel in an RA-2 District.

**Calendar No. 01-335:** 2013 West 58th Street

Evergreen 58 Corporation appealed to construct a 16' x 50' three-story, single dwelling townhouse unit and detached garage on a 19'-6" x 125' parcel in an RA-2 District.

**Calendar No. 01-336:** 1993 West 58th Street

Evergreen 58 Corporation appealed to construct a 16' x 50' three-story, single dwelling townhouse unit and detached garage on a 19'-6" x 125' parcel in an RA-2 District.

**Calendar No. 01-337:** 2015 West 58th Street

Evergreen 58 Corporation appealed to construct a 16' x 50' three-story, single dwelling townhouse unit and detached garage on a 19'-6" x 125' parcel in an RA-2 District.

**Calendar No. 01-338:** 1995 West 58th Street

Evergreen 58 Corporation appealed to construct a 16' x 50' three-story, single dwelling townhouse unit and detached garage on a 19'-6" x 125' parcel in an RA-2 District.

**Calendar No. 01-339:** 2017 West 58th Street

Evergreen 58 Corporation appealed to construct a 16' x 50' three-story, potential two dwelling townhouse unit and detached garage on a 19'-6" x 125' parcel in an RA-2 District.

**Calendar No. 01-340:** 1997 West 58th Street

Evergreen 58 Corporation appealed to construct a 16' x 50' three-story, potential two dwelling townhouse unit and detached garage on a 19'-6" x 125' parcel in an RA-2 District.

**Calendar No. 01-341:** 2019 West 58th Street

Evergreen 58 Corporation ap-

pealed to construct a 16' x 50' three-story, potential two dwelling townhouse unit and detached garage on a 19'-6" x 125' parcel in an RA-2 District.

**Calendar No. 01-342:** 1999 West 58th Street

Evergreen 58 Corporation appealed to construct a 16' x 50' three-story, potential two dwelling townhouse unit and detached garage on a 19'-6" x 125' parcel in an RA-2 District.

**Calendar No. 01-343:** 2021 West 58th Street

Evergreen 58 Corporation appealed to construct a 16' x 50' three-story, potential two dwelling townhouse unit and detached garage on a 19'-6" x 125' parcel in an RA-2 District.

**Calendar No. 01-344:** 2001 West 58th Street

Evergreen 58 Corporation appealed to construct a 16' x 50' three-story, single dwelling townhouse unit and detached garage on a 19'-6" x 125' parcel in an RA-2 District.

**Calendar No. 01-354:** 3315 Broadview Road

A&K Investment/Jack Amburgey, owner, appealed to change the use of a one-story billiard parlor space into a party center with bingo in a Local Retail Business District; granted conditionally.

The following appeals were **Denied:**

**Calendar No. 01-348:** 13404 Coit Road

Delonte Rollins, owner, appealed to change the use of a one-story tavern building and a 64' x 134' parcel into an office and used car lot in a Two-Family District.

**Calendar No. 01-353:** 4026 West 143rd Street

Joanne A. Meier, owner, appealed to construct a 24' x 24' x 19' high accessory garage to the rear of a 50' x 120' parcel in a One-Family District.

**Calendar No. 01-307:** 9713 Parkview Avenue

Carrie Evans, owner, and Johnnie Evans, tenant, appealed to expand the use of a two dwelling house to include a recording studio in a Two-Family District.

EUGENE CRANFORD, JR.,  
Secretary

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

NO MEETING

**PUBLIC NOTICE**

NONE

**NOTICE OF PUBLIC HEARING**

NONE

**CITY OF CLEVELAND BIDS****For All Departments**

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

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

**187.10 Negotiated contracts; Notice required in Advertisement for Bids.**

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

**FRIDAY, FEBRUARY 15, 2002**

**Re-Bid Processing Recyclable Material Services Contract "EW"**, for the Division of Waste Collection and Disposal, Department of Public Service, as authorized by Ordinance No. 1868-2000, passed by the Council of the City of Cleveland, December 18, 2000.

February 6, 2002 and February 13, 2002

**FRIDAY, FEBRUARY 22, 2002**

**Auto/Truck Spring Repair**, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 2027-01, passed by the Council of the City of Cleveland, December 10, 2001.

February 6, 2002 and February 13, 2002

**THURSDAY, FEBRUARY 28, 2002**

**Fabrication of Ring and Pinion Gears**, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 824-2000, passed by the Council of the City of Cleveland, June 12, 2000.

THERE WILL BE A PRE-BID MEETING FEBRUARY 14, 2002 AT 10:30 A.M. LOCATED AT DISTRIBUTION MAINTENANCE

METERS, CONFERENCE ROOM, (4600 HARVARD AVENUE, CLEVELAND, OHIO 44105).

**Re-Bid Vehicle Maintenance Equipment**, for the Division of Cleveland Public Power, Department of Public Utilities as authorized by Ordinance No. 843-01, passed by the Council of the City of Cleveland, June 11, 2001.

THERE WILL BE A MANDATORY PRE-BID MEETING ON FEBRUARY 20, 2002, AT 10:00 A.M. LOCATED AT 1300 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

February 6, 2002 and February 13, 2002

**THURSDAY, MARCH 7, 2002**

**Repairing and Constructing Sidewalks, Driveways, Aprons, Curbing, Curb Ramps, Median Strips, Intersections and Bridge Approaches in Wards 1 thru 12**, for the Division of Engineering and Construction, Department of Public Service, as authorized by Ordinance No. 2030-01, passed by the Council of the City of Cleveland, December 1, 2001.

THERE WILL BE A PRE-BID MEETING ON THURSDAY, FEBRUARY 28, 2002 AT 10:00 A.M. IN ROOM 518 IN THE CITY HALL.

February 13, 2002 and February 20, 2002

**ADOPTED RESOLUTIONS AND ORDINANCES****Res. No. 191-02.**

**By Councilmen Cintron, Brady and Jones.**

**An emergency resolution urging the prompt passage of Ohio House Bill 290 and Ohio Senate Bill 127, the Ohio Prescription Drug Fair Pricing Act.**

Whereas, the Council of the City of Cleveland has supported, by passage of numerous resolutions, the right to affordable, accessible health care and the ability to secure prescription medication at reasonable prices; and

Whereas, it is estimated that one of four Americans, including 2.2 million Ohioans, have no prescription drug coverage; and

Whereas, prescription drug prices are rising twice as fast as the rate of inflation; and

Whereas, individual Americans pay 30% to 70% more than Canadians and Mexicans for the same prescriptions and about twice what the federal government pays for the same drugs under the Federal Supply Schedule; and

Whereas, U.S. prescription drug spending rose nearly 17% in 1999, some \$99.6 billion, and it is predicted that spending on pharmaceuticals will increase about 12.6% annually until 2010; and

Whereas, the pharmaceutical industry is the most profitable industry in the world, making profits of 18.3% compared to an average profit of 5% for other industries; and

Whereas, Ohio House Bill 290 and Ohio Senate Bill 127, the Prescription Drug Fair Pricing Act, would

provide a prescription drug card to all Ohioans who do not have prescription drug coverage or are grossly underinsured, giving the State the authority to negotiate substantial rebates from drug companies and discounts from drug retailers and to pass those discounts to program participants, with the State paying administrative and other costs out of the negotiated rebates, thus incurring no cost to taxpayers; and

Whereas, this resolution constitutes an emergency measure providing for the immediate preservation of the public safety, welfare and health; now therefore,

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

**Section 1.** That the Council of the City of Cleveland supports the Prescription Drug Fair Pricing Act and urges the prompt passage of Ohio House Bill 290 and Ohio Senate Bill 127.

**Section 2.** That the Clerk of Council is hereby requested to transmit a copy of this resolution to the members of Ohio's State Congressional delegation; Lynn Wachtmann, Chair of the Ohio Senate Health and Human Services Committee; Jolivette Gregory, Chair of the Ohio House Health and Family Services Committee; and to the Coalition for Affordable Prescription Drug Coverage located at 3250 Euclid Avenue, Cleveland, Ohio, 44115.

**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

Adopted February 4, 2002.

Awaiting the approval or disapproval of the Mayor

**Res. No. 192-02.**

**By Councilman Westbrook.**

**An emergency resolution supporting Catholic Charities Facilities Corporation in its effort to renovate a senior housing complex located at 11500 Detroit Avenue, Ward 18.**

Whereas, the Council of the City of Cleveland has recognized the need to maintain affordable housing for the elderly in our neighborhoods; and

Whereas, the Catholic Charities Facilities Corporation has developed a comprehensive plan to identify those areas that would be appropriate for housing developments for the elderly; and

Whereas, the Catholic Charities Facilities Corporation has proposed to renovate an existing 8 story structure consisting of 113 one and two bedroom units and to construct an addition to the facility consisting of 50 two bedroom units for a total of 163 units known as Kirby Manor located at 11500 Detroit Avenue in Ward 18 of the City of Cleveland; and

Whereas, this resolution constitutes an emergency measure providing for the immediate preservation of the public safety, welfare and health; now therefore,

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

**Section 1.** That the Council of the City of Cleveland supports Catholic Charities Facilities Corporation in its proposed renovation of an existing 8 story structure consisting of 113 one and two bedroom units and to construct an addition to the facility consisting of 50 two bedroom units for a total of 163 units, with 50 units at market rate and 113 units at an affordable rate, known as Kirby Manor located at 11500 Detroit Avenue in Ward 18 of the City of Cleveland.

**Section 2.** That this resolution is hereby declared to be an emergency measure arid, 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

Adopted February 4, 2002.

Awaiting the approval or disapproval of the Mayor

**Ord. No. 1210-01.**

**By Mayor White.**

**An emergency ordinance authorizing the Director of Port Control to employ surveyors or firms of surveyors, to provide professional surveying services necessary to survey various parcels or portions of parcels of land.**

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 or contracts surveyors or firms of surveyors for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional surveying services necessary to survey various parcels or portions of parcels of land under the jurisdiction and control of the various divisions of the Department of Port Control and to survey various parcels or portions of parcels of land as needed to further Cleveland Hopkins International Airport expansion projects.

The selection of surveyors or firms of surveyors 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 surveyors or firms of surveyors 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 or contracts herein authorized shall be prepared by the Director of Law, approved by the Director of Port Control, and certified by the Director of Finance. The contract or contracts herein authorized shall contain a provision prohibiting the contractor or contractors, during the duration of the contract, from providing surveying services to third parties on projects related to the expansion of Cleveland Hopkins International Airport.

**Section 2.** That the costs for such contract or contracts herein autho-

riized shall not exceed \$40,000.00 and shall be paid from Fund No. 60 SF 001, Request No. 30966.

**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.

Passed February 4, 2002.

Awaiting the approval or disapproval of the Mayor

**Ord. No. 1484-A-01. (As a substitute for Ordinance No. 1484-01).**

**By Councilman Brady.**

**An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Section 125.10 thereof, relating to a legislative service division.**

Whereas, Cleveland City Council is the legislative branch of City government and has the power and authority to inquire into the conduct of any City Department, office, officer or employee of the City and to investigate City affairs; and

Whereas, City Council conducts municipal research on a variety of City problems to analyze how Cleveland may benefit from the problems and solutions of other communities; and

Whereas, members of City Council sponsor legislation and utilize professional staff to research and draft legislation; and

Whereas, City Council provides municipal and fiscal oversight of City government; and

Whereas, the legislative process includes the review of legislation at Council committees and such review occurs with the assistance of professional and technical staff; and

Whereas, several local legislative offices across the county utilize the services of a Legislative Service Division; and

Whereas, such legislative services are performed by a professional staff of attorneys, researchers, and clerical technicians; and

Whereas, a Legislative Service Division will provide legal expertise in local governmental affairs and thereby assist City Council members in serving the public; 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 Codified Ordinances of Cleveland, Ohio, 1976, are hereby supplemented by enacting new Section 125.10 thereof to read as follows:

**Section 125.10 Legislative Service Division**

(a) The civil branch of the Department of Law shall contain a Legislative Service Division. The Director of Law shall appoint and fix the compensation of attorneys and other technical, professional and clerical staff necessary to perform the duties of the Legislative Service Division. The Director of Law shall report directly to City Council on matters involving the Legislative Service Division.

(b) The Legislative Service Division shall, in conjunction with City Council staff, provide the following legal services at the request of the Council President, any City Council Committee, or any member of City Council:

(1) assist and cooperate with any City Council Committee;

(2) prepare legislation;

(3) provide impartial and accurate information and reports on legislative issues in accordance with the Rules of Council;

(4) educate City Council members on community development block grant policies and issues and assist City Council members in utilizing funds, including, community development block grant and neighborhood equity funds;

(5) advise members on the effects of ordinances and resolutions; and

(6) any other legal duties as requested.

(c) The Legislative Service Division shall be provided with adequate office space in the Law Department for its operation.

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

Passed February 4, 2002.

Awaiting the approval or disapproval of the Mayor

**Ord. No. 1745-01.**

**By Councilmen Patmon and Jackson (by departmental request).**

**An emergency ordinance authorizing the Director of Economic Development to enter into contract with the Glenville Development Corporation to provide financial assistance in the form of a grant to partially finance the construction of an exterior monument wall and to make necessary site improvements near the northeast corner of St. Clair Avenue and East 105th Street.**

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

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

**Section 1.** That the Director of Economic Development is hereby authorized to enter into contract with the Glenville Development Corporation to provide financial assistance in the form of a grant to partially finance the construction of an exterior monument wall and to make necessary site improvements near the northeast corner of St. Clair Avenue and East 105th Street.

**Section 2.** That the costs of said contract shall not exceed Seventy-Five Thousand Dollars (\$75,000), and shall be paid from Fund No. 17 SF 652, Request No. 103502.

**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.

Passed February 4, 2002.

Awaiting the approval or disapproval of the Mayor

**Ord. No. 1917-01.**

**By Councilmen Jackson and Patmon (by departmental request).**

**An emergency ordinance authorizing the Director of Economic Development to enter into a grant agreement with the Cuyahoga County Planning Commission to provide professional services to study extending the Ohio Canal Towpath Trail to its historical northern terminus.**

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 Economic Development is hereby authorized to enter into a grant agreement with the Cuyahoga County Planning Commission to provide professional services to study extending the Ohio Canal Towpath Trail to its historical northern terminus.

**Section 2.** That the costs of said grant shall not exceed Twenty-Five Thousand Dollars (\$25,000) and shall be paid from Fund No. 10 SF 526, Request No. 103504.

**Section 3.** That the Director of Law is hereby authorized to prepare said grant agreement and such other documents as may be appropriate to complete the transaction.

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

Passed February 4, 2002.

Awaiting the approval or disapproval of the Mayor

**Ord. No. 1964-01.**

**By Councilman Coats.**

**An emergency ordinance authorizing the Director(s) of Community Development and Economic Development to enter into an agreement with Northeastern Neighborhood Development Corporation for property acquisition for Forest Hills Place Elderly Housing Project through the use of Ward 10 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 Directors of Community Development and Economic Development are authorized to enter into an agreement with Northeastern Neighborhood Develop-

ment Corporation for property acquisition for Forest Hills Place Elderly Housing Project, for the public purpose of providing a multi-family housing apartment complex for elderly residents through the use of Ward 10 Neighborhood Equity Funds.

**Section 2.** That the cost of said contract shall be in an amount not to exceed \$90,000 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.

Passed February 4, 2002.

Awaiting the approval or disapproval of the Mayor

**Ord. No. 1984-01.**

**By Councilman Rybka.**

**An emergency ordinance authorizing the Director of Economic Development to enter into an agreement with Slavic Village Development for property acquisition in Lower Broadway for economic development and job retention and new job creation through the use of Ward 12 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 Economic Development is authorized to enter into an agreement with Slavic Village Development for the property acquisition in lower Broadway for the public purpose of providing economic development, job retention, and new job creation for residents in the City of Cleveland through the use of Ward 12 Neighborhood Equity Funds.

**Section 2.** That the cost of said contract shall be in an amount not to exceed \$155,000 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.

Passed February 4, 2002.

Awaiting the approval or disapproval of the Mayor

**Ord. No. 2149-01.**

**By Councilman Polensek.**

**An emergency ordinance authorizing the Clerk of Council to employ one or more professional consultants to provide professional services required to update, print and bind the Cleveland Codified Ordinances, including the recodification of the Traffic and General Offenses Codes as amended by the Ohio General Assembly and providing alternative formats and internet accessibility; and to compile, verify, edit, index, compose, print and package a cumulative supplement, including alternative formats and internet accessibility; for a period of one year, with three one-year options to renew all of part of these services.**

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

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

**Section 1.** That the Clerk of Council is 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 update, print and bind the Cleveland Codified Ordinances, including the recodification of the Traffic and General Offenses Codes as amended by the Ohio General Assembly and providing alternative formats and internet accessibility; and to compile, verify, edit, index, compose, print and package a cumulative supplement, including alternative formats and internet accessibility, for a period of one year commencing upon execution of a contract, with three options exercisable by the Clerk of Council, to renew all or any portion of these services for additional one-year periods, and cancellable upon thirty days written notice by said Clerk of Council.

The selection of said consultants for such services shall be made by this Council, through an ordinance or resolution upon the nomination of the Clerk of Council from a list of qualified consultants available for such employment as may be determined after a full and complete canvass by the Clerk of Council for the purpose of compiling such a list. The compensation to be paid for such services shall be fixed by this Council, through an ordinance or resolution. The contract herein authorized shall be prepared by the Director of Law, approved by the Clerk of Council, and certified by the Director of Finance.

**Section 2.** That the costs for such services herein contemplated shall be paid from Fund No. 01-010101-632000, Request No. 100004.

**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.

Passed February 4, 2002.

Awaiting the approval or disapproval of the Mayor

**Ord. No. 2164-01.**  
**By Councilmen Polensek and Patmon (by departmental request).**  
**An emergency ordinance authorizing the purchase by requirement contract of medical supplies and equipment, for the Division of Emergency Medical Service, 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 medical supplies and equipment 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 Emergency Medical Service, 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 not exceed \$100,000.00 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 108832)

**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.

Passed February 4, 2002.

Awaiting the approval or disapproval of the Mayor

**Ord. No. 2165-01.**  
**By Councilmen Polensek and Patmon (by departmental request).**  
**An emergency ordinance authorizing the purchase by requirement contract of various items necessary to implement the 2001-02 DARE program, for the Division of Police, 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 various items necessary to implement the 2001-02 DARE program 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 Police, 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 37586)

**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.

Passed February 4, 2002.

Awaiting the approval or disapproval of the Mayor

**Ord. No. 2166-01.**  
**By Councilmen Polensek and Patmon (by departmental request).**  
**An emergency ordinance authorizing the Director of Law to enter into a contract with L.J.D. & Associates to coordinate the Team Approach to Violence Against Women Program.**

Whereas, pursuant to Ordinance No. 289-01, passed April 9, 2001, this Council authorized the Director of Law to apply for and accept a grant from the Criminal Justice Service Agency for the Team Approach to Violence Against Women Program; and

Whereas, coordinating services for this program are desired; 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 Law is hereby authorized to enter into contract with L.J.D. & Associates for coordinating services relating to the Team Approach to Violence Against Women Program.

**Section 2.** That the cost of such contract shall not exceed \$32,500.00

and shall be paid from the fund or funds to which are credited the grant proceeds accepted pursuant to Ordinance No. 289-01, passed April 9, 2001.

**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.

Passed February 4, 2002.

Awaiting the approval or disapproval of the Mayor

**Ord. No. 2412-01.**  
**By Councilmen Jackson and Rybka (by departmental request).**  
**An emergency ordinance authorizing the Mayor and the Directors of Economic Development and Parks, Recreation and Properties to enter into a Purchase Agreement with Achievement Centers for Children or its designee, for approximately 5 acres of land in the Cleveland Enterprise Park.**

Whereas, the City of Cleveland (the "City") desires to develop Cleveland Enterprise Park on approximately 100 acres of land (the "Zone") situated in the Village of Highland Hills (the "Village") along Harvard Road, between Green and Northfield Roads (the "Property") in accordance with a Master Plan for the commercial development of the Zone; and

Whereas, the City, pursuant to the authority of Ordinance No. 1235-95, passed October 23, 1995, and the Village, pursuant to the authority of Ordinance No. 1995-20, passed August 14, 1995, and Ordinance No. 1995-28, passed December 13, 1995, entered into a Joint Development Economic Zone Agreement ("JDA") for the Zone; and

Whereas, Achievement Centers for Children or its designee has proposed to purchase from the City 5 acres of land in order to construct a building in the Cleveland Enterprise Park; and

Whereas, the JDA requires the City and Village to share income tax revenue such that the City will receive seventy-five percent (75%) of net income taxes of employees related to the Zone from the City and fifty percent (50%) of net income taxes of all other employees within the Zone; and

Whereas, the portions of the Zone to be sold to Achievement Centers for Children or its designee are no longer needed for public use; 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 Mayor of the City of Cleveland and the Directors of Economic Development and/or Parks, Recreation and Properties are authorized to enter into a Purchase Agreement to sell the property described in File No. 2412-01-A ("Pur-

chase Parcel") to Achievement Centers for Children or its designee, for the construction of a building, which property is determined to be no longer needed for public use.

**Section 2.** That by and at the direction of the Board of Control, the Commissioner of Purchases and Supplies is authorized to convey the Purchase Parcel at a price, determined to be the fair market value of the Purchase Parcel taking into account all restrictions, and encumbrances placed by the City of Cleveland in the deed of conveyance.

**Section 3.** That the Purchase Agreement shall contain the "Terms and Conditions of Land Sale" set forth on page 2 of the summary contained in file referenced in Section 1, and such other terms and conditions as deemed necessary and appropriate by the Director of Law, Economic Development, and Parks, Recreation and Properties.

**Section 4.** That all conveyances to Achievement Centers for Children or its designee shall be made by official quitclaim deed to be prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland, which quitclaim deed or deeds shall contain such provisions as deemed necessary by the Director of Law to protect the public interest.

**Section 5.** That all proceeds from the sale of the Purchase Parcel shall be paid in to Fund No. 17 SF 684, and are hereby appropriated to pay the costs of site preparations and certain infrastructure, roads and utilities, including relocation of utilities, within the Zone ("Improvements").

**Section 6.** That the Mayor and the Directors of Law, Economic Development and Parks, Recreation and Properties are authorized to prepare and execute easements to Cleveland Electric Illuminating Company, East Ohio Gas Company, Ameritech Ohio Corporation, and Viacom Cablevision of Cleveland, or Village-designated successor cable television franchisee, their successors and assigns, to provide necessary services to the Zone, and a temporary easement for purposes of ingress and egress to the Purchase Parcel to Achievement Centers for Children or its designee.

**Section 7.** That the costs of the Improvements, services and agreements authorized herein shall be paid from Fund No. 17 SF 684. Prior legislation to the contrary notwithstanding, expenditures from Fund 17 SF 684 shall not exceed the total of proceeds from the sale of land within the Zone, deposited in Fund No. 17 SF 684. Any proceeds from the sale, lease, or other disposition of real property remaining in Fund No. 17 SF 684 after payment of expenditures as authorized herein, shall be transferred into NDIF Fund No. 10 SF 501.

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

Passed February 4, 2002.

Awaiting the approval or disapproval of the Mayor

**Ord. No. 2413-01.**  
**By Councilmen Rybka and Patmon (by departmental request).**

**An emergency ordinance authorizing the Director of Parks, Recreation and Properties to extend the temporary sixty day contract, Contract No. 58651, with APCOA Standard Parking for a period not to exceed ninety days.**

Whereas, the City of Cleveland repurchased the Erie View/Galleria parking lots from Richard Jacobs entities Hamilton Joint Venture and Rockwell Joint Venture on November 30, 2001; and

Whereas, the City entered into a temporary 60-day operating agreement Contract No. 58651, executed November 30, 2001, with APCOA Standard Parking to operate said lots pursuant to Ordinance No. 935-2000, passed by City Council on July 17, 2000; and

Whereas, this temporary 60-day operating agreement will expire on February 1, 2002; 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 extend Contract No. 58651 with APCOA Standard Parking, with the same terms and conditions for a period not to exceed ninety days from the expiration date of said Contract.

**Section 2.** That the contract extension hereby authorized shall be prepared by the Director of Law and shall contain such additional terms and conditions as said Director deems necessary to protect and benefit the public interest.

**Section 3.** That the costs for such services and contract extension herein contemplated shall be paid as a deduction from the operating income less taxes from said parking lots with the operating fee and parking rates to be determined by the Board of Control.

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

Passed February 4, 2002.

Awaiting the approval or disapproval of the Mayor

**Ord. No. 187-02.**  
**By Councilmen Brady, Sweeney, Westbrook and Zone.**

**An emergency ordinance amending Sections 1, and 2 of Ordinance No. 1654-01 passed August 15, 2001, relating to the Westside Industrial Retention & Expansion Network for Industrial Retention and Public Safety Programs.**

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

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

**Section 1.** That Sections 1, and 2 of Ordinance No. 1654-01, passed August 15, 2001, are hereby amended to read respectively as follows.

**Section 1.** That the Director of Community Development is authorized to enter into an agreement with the Westside Industrial Retention and Expansion Network for Industrial retention and Public Safety Programs, for the public purpose of promoting industrial retention, and expansion, community improvements to the neighborhood commercial district, and the implementation of community policing to enhance the safety of residents, and area businesses, through the use of Wards 17, 18, 19, and 20 Neighborhood Equity Funds.

**Section 2.** That the cost of said contract shall be in an amount not to exceed \$167,552 and shall be paid from Fund No. 10 SF 166.

**Section 2.** That Sections 1, and 2 of Ordinance No. 1654-01, passed August 15, 2001, 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.

Passed February 4, 2002.

Awaiting the approval or disapproval of the Mayor

**Ord. No. 188-02.**

**By Councilman Cimperman.**  
**An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the Spanish American Committee Day Care to stretch a banner on Professor Avenue between Kenilworth and Literary, for the period from February 11, 2002 to March 11, 2002, inclusive, publicizing the Day Care Center's Open Enrollment.**

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

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

**Section 1.** That notwithstanding the provision of Section 623.13 of the Codified Ordinances, of Cleveland, Ohio, 1976, the Director of the Department of Public Service is hereby authorized and directed to issue a permit to the Spanish American Committee Day Care to install, maintain and remove a banner on Professor Avenue between Kenilworth and Literary (pole #332678 to Pole #536762 across Professor Ave.), for the period from February 11, 2002 to March 11, 2002, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said

banner and said banner shall be removed promptly upon the expiration of said permit.

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

Passed February 4, 2002.

Awaiting the approval or disapproval of the Mayor

**Ord. No. 189-02.**  
**By Councilman Johnson.**  
**An emergency ordinance authorizing certain persons to engage in peddling in Ward 4. (Vanetta Jackson)**

Whereas, pursuant to Section 675.08 of the Codified Ordinances of Cleveland, Ohio, 1976, (the "Codified Ordinances") the consent of Council, expressed by ordinance, is a prerequisite to mobile peddling upon the public rights of way outside of the Central Business District; and

Whereas, this Council has considered the requests of certain persons to engage in peddling outside of the Central Business District, and has determined that it is in the public interest to allow each of said persons to peddle in Ward 4; and

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

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

**Section 1.** That this Council consents, as required by Section 675.08 of the Codified Ordinances, to allow each person named below to engage in mobile peddling in the public rights of way of Ward 4: Vanetta Jackson.

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

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

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

Passed February 4, 2002.

Awaiting the approval or disapproval of the Mayor

**Ord. No. 190-02.**  
**By Councilmen O'Malley and Sweeney (by departmental request).**  
**An emergency ordinance authorizing the purchase by contract of labor and materials necessary to repair the ventilation system, reinforce the push wall and replace the load out chutes at the Ridge Road Transfer Station, for the Division of Waste Collection and Disposal, Department of Public Service.**

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

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

**Section 1.** That the Director of Public Service is hereby authorized to make written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: labor and materials necessary to repair the ventilation system, reinforce the push wall and replace the load out chutes at the Ridge Road Transfer Station to be purchased by the Commissioner of Purchases and Supplies for a gross price for the Division of Waste Collection and Disposal, Department of Public Service.

**Section 2.** That the cost of said contract hereby authorized shall be paid from Fund Nos. 11 SF 006, 20 SF 290, 20 SF 295, 20 SF 320, 20 SF 340 and 20 SF 351, Request No. 113812.

**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.

Passed February 4, 2002.

Awaiting the approval or disapproval of the Mayor

**COUNCIL COMMITTEE MEETINGS**

**Monday, February 11, 2002**

**Public Service Committee: 11:00 a.m.** — Present: Sweeney, Chairman; Jones, Vice Chairman; Polensek, White, O'Malley, Zone, Cimperman, Brady, Johnson.

**Employment, Affirmative Action and Training Committee (Joint with Finance Committee): 2:00 p.m.** — Present: Lewis, Chairman; Conwell, Vice Chairman; Reed, Cintron, Johnson, Polensek, Coats.

**Finance Committee (Joint with Employment, Affirmative Action and Training Committee): 2:00 p.m.** — Present: Jackson, Chairman; Sweeney, Vice Chairman; Westbrook, Gordon, Reed, White, O'Malley, Coats, Britt, Brady. Excused: Pierce Scott.

**Tuesday, February 12, 2002**

**Community & Economic Development Committee (Block Grant Hearings): 9:30 a.m.** — Present: Gordon, Chairman; Cimperman, Vice Chairman; Reed, Scott, Cintron, Zone, Lewis, Jones, Coats.

**Wednesday, February 13, 2002**

**Community & Economic Development Committee (Block Grant Hearings): 9:30 a.m.** — Present: Gordon, Chairman; Cimperman, Vice Chairman; Reed, Scott, Zone, Lewis, Jones, Coats. Excused: Cintron.

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O—Ordinance; R—Resolution; F—File

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