

# The City Record

Official Publication of the City of Cleveland

June the Twenty-First, Two Thousand

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

Containing	PAGE
City Council	3
The Calendar	44
Board of Control	44
Civil Service	50
Board of Zoning Appeals	50
Board of Building Standards and Building Appeals	51
Public Notices	51
Public Hearings	51
City of Cleveland Bids	51
Adopted Resolutions and Ordinances	52
Committee Meetings	101
Index	102

PRESORTED STANDARD  
U. S. POSTAGE PAID  
CLEVELAND, OHIO  
Permit No. 1372

RECYCLE.....Save the Future



Printed on Recycled Paper.....Council Cares

# DIRECTORY OF CITY OFFICIALS

## CITY COUNCIL—LEGISLATIVE

President of Council—Michael D. Polensek

Ward	Name	Residence	
1	Joseph T. Jones .....	4691 East 177th Street	44128
2	Robert J. White .....	3760 East 126th Street	44105
3	Odelia V. Robinson .....	3448 East 123rd Street	44120
4	Kenneth L. Johnson .....	2948 Hampton Road	44120
5	Frank G. Jackson .....	2327 East 38th Street	44115
6	Patricia J. Britt .....	12402 Britton Drive	44120
7	Fannie M. Lewis .....	7416 Star Avenue	44103
8	William W. Patmon .....	867 East Boulevard	44108
9	Craig E. Willis .....	11906 Beulah Avenue	44106
10	Roosevelt Coats .....	1775 Cliffview Road	44112
11	Michael D. Polensek .....	17855 Brian Avenue	44119
12	Edward W. Rybka .....	6832 Indiana Avenue	44105
13	Joe Cimperman .....	3053 West 12th Street	44113
14	Nelson Cintron, Jr. ....	3032 Vega Avenue	44113
15	Merle R. Gordon .....	1700 Denison Avenue	44109
16	Michael C. O'Malley .....	6710 Brookside Drive	44144
17	Timothy J. Melena .....	6110 West Clinton Avenue	44102
18	Jay Westbrook .....	10513 Clifton Boulevard	44102
19	Dona Brady .....	3466 Bosworth Road	44111
20	Martin J. Sweeney .....	3632 West 133rd Street	44111
21	Michael A. Dolan .....	16519 West Park Road	44111

### MAYOR – Michael R. White

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

### DEPT. OF LAW – Cornell P. Carter, Director, Pinky Carr, Chief Counsel, Room 106

Lauren Moore, Chief City Prosecutor; Criminal Branch – Justice Center 8th Floor, Court Towers, 1200 Ontario Street  
 Karen E. Martinez, Law Librarian, Room 100

### DEPT. OF FINANCE – Ronald E. Brooks, Director, Room 104; Frank Badalamenti, Manager, Internal Audit

DIVISIONS – Accounts – Marilyn Henderson, Commissioner, Room 19  
 City Treasury – Algeron Walker, Treasurer, Room 115  
 Assessments and Licenses – Robert C. Brown, Commissioner, Room 122  
 Purchases and Supplies – Myrana Branche, Commissioner, Room 128  
 Printing and Reproduction – Dianta Fritzgerald, Acting Commissioner, 1735 Lakeside Avenue  
 Taxation – Nassim Lynch, Tax Administrator, 1701 Lakeside Avenue  
 Financial Reporting and Control – Robert Dolan, Controller, Room 18  
 Information Systems Services – Daniel Jarvis, Commissioner, 1404 E. 9th St.

### DEPT. OF PUBLIC UTILITIES – Michael Konicek, Director, 1201 Lakeside Avenue

DIVISIONS – 1201 Lakeside Avenue  
 Water – Julius Ciaccia, Jr., Commissioner  
 Water Pollution Control – Darnell Brown, Commissioner  
 Utilities Fiscal Control – Morry Blech, Commissioner  
 Cleveland Public Power – James F. Majer, Commissioner  
 Street Lighting Bureau – Frank Schilling, Acting Chief

### DEPT. OF PORT CONTROL – LaVonne Sheffield-McClain, Director,

Cleveland Hopkins International Airport, 5300 Riverside Drive;  
 Cleveland Hopkins International Airport – Mark D. Vanloh, Commissioner  
 Burke Lakefront Airport – \_\_\_\_\_, Commissioner

### DEPT. OF PUBLIC SERVICE – Mark Ricchiuto, Director, Room 113

DIVISIONS – Waste Collection and Disposal – Randell T. Scott, Acting Commissioner, 5600 Carnegie Avenue.  
 Streets – Randell T. Scott, Commissioner, Room 25  
 Engineering and Construction – Randall E. DeVaul, Commissioner, Room 518  
 Motor Vehicle Maintenance, Daniel A. Novak, Commissioner, Harvard Yards  
 Architecture – Paul Burik, Acting Commissioner, Room 517

### DEPT. OF PUBLIC HEALTH – Michele C. Whitlow, Director, Mural Building 1925 St. Clair Avenue

DIVISIONS – Health – Cheri Hahn, Commissioner, Mural Building, 1925 St. Clair Avenue  
 Environment – Donald Culp, Commissioner, Mural Building, 1925 St. Clair Avenue  
 Correction – Thomas Hardin, Commissioner, Cleveland House of Corrections, 4041 Northfield Road

### DEPT. OF PUBLIC SAFETY – Henry Guzmán, Director, Room 230.

DIVISIONS – Police – Martin L. Flask, Chief, Police Hdqtrs. Bldg., 1300 Ontario Street  
 Fire – Kevin G. Gerrity, Chief, 1645 Superior Avenue  
 Traffic Engineering & Parking – Lt. Richard Petrencsik, Commissioner, 4150 East 49th Street, Building #1  
 Dog Pound – John Baird, Chief Dog Warden, 2690 W. 7th Street  
 Emergency Medical Service – Edward Eckart, Commissioner, 1708 South Pointe Drive

### DEPT. OF PARKS, RECREATION & PROPERTIES – Nicholas P. Jackson, Director, Cleveland Convention Center, Clubroom A, 1220 E. 6th St.

DIVISIONS – Convention Center & Stadium – James Glending, Commissioner, Public Auditorium, E. 6th and Lakeside Ave.  
 Property Management – Tom Nagle, Commissioner, East 49th & Harvard

Parking Facilities – Dennis Donahue, Commissioner, Public Auditorium, E. 6th and Lakeside Ave.

Park Maintenance and Properties – Richard L. Silva, Commissioner, Public Auditorium – E. 6th & Lakeside.

Recreation – Michael Cox, Commissioner, Room 8  
 Research, Planning & Development – Mark Fallon, Commissioner, 1501 N. Marginal Road, Burke Lakefront Airport

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

DIVISIONS – Administrative Services – Terrence Ross, Commissioner.  
 Neighborhood Services – Louise V. Jackson, Commissioner.  
 Neighborhood Development – Donald T. Moss, Commissioner.  
 Building & Housing – Robert Vilkas, Commissioner, 5th Floor, City Hall.

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

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

### DEPT. OF AGING – Dolores Alexander, Director, Room 122

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

CIVIL SERVICE COMMISSION – Room 119, Anne Bloomberg, President; \_\_\_\_\_, Vice President; Gregory J. Wilson, Secretary; Timothy J. Cosgrove, Member, Rev. Earl Preston, Member.

SINKING FUND COMMISSION – Michael R. White, President; Betsy Hruby, Asst. Sec'y.; Martin Carmody, Director; Council President Michael D. Polensek.

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

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

BOARD OF REVISION OF ASSESSMENTS – Law Director Cornell P. Carter, President; Finance Director Ronald E. Brooks, Secretary; Council President Michael D. Polensek.

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

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

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

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

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

BOARD OF EXAMINERS OF ELECTRICIANS – Samuel Montfort, Chairman; Donald Baulknigh, Anton J. Eichmuller, J. Gilbert Steele, Raymond 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; Paul Burik, James Gibans, Sandra Morgan, Hunter Morrison, Theodore Sande, Galen Schuerlein, Randall Shorr, Councilman Joseph Cimperman, Councilman Timothy J. Melena, Robert Keiser, Executive Secretary.

### CLEVELAND MUNICIPAL COURT JUSTICE CENTER—1200 ONTARIO CENTRAL SCHEDULING DEPARTMENT JUDGE COURTROOM ASSIGNMENTS

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

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

# The City Record



OFFICIAL PUBLICATION OF THE CITY OF CLEVELAND

Vol. 87

WEDNESDAY, JUNE 21, 2000

No. 4515

## CITY COUNCIL

MONDAY, JUNE 19, 2000

The City Record  
Published weekly under authority  
of the Charter of the  
City of Cleveland  
Subscription (by mail) \$75.00 a year  
January 1 to December 31  
Interim subscriptions prorated  
\$6.25 per month  
Address all communications to  
**RUBY F. MOSS**  
Clerk of Council  
216 City Hall

### PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL

1998-2001

MONDAY

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

MONDAY—Alternating

11:00 A.M.—**Public Service Committee:** Cintron, Chairman; Sweeney, Vice Chairman; Britt, Coats, Johnson, Melena, O'Malley, Westbrook, Willis.  
11:00 A.M.—**Employment, Affirmative Action & Training Committee:** White, Chairman; Lewis, Vice Chairman; Cintron, Coats, Gordon, Johnson, Jones.

MONDAY

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

TUESDAY

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

TUESDAY—Alternating

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

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

WEDNESDAY—Alternating

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

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

WEDNESDAY—Alternating

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

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

The following Committee is subject to the Call of the Chairman:  
**Mayor's Appointment Committee:** O'Malley, Chairman; Britt, Cimperman, Patmon, Sweeney.

### OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio

Monday, June 19, 2000.

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

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

Also present were Mayor White and Directors Brooks, Konicek, Sheffield-McClain, Whitlow, Guzman, Jackson, Hudecek, Patterson, Warren, Alexander, Dove, and Acting Directors Carr, Brown.

Absent: Directors Carter, Morrison.

Pursuant to Ordinance No. 2976-76 the Council Meeting was opened with a prayer offered by the Rev. Bryan Gilloly, Deacon of the West Side Episcopal Shared Ministry, which has four churches — St. Johns, located in Ward 13; St. Lukes, located in Ward 17; St. Philips, located in Ward 15; and St. Marks, located in Ward 21. Rev. Gilloly is also on the Research and Policy Staff of Cleveland City Council. Pledge of Allegiance.

### MOTION

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

### STATEMENT OF WORK ACCEPTED

File No. 1091-2000.

From the Public Utilities Department re: Contract No. P154720A, Exterior Renovations of the Carl B. Stokes Public Utilities Building, completed and accepted February 28, 2000.

CONDOLENCE RESOLUTIONS

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

**Res. No. 1092-2000**—Alice Tufts.

**Res. No. 1150-2000**—Arnold D. Gleissner.

CONGRATULATION RESOLUTIONS

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

**Res. No. 1093-2000**—Donald Kokoskie.

**Res. No. 1094-2000**—Jayson W. Gilliam.

**Res. No. 1095-2000**—Dr. Daniel P. Siewiorek.

**Res. No. 1096-2000**—Bishop F.E. Perry.

**Res. No. 1097-2000**—Walter Beck Holland.

**Res. No. 1098-2000**—Officer Jack Bornfield.

**Res. No. 1099-2000**—Lt. Henry A. Tekancic.

RECOGNITION RESOLUTIONS

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

**Res. No. 1100-2000**—Barbara Spaan.

**Res. No. 1101-2000**—Callie Tolliver.

FIRST READING EMERGENCY  
ORDINANCES REFERRED

Ord. No. 1102-2000.

By Mayor White.

An emergency ordinance authorizing the Mayor to enter into a General Agreement with the Greater Cleveland Regional Transit Authority for the design and implementation of the Euclid Corridor Transportation Project.

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

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

**Section 1.** That the Mayor is hereby authorized to enter into a General Agreement with the Greater Cleveland Regional Transit Authority, to be substantially in the form contained in File No. 1102-2000-A, for the design and implementation of the Euclid Corridor Transportation Project.

**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 Public Service, City Planning Commission, Law; Committees on Aviation and Transportation, Public Service, City Planning, Finance.

**Ord. No. 1103-2000.**

**By Mayor White.**

**An emergency ordinance authorizing the Director of Port Control to enter into a Lease By Way of Concession with Air Services of Cleveland, Inc. for use and occupancy of certain space in the Secondary Hangar at Cleveland Hopkins International Airport and for ramp and parking areas adjacent to the premises.**

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 ("Director") is authorized to enter into a Lease By Way of Concession ("Lease") with Air Services of Cleveland, Inc. ("Lessee") for use and occupancy of approximately 36,400 square feet of space known as Bays D and E, and 46,800 square feet of adjacent preferential use ramp area, and 12,480 square feet of space known as Bay F and 18,720 square feet of adjacent preferential use ramp area in the Secondary Hangar, and preferential use of the parking lot immediately adjacent to the Secondary Hangar (together, the "Premises") at Cleveland Hopkins International Airport for operation of an aircraft hangar and for jet maintenance services. The term of the Lease shall be for a period of ten (10) years beginning upon execution of the Lease (the "Initial Term") with an option by Lessee to extend the term of the Lease for two (2) additional five-year periods (the "First Extended Term" and "Second Extended Term", respectively).

Lessee shall pay rent for use of the Premises as follows: Bays D and E, including associated ramp and parking areas - \$8.50 per square foot per year; Bay F, including associated ramp and parking areas - \$8.65 per square foot per year. The annual rent shall be increased by 5% for the First Extended Term and increased an additional 5% for the Second Extended Term.

Lessee shall make a minimum of \$189,060 in capital improvements to the Premises and purchase \$173,530 in new equipment during the first year of the Initial Term. The City shall issue credits against rent for the capital improvements made to the Premises by Lessee, provided such improvements are first approved by the Director, in writing. The credits against rent shall be amortized over the first five years of the Initial Term of the Lease. Notwithstanding rent credits issued by the City, Lessee shall pay to the City a minimum annual guaranteed rent of \$7,500 during the Initial Term. Any rent credits not applied during the Initial Term shall be forfeited by Lessee.

**Section 2.** That the Lease authorized herein shall be prepared by the Director of Law and shall contain such other terms and conditions as said Director deems necessary to protect and benefit the public interest.

**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. 1104-2000.**

**By Mayor White.**

**An emergency ordinance determining the method of making the public improvement of constructing the expansion of Lot 3 to provide for additional employee parking at Cleveland Hopkins International Airport; authorizing the Director of Port Control to enter into contract for the making of such improvement; and authorizing said director to employ one or more professional consultants to design the improvement.**

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

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

**Section 1.** That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of constructing the expansion of Lot 3 to provide for additional employee parking at Cleveland Hopkins International Airport, for the Division of Cleveland Hopkins International Airport, Department of Port Control, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.

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

**Section 3.** That the Director of Port Control 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 design the public improvement authorized above.

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

**Section 4.** That the cost of said improvement and services hereby authorized shall be paid from Fund No. 60 SF 105, Request No. 8292.

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

**Ord. No. 1105-2000.**

**By Mayor White.**

**An emergency ordinance determining the method of making the public improvement of constructing and implementing the construction of conveyance systems to carry Abrams Creek under new Runway 5L/23R; authorizing the Director of Port Control to enter into contract for the making of the improvement; authorizing the acquisition of various rights and interests in real property; and authorizing said Director to enter into agreements relative thereto.**

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 and implementing the construction of conveyance systems to carry Abrams Creek under new Runway 5L/23R ("Improvement") for the Department of Port Control, Division of Cleveland Hopkins International Airport, by contract duly let to the lowest responsible bidder after competitive bidding for a gross price for the Improvement, with the exception of any earthwork performed in connection with the Improvement, which shall be competitively bid on a unit price basis.

**Section 2.** That the Director of Port Control is hereby authorized to enter into contract for the making of the Improvement, excluding earthwork, by contract duly let to the lowest responsible bidder, after competitive bidding for a gross price for the Improvement, provided however, that each separate trade and each distinct component part of the Improvement may be treated as a separate improvement, and each, or any combination, of such trades or components may be the subject of a separate contract for a gross price. Upon the request of said Director the contractor shall furnish a correct schedule of unit prices, including profit and overhead, for all items constituting units of said Improvement.

**Section 3.** That the Director of Port Control is hereby authorized to enter into contract for the making of the earthwork-related components of the Improvement by contract duly let to 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 the 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 4.** That notwithstanding and as an exception to the provi-

sions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to purchase, lease or otherwise acquire easements, fee interests, licenses, permits and other rights or interests in real property necessary for the Improvement.

**Section 5.** That the Director of Port Control is hereby authorized to execute on behalf of the City of Cleveland all necessary documents to acquire said rights or interests in real property and to employ title companies, surveyors, escrow agents, appraisers, environmental consultants, field service consultants and other consultants necessary for the acquisition or use of the rights or interests in real property authorized by this ordinance.

**Section 6.** That the Director of Port Control is hereby authorized to enter into agreements with the holders of said rights or interests in real property to relocate or otherwise modify existing buildings, equipment, fixtures or other features of said property and to pay or reimburse related costs to permit the making of the Improvement.

**Section 7.** That the Director of Port Control is hereby authorized to enter into agreements with federal, state and local governmental or regulatory entities or other public authorities necessary and to pay or reimburse related costs incurred by such entities for the purpose of making the Improvement.

**Section 8.** That the Director of Port Control is hereby authorized to apply and pay for such permits, licenses, or other authorizations required by any regulatory entity or other public authority for the making of the Improvement.

**Section 9.** That, as a condition precedent to entering into any contracts or agreements contemplated to make the Improvement authorized herein, the Department of Port Control shall be in receipt of all necessary federal approvals, including the Record of Decision for the Environmental Impact Statement, and other such regulatory approvals as may be required.

**Section 10.** That the Director of Port Control shall file a copy of all contracts, permits, licenses or agreements entered into by the City as authorized by this ordinance with the Clerk of Council, the President of Council and the Chairmen of the Aviation and Transportation and the Finance Committees within five (5) business days of execution by the City.

**Section 11.** That the cost of any expenditures authorized by this ordinance, shall not exceed a total amount of One Hundred Four Million, Eight Hundred Thirty-Seven Thousand, One Hundred Thirty Four Dollars (\$104,837,134.00) and shall be paid from Fund Nos. 60 SF 001, 60 SF 104, 60 SF 105, 60 SF 106, passenger facility charges and the fund and/or subfunds to which are credited the proceeds of any general airport revenue bonds, federal grants, state grants, and local grants issues for the purpose of the Improvement authorized herein. In the event that a project component identified herein exceeds or is anticipated to exceed the amount specified for each project component listed herein, the Director of Port Control shall notify the President of Council and the Chairman of the Aviation and Transportation Committee of the need for a subsidiary agreement in accordance with Section 185.44 of the Codified Ordinances of Cleveland, Ohio, 1976, and shall immediately proceed to secure the necessary legislative approval from Cleveland City Council.

nances of Cleveland, Ohio, 1976, and shall immediately proceed to secure the necessary legislative approval from Cleveland City Council.

**Section 12.** That in accordance with federal law and to the extent permitted by federal law, all construction contracts entered into pursuant to this ordinance shall establish a goal of hiring at least \_\_\_\_\_ disadvantaged business enterprises (DBE) and forth percent (40%) City residents. In seeking to obtain such goal, all contractors shall utilize best efforts.

**Section 13.** That the Director of Port Control shall provide detailed, bi-monthly written reports to the President of Council, the Chairmen of the Aviation and Transportation and the Finance Committees of all expenditures made pursuant to this ordinance, including the source of funds for such expenditures. The Director of Port Control shall also provide to the aforementioned Council representatives detailed, bi-monthly written reports of the DBE contract participation and the City resident workforce arising from all projects authorized herein.

**Section 14.** 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. 1106-2000.**

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

**An emergency ordinance authorizing the Director of Public Utilities to make alterations and modifications in Contract No. 53947, for Phase II of the Erieside and West 3rd Street Area Pump Station Project, with Nerone & Sons, for the Division of Water Pollution Control, Department of Public Utilities.**

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

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

**Section 1.** That the Director of Public Utilities is hereby authorized to make the following alterations and modifications in Contract No. 53947 with Nerone & Sons for Phase II of the Erieside and West 3rd Street Area Pump Station Project, for the Division of Water Pollution Control, Department of Public Utilities:

**Subsidiary Additions**

1.	Install concrete steps required by Port Authority	.....\$	15,000.00
2.	Install fencing required by Port Authority	.....	<u>+ 31,200.00</u>
	Subsidiary Additions	.....\$	46,200.00
	Subsidiary Additions	.....\$	46,200.00
	Less amount remaining in Contract	.....-	97.48
	TOTAL SUBSIDIARY ADDITIONS	.....\$	46,102.52
	Original Contract Amount	.....\$	1,254,310.26
	Total Subsidiary Additions	.....+	<u>46,102.52</u>
	TOTAL REVISED CONTRACT AMOUNT	.....\$	1,300,412.78

Which alteration has been recommended in writing by the said Director of Public Utilities, countersigned by the Mayor, and consented to by the surety on said contract, which price to be paid therefor has been agreed upon in writing and signed by the Director of Public Utilities and the Contractor. This alteration will cause an increase in the amount of the original contract in the sum of \$46,102.52, to be paid from Fund No. 54 SF 001.

**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 Public Utilities, Finance, Law; Committees on Public Utilities. Finance.

**Ord. No. 1107-2000.****By Councilman Cimperman.****An emergency ordinance to vacate a portion of Branch Avenue S.W. hereinafter described.**

Whereas, on the 15th day of December 1999, the Council of the City of Cleveland adopted Resolution No. 1854-99 declaring its intention to vacate a portion of Branch Avenue S.W., hereinafter described.

Whereas, notice of the adoption of the above Resolution No. 1854-99 has been served upon the owners of all the property abutting Branch Avenue S.W., 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 14th day of June, 2000, the Board of Revision of Assessments approved the vacation of Branch Avenue S.W., 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 Branch Avenue S.W., 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 Branch Avenue S.W. (60.00 feet wide), extending Easterly from the Easterly line of West 14th Street (100.00 feet wide) to the Southerly prolongation of the Westerly line of Sublot Number 68 in the Branch Subdivision as shown in Volume 5, Page 9 of Cuyahoga County Map Records, is hereby vacated.

**Section 2.** That there be and hereby is reserved to the City of Cleveland an easement for existing Division of Water, Division of Fire, Cleveland Public Power, and Ameritech equipment.

The description is as follows:

That portion of Branch Avenue S.W. (60.00 feet wide), extending Easterly from the Easterly line of West 14th Street (100.00 feet wide) to the Southerly prolongation of the Westerly line of Sublot Number 68 in the Branch Subdivision as shown in Volume 5, Page 9 of Cuyahoga County Map Records.

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 Commissioner of the Division of Water, the Commissioner of Cleveland Public Power, the Chief of Fire, and Ameritech, of the City of Cleveland.

**Section 3.** 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 of Branch Avenue S.W., 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 its 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. 1108-2000.****By Councilmen Polensek and Patmon (by departmental request).****An emergency ordinance authorizing the purchase by contract of insurance for not to exceed two police aircraft, for the Division of Police, Department of Public Safety, for a period of one year, with a one-year option to renew.**

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 contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: insurance on not to exceed two (2) police aircraft, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Police, Department of Public Safety, with one (1) option exercisable by the Director of Public Safety, to renew for an additional one-year term, and cancellable upon thirty days written notice by said Director.

**Section 2.** That the cost of said contract hereby authorized shall be paid from Fund No. 01-600204-632000, Request No. 5710.

**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 Safety, Finance, Law; Committees on Public Safety, Finance.

**Ord. No. 1109-2000.****By Councilmen Polensek and Patmon (by departmental request).****An emergency ordinance authorizing the Director of Public Safety to enter into contract with the Greater Cleveland Roundtable for diversity management training for field training officers and recruits, 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 enter into contract with Greater Cleveland Roundtable for diversity management training for field training officers and recruits, in the total sum of \$63,750.00, from Fund No. 10 SF 025, Request No. 5713, for the Division of Police, Department of Public Safety.

**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 Public Safety, Finance, Law; Committees on Public Safety, Finance.

**Ord. No. 1110-2000.****By Councilmen Polensek and Patmon (by departmental request).****An emergency ordinance authorizing the Director of Public Safety to lease space at the National Aeronautics and Space Administration for hangar space for police aircraft, for a term of one year, with a one-year option to renew.**

Whereas, the City of Cleveland requires certain hangar space located at National Aeronautics and Space Administration ("NASA") for the public purpose of storing police aircraft; and

Whereas, NASA, or their designee, has proposed to lease said space to the City of Cleveland; and

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

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

**Section 1.** That notwithstanding and as an exception to the provisions of chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Safety is authorized to lease from NASA, or their designee, certain hangar space located at the NASA facility at 2100 Brookpark Road, Cleveland, Ohio 44135.

**Section 2.** That the term of the lease authorized by this ordinance shall be for a period of one year, with a one-year option to renew.

**Section 3.** That the rent for the lease authorized by this ordinance shall be fair market as determined by the Board of Control.

**Section 4.** That the lease may authorize the City to make improvements to the leased premises under terms to be determined by the parties consistent with the public purpose or purposes of storing aircraft for the Division of Police, Department of Public Safety.

**Section 5.** That the lease may provide for the city's payment of appropriate utility and other operating costs of the leased premises.

**Section 6.** That the costs of the lease shall be paid from Fund No. 01-600204-664100, Request No. 5711.

**Section 7.** That the lease shall be prepared by the Director of Law and shall contain such authorized terms and conditions as are required to protect the interests of the City.

**Section 8.** That the Director of Public Safety and the Director of Law, and other documents and certificates, and take such other actions as may be necessary or appropriate to effect the lease authorized by this ordinance.

**Section 9.** 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 Safety, Finance, Law; Committees on Public Safety, Finance.

**Ord. No. 1111-2000.**  
**By Councilmen Britt, Melena, Cimperman and Patmon (by departmental request).**

**An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on north side of Central Avenue to Fairfax Renaissance Development Corporation or designee.**

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. 119-27-071 as more fully described in Section 2 below, to Fairfax Renaissance Development Corporation or designee.

**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. 119-27-071

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being a Westerly part of Sublot No. 10 in the Holden and Rowe Allotment of part of Original One Hundred Acre Lot No. 407 as shown by the recorded plat in Volume 3 of Maps, Page 59 of Cuyahoga County Records. Said part of Sublot No. 10 has a frontage of 34 feet on the Northerly side of Central Avenue (60 feet wide) extends back between parallel line of 148 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

**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. 119-27-073 as more fully described in Section 4 below, to Fairfax Renaissance Development Corporation or designee.

**Section 4.** That the real property to be sold pursuant to Section 3 of this Ordinance is more fully described as follows:

P. P. No. 119-27-073

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 12 in Holden and Rowe's Subdivision of part of Original One Hundred Acre Lot No. 407, as shown by the recorded plat in Volume 3 of Maps, Page 59 of Cuyahoga County Records, and being 50 feet front on the Northerly side of Central Avenue, S.E., and extending back of

equal width 148 feet deep, 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 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. 119-27-074 as more fully described in Section 6 below, to Fairfax Renaissance Development Corporation or designee.

**Section 6.** That the real property to be sold pursuant to Section 5 of this Ordinance is more fully described as follows:

P. P. No. 119-27-074

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 13 in Holden and Rowe's Subdivision of part of Original One Hundred Acre Lot No. 407, as shown by the recorded plat in Volume 3 of Maps, Page 59 of Cuyahoga County Records, and forming a parcel of land bounded as follows:

Beginning in the Northerly line of Central Avenue, S.E., (formerly Garden Street) 60 feet wide, at the Southeastly corner of said Sublot No. 13; thence Westerly along said Northerly line of Central Avenue, S.E., about 25.00 feet to a point distant Easterly (measured along said Northerly line of Central Avenue, S.E.) 25.00 feet from the Southwestly corner thereof; thence Northerly along a line parallel with the Westerly line of said Sublot No. 13, 126.00 feet; thence Easterly along a line parallel with said Northerly line of Central Avenue, S.E., 4.35 feet; thence Northerly along a line parallel with said Westerly line of Sublot No. 13, 22.00 feet to the Northerly line of said Sublot No. 13, thence Easterly along said Northerly line of Sublot No. 13, 20.65 feet to the Northeastly corner thereof; thence Southerly along the Easterly line of said Sublot No. 13, 148.00 feet to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to 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. 119-27-075 as more fully described in Section 8 below, to Fairfax Renaissance Development Corporation or designee.

**Section 8.** That the real property to be sold pursuant to Section 7 of this Ordinance is more fully described as follows:

P. P. No. 119-27-075

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 14 in Holden and Rowe's Subdivision of part of Original One Hundred Acre Lot No. 407, as shown by the recorded plat in Volume 3 of Maps, Page 59 of Cuyahoga County Records and being 50 feet front on the Northerly side of Central Avenue, S.E., and extending back of equal width 148 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 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 Nos. 119-27-076 as more fully described in Section 10 below, to Fairfax Renaissance Development Corporation or designee.

**Section 10.** That the real property to be sold pursuant to Section 9 of this Ordinance is more fully described as follows:

P. P. No. 119-27-076

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 15 in Holden and Rowe's Subdivision of part of Original One Hundred Acre Lot No. 407 as shown by the recorded plat in Volume 3 of Maps, Page 59 of Cuyahoga County Records. Said Sublot No. 15 has a frontage of 50 feet on the Northerly side of Central Avenue, S.E., (formerly Garden Avenue) and extends back between parallel lines 148 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 11.** 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. 119-27-077 as more fully described in Section 12 below, to Fairfax Renaissance Development Corporation or designee.

**Section 12.** That the real property to be sold pursuant to Section 11 of this Ordinance is more fully described as follows:

P. P. No. 119-27-077

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 16 in Holden and Rowe's Subdivision of part of Original One Hundred Acre Lot No. 407, as shown by the recorded plat in Volume 3 of Maps, Page 59 of Cuyahoga County Records, and being 50 feet front on the Northerly side of Central Avenue, S.E., and extending back of equal width 148 feet, 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. 119-27-078 as more fully described in Section 14 below, to Fairfax Renaissance Development Corporation or designee.

**Section 14.** That the real property to be sold pursuant to Section 13 of this Ordinance is more fully described as follows:

P. P. No. 119-27-078

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 17 in Holden and Rowe's Subdivision of part of Original One Hundred Acre Lot No. 407, as shown by the recorded plat in Volume 3 of Maps, Page 59 of Cuyahoga County Records and being 50 feet front on the Northerly side of Central Avenue, S.E., and extending back of equal width 148 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 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. 119-27-079 as more fully described in Section 16 below, to Fairfax Renaissance Development Corporation or designee.

**Section 16.** That the real property to be sold pursuant to Section 15 of this Ordinance is more fully described as follows:

P. P. No. 119-27-079

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being all of Sublot No. 18 in Holden and Rowe's Subdivision of part of Original One Hundred Acre Lot No. 407, as shown by the recorded plat in Volume 3 of Maps, Page 59 of Cuyahoga County Records and being 37.5 feet front on the Northerly side of Central Avenue, S.E., and extending back of equal width 148 feet deep, 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. 119-27-081 as more fully described in Section 18 below, to Fairfax Renaissance Development Corporation or designee.

**Section 18.** That the real property to be sold pursuant to Section 17 of this Ordinance is more fully described as follows:

P. P. No. 119-27-081

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 15 in Clewell-Worley and Robinson Subdivision of part of Original One Hundred Acre Lot No. 407, as shown by the recorded plat in Volume 3 of Maps, Page 56 of Cuyahoga County Records, and being bounded and described as follows:

Beginning on the Northerly line of Central Avenue at the Southwesterly corner of Sublot No. 15; thence Easterly along Northerly line of Central Avenue 27 feet to principal place of beginning; thence Easterly along the Northerly line of Central Avenue 15 feet to a point; thence Northerly 126.6 feet to a point. Thence Westerly 15 feet to a point. Thence Southerly 126.6 feet to a principal place of beginning, as appears by said plat, 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. 119-27-082 as more fully described in Section 20 below, to Fairfax Renaissance Development Corporation or designee.

**Section 20.** That the real property to be sold pursuant to Section 19 of this Ordinance is more fully described as follows:

P. P. No. 119-27-082

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being parts of Sublots Nos. 15 and 16 in Clewell, Worley and Robinson's Subdivision of part of Original One Hundred Acre Lot No. 407, as shown by the recorded plat in Volume 3 of Maps, Page 56 of Cuyahoga County Records, and together forming a parcel of land bounded and described as follows:

Beginning on the Northerly line of Central Avenue, S.E., at a point distant 91.19 feet Westerly, measured along said Northerly line from its intersection with the Westerly line of East 83rd Street (formerly Lincoln Avenue); thence Northerly and parallel with the Westerly line of Sublot No. 17 in said Clewell Worley and Robinson's Subdivision, 192.80 feet to the Southerly line of Sublot No. 14 in said Subdivision; thence Westerly along the Southerly line of Sublot No. 14, about 42 feet to the Westerly line of land conveyed to Josefa Koubek by deed dated May 3, 1895 and recorded in Volume 599, Page 386 of Cuyahoga County Records; thence Southerly along the Westerly line of land so conveyed and parallel with the Westerly line of Sublot No. 15, 193.80 feet to the Northerly line of Central Avenue, S.E.; thence Easterly along the Northerly line of Central Avenue, S.E., about 42 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 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. 119-27-083 as more fully described in Section 22 below, to Fairfax Renaissance Development Corporation or designee.

**Section 22.** That the real property to be sold pursuant to Section 21 of this Ordinance is more fully described as follows:

P. P. No. 119-27-083

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being parts of Sublots Nos. 16 and 17 in Clewell and Worley's Subdivision of part of Original One Hundred Acre Lot No. 407 as shown by the recorded plat in Volume 3 of Maps, Page 56 of Cuyahoga County Records, and bounded and described as follows:

Beginning at a point in the Northerly line of Central Avenue, S.E., 42.50 feet West of the Westerly line of East 83rd Street; thence Westerly along the Northerly line of Central Avenue, S.E., about 48.69 feet to the Easterly line of premises conveyed to Martha Hoffman by deed dated April 12, 1873 and recorded in Volume 214, Page 104 of Cuyahoga County Records; thence Northerly along the Easterly line of land so conveyed to Martha Hoffman, 98 feet; thence Easterly 48.70 feet to the Northwesterly corner of land conveyed to Felix Haller and Karolina Haller by deed dated March 30, 1896 and recorded in Volume 629, Page 528 of Cuyahoga County Records; thence Southerly along said Westerly line of land so conveyed to Felix Haller and Karolina Haller, 95.06 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. 119-27-084 as more fully described in Section 24 below, to Fairfax Renaissance Development Corporation or designee.

**Section 24.** That the real property to be sold pursuant to Section 23 of this Ordinance is more fully described as follows:

P. P. No. 119-27-084

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 17 in Clewell and Worley's Subdivision of part of Original One Hundred Acre Lot No. 407, as shown by the recorded plat in Volume 3 of Maps, Page 56 of Cuyahoga County Records, bounded and described as follows:

Beginning at the intersection of the Westerly line of East 83rd Street (formerly Lincoln Street) with the Northerly line of Central Avenue, S.E., (formerly Garden Street) being also the Southeast corner of Sublot No. 17; thence Westerly along the Northerly line of Central Avenue, S.E., 42.50 feet; thence Northerly parallel with the Westerly line of East 83rd Street, 95.06 feet; thence Easterly about 42.52 feet to the Westerly line of East 83rd Street at a point distant 92.50 feet Northerly from the place of beginning; thence Southerly 92.50 feet along the Westerly line of East 83rd Street to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to 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. 119-27-140 as more fully described in Section 26 below, to Fairfax Renaissance Development Corporation or designee.

**Section 26.** That the real property to be sold pursuant to Section 25 of this Ordinance is more fully described as follows:

P. P. No. 119-27-140

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 15, in Clewell and Worley's Subdivision of part of Original One Hundred Acre Lot No. 407, as shown by the recorded plat in Volume 3 of Maps, Page 56 of Cuyahoga County Records, and bounded and described as follows:

Beginning on the Northerly line of Central Avenue, S.E. at the Southwesterly corner of Sublot No. 15; thence Easterly, along the Northerly line of Central Avenue, S.E., 27 feet to a point; thence Northerly, parallel with the Westerly line of Sublot No. 15, 126.6 feet to a point; thence Westerly, parallel with the Northerly line of Central Avenue, S.E., 27 feet to the Westerly line of Sublot No. 15; thence Southerly, along the Westerly line if Sublot No. 15, 126.6 feet to the place of begin-



ning, 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 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 28.** 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 29.** 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 30.** 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. 1112-2000.**

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

**An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on East 82nd Street to Fairfax Renaissance Development Corporation or designee.**

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 Sec-

tion 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 119-14-048, as more fully described in Section 2 below, to Fairfax Renaissance Development Corporation or designee.

**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. 119-14-048

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Northerly 38 feet, front and rear, of Sublot No. 12, and the Southerly 2 feet, front and rear, of Sublot No. 11 in Vantine and Chadwick's Subdivision of part of Original One Hundred Acre Lot No. 399, as shown by the recorded plat of said Subdivision in Volume 20 of Maps, Page 7 of Cuyahoga County Records. Said parts of Sublot Nos. 12 and 11 together form a parcel of land having a frontage of 40 feet on the Westerly side of East 82nd Street (formerly South Genesee Avenue), and extending back about 99-80/100 feet on the Southerly line and extending back about 99-73/100 feet on the Northerly line, having a rear line of 40 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. 119-14-049 as more fully described in Section 4 below, to Fairfax Renaissance Development Corporation or designee.

**Section 4.** That the real property to be sold pursuant to Section 3 of this Ordinance is more fully described as follows:

P. P. No. 119-14-049

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Northerly 38 feet front and rear of Sublot No. 11 in Vantine and Chadwick's Subdivision of part of Original One Hundred Acre Lot No. 399, as shown by the recorded plat in Volume 20 of Maps, Page 7 of Cuyahoga County Records, and being 38 feet front on the Westerly side of East 82nd Street (formerly Genesee Avenue) and extending back 99.67 feet on Northerly line, about 99.73 on the Southerly line, and has a rear line of 38 feet, as appears by said plat.

Also subject to all 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. 119-14-050 as more fully described in Section 6 below, to Fairfax Renaissance Development Corporation or designee.

**Section 6.** That the real property to be sold pursuant to Section 5 of this Ordinance is more fully described as follows:

P. P. No. 119-14-050

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

10 in Van Tine and Chadwick's Subdivision of part of Original One Hundred Acre Lot No. 399, as shown by the recorded plat in Volume 20 of Maps, Page 7 of Cuyahoga County Records and being 40 feet front on the Westerly line of East 82nd Street and extending back 99.60 feet deep on the Northerly line, 99.67 feet deep on the Southerly line and being 40 feet wide in the rear, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to 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. 119-14-051 as more fully described in Section 8 below, to Fairfax Renaissance Development Corporation or designee.

**Section 8.** That the real property to be sold pursuant to Section 7 of this Ordinance is more fully described as follows:

P. P. No. 119-14-051

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 9 in Vantine and Chadwick Subdivision of part of Original One Hundred Acre Lot No. 399, as shown by the recorded plat in Volume 20 of Maps, Page 7 of Cuyahoga County Records, and being 40 feet front on the Westerly side of East 82nd Street (formerly South Genesee Avenue) and extending 99.54 feet on the Northerly line, 99.60 feet on the Southerly line, and having a rear line of 40 feet, as appears by said plat.

**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 Nos. 119-14-053 as more fully described in Section 10 below, to Fairfax Renaissance Development Corporation or designee.

**Section 10.** That the real property to be sold pursuant to Section 9 of this Ordinance is more fully described as follows:

P. P. No. 119-14-053

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 7 in Van Tine and Chadwick's Subdivision of part of Original One Hundred Acre Lot No. 399, as shown by the recorded plat in Volume 20 of Maps, Page 7 of Cuyahoga County Records and being 40 feet front on the Westerly side of East 82nd Street (formerly South Genesee Avenue) and extending back 99.41 feet deep on the Northerly line, 99.47 feet deep on the Southerly line and being 40 feet in the rear, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to zoning ordinances, if any.

**Section 11.** 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. 119-14-059 as more fully described in Section 12 below, to Fairfax Renaissance Development Corporation or designee.

**Section 12.** That the real property to be sold pursuant to Section 11 of this Ordinance is more fully described as follows:

P. P. No. 119-14-059

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 24 in Van Tine And Chadwick's Subdivision of part of Original One Hundred Acre Lot No. 399, as shown by the recorded plat in Volume 20 of Maps, Page 7 of Cuyahoga County Records and being 40 feet front on the Easterly side of East 82nd Street (formerly South Genesee Avenue) 110.71 feet deep on the Northerly line, 110.59 feet deep on the Southerly line and 40 feet wide in the rear, as appears by said plat.

Subject to the Midtown Community Development Plan recorded in Volume 87-6720, Page 47.

Also subject to all zoning ordinances, if any.

**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. 119-14-061 as more fully described in Section 14 below, to Fairfax Renaissance Development Corporation or designee.

**Section 14.** That the real property to be sold pursuant to Section 13 of this Ordinance is more fully described as follows:

P. P. No. 119-14-061

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being known as the Southerly 20 feet front and rear of Sublot No. 22 and the Northerly 30 feet front and rear of Sublot No. 21 in Vantine and Chadwick's Subdivision of part of Original One Hundred Acre Lot No. 339 as shown by the recorded plat in Volume 20 of Maps, Page 7 of Cuyahoga County Records and together forming a parcel of land 50 feet front on the Easterly side of East 82nd Street about 110.41 feet deep on the Northerly line, about 110.26 feet deep on the Southerly line and 50 feet in the rear, as appears by said plat.

Subject to zoning ordinances, if any.

**Section 15.** 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 16.** 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 15.** 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 16.** 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 17.** 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 18.** 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. 1113-2000.**

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

**An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 6410, 6412 Varian Avenue; 1224 East 61st Street; 1114 East 68th Street to St. Clair Superior Neighborhood Development Association.**

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. 105-21-123, 105-21-140, 104-15-105, and 105-25-042, as more fully described in Section 2 below, to St. Clair Superior Neighborhood Development Association.

**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. 105-21-123

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublots Nos. 27 and 28 in the Varian Subdivision of part of Original One Hundred Acre Lots Nos. 346 and 347, as shown by the recorded plat in Volume 14 of Maps, Page 27 of Cuyahoga County Records, and bounded and described as follows:

Beginning at the intersection of Southeasterly line of Varian Avenue, N.E., with the Southwesterly line of Addison Road, N.E.; thence South 60° West 250.30 feet along the said Southeasterly line of Varian Avenue, N.E., to a point for the principal place of beginning; thence North 60° East 23 feet along the said Southeasterly line of Varian Avenue, N.E., to the most Northerly corner of a parcel of land conveyed to Mary Oblak by deed recorded in Volume 2924, Page 147 of Cuyahoga County Records; thence South 30° East 116.81 feet along the North-easterly line of land so conveyed to Mary Oblak to the most Easterly corner thereof; thence South 63° 13' 40" West 20.62 feet along the South-easterly line of land so conveyed to Mary Oblak to a point; thence North 28° 02' West 19.48 feet to a point; thence North 42° 31' West 13.29 feet to a point; thence North 30° West 85 feet to the principal place of beginning.

Easement recorded in Volume 7295, Page 565.

Subject to Zoning Ordinances, if any.

P. P. No. 105-21-140

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as part of Sublots Nos. 28 and 29 in the Varian Subdivision of part of Original One Hundred Acre Lots Nos. 346 and 347 as shown by the recorded plat in Volume 14 of Maps, Page 27 of Cuyahoga County Records and bounded and described as follows:

Beginning at the intersection of the Southeasterly line of Varian Avenue, N.E., with Southwesterly line of Addison Road, N.E., thence South 60° West 250.30 feet along the said Southeasterly line of Varian Avenue, N.E., to a point for the principal place of beginning; thence South 60° West 23 feet along the said Southeasterly line of Varian Avenue, N.E., to the most Westerly corner of a parcel of land conveyed to Mary Oblak by deed recorded in Volume 2924, Page 147 of Cuyahoga County Records, thence South 30° East 116.02 feet along the Southwesterly line of land so conveyed to Mary Oblak to the most Southerly corner; thereof; thence North 63° 13' 40" East 25.25 feet along the South-easterly line of land so conveyed to Mary Oblak to a point; thence North 28° 02' West 19.48 feet to a point; thence North 42° 31' West 13.29 feet to a point; thence North 30° West 85 feet to the principal place of beginning, according to a survey made August 1950 by Cleveland Surveys, Civil Engineers and Surveyors, be the same more or less, but subject to all legal highways.

P. P. No. 104-15-105

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 11 in N. Helbig's Allotment of part of Original One Hundred Acre Lot No. 343 as shown by the recorded plat in Volume 10 of Maps, Page 30

of Cuyahoga County Records and being 40 feet front on the Westerly side of East 61st Street (formerly Dana Street) and extending back of equal width 181.04 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. 105-25-042

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 153 in W. J. Crawford and James Paramelee Subdivision of part of Original One Hundred Acre Lot No. 347, as shown by the recorded plat in Volume 13 of Maps, Page 40 of Cuyahoga County Records, and being 35 feet front on the South-westerly side of East 68th Street, (formerly Lewis Avenue), and extending back of equal width 120 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 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. 1114-2000.**

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

**An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at Grand, Tennyson and Buckeye Roads to Allegheny West Conference of Seventh Day Adventist.**

Whereas, the City of Cleveland adopted and implemented 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. 126-22-001, as more fully described in Section 2 below, to Allegheny West Conference of Seventh Day Adventist.

**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. 126-22-001

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 88 in Brooks, Pope and Cowles Subdivision of part of Original One Hundred Acre Lots Nos. 415, 416, 423, and 424 as shown by the recorded plat in Volume 5 of Maps, Page 33 of Cuyahoga County Records and being 40 feet front on the Southeastern side of Grand Avenue, S.E., and extending back of equal width 125 feet deep on the Northeastern side, and 125 feet deep on the South-westerly side which is also the Northeastern line of Evarts Road, S.E., as appears by said plat, be the same more or less, but subject to all legal highways.

**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. 126-22-002 as more fully described in Section 4 below, to Allegheny West Conference of Seventh Day Adventist.

**Section 4.** That the real property to be sold pursuant to Section 3 of this Ordinance is more fully described as follows:

P. P. No. 126-22-002

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 89 in Brooks, Pope and Cowles Allotment of part of Original One Hundred Acre Lots Nos. 415, 416, 423 and 424, as shown by the recorded plat in Volume 5 of Maps, Page 33 of Cuyahoga County Records and being 40 feet front on the Easterly side of Grand Avenue, S.E., 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 5.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Sup-

plies is hereby authorized to sell Permanent Parcel No. 126-22-003 as more fully described in Section 6 below, to Allegheny West Conference of Seventh Day Adventist.

**Section 6.** That the real property to be sold pursuant to Section 5 of this Ordinance is more fully described as follows:

P. P. No. 126-22-003

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 90 in Brooks, Pope and Cowles Allotment of part of Original One Hundred Acre Lots Nos. 415, 416, 423 and 424 as shown by the recorded plat in Volume 5 of Maps, Page 33 of Cuyahoga County Records and being 40 feet front on the Southeastern side of Grand Avenue, S.E., and extending back between parallel lines 125 feet deep, be the same more or less, but subject to all legal highways.

**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. 126-22-004 as more fully described in Section 8 below, to Allegheny West Conference of Seventh Day Adventist.

**Section 8.** That the real property to be sold pursuant to Section 7 of this Ordinance is more fully described as follows:

P. P. No. 126-22-004

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 91 in Brooks, Pope and Cowles Subdivision of part of Original One Hundred Acre Lots Nos. 416 and 424, as shown by the recorded plat in Volume 5 of Maps, Page 33 of Cuyahoga County Records, and being a parcel of land 40 feet front on the Southeastern side of Grand Avenue, 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.

Also subject to all zoning ordinances, if any

**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 Nos. 126-22-007 as more fully described in Section 10 below, to Allegheny West Conference of Seventh Day Adventist.

**Section 10.** That the real property to be sold pursuant to Section 9 of this Ordinance is more fully described as follows:

P. P. No. 126-22-007

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 94 in Brooks, Pope and Cowles' Allotment of part of Original One Hundred Acre Lots Nos. 415, 416 and 424, as shown by the recorded plat in Volume 5 of Maps, Page 33 of Cuyahoga County Records and being 40 feet front on the Southeastern side of Grand Avenue, S.E., (formerly Ellsworth Street) and extending back between parallel lines 125 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

**Section 11.** 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. 126-22-011 as more fully described in Section 12 below, to Allegheny West Conference of Seventh Day Adventist.

**Section 12.** That the real property to be sold pursuant to Section 11 of this Ordinance is more fully described as follows:

P. P. No. 126-22-011

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 4 in Brooks, Pope and Cowles Subdivision of part of Original One Hundred Acre Lots Nos. 415, 416, 423 and 424 as shown by the recorded plat in Volume 5 of Maps, Page 33 of Cuyahoga County Records, and being 50 feet 3/4 inches front on the Southerly side of Buckeye Road, S.E., and extending back 148 feet 9 1/4 inches deep on the Easterly line, 151 feet 3 inches deep on the Westerly line and is 50 feet in the rear, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

**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. 126-22-012 as more fully described in Section 14 below, to Allegheny West Conference of Seventh Day Adventist.

**Section 14.** That the real property to be sold pursuant to Section 13 of this Ordinance is more fully described as follows:

P. P. No. 126-22-012

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 3 in Brooks, Pope and Cowles Subdivision of part of Original One Hundred Acre Lots Nos. 415, 416, 423, and 424, as shown by the recorded plat in Volume 5 of Maps, Page 33 of Cuyahoga County Records and being 50 feet 3/4 of an inches front on the Southerly side of Buckeye Road, S.E., and extending back 146 feet 3 3/4 inches on the Easterly line, 148 feet 9 1/4 inches on the Westerly 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.

**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. 126-22-013 as more fully described in Section 16 below, to Allegheny West Conference of Seventh Day Adventist.

**Section 16.** That the real property to be sold pursuant to Section 15 of this Ordinance is more fully described as follows:

P. P. No. 126-22-013

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 2 in Brooks, Pope and Cowles Subdivision of part of Original One Hundred Acre Lots Nos. 415, 416, 423 and 424 as shown by the recorded plat in Volume 5 of Maps, Page 33 of Cuyahoga County Records and further described as follows:

Beginning of the Southwesterly line of Buckeye Road, S.E., at its intersection with the Northwesterly

line of Tennyson Avenue, S.E., thence Southwesterly along the said Northwesterly of Tennyson Avenue, S.E., 63 42/100 feet to the principal place of beginning; thence Northwesterly at right angles to the Northwesterly line of Tennyson Avenue, S.E., 50 feet to the Northwesterly line of Sublot No. 2; thence Southwesterly along the Northwesterly line of Sublot No. 2, 27 01/100 feet; thence Southeasterly, 50 feet to the Northwesterly line of Tennyson Avenue, S.E. to a point distant 27.01 feet Southwesterly from the principal place of beginning; thence Northeasterly along the Northwesterly line of Tennyson Avenue, S.E., 27 01 /100 feet to the principal place of beginning, be the same more or less, but subject to all legal highways.

**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. 126-22-061 as more fully described in Section 18 below, to Allegheny West Conference of Seventh Day Adventist.

**Section 18.** That the real property to be sold pursuant to Section 17 of this Ordinance is more fully described as follows:

P. P. No. 126-22-061

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as the Northeasterly 26.80 feet of the Southeasterly 53.40 feet of Sublot No. 2 in Brooks, Pope and Cowles Subdivision of part of Original One Hundred Acre Lots Nos. 415, 416, 423, and 424 as shown by the recorded plat in Volume 5 of Maps, Page 33 of Cuyahoga County Records, and being 26.80 feet front on the Northwesterly side of Taylor Street, now known as Tennyson Road, S.E., and extending back between parallel lines, 50 feet to the Northwesterly line of said Sublot No. 2, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to restrictions and easements contained in deed recorded in Volume 8681, Page 671, Cuyahoga County Records.

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. 126-22-062 as more fully described in Section 20 below, to Allegheny West Conference of Seventh Day Adventist.

**Section 20.** That the real property to be sold pursuant to Section 19 of this Ordinance is more fully described as follows:

P. P. No. 126-22-062

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southwesterly 26.6 feet of Sublot No. 2 in Brooks, Pope and Cowles Subdivision of part of Original One Hundred Acre Lots Nos. 415, 416, 423 and 424, as shown by the recorded plat in Volume 5 of Maps, Page 33 of Cuyahoga County Records, and being 26.6 feet front on the Northwesterly side of Tennyson Road, S.E., (formerly Taylor Street) and extending back of equal width 50 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

**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. 126-22-064 as more fully described in Section 22 below, to Allegheny West Conference of Seventh Day Adventist.

**Section 22.** That the real property to be sold pursuant to Section 21 of this Ordinance is more fully described as follows:

P. P. No. 126-22-064

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 97 in Brooks, Pope and Cowles Subdivision of part of Original One Hundred Acre Lots Nos. 415, 416, 423, and 424, as shown by the recorded plat in Volume 5 of Maps, Page 33 of Cuyahoga County Records, and being 40 feet front on the Westerly side of Tennyson Road, S.E., (formerly Taylor 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 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. 126-22-065 as more fully described in Section 24 below, to Allegheny West Conference of Seventh Day Adventist.

**Section 24.** That the real property to be sold pursuant to Section 23 of this Ordinance is more fully described as follows:

P. P. No. 126-22-065

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 98 and the Northeasterly 3 feet of Sublot No. 99 in Brooks, Pope and Cowles Subdivision of part of Original One Hundred Acre Lots Nos. 415, 416, 423, and 424 as shown by the recorded plat in Volume 5 of Maps, Page 33 of Cuyahoga County Records, and together forming a parcel of land 43 feet front on the Northwesterly side of Tennyson Road, S.E., (formerly Taylor 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.

**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. 126-22-066 as more fully described in Section 26 below, to Allegheny West Conference of Seventh Day Adventist.

**Section 26.** That the real property to be sold pursuant to Section 25 of this Ordinance is more fully described as follows:

P. P. No. 126-22-066

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southwesterly 37 feet of Sublot No. 99 in Brooks, Pope and Cowles Subdivision of part of Original One Hundred Acre Lots Nos. 415, 416, 423, and 424, as shown by the recorded plat in Volume 5 of Maps, Page 33 of Cuyahoga County Records, and

being 37 feet front on the Northwesterly side of Tennyson Road, S.E., 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 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. 126-22-067 as more fully described in Section 28 below, to Allegheny West Conference of Seventh Day Adventist.

**Section 28.** That the real property to be sold pursuant to Section 27 of this Ordinance is more fully described as follows:

P. P. No. 126-22-067

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 100 in Brooks, Pope and Cowles Subdivision of part of Original One Hundred Acre Lots Nos. 416, and 424 as shown by the recorded plat in Volume 5 of Maps, Page 33 of Cuyahoga County Records, and being 40 feet front on the Northwesterly side of Tennyson Road, S.E., (formerly Taylor Street), and extending back of equal width 125 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

**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. 126-22-069 as more fully described in Section 30 below, to Allegheny West Conference of Seventh Day Adventist.

**Section 30.** That the real property to be sold pursuant to Section 29 of this Ordinance is more fully described as follows:

P. P. No. 126-22-069

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 102 in Brooks, Pope and Cowles Subdivision of part of Original One Hundred Acre Lots Nos. 415, 416, 423, and 424, as shown by the recorded plat in Volume 5 of Maps, Page 33 of Cuyahoga County Records and being 40 feet front on the Northwesterly side of Tennyson Road, S.E., and extending back 40 feet front on the Northwesterly side of Tennyson Road, S.E., and extending back of equal width, 125 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

**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. 126-22-071 as more fully described in Section 32 below, to Allegheny West Conference of Seventh Day Adventist.

**Section 32.** That the real property to be sold pursuant to Section 31 of this Ordinance is more fully described as follows:

P. P. No. 126-22-071

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 2 in Brooks, Pope and Cowles Subdivision of part of Original One Hundred Acre Lots Nos. 415, 416, 423, and 424 as shown by the

recorded plat in Volume 5 of Maps, Page 33 of Cuyahoga County Records and being further described as follows:

Beginning in the Southwesterly line of Buckeye Road, S.E., at the most Northerly corner of said Sublot No. 2; thence Southeasterly along said Southwesterly line of Buckeye Road, S.E., 50-06/100 feet to the Northwesterly line of Tennyson Road, S.E. thence Southwesterly along said Northwesterly line of Tennyson Road, S.E., 63-42/100 feet; thence Northwesterly at right angles to the Northwesterly line of Tennyson Road, S.E., 50 feet to the Northwesterly line of Sublot No. 2; thence Northeasterly along said Northwesterly line of Sublot No. 2, 65-89/100 feet to the place of beginning, be the same more or less, but subject to all legal highways.

**Section 33.** 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 34.** 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 35.** 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 36.** 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. 1115-2000.**

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

**An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 8720 Meridian Avenue to Curly Mae Jelks.**

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). 107-16-133, as more fully described in Section 2 below, to Curly Mae Jelks.

**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. 107-16-133

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 116 in W.J. Crawford and James Parmelee's Subdivision of part of Original One Hundred Acre Lot No. 392, as shown by the recorded plat in Volume 14 of Maps, Page 19 of Cuyahoga County Records, being 40 feet front on the Southerly side of Meridian Avenue, N.E., and extending back 137.94 feet on the Westerly line, 143.43 feet on the Easterly line and having a rear line of 40.35 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.

**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. 1116-2000.****By Councilman Melena.**

**An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on West 54th Street to Detroit Shoreway Community Development Organization.**

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 Nos. 002-31-046 and 002-31-048 to Detroit Shoreway Community Development Organization.

**Section 2.** 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 3.** 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 4.** 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 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. 1117-2000.****By Councilmen White, Rybka, Melena, Cintron, O'Malley, Cimperman and Patmon (by departmental request).**

**An emergency ordinance determining the method of making the public improvement of constructing Phase IV improvements to the Mill Creek Housing 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 IV improvements to the Mill Creek Housing Development Project, including but not limited to, grading, installing water and sewer lines, sidewalks, landscaping, curbs, street paving and lighting and making 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 No. 20 SF 363, Request No. 20694.

**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.

**FIRST READING  
ORDINANCE REFERRED**

**Ord. No. 1118-2000.****By Councilmen Brady and Westbrook.**

**An ordinance establishing the Clifton Road / West Boulevard Historic Landmark District Extension (Map Change No. 2014, Sheet Nos. 1 & 2)**

Whereas, the Cleveland Landmarks Commission has determined that the Clifton Road / West Boulevard Historic Landmark District represents an important aspect of Cleveland's cultural, economic, social and historic heritage and in consideration of that history, its architecture and other features of the area, the Cleveland Landmarks Commission finds the proposed Clifton Road / West Boulevard Historic Landmark District meets the criteria for Landmark designation; and

Whereas, the owners of the properties within the boundaries of the proposed Clifton Road / West Boulevard Historic Landmark District have been properly notified in accordance with Section 161.04 of the Codified Ordinances of the City of Cleveland, Ohio 1976, therefore;

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

**Section 1.** That the following area outlined in red on the map hereto attached be and the same is hereby designated the Clifton Road / West Boulevard Landmark District extension;

Beginning at the intersection of the center line of Madison Avenue, N.W. and the center line of West 98 Street; thence southerly along said center line of West 98 Street to its intersection with the easterly extension of the northerly line of Permanent Parcel No. 5-23-120 (said northerly line of said Permanent Parcel No. 5-23-120 being located approximately one hundred ten (110) feet south of the southerly line of Madison Avenue, N.W.); thence westerly along said easterly extension and along said northerly line of said Permanent Parcel No. 5-23-120 and continuing westerly along the northerly line of Permanent Parcel No. 5-23-117 and along its westerly extension to the center line of West 99 Street; thence northerly along said center line of West 99 Street to its intersection with the easterly extension of the northerly line of Permanent Parcel No. 5-23-138; thence westerly along said easterly extension and along said northerly line of said Permanent Parcel No. 5-23-138 to its intersection with the easterly line of Permanent Parcel No. 5-23-75; thence northerly along said easterly line of said Permanent Parcel No. 5-23-75 to its intersection with the northerly line thereof; thence westerly along said northerly line of said Permanent Parcel No. 5-23-75 and along its westerly extension to the center line of West 100 Street; thence continuing westerly along the easterly extension of a line located sixty (60) feet south of the southerly line of Madison Avenue, N.W. and along said line which is parallel to and sixty (60) feet south of said southerly line of Madison Avenue, N.W. to its intersection with a line located one hundred thirty six and fifteen hundredths (136.15) feet west of the westerly line of West 100 Street; thence southerly along said line which is parallel to and one thirty six and fifteen hundredths (136.15) feet west of said westerly line of West 100 Street to its intersection a line located one hundred forty and two hundredths (140.02) feet south of said southerly line of Madison Avenue, N.W.; thence westerly along said line which is parallel to and

one hundred forty and two hundredths (140.02) feet south of said southerly line of Madison Avenue, N.W. and along its westerly extension to the center line of West 101 Street; thence southerly along said center line of West 101 Street to its intersection with the easterly extension of the northerly line of Permanent Parcel No. 5-23-13; thence westerly along said easterly extension and along said northerly line of said Permanent Parcel No. 5-23-13 to its intersection with a line located one hundred fifty (150) feet east of the easterly line of West Boulevard; thence southerly along said line which is parallel to and one hundred fifty (150) feet east of said easterly line of West Boulevard and along its southerly prolongation crossing Western Avenue, N.W. and continuing to its intersection with the center line of an unnamed alley located approximately one hundred five (105) feet northwest of the northwesterly line of Lorain Avenue; thence southwestward along said center line of said unnamed alley and along its southwestward extension to the center line of West Boulevard; thence southeasterly along said center line of West Boulevard to the center line of Lorain Avenue and continuing southeasterly along said center line of West Boulevard to its intersection with the westerly extension of the northerly line of Permanent Parcel No. 17-9-35; thence easterly along said westerly extension and along said northerly line of said Permanent Parcel No. 17-9-35 to its intersection with the easterly line thereof; thence southerly along the easterly line of Permanent Parcel No. 17-9-35 and continuing southerly along the easterly lines of Permanent Parcel Nos. 17-9-34, 17-9-33, 17-9-32, 17-9-31, 17-9-30, 17-9-29, 17-9-28, 17-9-27, 17-9-26 and 17-9-25, 17-11-31, 17-11-32, 17-11-33, 17-11-34, 17-11-35, 17-11-36, 17-11-37 and 17-11-38 to its intersection with the southerly line thereof; thence westerly along said southerly line of said Permanent Parcel No. 17-11-38 to its intersection with the westerly line of Permanent Parcel No. 17-11-64; thence southerly along said westerly line of said Permanent Parcel No. 17-11-64 and along its southerly extension to the center line of Almira Avenue, S.W.; thence westerly along said center line of Almira Avenue, S.W. to its intersection with the northerly extension of the westerly line of Permanent Parcel No. 17-11-63; thence southerly along said northerly extension and along said westerly line of said Permanent Parcel No. 17-11-63 to its intersection with a line located one hundred thirty (130) feet north of the northerly line of Fidelity Avenue, S.W.; thence westerly along said line which is parallel to and one hundred thirty (130) feet north of said northerly line of Fidelity Avenue, S.W. to its intersection with the westerly line of Permanent Parcel No. 17-11-45; thence southerly along said westerly line of said Permanent Parcel No. 17-11-45 and along its southerly extension to the center line of Fidelity Avenue, S.W.; thence westerly along said center line of Fidelity Avenue, S.W. to its intersection with the northerly extension of the westerly line of Permanent Parcel No. 17-13-5; thence southerly along said northerly extension and along said westerly line of said Permanent Parcel No. 17-13-5 to its

intersection with a line located one hundred seventy five (175) feet southeast of the southeasterly line of West Boulevard; thence southwestward along said line which is parallel to and one hundred seventy five (175) feet southeast of said southeasterly line of West Boulevard and along its southwestward prolongation to the center line of Adelaide Avenue, S.W.; thence westerly along said center line of Adelaide Avenue, S.W. to its intersection with the northerly extension of the center line of an unnamed alley; thence southerly along said northerly extension and along said center line of said unnamed alley and along its southerly extension to the center line of Loretta Avenue, S.W.; thence easterly along said center line of Loretta Avenue, S.W. to its intersection with the northwesterly extension of a line located one hundred seventy five (175) feet northeast of the northwesterly line of West Boulevard; thence southeasterly along said northwesterly extension and along said line which is parallel to and one hundred seventy five (175) feet northeast of said northwesterly line of West Boulevard to its intersection with a line located sixty (60) feet northwest of the northwesterly line of Unity Avenue, S.W.; thence southwestward along said line which is parallel to and sixty (60) feet northwest of said northwesterly line of Unity Avenue, S.W. to its intersection with a line located one hundred forty five (145) feet northeast of said northwesterly line of West Boulevard; thence southeasterly along said line which is parallel to and one hundred forty five (145) feet northeast of said northwesterly line of West Boulevard and along its southeasterly extension to the center line of Unity Avenue, S.W.; thence northeasterly along said center line of Unity Avenue, S.W. to its intersection with the northwesterly extension of a line located one hundred seventy five (175) feet northeast of said northwesterly line of West Boulevard; thence southeasterly along said northwesterly extension and along said line which is parallel to and one hundred seventy five (175) feet northeast of said northwesterly line of West Boulevard and along its southeasterly extension to the center line of Curran Avenue, S.W.; thence southwestward along said center line of Curran Avenue, S.W. to its intersection with the northwesterly extension of a line located one hundred sixty (160) feet northeast of said northwesterly line of West Boulevard; thence southeasterly along said northwesterly extension and along said line which is parallel to and one hundred sixty (160) feet northeast of said northwesterly line of West Boulevard to its intersection with a line located sixty (60) feet southeast of the southeasterly line of Curran Avenue, S.W.; thence southwestward along said line which is parallel to and sixty (60) feet southeast of said southeasterly line of Curran Avenue, S.W. to its intersection with the northwesterly line of Permanent Parcel No. 17-15-52; thence southeasterly along said northwesterly line of said Permanent Parcel No. 17-15-52 to its intersection with the northwesterly line of Permanent Parcel No. 17-15-51; thence northeasterly along said northwesterly line of said Perma-

nent Parcel No. 17-15-51 to its intersection with the northwesterly line thereof; thence southeasterly along said northwesterly line of said Permanent Parcel No. 17-15-51 and along its southeasterly extension to its intersection with a line located one hundred fifty (150) feet south of the southerly line of Curran Avenue, S.W.; thence easterly along said line which is parallel to and one hundred fifty (150) feet south of said southerly line of Curran Avenue, S.W. to its intersection with the easterly line of Permanent Parcel No. 17-15-49; thence southerly along said easterly line of Permanent Parcel No. 17-15-49 and continuing southerly along the easterly lines of Permanent Parcel Nos. 17-15-48, 17-15-47 and along its southerly extension to the center line of Walford Avenue, S.W.; thence easterly along said center line of Walford Avenue, S.W. to its intersection with the center line of the C.C.C. and St. L. Railroad tracks; thence southwestward along said C.C.C. and St. L. Railroad tracks to its intersection with the southeasterly extension of the southwestward line of Permanent Parcel No. 17-17-38; thence northwesterly along said southeasterly extension of said southwestward line of said Permanent Parcel No. 17-17-38 and along its northwesterly extension to the center line of Jasper Avenue, S.W.; thence easterly and northwesterly along said center line of Jasper Avenue, S.W. to the center line of West Boulevard; thence northerly along said center line of West Boulevard to its intersection with the southeasterly extension of the southwestward line of Permanent Parcel No. 17-17-46; thence northwesterly along said southeasterly extension and along said southwestward line of said Permanent Parcel No. 17-17-46 to its intersection with a line located one hundred forty (140) feet east of the easterly line of West 102 Street; thence northerly along said line which is parallel to and one hundred forty (140) feet east of said easterly line of West 102 Street and along its northerly extension to the center line of Thrush Avenue, S.W.; thence westerly along said center line of Thrush Avenue, S.W. to its intersection with the southerly extension of a line located eight hundred thirty five (835) feet east of the easterly line of West 105 Street; thence northerly along said southerly extension and along said line which is parallel to and eight hundred thirty five (835) feet east of said easterly line of East 105 Street and along its northerly extension to the center line of Dale Avenue, S.W.; thence easterly along said center line of Dale Avenue, S.W. to its intersection with the southerly extension of the easterly line of Permanent Parcel No. 17-22-82; thence northerly along said southerly extension and along said easterly line of said Permanent Parcel No. 17-22-82 to its intersection with the northwesterly line thereof; thence northwesterly along said northwesterly line of said Permanent Parcel No. 17-22-82 and continuing northwesterly along the northwesterly lines of Permanent Parcel Nos. 17-22-83 and 17-22-68 and along its northwesterly extension to the center line of Linnet Avenue, S.W.;

thence northeasterly along said center line of Linnet Avenue, S.W. to its intersection with the southeasterly extension of the southwesterly line of Permanent Parcel No. 17-14-113; thence northwesterly along said southeasterly extension and along said southwesterly line of said Permanent Parcel No. 17-14-113 to its intersection with a line located three hundred (300) feet southeast of the southeasterly line of Fortune Avenue, S.W.; thence southwesterly along said line which is parallel to and three hundred (300) feet southeast of said southeasterly line of Fortune Avenue, S.W. to its intersection with a line located one hundred seventy five (175) feet southwest of the southwesterly line of West Boulevard; thence northwesterly along said line which is parallel to and one hundred seventy five (175) feet southwest of said southwesterly line of West Boulevard to its intersection with a line located sixty (60) feet southeast of said southeasterly line of Fortune Avenue, S.W.; thence northeasterly along said line which is parallel to and sixty (60) feet southeast of said southeasterly line of Fortune Avenue, S.W. to its intersection with a line located one hundred thirty (130) feet southwest of said southwesterly line of West Boulevard; thence northwesterly along said line which is parallel to and one hundred thirty (130) feet southwest of said southwesterly line of West Boulevard and along its northwesterly extension to the center line of Fortune Avenue, S.W.; thence southwesterly and westerly along said center line of Fortune Avenue, S.W. to its intersection with the southerly extension of the westerly line of Permanent Parcel No. 18-14-107; thence northerly along said southerly extension and along said westerly line of said Permanent Parcel No. 18-14-107 to its intersection with the northwesterly line thereof; thence northeasterly along said northwesterly line of said Permanent Parcel No. 18-14-107 to its intersection with a line located approximately one hundred thirty five (135) feet southwest of said southwesterly line of West Boulevard; thence northwesterly along said line which is parallel to and approximately one hundred thirty five (135) feet southwest of said southwesterly line of West Boulevard to its intersection with the southeasterly line of Permanent Parcel No. 17-14-104; thence southwesterly along said southeasterly line of said Permanent Parcel No. 17-14-104 to its intersection with a line located one hundred seventy five (175) feet southwest of said southwesterly line of West Boulevard; thence northwesterly along said line which is parallel to and one hundred seventy five (175) feet southwest of said southwesterly line of West Boulevard and along its northwesterly extension to the center line of West 105 Street; thence southerly along said center line of West 105 Street to the center line of St. Mark Avenue, S.W.; thence westerly along said center line of St. Mark Avenue, S.W. to its intersection with the southerly extension of a line located one hundred twenty three and eighty four hundredths (123.84) feet west of the westerly line of West 105 Street; thence northerly along said southerly extension and along said line which

is parallel to and one hundred twenty three and eighty four hundredths (123.84) feet west of said westerly line of West 105 Street and along its northerly extension to the center line of Governor Avenue, S.W.; thence northerly along said center line of Governor Avenue, S.W. to its intersection with the southerly extension of the easterly line of Permanent Parcel No. 18-14-107; thence northerly along said southerly extension and along said easterly line of said Permanent Parcel No. 18-14-107 to its intersection with a line located one hundred twenty six (126) feet north of the northerly line of Governor Avenue, S.W.; thence westerly along said line which is parallel to and one hundred twenty six (126) feet north of said northerly line of Governor Avenue, S.W. to its intersection with the easterly line of Permanent Parcel No. 18-14-13; thence northerly along said easterly line of said Permanent Parcel No. 18-14-13 and along its northerly extension to the center line of Florian Avenue, S.W.; thence easterly along said center line of Florian Avenue, S.W. to the center line of Parkhurst Drive, S.W.; thence southeasterly along said center line of Parkhurst Drive, S.W. to its intersection with the southwesterly extension of the northwesterly line of Permanent Parcel No. 18-11-10; thence northeasterly along said southwesterly extension and along said northwesterly line of said Permanent Parcel No. 18-11-10 to its intersection with the northerly line thereof; thence easterly along said northerly line of said Permanent Parcel No. 18-11-10 and along its easterly extension to the center line of West 105 Street; thence northerly along said center line of West 105 Street to its intersection with the southwesterly extension of a line located one hundred seventy five (175) feet northwest of the northwesterly line of West Boulevard; thence northeasterly along said southwesterly extension and along said line which is parallel to and one hundred seventy five (175) feet northwest of said northwesterly line of West Boulevard and along its northeasterly extension to the center line of Fidelity Avenue, S.W.; thence easterly along said center line of Fidelity Avenue, S.W. to its intersection with the southerly extension of a line located four hundred eighty (480) feet east of the easterly line of West 105 Street; thence northerly along said southerly extension and along said line which is parallel to and four hundred eighty (480) feet east of said easterly line of West 105 Street to its intersection with a line located one hundred thirty (130) feet south of the southerly line of Almira Avenue, S.W.; thence easterly along said line which is parallel to and one hundred thirty (130) feet south of said southerly line of Almira Avenue, S.W. to its intersection with a line located six hundred (600) feet east of said easterly line of West 105 Street; thence northerly along said line which is parallel to and six hundred (600) feet east of said easterly line of West 105 Street to its intersection with a line located sixty five (65) feet south of said southerly line of Almira Avenue, S.W.; thence easterly along said line which is parallel to and sixty five (65) feet south of said southerly line

of Almira Avenue, S.W. to its intersection with a line located six hundred forty five (645) feet east of said easterly line of West 105 Street; thence northerly along said line which is parallel to and six hundred forty five (645) feet east of said easterly line of West 105 Street and along its northerly extension to the center line of Almira Avenue, S.W.; thence easterly along said center line of Almira Avenue, S.W. to its intersection with the southerly extension of the easterly line of Permanent Parcel No. 17-10-17; thence northerly along said southerly extension and along said easterly line of said Permanent Parcel No. 17-10-17 to its intersection with the southerly line of Permanent Parcel No. 17-10-15; thence easterly along said southerly line of said Permanent Parcel No. 17-10-15 to its intersection with the easterly line thereof; thence northerly along said easterly line of said Permanent Parcel No. 17-10-15 to its intersection with a line located sixty five (65) feet south of the southerly line of Bernard Avenue, S.W.; thence easterly along said line which is parallel to and sixty five (65) feet south of said southerly line of Bernard Avenue, S.W. to its intersection with a line located eight hundred thirty and fifty four hundredths (830.54) feet east of said easterly line of West 105 Street; thence northerly along said line which is parallel to and eight hundred thirty and fifty four hundredths (830.54) feet east of said easterly line of West 105 Street and along its northerly extension to the center line of Bernard Avenue, S.W.; thence easterly along said center line of Bernard Avenue, S.W. to its intersection with the southerly extension of a line located eight hundred forty five (845) feet east of said easterly line of West 105 Street; thence northerly along said southerly extension and along said line which is parallel to and eight hundred forty five (845) feet east of said easterly line of West 105 Street to its intersection with a line located sixty five (65) feet north of the northerly line of Bernard Avenue, S.W.; thence westerly along said line which is parallel to and sixty five (65) feet north of said northerly line of Bernard Avenue, S.W. to its intersection with a line located eight hundred (800) feet east of said easterly line of West 105 Street; thence northerly along said line which is parallel to and eight hundred (800) feet east of said easterly line of West 105 Street and along its northerly extension to the center line of Joan Avenue, S.W.; thence continuing northerly along the southerly extension of a line located one hundred sixty six and twenty hundredths (166.20) feet west of the westerly line of West Boulevard and along said line which is parallel to and one hundred sixty six and twenty hundredths (166.20) feet west of said westerly line of West Boulevard and along its northerly extension to the center line of Ignatius Avenue, S.W.; thence westerly along said center line of Ignatius Avenue, S.W. to its intersection with the southerly extension of the westerly line of Permanent Parcel No. 17-9-57; thence northerly along said southerly extension and along said westerly line of said Permanent Parcel No. 17-9-57 to its intersection with the southwesterly



line of Permanent Parcel No. 17-9-1; thence northwesterly along said southwesterly line of said Permanent Parcel No. 17-9-1 and along its northwesterly extension to the center line of Lorain Avenue; thence southwesterly along said center line of Lorain Avenue to the center line of West 103 Street; thence northerly along said center line of West 103 Street to its intersection with the southwesterly extension of the center line of Regina Court; thence northeasterly along said southwesterly extension and along said center line of Regina Court to its intersection with a line located one hundred (100) feet east of the easterly line of West 103 Street; thence northerly along said line which is parallel to and one hundred (100) feet east of said easterly line of West 103 Street to the center line of Western Avenue, N.W. and continuing northerly along the southerly extension of and along said line to its intersection with a line located one hundred (100) feet south of the southerly line of Madison Avenue, N.W.; thence easterly along said line which is parallel to and one hundred (100) feet south of said southerly line of Madison Avenue, N.W.; thence easterly along said line which is parallel to and one hundred (100) feet south of said southerly line of Madison Avenue, N.W.; thence easterly along said line which is parallel to and one hundred (100) feet south of said southerly line of Madison Avenue, N.W. to its intersection with the westerly line of Permanent Parcel No. 5-18-206; thence northerly along said westerly line of said Permanent Parcel No. 5-18-206 and along its northerly extension to the center line of Madison Avenue, N.W.; thence easterly along said center line of Madison Avenue, N.W. to the center line of West 102 Street; thence northerly along said center line of West 102 Street to its intersection with the westerly extension of a line located one hundred twenty (120) feet north of the northerly line of Madison Avenue, N.W.; thence easterly along said westerly extension and along said line which is parallel to and one hundred twenty (120) feet north of said northerly line of Madison Avenue, N.W. to its intersection with a line located seventy (70) feet east of the easterly line of West 102 Street; thence southerly along said line which is parallel to and seventy (70) feet east of said easterly line of West 102 Street and along its southerly extension to the center line of Madison Avenue, N.W.; thence easterly along said center line of Madison Avenue, N.W. to the place of beginning.

**Section 2.** That the designation of the area set forth in Section 1 hereof as the Clifton Road / West Boulevard Historic Landmark District Extension shall be noted on the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for such purpose by the City Planning Commission, further, a copy of map attached hereto shall be available for public inspection in the office of the Cleveland Landmarks Commission.

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

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

#### FIRST READING EMERGENCY RESOLUTIONS REFERRED

##### Res. No. 1119-2000.

By Councilman Willis.

**An emergency resolution urging gasoline station operators to offer full service to its customers at no added cost to the customer.**

Whereas, the Council of the City of Cleveland joins with the citizens of Cleveland in being concerned about the exorbitant increase in the price of gasoline; and

Whereas, these exorbitant prices have greatly increased the profits accruing to gasoline station operators; and

Whereas, as a service to its customers, this Council believes that gasoline station operators throughout the City of Cleveland and Cuyahoga County should offer full service, at no additional cost, to its customers; now, therefore

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

**Section 1.** That the Council of the City of Cleveland urges gasoline station operators throughout the City of Cleveland and Cuyahoga County to offer full service to its customers, at no additional cost to the customer.

**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 Finance, Law; Committees on Aviation and Transportation, Finance.

##### Res. No. 1120-2000.

By Councilman Willis.

**An emergency resolution urging RTA to reduce the fares on buses and rapid transit.**

Whereas, the Council of the City of Cleveland joins with the citizens of Cleveland in being concerned about the exorbitant increase in the price of gasoline; and

Whereas, due to these high prices and in an effort to bolster ridership, the Council of the City of Cleveland believes that RTA should reduce its fares to customers throughout the City of Cleveland and Cuyahoga County; now, therefore,

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

**Section 1.** That the Council of the City of Cleveland urges RTA to reduce its fares for bus and rapid transportation to \$1.00 and to reduce the cost of a monthly pass by 25% so long as the average price for all brands of gasoline in Cuyahoga County is above \$2.00 per gallon or at least until December 31, 2001.

**Section 2.** That the Council of the City of Cleveland urges all employers to join in and to promote the Pass Subsidy Program offered by RTA to encourage use of the RTA system by its employees.

**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.

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

#### FIRST READING ORDINANCE READ IN FULL AND PASSED

**Ord. No. 2009-A-99 (As a substitute for Ord. No. 2009-99).**

By Councilmen Polensek, Brady, Britf, Cimperman, Cintron, Coats, Dolan, Gordon, Jackson, Johnson, Jones, Lewis, Melena, O'Malley, Patton, Robinson, Rybka, Sweeney, Westbrook, White and Willis.

**An ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Chapter 189 relating to the Cleveland Fair Employment Law.**

Whereas, it is beneficial to the health and welfare of all citizens of the City of Cleveland that all workers are paid an hourly wage which enables them to live above the level of poverty and reduces the amount of taxpayer funded social service programs in the City of Cleveland; and

Whereas, this legislation provides for a fair employment wage for employees employed by persons or entities, which are awarded contracts by, for, or on behalf of the City of Cleveland and receive economic assistance in conjunction with such contracts; and

Whereas, some employers who receive financial assistance from the City do not provide reasonable health insurance to their employees, thereby negatively affecting work performance and absenteeism, resulting in a decrease in the quantity and quality of services rendered by such employees to the City and to the public; and

Whereas, the City is greatly concerned with the general health and welfare of its citizens and such interest is furthered when its citizens are provided reasonable health care insurance coverage; and

Whereas, when the City uses contractors or subsidizes businesses which do not provide health insurance to their employees, this often imposes the cost of their medical care on the City, county, state and federal governments, an impact that can be avoided only if employers provide health insurance in a reasonable form; and

Whereas, because employees are far likelier to be healthy and, therefore, more productive workers if their employers provide an adequate level of compensation, including reasonable health insurance for them and their dependents, this legislation both mandates the payment of a fair employment wage and provides incentives to encourage contractors with the City to provide health insurance benefits to their employees; and

Whereas, the purpose of this legislation is to provide for a fair employment wage and promote health insurance benefits for workers employed by employers receiving assistance from the City and, as a result, enhance the welfare of workers in the City of Cleveland; and

Whereas, this ordinance constitutes a measure providing for the preservation of the public health, safety, and welfare of the citizens of the City of Cleveland; 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 Chapter 189, to read as follows:

Chapter 189

CLEVELAND FAIR  
EMPLOYMENT LAW

Section 189.01 Definitions  
Section 189.02 Fair Employment Wage  
Section 189.03 Compliance  
Section 189.04 Fair Employment Wage Board  
Section 189.05 Monitoring and Enforcement  
Section 189.06 Exemptions  
Section 189.07 Evaluation  
Section 189.08 Severability  
Section 189.09 Effective Date

**Section 189.01 Definitions**

For the purposes of this chapter, the following words, phrases and terms are defined as follows:

(a) "Applicable Department" means the City department administering Service Contracts or the City department to which a person or entity applies for Assistance.

(b) "Assistance" means any form of City financial assistance, except for financial assistance provided for the development, rehabilitation or other means of providing residential housing; that is awarded, renegotiated or renewed after the effective date of this Ordinance. Assistance covered by this Chapter includes but is not limited to: grants; economic development loans; tax credits, incentives and abatements; subsidies; and bonds. For purposes of determining coverage under this Chapter, financial assistance shall be valued to the extent the recipient of the assistance derives a monetary benefit from the City. For instance, loans shall be considered Assistance only to the extent they are forgiven or discounted below the available market rate over the life of the loan. Tax credits, incentives and abatements shall be considered Assistance to the extent of the tax reduction realized by the recipient. For purposes of this Chapter, Assistance does not include financial assistance which is received from another government or other entity with the City acting only as a conduit or fiscal agent for the funds, where the City exercises no control over the identity of any recipient or of the terms of the contract. Community Development Block Grant Funds are not considered conduit funds under this section and, to the extent they otherwise qualify, are included as Assistance and are covered by this Chapter.

(c) "City" means the City of Cleveland and all City divisions, departments, and offices.

(d) "Covered Employee" means:

(1) Any person employed by or working as a trainee, except as otherwise provided in subsection (4)(B) below, for a "Covered Employer" who is a for-profit contractor or subcontractor on a City Service Contract;

(2) Any person employed by or working as a trainee for a "Covered Employer" who is a not-for-profit contractor or subcontractor on one or more City Service Contracts if such person expends at least half of his or her time performing services pursuant to such Service Contract(s); or

(3) Any person employed by a Covered Employer who is a Recipient of Assistance from the City.

(4) The following are not "Covered Employees" for purposes of this Chapter:

(A) an individual who provides solely volunteer services that are uncompensated except for reimbursement of expenses such as meals, parking or transportation;

(B) an individual in a job training program where job training and classroom instruction is being provided to clients in order to develop new specialized skills for employment and the individual would be considered a client of the program even though the individual receives compensation;

(C) an individual employed in public construction work that is subject to the provisions of state or federal law pertaining to wage rates for public works employment;

(D) employees covered by a collective bargaining agreement or the Railway Labor Act;

(E) employees of commercial retail establishments;

(F) persons not employed in the State of Ohio;

(G) persons under eighteen (18) years of age;

(H) employees of residential/single and multi-family housing projects;

(I) persons employed by a Covered Employer who, on average, work less than thirty (30) hours per week, other than seasonal employees employed by the City of Cleveland.

(e) "Covered Employer" means the following:

(1) Any person or entity that is a Recipient of Assistance from the City that has an aggregate value at least \$75,000 that has not been granted an exemption from this Chapter pursuant to Section 189.06 and is either:

(A) a for-profit employer having at least twenty (20) employees at the time of execution of agreement with the City;

(B) a not-for-profit employer of having at least 50 employees at the time of execution of agreement with the City and the salary ratio between the highest paid and lowest paid employees at such not-for-profit is more than five (5) to one (1).

As used in this division, "aggregate value" means the actual dollar benefit received from Assistance over the term of the Assistance.

(2) Any company or person that is a tenant or leaseholder of a Recipient of Assistance and that occupies property or uses equipment or property that is improved or developed as a result of Assistance; and is either:

(A) a for-profit employer of having at least twenty (20) employees at the time of execution of agreement with the City;

(B) a not-for-profit employer having at least 50 employees at the time of execution of agreement with the City and if the salary ratio between the highest paid and lowest paid employees at such not-for-profit is more than five (5) to one (1).

(3) A contractor or subcontractor of a Recipient of Assistance providing service in the project or matter for which the Recipient of Assistance has received Assistance.

(4) Any person or entity that has entered into one or more Service Contracts, as defined in this section,

with the City that have an aggregate value of at least \$25,000, that has not been granted an exemption from this chapter pursuant to Section 189.06 and is either:

(A) a for-profit employer of having at least twenty (20) employees at the time of execution of agreement with the City;

(B) a not-for-profit employer having at least 50 employees at the time of execution of agreement with the City and if the salary ratio between the highest paid and lowest paid employees at such not-for-profit is more than five (5) to one (1).

Any Subcontractor of a covered Service Contractor performing services pursuant to the Service Contract.

(f) "Fair Employment Wage" has the meaning stated in Section 189.02 of this Ordinance.

(g) "Fair Employment Wage Board" ("FEWB") has the meaning stated in Section 189.04 of this Ordinance.

(h) "Person" means any individual, proprietorship, partnership, joint venture, corporation, limited liability company, trust, association or other entity that may employ individuals or enter into contracts and all other entities recognized at law by the State of Ohio.

(i) "Recipient of Assistance" means:

(1) Any person or entity who enters into one or more contracts with the City for Assistance, as defined in this section;

(2) Any person or entity that is a direct recipient of Assistance, as defined in this section;

(j) "Service Contract" means any contract or subcontract between a person, business or corporation and the City of Cleveland that primarily involves the furnishing of services to the City (as opposed to the purchase of goods or other property or the leasing of property), and shall be limited to the following categories of services: food service, janitorial, security services, parking lot attendants, home health care, health care aides, waste management, automotive repair services, landscaping, towing contracts, building and maintenance services, carpentry, clerical services, urban forestry, housekeeping, street maintenance and repair, and sidewalk maintenance and repair. This includes services performed on City-owned premises including the following City-owned locations: airports, parking lots, municipal parks, recreational facilities, and City-owned buildings. Contracts that are primarily for the purchase of goods or other property are not considered Service Contracts for purposes of this Chapter.

(k) "Service Contractor" means a person who enters into a Service Contract with the City.

(1) "Subcontractor" means any person who enters into a contract with a Service Contractor that is a Covered Employer under subsection (e)(2) of this section to assist the Service Contractor in performing a City Service Contract.

**Section 189.02 Fair Employment Wage**

All Covered Employers shall pay no less than the Fair Employment Wage to Covered Employees. Determination of the Fair Employment Wage shall be in accordance with the following:

(a) Amount of Fair Employment Wage:

(1) The Fair Employment Wage shall be calculated on an hourly basis and shall be at least \$8.20 per hour beginning January 1, 2001; \$8.70 beginning October 1, 2001; and \$9.20 beginning October 1, 2002. Thereafter, the Fair Employment Wage shall be adjusted by the City of Cleveland on an annual basis, beginning October 1, 2003 and each year thereafter in proportion to the Consumer Price Index for Northeast Ohio, as published by the Bureau of Labor Statistics, U.S. Department of Labor.

(2) Tipped employees, i.e., employees for whom a substantial portion of their compensation consists of tips or gratuities, shall be paid an hourly wage which, when combined with the compensation received in tips, will at least equal the Fair Employment Wage.

(b) All employees working for the City shall be paid at least a Fair Employment Wage. Work being performed by City employees at the time of the effective date of this Chapter may not be contracted out unless the contractor pays employees performing that work the Fair Employment Wage or the current wages and benefits being paid to workers doing that or similar work, whichever is higher, regardless of the number of employees.

(c) Any new jobs created by the City that are not currently being performed by City employees as of the effective date of this ordinance must be paid a fair employment wage if contracted out, regardless of the number of employees.

(d) Health Care Incentives:

(1) In order to encourage Covered Employers to provide reasonable health care coverage to their employees, the City shall provide the following incentives to Covered Employers:

(A) Applicable Departments shall consider the fact that a Service Contractor provides or agrees to provide during the course of the Service Contract reasonable health care insurance to Covered Employees working 30 or more hours a week as a factor in determining the lowest and best or lowest responsible bid for any Service Contract. If a Service Contractor can demonstrate that it has offered reasonable health care insurance to its employees but as a group the employees have refused the health care insurance coverage, the Service Contractor is entitled to the same consideration and treatment in the bidding process as a Service Contractor who provides or agrees to provide reasonable health care insurance. The Division of Purchases and Supplies shall promulgate regulations for the evaluation of bids and proposals that provide for meaningful consideration of the offering of reasonable health care insurance in determining the lowest and best or lowest responsible bid. Such regulations must be reviewed and approved by Cleveland City Council.

(B) Applicable Departments shall offer additional financial incentives to Recipients of Assistance who will provide reasonable health care insurance to their Covered Employees working 30 or more hours a week during the term of the contract for Assistance. Examples of such incentives include: more favorable terms for a loan, such as a lower interest rate; a higher percentage of taxes to be credited or

abated; a higher amount for a grant, etc. Whether or not such incentives have been offered; the reasons for offering or not offering such incentives; the terms of such incentives, if offered; and any evidence of the intent of the proposed Recipient of Assistance to provide reasonable health care insurance shall be a part of the information provided by the Applicable Department to Cleveland City Council for consideration in connection with any ordinance authorizing a contract for Assistance.

(2) In order to qualify a Covered Employer for an incentive as provided in the previous section, the reasonable health care insurance provided to employees must be comparable to a family health care insurance plan provided by the City to its employees.

(3) Evidence of the offer or provision or the intent to provide or offer reasonable health care insurance benefits qualifying a Covered Employer for such incentives shall be submitted to the Applicable Department upon request.

#### **Section 189.03 Compliance**

(a) All bids, proposals and applications for City Service Contracts or for Assistance shall contain the following:

(1) the number of persons employed by the applicant for a service contractor or assistance and, if different, the number of persons who will be employed if the applicant obtains the contract;

(2) whether the employer provides or offers to provide health care insurance for its employees and the basic outlines of any health care plan;

(3) a sworn declaration signed by a duly authorized officer of a Covered Employer stating that the applicant will comply with the requirements of this Ordinance.

(4) as to any applicant awarded a contract for Assistance, such information will be provided to City Council for consideration in connection with any ordinance authorizing such contract. The information will be maintained in the Council legislative file for the ordinance and shall be provided by the Applicable Department to the Fair Employment Wage Board.

(5) As to any applicant awarded a service contract, the following information shall be provided to the Clerk of City Council; amount of the contract, name of the contractor, service to be provided, and a sworn affidavit stating that all covered employees are being paid a Fair Employment Wage.

(b) All City Service Contracts and Assistance Agreements subject to this Chapter shall contain the following language:

This agreement is subject to the City of Cleveland Fair Employment Wage Chapter 189 of the Codified Ordinances and requires, among other things, that unless specific exemptions apply, Covered Employers, as defined, under contracts with the City and recipients of City financial assistance, as defined, shall provide payment of a minimum level of compensation to employees. Failure to comply with that Chapter and/or any implementing regulations may result in termination of the contract or debarment from future contracts or financial assistance.

(c) Maintenance of Payroll Records

Each Covered Employer shall maintain payrolls for all Covered Employees and basic records related thereto and shall preserve them for a period of three years following termination of the Covered Employer's agreement with the City. The records shall contain the following for each Covered Employee:

(1) his or her name and address, job title and classification;

(2) the number of hours worked each day, gross wages earned, deductions made, and net wages paid;

(3) a record of contributions to health care plans; and

(4) any such other data the Applicable Department or Cleveland City Council may require.

(d) Access

Upon demand by the Applicable Department, Covered Employers shall provide to such department access to the Payroll Records required to be maintained by this section, and will permit representatives of such department to observe work being performed upon the work site and to interview employees as deemed necessary by the department to monitor compliance or to investigate a charge of noncompliance with the terms of this Chapter.

(e) Notice Requirements

(1) Covered Employers shall be required to provide notice to Covered Employees of their rights arising from this Chapter. The notice will be provided by the FEWB and must be posted in a conspicuous place frequented by Covered Employees in the Covered Employer's workplace(s).

(2) Covered Employers shall inform employees making less than twelve dollars (\$12.00) per hour, or such amount as may be modified from time to time by federal law, of their possible right to the federal Earned Income Credit ("EIC") under § 32 of the Internal Revenue Code of 1954, 26 U.S.C. § 32, as may be amended from time to time, and shall make available to employees forms informing them about the EIC and forms required to secure advance EIC payments from the employer within 30 days of employment. The forms shall be provided to the eligible employees in English, Spanish and other languages spoken by a significant number of employees.

(3) Covered employer shall establish a goal that at least 40% of persons newly hired to perform work on service contracts or contracts receiving Assistance shall be residents of the City of Cleveland.

(f) Compliance with Federal Labor Laws.

Covered Employers must comply with all applicable federal labor laws, including the National Labor Relations Act.

#### **Section 189.04 Fair Employment Wage Board**

(a) The Fair Employment Wage Board (FEWB) shall review the effectiveness of the living wage ordinance to ensure that the community is informed on whether those companies that are receiving public assistance, government loans, and service contracts from the City are adhering to the ordinance. The FEWB shall make recommendations to the Cleveland City Council, when appropriate, regarding issues pertaining to the living wage policy.

(b) The FEWB shall be composed of two representatives from the business community, two representatives from labor organizations, one representative from community groups, one representative from the Mayor's office and one representative from Cleveland City Council. The FEWB members shall be appointed to the FEWB by the Mayor, subject to the approval of City Council. Each FEWB member shall be a resident of the City of Cleveland. No person shall be appointed to the Fair Employment Wage Board who has any interest in a contract, loan, grant or other financial assistance from the City of Cleveland.

(c) The Mayor shall initially appoint three members of the FEWB for one-year terms, two members to two-year terms, and two members for a three-year term. Thereafter, all members shall serve three-year terms. Members may serve more than one term.

(d) At the beginning of each year the FEWB members shall elect a chairperson and vice chairperson by majority vote. The FEWB shall hold meetings quarterly and in special sessions as called by the chairperson or by a majority of the members. All meetings of the FEWB shall be open to the public. All meetings will allow for public testimony on compliance with the Fair Employment Wage Chapter and minutes of all meetings shall be taken.

(e) The FEWB shall be provided with and shall review:

(1) All reports on compliance filed by Applicable Departments as provided by this Chapter;

(2) The results of any investigations of Covered Employers as provided by this Chapter;

(3) All applications for exemptions from coverage filed by recipients of Assistance and Service Contractors as provided by this Chapter.

The FEWB shall provide recommendations regarding such matters to City Council.

(f) The FEWB shall monitor, analyze and study information provided by the City to ensure that Covered Employees whose employers are receiving incentives for the offer or provision of health care insurance are receiving or being offered substantially equivalent health care benefits as are provided to City employees.

#### **Section 189.05 Monitoring and Enforcement**

(a) Monitoring and Reporting

(1) Assistance. Semi-annually the Applicable Department shall inspect the Payroll Records of each Covered Employer receiving Assistance to determine whether the Covered Employer is in compliance with the requirements of this Chapter. Semi-annually, the Applicable Department shall file a report with the Fair Employment Wage Board and with the Clerk of City Council stating whether each Covered Employer receiving Assistance inspected by the Department within the preceding six months is in compliance and, if not, the specific reasons that cause the determination of noncompliance.

(2) Service Contracts. As to Service Contractors who are Covered Employers, enforcement of the provisions of this Chapter will primarily depend on charges of noncompliance filed by Covered Employees

who will have been informed of their rights through posting of the notice of such rights and such other educational efforts as may be undertaken by the FEWB. Such charges will result in investigations by the Applicable Department, as described below.

(b) Any person, including a Covered Employee who alleges that his or her employer is not complying with the requirements of this Chapter, may allege that a violation of this section has occurred by filing a charge of noncompliance with the Applicable Department within 180 days of the alleged violation or knowledge thereof. Such charge shall state, in writing and under oath, the name and address of the person making the charge, the name and address of the employer(s) alleged to have committed the violation of this Chapter and the particular facts thereof and such other information as may be required. Upon the filing of a charge of noncompliance, the Applicable Department shall acknowledge the receipt of the charge, and shall forward the charge to the Clerk of Council. A copy of the charge shall also be forwarded to the FEWB.

(c) Investigations. The Applicable Department shall initiate an investigation to determine whether a violation of this Chapter has occurred under any of the following circumstances:

(1) Upon receiving a charge of noncompliance;

(2) If the Department's review of information maintained or reported by a Covered Employer indicates that the Covered Employer may have violated this Chapter;

(3) The Department has other reason to believe that a Covered Employer may have violated this Chapter.

(d) Any investigation shall be completed within thirty days of the occurrence triggering the investigation. To the extent permitted by law, the City shall not make public in any manner and shall retain as confidential all information obtained as a result of the preliminary investigation. At the completion of the investigation, the Director of the Applicable Department shall take one of the following actions:

(1) Notify the charging party, if any, the FEWB and the Covered Employer that it is not probable that a violation of this Chapter has been or is being engaged in and that a complaint will not issue in the matter; or

(2) Notify the charging party, if any, the FEWB and the Covered Employer that it is probable that a violation of this Chapter has occurred, initiate a complaint against the Covered Employer and schedule it for informal methods of conciliation pursuant to Division (e) of this Section.

(e) Conciliation. If the investigation leads to a finding by the Director of the Applicable Department of probable cause to believe that a Covered Employer is in noncompliance with this Chapter, the Director shall attempt to conciliate the matter. The Director shall send out notice to the Covered Employer(s), the affected Covered Employee(s) and to the FEWB with a time and date set for the conciliation meeting. The conciliation meeting must be scheduled to occur within fifteen working days of completion of the investigation, though for good cause shown

it can be rescheduled. If the investigation resulted from a filed charge of noncompliance, a conciliation agreement may be not be entered without the consent of both the Covered Employer and the charging party. If the investigation was initiated by the Applicable Department on its own, the Director has authority to enter into a conciliation agreement.

(f) Hearing. If conciliation does not result in a settlement of the complaint, the Director of the Applicable Department shall appoint a Hearing Officer to conduct a hearing on the complaint. Any Hearing Officer shall be either a member of Ohio's Judiciary or an attorney licensed to practice in Ohio. The Hearing Officer shall schedule a hearing with a 30-day notice of the hearing provided to the Covered Employer, Covered Employee(s) or other charging parties, if any, the Clerk of City Council and the FEWB. In conducting such hearings, the Hearing Officer shall be empowered to subpoena witnesses, compel their attendance, administer oaths, take sworn testimony and require the production for examination of any documents relating to the complaint.

(g) After the conclusion of the hearing, the Hearing Officer shall report his or her findings to the Director within fifteen (15) days. The Director may adopt, reject or modify the findings of the Hearing Officer. Within seven days after receipt of the findings of the Hearing Officer, the Director shall render a decision in the form of a written order which shall include findings of fact, a statement as to whether the Covered Employer has violated this Chapter and such remedial actions as the Director may order. The order shall be served upon the parties by certified mail within fifteen (15) days of the date of the decision. A copy of the decision shall be provided to the FEWB and the Clerk of City Council.

(h) Appeals

Any Covered Employer or Employee who objects to any decision of the Director of the Applicable Department relative to enforcement of this Chapter may appeal such decision to the Common Pleas Court or as otherwise provided by law.

(i) Sanctions

Any covered employer found not to be in compliance with the provisions of this Chapter or who has submitted false or fraudulent information may be subject to one or more of the following sanctions imposed by the City of Cleveland:

(1) Withholding of payments, either in whole or in part, until the Covered Employer cures the default or is in full compliance with this chapter.

(2) Termination, suspension or cancellation of the contract in whole or in part.

(3) Denial of the right of the Covered Employer to bid on future contracts for no more than five (5) years after the violation is found.

(4) In the case of Assistance, to refund any sums disbursed by the City.

(5) The filing of a complaint with any pertinent federal agency.

No remedy set forth in this Chapter is intended to be exclusive or a prerequisite for asserting a claim for relief to enforce any rights granted under this chapter in a court of law.

(j) Retaliation and Discrimination Barred. During the term of the contract, a Covered Employer shall not discharge, reduce the compensation or otherwise discriminate against any employee for making a complaint to the City or otherwise asserting his or her rights under this chapter, participating in any of its proceedings or using any remedies to enforce his or her rights under this Chapter. A person who believes he or she has been retaliated against in violation of this section may file a charge of noncompliance with the Clerk of City Council, as provided in subsection (b) of this section. Such charge shall be processed, investigated and, if necessary, conciliated and heard according to the procedure set forth in this. If, after a hearing, the allegations of retaliation are found to be true, the Director of the Applicable Department shall order appropriate sanctions, including the denial of the right to bid on future City contracts for a specified time period, as provided in subsection (i) of this section.

(k) This Chapter shall not prevent the City or any person from exercising any right or seeking any remedy to which that person might otherwise be entitled, or from filing any complaint with any other agency or court of law or equity.

(l) No criminal penalties shall attach for any violation of this Chapter.

#### **Section 189.06 Exemptions**

##### **(a) Construction and Prevailing-Wage Exemption**

Nothing in this chapter shall apply to jobs in public construction work that are subject to federal and/or state law pertaining to wage rates or covered by prevailing wage agreements or collective bargaining agreements.

##### **(b) Granted Exemptions**

(1) Cleveland City Council may, through passage of legislation, grant a partial or whole exemption from the requirements of this Chapter on the following grounds:

(A) A hardship exemption for otherwise Covered Employers that can demonstrate a specific, particular harm that would be felt uniquely by the Covered Employer if this chapter were to be applied. Economic harm alone will not suffice to demonstrate hardship unless it is of a type that would not affect any other actual competitor for the contract, subcontract or lease. The following types of specific particular harm may provide grounds for a hardship exemption:

(i) a loss of profitability that will result in the elimination of jobs;

(ii) a loss in profits that will substantially impact the Covered Employer's long-term stability;

(iii) as to not-for-profit community or social service agencies or organizations, a substantial hindrance in the ability to deliver service.

(2) Procedures. Application for an exemption shall be made to the Applicable Department. If the need for the exemption is known to the applicant at the time it applies or during the term of the contract for a Service Contract or Assistance, the application for the exemption should be submitted with the application for the Service or Assistance Contract.

(A) The Director of the Applicable Department shall review and make a determination on the application within ten (10) days and respond to the applicant in writing, setting forth the reasons for the determination.

(i) Notice of the request for an exemption shall be forwarded to the Fair Employment Wage Board and the Clerk of Cleveland City Council.

(ii) A copy of the Director's determination regarding the application for the hardship exemption shall be forwarded to the Fair Employment Wage Board and the Clerk of Cleveland City Council.

(B) Should the exemption be recommended by the Director, the Director shall cause legislation to be drafted and acted upon by Cleveland City Council granting the exemption. At such time, the Director shall forward to Council along with the recommendation all supporting documents and other materials, including those supplied by the applicant for the exemption, as provided in the next section. If the exemption is recommended and Council adopts the recommendation before the Service or Assistance contract is entered into, the legislation authorizing such contract shall include a provision granting the exemption.

(3) Contents of Exemption Request

(A) Hardship Exemption requests shall include:

(i) the lower wage to be paid by the Covered Employer;

(ii) a detailed explanation of how the payment of the Fair Employment Wage will cause particular harm; and

(iii) supporting financial statements and/or other documents.

#### **Section 189.07 Evaluation**

After a three (3) year period from the effective date of this ordinance, an evaluation on the impact of this ordinance shall be done. The Mayor, City Council, and the FEWB shall decide on who shall perform the evaluation and the scope of the evaluation. After one (1) year following the effective date of this ordinance, Cleveland City Council shall hold a hearing for the purpose of reviewing this legislation.

#### **Section 189.08 Severability**

In the event any provision of this Chapter is held unconstitutional or invalid or unenforceable by any court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other provision hereof.

#### **Section 189.09 Effective Date**

The Fair Employment Wage Ordinance shall be effective on January 1, 2001.

**Section 2.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Without objection, substitute Ordinance agreed to, Ordinance No. 2009-99 Laid on the Table.

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

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

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

##### **Ord. No. 1121-2000.**

**By Councilman Britt.**

**An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Buckeye Area Development Corporation for a comprehensive market study analysis of the Buckeye Corridor in Ward 6 through the use of Ward 6 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 Buckeye Area Development Corporation for a comprehensive market study analysis of the Buckeye Corridor in Ward 6.

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

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

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

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

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

##### **Ord. No. 1122-2000.**

**By Councilman Britt.**

**An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Fairfax Renaissance Development Corporation for the demolition of a six unit multi-family building at 2245 East 97th Street through the use of Ward 6 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 Fairfax Renaissance Development Corporation for the demolition of a six unit multi-family building at 2245 East 97th Street.

**Section 2.** That the cost of said contract shall be in an amount not to exceed \$40,000 and shall be paid from Fund No. 10 SF 166.

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

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

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

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

**Ord. No. 1123-2000.**

**By Councilman Britt.**

**An emergency ordinance authorizing the Director of Community Development to enter into an agreement with the Cleveland Comanche football program to provide funding to fully equip thirty-five (35) children to participate in the Independent Inner City Youth Football Program through the use of Ward 16 Neighborhood Equity Funds.**

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

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

**Section 1.** That the Director of Community Development is authorized to enter into an agreement with the Cleveland Comanche football program to provide funding to fully equip thirty-five (35) children to participate in the Independent Inner City Youth Football Program.

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

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

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

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

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

**Ord. No. 1124-2000.**

**By Councilman Britt.**

**An emergency ordinance authorizing the Director of Community Development to enter into an agreement with East End Neighborhood House for necessary improvements to the security windows and heating and cooling system for their building located at 2749 Woodhill Road through the use of Ward 6 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 East End Neighborhood House for necessary improvements to the security windows and heating and cooling system for their building located at 2749 Woodhill Road.

**Section 2.** That the cost of said contract shall be in an amount not to exceed \$19,049 and shall be paid from Fund No. 10 SF 166.

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

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

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

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

**Ord. No. 1125-2000.**

**By Councilman Britt.**

**An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Buckeye Area Development Corporation for the installation of curbs and yard lamps along Hulda Avenue in Ward 6 through the use of Ward 6 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 Buckeye Area Development Corporation for the installation of curbs and yard lamps along Hulda Avenue in Ward 6.

**Section 2.** That the cost of said contract shall be in an amount not to exceed \$111,000 and shall be paid from Fund No. 10 SF 166.

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

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

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

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

**Ord. No. 1126-2000.**

**By Councilman Cimperman.**

**An emergency ordinance authorizing and directing the Director of Parks, Recreation and Properties to establish an equalized rent structure for all interior tenants of the West Side Market.**

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

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

**Section 1.** That notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976 to the contrary, the Director of Parks, Recreation and Properties shall establish an equalized rent structure for all interior tenants of the West Side Market beginning no later than January 1, 2001 or such earlier date as a new lease(s) is to be effective. Such proposed rent schedule for the West Side Market shall be submitted in the form of legislation no later than October 1, 2000 for review, approval and modification, if necessary, by Council.

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

**Ord. No. 1127-2000.**

**By Councilman Cimperman.**

**An emergency ordinance authorizing the Director of Public Service to issue a permit to Gene Hickerson's at the Hanna (restaurant), to encroach into the public right-of-way of Euclid Avenue with a seasonal outdoor sidewalk cafe, fencing, and other associated equipment.**

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

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

**Section 1.** That the Director of Public Service hereby is authorized to issue a permit, revocable at the will of Council, and assignable by the Permittee with the written consent of the Director of Public Service to Gene Hickerson's at the Hanna (restaurant), 1422 Euclid Avenue, Cleveland, Ohio 44115, for the construction, use and maintenance of a seasonal outdoor sidewalk cafe, fencing, and other associated equipment, which will encroach into the public right-of-way of Euclid Avenue at the location more fully described as follows:

LEGAL DESCRIPTION/PROPOSED ENCROACHMENT AREA GENE HICKERSON'S AT THE HANNA RESTAURANT/WITHIN R/W EUCLID AVE.

Situated in the City of Cleveland, County of Cuyahoga and the State of Ohio and known as being an encroachment area within the right-of-way of Euclid Avenue (99.00 feet wide), bounded and described as follows:

Commencing on the southerly line of Euclid Avenue at the Northeast-erly corner of a parcel of land conveyed to PSC Hanna Building LLC, by deed recorded in AFN.199908241362 of Cuyahoga County Deed Records, thence South 81°-26'-49" West, 16.00 feet to the place of beginning;

Course No. 1: Thence South 81°-26'-49" West along said southerly line of Euclid Avenue, 42.00 feet to a point;

Course No. 2: Thence North 8°-33'-11" West along a line drawn perpendicular to said southerly line of Euclid Avenue, 9.00 feet to a point;

Course No. 3: Thence North 81°-26'-49" East along a line drawn parallel with and distant 9.00 feet northerly by rectangular measurement from said Euclid Avenue, 42.00 feet to a point;

Course No. 4: Thence South 8°-33'-11" East along a line drawn perpendicular to said southerly line of Euclid Avenue, 9.00 feet to the place of beginning, containing 378 square feet of land, according to a survey by Garrett and Associates, Inc., Registered Engineers & Surveyors, made in June, 2000, be the same more or less.

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

**Section 2.** That said outdoor seasonal sidewalk cafe, fencing, and other associated equipment will be placed within the public right-of-way as aforesaid in Section 1, and will be constructed in accordance with plans and specifications approved by the Commissioner of Engineering and Construction. That all other required permits, including a building Permit, shall be obtained before said cafe restaurant, etc is constructed.

**Section 3.** That the permit herein authorized shall be prepared by the Director of Law and shall be issued only when, in the opinion of the Director of Law, the City of Cleveland has been properly indemnified against any and all loss which may result from said permit.

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

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

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

**Ord. No. 1128-2000.**

**By Councilman Britt.**

**An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the Western Reserve Historical Society to stretch one banner on Euclid Avenue by using utility poles (by separate permission) for the period of June 26, 2000 to July 31, 2000, inclusive publicizing their special event.**

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

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

**Section 1.** That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio 1976, the Director of Public Service is hereby authorized and directed to issue a permit to the Western Reserve Historical Society, 10825 East Boulevard, Cleveland, Ohio 44106, to install, maintain and remove one (1) banner to be stretched on Cleveland Public Power utility poles, (by separate permission) publicizing their special event for the period of June 26, 2000 to July 31, 2000 inclusive, on the following poles locations: the 1st pole East of Chester Avenue (N), Pole Number Q07-8; and the 1st pole East of Chester Avenue (S), Pole Number Q07-44, and which pole locations and 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.

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

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

**Ord. No. 1129-2000.**

**By Councilman Cimperman.**

**An emergency ordinance authorizing the Director of Public Service to issue a permit to Creative Culinary Enterprises, Inc., dba Sanctuary Diner to encroach into the right-of-way of West 6th Street with a seasonal outdoor sidewalk cafe, fencing and other related equipment.**

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

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

**Section 1.** That the Director of Public Service hereby is authorized to issue a permit, revocable at the will of Council, and assignable by the Permittee with the written consent of the Director of Public Service to Creative Culinary Enterprises, Inc., aka GLAM Ltd. LLC, dba Sanctuary Diner, 1225 West 6th Street, Cleveland, Ohio 44113, for the construction, use and maintenance of an outdoor seasonal sidewalk cafe, fencing including a six (6) foot hinged gate for Fire Department access and other related equipment, which will encroach into the public right-of-way of West 6th Street at the location more fully described as follows:

**LEGAL DESCRIPTION/ENCROACHMENT AREA/SANCTUARY DINER'S CAFE**

Situated in the City of Cleveland, County of Cuyahoga and the State of Ohio and described as follows:

Commencing at the intersection of the Southerly line of West Lakeside Avenue N.W. (99.00 feet wide) with the Easterly line of West 6th Street (99.00 feet wide);

Thence Southerly along the Easterly line of said West 6th Street about 66.00 feet to the place of beginning;

Thence Westerly at a right angles to the last described line about 8.00 feet to a point;

Thence Southerly and parallel with the Easterly line of said West 6th Street about 94.00 feet to a point;

Thence Easterly at right angles to the last described line about 8.00 feet to the Easterly line of West 6th Street as aforesaid;

Thence Northerly along said line to the place of beginning.

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

**Section 3.** That this permit herein authorized shall be prepared by the Director of Law and shall be issued only when in the opinion of the Director of Law, the City of Cleveland has been properly indemnified against any and all loss which may result from said permit.

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

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

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

**Ord. No. 1130-2000.**

**By Councilman Cimperman.**

**An emergency ordinance authorizing the Director of Public Service to issue a permit to Joseph Santosuosso, dba Johnny's Downtown and Johnny's Bistro to encroach into the right-of-way at 1400 and 1406 W. 6th St. with a seasonal sidewalk cafe, wooden planters, and metal railing enclosures.**

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

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

**Section 1.** That the Director of Public Service hereby is authorized to issue a permit, revocable at the will of Council, and assignable by the Permittee with the written consent of the Director of Public Service to Joseph Santosuosso, dba Johnny's Downtown and Johnny's

Bistro, 1400 and 1406 West 6th Street, Cleveland, Ohio 44113, for the construction, use and maintenance of an seasonal outdoor sidewalk cafe, wooden planters and metal railings enclosure, which will encroach into the public right-of-way of West 6th Street at the location more fully described as follows:

**LEGAL DESCRIPTION/PROPOSED ENCROACHMENT AREA/WEST 6TH STREET/FOR JOHNNY'S DOWNTOWN AND JOHNNY'S BISTRO/SEASONAL SIDEWALK CAFE**

Situated in the City of Cleveland, County of Cuyahoga and the State of Ohio and described as follows:

Beginning on the Westerly line of West 6th Street (99.00 feet wide) at its intersection with the Northerly line of Frankfort Avenue (33.00 feet wide);

Thence Easterly along the Easterly prolongation of Frankfort Avenue, 6.79 feet to a point;

Thence Northerly and parallel with the Westerly line of West 6th Street about 40.00 feet to a point;

Thence Easterly at right angles to the last described line about 1.71 feet to a point;

Thence Northerly and parallel with the Westerly line of West 6th Street about 45.00 feet to a point;

Thence Westerly at right angles to the last described line about 8.00 feet to the Westerly line of West 6th Street;

Thence Southerly along the Westerly line of West 6th Street to the place of beginning.

**Section 2.** That said seasonal outdoor sidewalk cafe, wooden planters and metal railings enclosure will be placed within the public right-of-way as aforesaid in Section 1, and will be constructed in accordance with plans and specifications approved by the Commissioner of Engineering and Construction. That all other required permits, including a Building Permit, shall be obtained before said sidewalk cafe, wooden planters and metal railings enclosure is constructed.

**Section 3.** That this permit herein authorized shall be prepared by the Director of Law and shall be issued only when in the opinion of the Director of Law, the City of Cleveland has been properly indemnified against any and all loss which may result from said permit.

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

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

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

**Ord. No. 1131-2000.**  
**By Councilman Cimperman.**  
**An emergency ordinance authorizing the Director of Community Development to enter into an agreement with the Broadway School of Music & the Arts for providing funding for future community art programs through the use of Ward 13 Neighborhood Equity Funds.**

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

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

**Section 1.** That the Director of Community Development is authorized to enter into an agreement with the Broadway School of Music & the Arts for providing funding for future community art programs.

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

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

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

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

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

**Ord. No. 1132-2000.**  
**By Councilman Cimperman.**  
**An emergency ordinance authorizing the Director of Community Development to enter into an agreement with St. Clair Superior Neighborhood Development Association for operating expenses through the use of Ward 13 Neighborhood Equity Funds.**

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

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

**Section 1.** That the Director of Community Development is authorized to enter into an agreement with St. Clair Superior Neighborhood Development Association for operating expenses.

**Section 2.** That the cost of said contract shall be in an amount not to exceed \$80,000 and shall be paid from Fund No. 10 SF 166.

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

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

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

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

**Ord. No. 1133-2000.**  
**By Councilman Cimperman.**  
**An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Cuyahoga Metropolitan Housing Authority (CMHA) for the purchase of exercise equipment for Riverview Towers and tables and chairs for the Lakeview Community Center through the use of Ward 13 Neighborhood Equity Funds.**

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

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

**Section 1.** That the Director of Community Development is authorized to enter into an agreement with Cuyahoga Metropolitan Housing Authority (CMHA) for the purchase of exercise equipment for Riverview Towers and tables and chairs for the Lakeview Community Center.

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

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

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

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

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

**Ord. No. 1134-2000.**  
**By Councilman Johnson.**  
**An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Amistad Development Corporation to provide funding for the Clean Sweep Vacant Lot Program and to purchase equipment through the use of Ward 4 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 Amistad Development Corporation to provide funding for the Clean Sweep Vacant Lot Program and to purchase equipment.

**Section 2.** That the cost of said contract shall be in an amount not to exceed \$185,886 and shall be paid from Fund No. 10 SF 166.

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



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

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

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

**Ord. No. 1135-2000.**

**By Councilman Melena.**

**An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Detroit Shoreway Community Development Organization for partial financing of the EcoVillage Townhouse Development on West 58th Street through the use of Ward 17 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 Detroit Shoreway Community Development Organization for partial financing of the EcoVillage Townhouse Development on West 58th Street.

**Section 2.** That the cost of said contract shall be in an amount not to exceed \$50,000 and shall be paid from Fund No. 10 SF 166.

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

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

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

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

**Ord. No. 1136-2000.**

**By Councilman Melena.**

**An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to Our Lady of Mt. Carmel Catholic Church West to stretch one banner on Detroit Avenue using utility poles (by separate permission) for the period of June 19, 2000 to July 18, 2000, inclusive, publicizing their annual 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 notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio 1976, the Director of Public Service is hereby authorized and directed to issue a permit to Our Lady of Mt. Carmel Catholic Church West, 6928 Detroit Avenue, Cleveland, Ohio, to install, maintain and remove one (1) banner to be stretched on Cleveland Public Power utility poles, (by separate permission) publicizing their annual church festival for the period of June 19, 2000 to July 18, 2000 inclusive, on the following poles locations: Pole Numbers TT-140 and 348-38 at approximately 6928 Detroit Avenue (in front of the church), and which pole locations and 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.

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

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

**Ord. No. 1137-2000.**

**By Councilman Polensek.**

**An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Northeast Shores Development Corporation to provide funding in order to promote the sale of four townhouses by using second mortgage financing as an incentive through the use of Ward 11 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 Northeast Shores Development Corporation to provide funding in order to promote the sale of four townhouses by using second mortgage financing as an incentive.

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

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

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

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

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

**Ord. No. 1138-2000.**

**By Councilman Polensek.**

**An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Northeast Shores Development Corporation for providing lawn maintenance services on vacant properties through the use of Ward 11 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 Northeast Shores Development Corporation for providing lawn maintenance services on vacant properties.

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

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

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

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

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

**Ord. No. 1139-2000.**

**By Councilmen Polensek, Brady, Britt, Cimperman, Cintron, Coats, Dolan, Gordon, Jackson, Johnson, Jones, Lewis, Melena, O'Malley, Patmon, Robinson, Rybka, Sweeney, Westbrook, White and Willis.**

**An emergency ordinance to amend Section 621.03 of the Codified Ordinances of Cleveland, Ohio, 1976 to increase the penalty for assault upon a taxicab driver.**

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 621.03 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 2057-A-99, passed April 17, 2000, is hereby amended to read as follows:

**Section 621.03 Assault**

(a) No person shall knowingly cause or attempt to cause physical harm to another.

(b) No person shall recklessly cause serious physical harm to another.

(c) Whoever violates this section is guilty of assault, a misdemeanor of the first degree.

(d) Notwithstanding the provisions of division (c) of this section, if the sentencing court determines that the victim of the offense was any of the following:

(1) an official or employee of the Cleveland City School District or the City of Cleveland; or

(2) a member of the City's Auxiliary Police Force; or

(3) a school crossing guard or his or her alternate; or

(4) a volunteer working on school property, whether public or private, or at a City-owned recreation center;

or  
(5) a taxicab driver licensed under Chapter 443 of the Codified Ordinances;

and the court further determines that the victim was performing his or her official duties at the time of the offense, the court shall set the offender's fine at \$1,000.00 and in addition to said fine shall sentence the offender to not less than sixty (60) days' and not more than six (6) months' imprisonment. The minimum fine and imprisonment to be imposed by the court pursuant to this division (d) are mandatory. The court shall not suspend all or any portion of said fines and imprisonment.

(e) Notwithstanding the provisions of division (c) of this section, if the sentencing court determines that the victim of the offense was a child between the ages of six and seventeen and was in attendance in a facility owned by the Cleveland City School District at the time of the offense, the court shall set the offender's fine at \$1,000.00 and, in addition to said fine, shall sentence the offender to not less than sixty (60) days' and not more than six (6) months' imprisonment. The minimum fine and imprisonment to be imposed by the court pursuant to this division (d) are mandatory. The court shall not suspend all or any portion of said fines and imprisonment.

(f) This section does not apply where the offense constitutes a felony pursuant to Section 2903.13 of the Revised Code.

**Section 2.** That existing Section 621.03 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 2057-A-99, passed April 17, 2000, 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 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

**Ord. No. 1140-2000.**

**By Councilmen Robinson, Jones, White, Johnson, Jackson, Britt, Willis, Coats, Polensek, Gordon, Westbrook, Brady and Sweeney.**

**An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Murtis H. Taylor Multi-Service Center for their African-American picnic through the use of Ward 1, 2, 3, 4, 5, 6, 9, 10, 11, 15, 18, 19 and 20. 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 Murtis H. Taylor Multi-Service Center for their African-American picnic.

**Section 2.** That the cost of said contract shall be in an amount not to exceed \$35,500 and shall be paid from Fund No. 10 SF 166.

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

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

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

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

**Ord. No. 1141-2000.**

**By Councilmen Rybka, Jones, White, Jackson, Britt, Cimperman, Gordon, O'Malley, Brady, Sweeney and Dolan.**

**An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Cuyahoga River Remedial Action Plan for their summer internship program through the use of Ward 1, 2, 5, 6, 12, 13, 15, 16, 19, 20 and 21. Neighborhood Equity Funds.**

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

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

**Section 1.** That the Director of Community Development is authorized to enter into an agreement with Cuyahoga River Remedial Action Plan for their summer internship program.

**Section 2.** That the cost of said contract shall be in an amount not to exceed \$5,750 and shall be paid from Fund No. 10 SF 166.

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

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

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

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

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

**Ord. No. 1142-2000.**

**By Councilman Rybka.**  
**An emergency ordinance to amend Section 2 of Ordinance No. 1084-2000, passed June 12, 2000, relating to a contract with Slavic Village Development Corporation for their Waterman Place housing development.**

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 2 of Ordinance 1084-2000, passed June 12, 2000 is hereby amended to read as follows:

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

**Section 2.** That the existing Section 2 of Ordinance 1084-2000, passed June 12, 2000 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 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

**Ord. No. 1143-2000.**

**By Councilman White.**  
**An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Miles Avenue Family YMCA for building site improvements and recreational equipment for football through the use of Ward 2. Neighborhood Equity Funds.**

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

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

**Section 1.** That the Director of Community Development is authorized to enter into an agreement with Miles Avenue Family YMCA for building site improvements and recreational equipment for football.

**Section 2.** That the cost of said contract shall be in an amount not to exceed \$58,000 and shall be paid from Fund No. 10 SF 166.

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

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

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

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

**Ord. No. 1144-2000.**

**By Councilman White.**

**An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Union Miles Development Corporation for assistance with the renovation costs for the Miles Park Carnegie Library through the use of Ward 2 Neighborhood Equity Funds.**

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

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

**Section 1.** That the Director of Community Development is authorized to enter into an agreement with Union Miles Development Corporation for assistance with the renovation costs for the Miles Park Carnegie Library.

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

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

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

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

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

**Ord. No. 1145-2000.**

**By Councilmen White and Polensek (by departmental request).**

**An emergency ordinance authorizing the Director of Personnel and Human Resources to enter into contracts with various agencies to provide services related to the Temporary Assistance to Needy Families Program.**

Whereas, pursuant to Ordinance No. 525-2000, passed May 1, 2000, this Council authorized the Director of Personnel and Human Resources to apply for and accept a grant from the Ohio Department of Human Services for the Temporary Assistance

to Needy Families Program; 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 Personnel and Human Resources is hereby authorized to enter into contract with the following to provide services for the Temporary Assistance to Needy Families Program:

A Ross Learning, Inc.  
Cleveland Institute of Dental/Medical Assistants, Inc.

Cleveland Municipal School District  
Cuyahoga Community College (ONOW)

Early Childcare Options of University Circle

IMR-Global Orion  
JPC Learning Center

Marriott CETP  
Spirit of Cleveland  
The Bridge Foundation

**Section 2.** That the total aggregate cost of the contracts authorized above shall be paid from Fund No. 16 SF 100 and shall not exceed \$4,024,406.00, Request No. 15425.

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

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

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

**Ord. No. 1146-2000.**

**By Councilmen White and Polensek (by departmental request).**

**An emergency ordinance authorizing the Director of Personnel and Human Resources to enter into contracts with various agencies to provide services related to the Workforce Investment Act Program.**

Whereas, pursuant to Ordinance No. 657-2000, passed May 22, 2000, this Council, authorized the Director of Personnel and Human Resources, among other things, to accept allocations of grants from the State of Ohio Bureau of Employment Services under the Workforce Investment Act, Title I; 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 Personnel and Human Resources is hereby authorized to enter into contract with the following to provide services under the Workforce Investment Act, which include services for youth, adult employment and training services and services related to dislocated worker employment and training:

Catholic Charities — FATIMA Center

Center for Employment Training  
Cleveland Industrial Training  
Cleveland Municipal School District

Cleveland Public Theatre  
Cuyahoga Metropolitan Housing Association

IMR — Global Orion and Youth Opportunities Unlimited  
JPC Learning Center  
The Bridge Foundation  
Vocational Guidance Services  
West Side Ecumenical Ministry  
Youth Opportunities Unlimited  
United Labor Agency

**Section 2.** That the total aggregate cost of the contracts authorized above shall be paid from Fund No. 16 SF 200 and shall not exceed \$3,492,325, Request Nos. 15424 and 16428.

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

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

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

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

**Res. No. 1147-2000.**

**By Councilmen Brady and Rybka. An emergency resolution proclaiming July, 2000 to be Recreation and Parks month in the City of Cleveland.**

Whereas, this Council believes that parks, recreation, and leisure activities provide opportunities for young people to live, grow and develop into contributing members of society; and

Whereas, parks and recreation activities create a social environment that enriches life experiences for older members of our city; and

Whereas, this Council of the City of Cleveland encourages the creation of opportunities for people to come together to experience a sense of community through fun, recreational pursuits, and

Whereas, parks, playgrounds, nature trails, open spaces and community and cultural centers make Cleveland a more attractive and desirable place to live and work; and

Whereas, parks and recreation programs and activities touch the lives of individuals, families, groups, and the entire community which positively impacts upon the social, economic, health and environmental quality of the City of Cleveland; and

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

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

**Section 1.** That this Council of the City of Cleveland joins with the National Recreation and Park Association in proclaiming July, 2000 as Recreation and Parks Month and encourages all citizens of Cleveland to celebrate by participating in their choice of recreation, park and leisure activities with family, friends and neighbors.

**Section 3.** That this resolution is hereby declared to be an emergency measure and, provided it receives

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

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

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

**Res. No. 1148-2000.**

**By Councilmen Johnson and Britt. An emergency resolution supporting the proposal by the Cleveland New Homes L.P. for the development and construction of affordable housing with the 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, Cleveland New Homes L.P. is proposing to develop up to 65 housing units; and

Whereas, 100 percent of these homes will be occupied by low-income families, with no market rate units; and

Whereas, 20 percent of these homes will serve a specific needs population, namely single parent households; and

Whereas, this Council of the City of Cleveland supports the proposal of Cleveland New Homes L.P. to develop this affordable housing for the benefit of the citizens of Cleveland; now, therefore,

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

**Section 1.** That the Council of the City of Cleveland supports the proposal of Cleveland New Homes L.P. to provide affordable housing for the citizens of Cleveland through the 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 the resolution to the Executive Director of the Buckeye Area (Cleveland) 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 20. Nays 0. Read second time. Read third time in full. Adopted. Yeas 20. Nays 0.

**Res. No. 1149-2000.**

**By Councilmen Jones, White, Robinson, Johnson, Jackson, Britt, Lewis, Patmon, Willis, Coats, Polensek, Rybka, Cimperman, Cintron, Gordon, O'Malley, Melena, Westbrook, Brady, Sweeney and Dolan.**

**An emergency resolution declaring July 21, 2000 as Americans with Disabilities Act Celebration Day throughout the City of Cleveland.**

Whereas, the Americans with Disabilities Act (ADA) was signed in to law on July 26, 1990 and has

since paved the way for millions of Americans with disabilities to become more self-sufficient and more independent through increased employment opportunities and improved mobility facilities; and

Whereas, the development of adaptive equipment and adaptive computer devices that translate the written word to verbal word, transfer the spoken word into writing or Braille or otherwise enable persons with limited motor, audio or visual abilities to accurately and effectively utilize a computer has improved the productivity and quality of life for persons with disabilities; and

Whereas, colleges and universities have adopted strategies to include and increase their ability to serve disabled students with accessible facilities, use of adaptive equipment, proctors for test-taking and notation and other specialized faculty and programs; and

Whereas, service agencies including our local Bureau of Vocational Rehabilitation, the Cleveland Sight Center and the Disable Veterans Affairs agency have aided in the accomplishment of developing and implementing support services throughout the nation; and

Whereas, many local clubs and non-profit organizations have formed to orchestrate extracurricular activities for persons with disabilities such as the Cleveland Scrappers Beeper Baseball team and the Dancing Wheels wheelchair dancing troupe, each of which have participated in international engagements across the globe; and

Whereas, the primary objective of the Disability Coalition Movement of Cleveland is to unite agencies, institutions, businesses, people with disabilities and all concerned parties to bring about an awareness and understanding that the Americans with Disabilities Act has been and remains in the means of much of the success of so many individuals with disabilities; now therefore,

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

**Section 1.** That this Council declare July 21st, 2000 as the Americans with Disabilities Act Celebration Day throughout the City of Cleveland, to celebrate the improved lives and successes of persons with disabilities and to renew a commitment to our efforts to increase awareness and support of ingenuity and improvement to increase the productivity, inclusion and quality of life for persons with disabilities.

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

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

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

**SECOND READING EMERGENCY ORDINANCES PASSED**

**Ord. No. 672-97.**

By Councilmen Rybka, Willis and Westbrook (by departmental request).

An emergency ordinance to enact Sections 686.01 to 686.10 and 686.99

of the Codified Ordinances of Cleveland, Ohio, 1976, relating to motor vehicle sales places and penalty therefor.

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

1. In Section 1, at Section 686.02, strike division (d) of its entirety and insert in lieu thereof new divisions (d), (e) and (f), to read, respectively, as follows:

**"(d) 'New motor vehicle dealer' means any person engaged in the business of selling at retail, displaying, offering for sale, or dealing in new motor vehicles pursuant to a contract or agreement entered into with the manufacturer, remanufacturer, or distributor of the motor vehicles.**

**(e) 'Used motor vehicle dealer' means any person engaged in the business of selling, displaying, offering for sale, or dealing in used motor vehicles, at retail or wholesale, but does not include any of the following:**

**(1) a new motor vehicle dealer selling, displaying, offering for sale, or dealing in used motor vehicles incidental to engaging in the business of selling, displaying, offering for sale, or dealing in new motor vehicles, provided that the used motor vehicles are sold, displayed or offered for sale on land that is adjacent or contiguous to the new motor vehicle sales lot; or**

**(2) a person engaged in the business of dismantling, salvaging, or rebuilding motor vehicles by means of using used parts; or**

**(3) a public officer performing official duties.**

**(f) 'Used motor vehicle sales place' means the business premises of a used motor vehicle dealer. Two or more adjoining or proximate parcels used for such purposes and operated as a single business shall be considered one 'used motor vehicle sales place' for purposes of this chapter.**

2. In each of the following instances, strike "motor vehicle storage place" or strike "motor vehicle storage places", whichever appears, and insert in lieu thereof, respectively, "used motor vehicle storage place" or "used motor vehicle storage places", retaining the singular or plural as in the original text:

In the title, line 5;

In Section 1, line 5;

In Section 1, at Section 686.01, lines 3 and 4;

In Section 1, at Section 686.03, line 2; and in lines 9 and 10;

In Section 1, at Section 686.04(a), line 2;

In Section 1, at Section 686.04(a) (1), lines 1 and 2; and in lines 7 and 8;

In Section 1, at Section 686.04(a) (2), line 6; and in lines 10 and 11;

In Section 1, at Section 686.04(b), line 2 and in line 4;

In Section 1, at Section 686.04(b) (1), lines 1 and 2;

In Section 1, at Section 686.04(b) (2), line 2;

In Section 1, at Section 686.05(c), line 1;

In Section 1, at Section 686.05(d), line 3;

In Section 1, at Section 686.06, line 6;

In Section 1, at Section 686.07, line 2;

In Section 1, at Section 686.07(a), lines 3 and 4;

In Section 1, at Section 686.07(b), lines 3 and 4;

In Section 1, at Section 686.07(d), lines 1 and 2; and in lines 5 and 6;

In Section 1, at Section 686.07(e), line 2; and

In Section 1, at Section 686.07(f), line 1; and in lines 4 and 5.

3. In Section 1, at Section 686.04(a)(1), line 4, strike "February 1, 1998" and insert "**October 31, 2000**"; in lines 4 and 5, strike "April 1, 1998" and insert "**December 31, 2000**"; in line 6, strike "February 1" and insert "**October 31**"; and in line 7, strike "April 1" and insert in lieu thereof "**December 31**".

4. In Section 1, at Section 684.04(a)(3), line 3, strike "fifty dollars (\$50.00)" and insert in lieu thereof "**one hundred dollars (\$100.00)**".

5. In Section 1, at Section 686.04(a)(2), insert the following after (a)(2)C. to read as follows:

**"D. a list of temporary license plates issued by the used motor vehicle sales place in the previous twelve (12) months."**

6. In Section 1, at Section 686.04(b)(1), in lines 4 and 5, strike "with the license application required in division (a)," and insert in lieu thereof "**no later than February 28, 2001. In all other cases, the required plan shall be submitted with the license application required in division (a) of this section.**"

7. In Section 1, at Section 686.05(c), line 4, strike "April 1" and insert in lieu thereof "**December 31**".

8. In Section 1, at Section 686.05(d), line 2, strike "April 1 to March 31" and insert in lieu thereof "**January 1 to December 31**"; in line 4, strike "April 1" and insert in lieu thereof "**January 1**"; in line 6, strike "January 1 but prior to April 1" and insert in lieu thereof "**September 1 but prior to December 31**"; and in line 7, strike "March 31" and insert in lieu thereof "**December 31**".

9. In Section 1, at Section 686.06, after the title, insert "**(a) Storage**," and at the end of existing Section 686.06, insert the following new division (b) to read as follows:

**"(b) Use. If the operator of a motor vehicle sales place permits customers to test drive vehicles offered for sale, the operator shall provide to each such customer, immediately prior to the test drive, a written notice stating that the vehicle shall be operated in accordance with all applicable traffic laws, and, more specifically, shall not be operated in a manner that produces excessive and unusual levels of noise or fumes. To facilitate compliance with this notice, an employee of the used motor vehicle sales place shall accompany any customer test-driving a vehicle being offered for sale. Repeated violations of the provision of this section will be considered cause for suspension or revocation of a license."**

10. In Section 1, at Section 686.07(f), in line 4, strike "October 31, 1998" and insert in lieu thereof "**July 31, 2001**".

Amendments agreed to.

The rules were suspended. Yeas 20. Nays 0. Read third time in full. Passed. Yeas 19. Nays 1.

Those voting yea: Councilmen Polensek, Brady, Britt, Cimperman, Coats, Dolan, Gordon, Jackson, Johnson, Jones, Lewis, Melena, O'Malley, Patmon, Rybka, Sweeney, Westbrook, White and Willis.

Those voting nay: Councilman Cintron.

Absent: Councilman Robinson.

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. 1123-99.**

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

An emergency ordinance authorizing the Director of Economic Development to enter into an Enterprise Zone Agreement with Glenville Towne Center, Ltd. to provide for a ten year abatement for certain tangible personal property and real estate taxes as an incentive to acquire property and a building, and to construct a new retail center at East 105th Street and St. Clair Avenue in the Cleveland Area Enterprise Zone.

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

1. In Section 3, line 3, strike "1123-99-A" and insert in lieu thereof the following: "**1123-99-B**".

Amendment agreed to.

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

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

#### **Ord. No. 1742-99.**

By Councilmen Willis, Zone and Johnson (by departmental request).

An emergency ordinance to amend Section 543.02 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 2012-95, passed April 1, 1996, relating to sewerage service charges within Cleveland.

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

1. In Section 2, at Section 543.02(a), lines 6, 7, and 11 delete "six dollars and eighty-eight cents (\$6.88)" and insert in lieu thereof the following: "**six dollars and eighty-one cents (\$6.81)**".

2. In Section 2, at Section 543.02(b), lines 6, 7, and 11 delete "seven dollars and twenty-nine cents (\$7.29)" and insert in lieu thereof the following: "**seven dollars and sixteen cents (\$7.16)**".

3. In Section 2, at Section 543.02(c), lines 6, 7, 11, and 12 delete "seven dollars and seventy-three cents (\$7.73)" and insert in lieu thereof the following: "**seven dollars and fifty-one cents (\$7.51)**".

4. In Section 2, at Section 543.02(d), lines 6, 7, and 11 delete "eight dollars and nineteen cents (\$8.19)" and insert in lieu thereof the following: "**seven dollars and eighty-nine cents (\$7.89)**".

5. In Section 2, at Section 543.02(e), lines 6, 10, and 11 delete "eight dollars and sixty-nine cents (\$8.69)" and insert in lieu thereof the following: "**eight dollars and twenty-eight cents (\$8.28)**".

6. In Section 2, at Section 543.02(f), lines 10, 11, 14, and 15 delete "four dollars and twenty cents (\$4.20)" and insert in lieu thereof the following: "**four dollars and seventeen cents (\$4.17)**".

7. In Section 2, at Section 543.02(g), lines 10, 11, 14, and 15 delete

"four dollars and forty-one cents (\$4.41)" and insert in lieu thereof the following: "**four dollars and thirty-four cents (\$4.34)**".

8. In Section 2, at Section 543.02(h), lines 10, 11, 14 and 15 delete "four dollars and sixty-three cents (\$4.63)" and insert in lieu thereof the following: "**four dollars and fifty-two cents (\$4.52)**".

9. In Section 2, at Section 543.02(i), lines 10, 11, 14, and 15 delete "four dollars and eighty-six cents (\$4.86)" and insert in lieu thereof the following: "**four dollars and seventy-one cents (\$4.71)**".

10. In Section 2, at Section 543.02(j), lines 10, 11, 14, and 15 delete "five dollars and eleven cents (\$5.11)" and insert in lieu thereof the following: "**four dollars and ninety-one cents (\$4.91)**".

11. Insert New Section 3 to read as follows: "**That the Moral Claims Commission shall consider payment in an amount not to exceed two thousand dollars (\$2,000.00) to each claimant who incurs necessary and reasonable expenses in repairing or maintaining a sewer structure that is the responsibility of the City.**"

12. Rename existing "Section 3" to new "**Section 4**".

Amendments agreed to.

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

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

#### **Ord. No. 1743-99.**

By Councilmen Willis, Zone and Johnson (by departmental request).

An emergency ordinance to amend Sections 535.04, 535.05, 535.051, 535.06, 535.18 and 535.21 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by various ordinances, relating to rates, rules and regulations for water service provided by the Division of Water, Department of Public Utilities.

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

1. In Section 2, at Section 535.04(a)(1), lines 5 and 6, strike "Seven Dollars and Seventy-Seven Cents (\$7.77)" and insert in lieu thereof "**Seven Dollars and Fifty-Nine Cents (\$7.59)**".

2. In Section 2, at Section 535.04(a)(2), lines 2 and 3, strike "Sixteen Dollars and Sixty-Two Cents (\$16.62)" and insert in lieu thereof "**Sixteen Dollars and Twenty-Three Cents (\$16.23)**".

3. In Section 2, at Section 535.04(b)(1), lines 5 and 6, strike "Eight Dollars and Twenty-Four Cents (\$8.24)" and insert in lieu thereof "**Seven Dollars and Eighty-Five Cents (\$7.85)**".

4. In Section 2, at Section 535.04(b)(2), line 3, strike "Seventeen Dollars and Sixty-Two Cents (\$17.62)" and insert in lieu thereof "**Sixteen Dollars and Eighty Cents (\$16.80)**".

5. In Section 2, at Section 535.04(c)(1), lines 5 and 6, strike "Eight Dollars and Seventy-Three Cents (\$8.73)" and insert in lieu thereof "**Eight Dollars and Thirteen Cents (\$8.13)**".

6. In Section 2, at Section 535.04(c)(2), line 3, strike "Eighteen Dollars and Sixty-Eight Cents (\$18.68)" and insert in lieu thereof "**Seventeen Dollars and Thirty-Eight Cents (\$17.38)**".

7. In Section 2, at Section 535.04(d)(1), lines 5 and 6, strike "Nine Dollars and Twenty-Five Cents (\$9.25)" and insert in lieu thereof **"Eight Dollars and Forty-One Cents (\$8.41)"**.

8. In Section 2, at Section 535.04(d)(2), line 3, strike "Nineteen Dollars and Eighty Cents (\$19.80)" and insert in lieu thereof **"Seventeen Dollars and Ninety-Nine Cents (\$17.99)"**.

9. In Section 2, at Section 535.04(e)(1), lines 5 and 6, strike "Nine Dollars and Eighty-One Cents (\$9.81)" and insert in lieu thereof **"Eight Dollars and Seventy-One Cents (\$8.71)"**.

10. In Section 2, at Section 535.04(e)(2), lines 2 and 3, strike "Twenty Dollars and Ninety-Eight Cents (\$20.98)" and insert in lieu thereof **"Eighteen Dollars and Sixty-Two Cents (\$18.62)"**.

11. In Section 2, at Section 535.04(f), lines 10 and 11 and in line 12, strike "Three Dollars and Seventy-Seven Cents (\$3.77)" and insert in lieu thereof in both places **"Three Dollars and Sixty-One Cents (\$3.61)"**.

12. In Section 2, at Section 535.04(g), beginning on line 10 and also beginning on line 11, strike "Four Dollars (\$4.00)" and insert in lieu thereof in both places **"Three Dollars and Sixty-Eight Cents (\$3.68)"**.

13. In Section 2, at Section 535.04(h), lines 10 and 11 and in line 12, strike "Four Dollars and Twenty-Five Cents (\$4.25)" and insert in lieu thereof in both places **"Three Dollars and Seventy-Four Cents (\$3.74)"**.

14. In Section 2, at Section 535.04(i), lines 10 and 11 and in line 12, strike "Four Dollars and Fifty-One Cents (\$4.51)" and insert in lieu thereof in both places **"Three Dollars and Eighty-One Cents (\$3.81)"**.

15. In Section 2, at Section 535.04(j), lines 10 and 11 and in line 12, strike "Four Dollars and Seventy-Nine Cents (\$4.79)" and insert in lieu thereof in both places **"Three Dollars and Eighty-Seven Cents (\$3.87)"**.

16. In Section 2, at Section 535.05(a)(1), lines 5 and 6, strike "Thirteen Dollars and Eighty-Six Cents (\$13.86)" and insert in lieu thereof **"Thirteen Dollars and Fifty-Four Cents (\$13.54)"**; and in lines 8 and 9, strike "Twenty-Nine Dollars and Fifty-Eight Cents (\$29.58)" and insert in lieu thereof **"Twenty-Eight Dollars and Eighty-Nine Cents (\$28.89)"**.

17. In Section 2, at Section 535.05(a)(2), lines 5 and 6, strike "Sixteen Dollars and One Cent (\$16.01)" and insert in lieu thereof **"Fifteen Dollars and Sixty-Four Cents (\$15.64)"**; and in line 8, strike "Thirty-Four Dollars and Ninety-Five Cents (\$34.95)" and insert in lieu thereof **"Thirty Four Dollars and Seventeen Cents (\$34.17)"**.

18. In Section 2, at Section 535.05(a)(3), lines 5 and 6, strike "Eighteen Dollars and Seventy-Eight Cents (\$18.78)" and insert in lieu thereof **"Eighteen Dollars and Thirty-Six Cents (\$18.36)"**; and in line 8, strike "Forty Dollars and Twelve Cents (\$40.12)" and insert in lieu thereof **"Thirty-Nine Dollars and Twenty-Two Cents (\$39.22)"**.

19. In Section 2, at Section 535.05(b)(1), lines 5 and 6, strike "Fourteen Dollars and Sixty-Eight Cents (\$14.68)" and insert in lieu thereof **"Fourteen Dollars (\$14.00)"**; and in lines 8 and 9, strike "Thirty-One Dollars and Thirty-Two Cents

"(\$31.32)" and insert in lieu thereof **"Twenty-Nine Dollars and Eighty-Eight Cents (\$29.88)"**.

20. In Section 2, at Section 535.05(b)(2), lines 5 and 6, strike "Sixteen Dollars and Ninety-Four Cents (\$16.94)" and insert in lieu thereof **"Sixteen Dollars and Seventeen Cents (\$16.17)"**; and in line 8, strike "Thirty-Six Dollars and Ninety-Five Cents (\$36.95)" and insert in lieu thereof **"Thirty-Five Dollars and Thirty Cents (\$35.30)"**.

21. In Section 2, at Section 535.05(b)(3), lines 5 and 6, strike "Nineteen Dollars and Eight-Five Cents (\$19.85)" and insert in lieu thereof **"Eighteen Dollars and Ninety-Seven Cents (\$18.97)"**; and in line 8, strike "Forty-Two Dollars and Forty-Two Cents (\$42.42)" and insert in lieu thereof **"Forty Dollars and Fifty-Three Cents (\$40.53)"**.

22. In Section 2, at Section 535.05(c)(1), lines 5 and 6, strike "Fifteen Dollars and Fifty-Four Cents (\$15.54)" and insert in lieu thereof **"Fourteen Dollars and Forty-Eight Cents (\$14.48)"**; and in lines 8 and 9, strike "Thirty-Three Dollars and Seventeen Cents (\$33.17)" and insert in lieu thereof **"Thirty Dollars and Ninety-One Cents (\$30.91)"**.

23. In Section 2, at Section 535.05(c)(2), lines 5 and 6, strike "Seventeen Dollars and Ninety-Three Cents (\$17.93)" and insert in lieu thereof **"Sixteen Dollars and Seventy-Two Cents (\$16.72)"**; and in line 8, strike "Thirty-Nine Dollars and Six Cents (\$39.06)" and insert in lieu thereof **"Thirty Six Dollars and Forty-Eight Cents (\$36.48)"**.

24. In Section 2, at Section 535.05(c)(3), lines 5 and 6, strike "Twenty Dollars and Ninety-Nine Cents (\$20.99)" and insert in lieu thereof **"Nineteen Dollars and Sixty Cents (\$19.60)"**; and in line 8, strike "Forty-Four Dollars and Eighty-Five Cents (\$44.85)" and insert in lieu thereof **"Forty One Dollars and Eighty-Eight Cents (\$41.88)"**.

25. In Section 2, at Section 535.05(d)(1), lines 5 and 6, strike "Sixteen Dollars and Forty-Six Cents (\$16.46)" and insert in lieu thereof **"Fourteen Dollars and Ninety-Eight Cents (\$14.98)"**; and in lines 8 and 9, strike "Thirty-Five Dollars and Thirteen Cents (\$35.13)" and insert in lieu thereof **"Thirty One Dollars and Ninety-Eight Cents (\$31.98)"**.

26. In Section 2, at Section 535.05(d)(2), lines 5 and 6, strike "Eighteen Dollars and Ninety-Eight Cents (\$18.98)" and insert in lieu thereof **"Seventeen Dollars and Twenty-Nine Cents (\$17.29)"**; and in line 8, strike "Forty-One Dollars and Thirty Cents (\$41.30)" and insert in lieu thereof **"Thirty-Seven Dollars and Seventy Cents (\$37.70)"**.

27. In Section 2, at Section 535.05(d)(3), lines 5 and 6, strike "Twenty-Two Dollars and Twenty Cents (\$22.20)" and insert in lieu thereof **"Twenty Dollars and Twenty-Six Cents (\$20.26)"**; and in line 8, strike "Forty-Seven Dollars and Forty-Three Cents (\$47.43)" and insert in lieu thereof **"Forty-Three Dollars and Twenty-Eight Cents (\$43.28)"**.

28. In Section 2, at Section 535.05(e)(1), lines 5 and 6, strike "Seventeen Dollars and Forty-Three Cents (\$17.43)" and insert in lieu thereof **"Fifteen Dollars and Fifty Cents (\$15.50)"**; and in lines 8 and 9, strike "Thirty-Seven Dollars and Twenty-One Cents (\$37.21)" and insert in lieu thereof **"Thirty-Three Dollars and Eight Cents (\$33.08)"**.

29. In Section 2, at Section 535.05(e)(2), lines 5 and 6, strike "Twenty Dollars and Nine Cents (\$20.09)" and insert in lieu thereof **"Seventeen Dollars and Eighty-Eight Cents (\$17.88)"**; and in line 8, strike "Forty-Three Dollars and Sixty-Eight Cents (\$43.68)" and insert in lieu thereof **"Thirty-Eight Dollars and Ninety-Six Cents (\$38.96)"**.

30. In Section 2, at Section 535.05(e)(3), lines 5 and 6, strike "Twenty-Three Dollars Forty-Seven Cents (\$23.47)" and insert in lieu thereof **"Twenty Dollars and Ninety-Three Cents (\$20.93)"**; and in line 8, strike "Fifty Dollars and Sixteen Cents (\$50.16)" and insert in lieu thereof **"Forty-Four Dollars and Seventy-Three Cents (\$44.73)"**.

31. In Section 2, at Section 535.05(f)(1), lines 9 and 10 and in line 11, strike "Six Dollars and Fifty-Nine Cents (\$6.59)" and insert in lieu thereof in both places **"Six Dollars and Thirty-Two Cents (\$6.32)"**.

32. In Section 2, at Section 535.05(f)(2), beginning in line 9 and beginning in line 10, strike "Eight Dollars and Fifty-Six Cents (\$8.56)" and insert in lieu thereof in both places **"Eight Dollars and Twenty-Four Cents (\$8.24)"**.

33. In Section 2, at Section 535.05(f)(3), beginning in line 9 and beginning in line 10, strike "Ten Dollars and Eighty-Six Cents (\$10.86)" and insert in lieu thereof in both places **"Ten Dollars and Forty-Nine Cents (\$10.49)"**.

34. In Section 2, at Section 535.05(g)(1), beginning in line 9 and beginning in line 10, strike "Seven Dollars (\$7.00)" and insert in lieu thereof in both places **"Six Dollars and Forty-Three Cents (\$6.43)"**.

35. In Section 2, at Section 535.05(g)(2), beginning in line 9 and beginning in line 10, strike "Nine Dollars and Three Cents (\$9.03)" and insert in lieu thereof in both places **"Eight Dollars and Thirty-Seven Cents (\$8.37)"**.

36. In Section 2, at Section 535.05(g)(3), beginning in line 9 and beginning in line 10, strike "Eleven Dollars and Thirty-Nine Cents (\$11.39)" and insert in lieu thereof in both places **"Ten Dollars and Sixty-Four Cents (\$10.64)"**.

37. In Section 2, at Section 535.05(h)(1), beginning in line 9 and beginning in line 11, strike "Seven Dollars and Forty-Four Cents (\$7.44)" and insert in lieu thereof in both places **"Six Dollars and Fifty-Four Cents (\$6.54)"**.

38. In Section 2, at Section 535.05(h)(2), beginning in line 9 and beginning in line 10, strike "Nine Dollars and Fifty-Two Cents (\$9.52)" and insert in lieu thereof in both places **"Eight Dollars and Fifty Cents (\$8.50)"**.

39. In Section 2, at Section 535.05(h)(3), beginning in line 9 and beginning in line 10, strike "Eleven Dollars and Ninety-Six Cents (\$11.96)" and insert in lieu thereof in both places **"Ten Dollars and Seventy-Nine Cents (\$10.79)"**.

40. In Section 2, at Section 535.05(i)(1), beginning in line 9 and beginning in line 11, strike "Seven Dollars and Eighty-Nine Cents (\$7.89)" and insert in lieu thereof in both places **"Six Dollars and Sixty-Six Cents (\$6.66)"**.

41. In Section 2, at Section 535.05(i)(2), beginning in line 9 and beginning in line 10, strike "Ten Dollars and Four Cents (\$10.04)" and insert in lieu thereof in both

places **"Eight Dollars and Sixty-Three Cents (\$8.63)"**.

42. In Section 2, at Section 535.05(i)(3), beginning in line 9 and beginning in line 10, strike "Twelve Dollars and Fifty-Six Cents (\$12.56)" and insert in lieu thereof in both places **"Ten Dollars and Ninety-Four Cents (\$10.94)"**.

43. In Section 2, at Section 535.05(j)(1), beginning in line 9 and beginning in line 11, strike "Eight Dollars and Thirty-Eight Cents (\$8.38)" and insert in lieu thereof in both places **"Six Dollars and Seventy-Seven Cents (\$6.77)"**.

44. In Section 2, at Section 535.05(j)(2), beginning in line 9 and beginning in line 10, strike "Ten Dollars and Sixty Cents (\$10.60)" and insert in lieu thereof in both places **"Eight Dollars and Seventy-Six Cents (\$8.76)"**.

45. In Section 2, at Section 535.05(j)(3), beginning in line 9 and beginning in line 10, strike "Thirteen Dollars and Twenty Cents (\$13.20)" and insert in lieu thereof in both places **"Eleven Dollars and Nine Cents (\$11.09)"**.

46. In Section 2, at Section 535.06(a)(1), lines 5 and 6, strike "Eighteen Dollars and Seventy-Eight Cents (\$18.78)" and insert in lieu thereof **"Eighteen Dollars and Thirty-Six Cents (\$18.36)"**.

47. In Section 2, at Section 535.06(a)(2), lines 2 and 3, strike "Forty Dollars and Twelve Cents (\$40.12)" and insert in lieu thereof **"Thirty-Nine Dollars and Twenty-Two Cents (\$39.22)"**.

48. In Section 2, at Section 535.06(b)(1), lines 5 and 6, strike "Nineteen Dollars and Eighty-Five Cents (\$19.85)" and insert in lieu thereof **"Eighteen Dollars and Ninety-Seven Cents (\$18.97)"**.

49. In Section 2, at Section 535.06(b)(2), line 3, strike "Forty-Two Dollars and Forty-Two Cents (\$42.42)" and insert in lieu thereof **"Forty Dollars and Fifty-Three Cents (\$40.53)"**.

50. In Section 2, at Section 535.06(c)(1), lines 5 and 6, strike "Twenty Dollars and Ninety-Nine Cents (\$20.99)" and insert in lieu thereof **"Nineteen Dollars and Sixty Cents (\$19.60)"**.

51. In Section 2, at Section 535.06(c)(2), line 3, strike "Forty-Four Dollars and Eighty-Five Cents (\$44.85)" and insert in lieu thereof **"Forty-One Dollars and Eighty-Eight Cents (\$41.88)"**.

52. In Section 2, at Section 535.06(d)(1), lines 5 and 6, strike "Twenty-Two Dollars and Twenty Cents (\$22.20)" and insert in lieu thereof **"Twenty Dollars and Twenty-Six Cents (\$20.26)"**.

53. In Section 2, at Section 535.06(d)(2), line 3, strike "Forty-Seven Dollars and Forty-Three Cents (\$47.43)" and insert in lieu thereof **"Forty-Three Dollars and Twenty-Eight Cents (\$43.28)"**.

54. In Section 2, at Section 535.06(e)(1), lines 5 and 6, strike "Twenty-Three Dollars and Forty-Seven Cents (\$23.47)" and insert in lieu thereof **"Twenty Dollars and Ninety-Three Cents (\$20.93)"**.

55. In Section 2, at Section 535.06(e)(2), lines 2 and 3, strike "Fifty Dollars and Sixteen Cents (\$50.16)" and insert in lieu thereof **"Forty-Four Dollars and Seventy-Three Cents (\$44.73)"**.

56. In Section 2, at Section 535.06(f), beginning in line 10 and in line 11, strike "Ten Dollars and

Eight-Six Cents (\$10.86)" and insert in lieu thereof **"Ten Dollars and Forty-Nine Cents (\$10.49)"**.

57. In Section 2, at Section 535.06(g), beginning in line 10 and in line 11, strike "Eleven Dollars and Thirty-Nine Cents (\$11.39)" and insert in lieu thereof **"Ten Dollars and Sixty-Four Cents (\$10.64)"**.

58. In Section 2, at Section 535.06(h), beginning in line 10 and in line 11, strike "Eleven Dollars and Ninety-Six Cents (\$11.96)" and insert in lieu thereof **"Ten Dollars and Seventy-Nine Cents (\$10.79)"**.

59. In Section 2, at Section 535.06(i), beginning in line 10 and in line 11, strike "Twelve Dollars and Fifty-Six Cents (\$12.56)" and insert in lieu thereof **"Ten Dollars and Ninety-Four Cents (\$10.94)"**.

60. In Section 2, at Section 535.06(j), beginning in line 10 and in line 11, strike "Thirteen Dollars and Twenty Cents (\$13.20)" and insert in lieu thereof **"Eleven Dollars and Nine Cents (\$11.09)"**.

61. In Section 2, at Section 535.18(a)(1), line 2, strike "\$22.53" and insert **"\$22.01"**; in line 3, strike "\$23.85" and insert **"\$22.76"**; in line 4, strike "\$25.25" and insert **"\$23.54"**; in line 5, strike "\$26.73" and insert **"\$24.34"**; and in line 6, strike "\$28.30" and insert in lieu thereof **"\$25.18"**.

62. In Section 2, at Section 535.18(a)(2), line 2, strike "\$19.43" and insert **"\$18.98"**; in line 3, strike "\$20.59" and insert **"\$19.63"**; in line 4, strike "\$21.81" and insert **"\$20.32"**; in line 5, strike "\$23.11" and insert **"\$21.02"**; and in line 6, strike "\$24.49" and insert in lieu thereof **"\$21.75"**.

63. In Section 2, at Section 535.18(a)(3), line 2, strike "\$19.43" and insert **"\$18.98"**; in line 3, strike "\$20.59" and insert **"\$19.63"**; in line 4, strike "\$21.81" and insert **"\$20.32"**; in line 5, strike "\$23.11" and insert **"\$21.02"**; and in line 6, strike "\$24.49" and insert in lieu thereof **"\$21.75"**.

64. In Section 2, at Section 535.18(a)(4), line 2, strike "\$22.93" and insert **"\$22.41"**; in line 3, strike "\$24.25" and insert **"\$23.16"**; in line 4, strike "\$25.65" and insert **"\$23.94"**; in line 5, strike "\$27.13" and insert **"\$24.74"**; and in line 6, strike "\$28.70" and insert in lieu thereof **"\$25.58"**.

65. In Section 2, at Section 535.18(a)(5), line 2, strike "\$26.00" and insert **"\$25.41"**; in line 3, strike "\$27.52" and insert **"\$26.27"**; in line 4, strike "\$29.13" and insert **"\$27.17"**; in line 5, strike "\$30.84" and insert **"\$28.09"**; and in line 6, strike "\$32.65" and insert in lieu thereof **"\$29.05"**.

66. In Section 2, at Section 535.18(a)(6), line 2, strike "\$24.99" and insert **"\$24.54"**; in line 3, strike "\$26.15" and insert **"\$25.19"**; in line 4, strike "\$27.37" and insert **"\$25.88"**; in line 5, strike "\$28.67" and insert **"\$26.58"**; and also in line 5, strike "\$30.05" and insert in lieu thereof **"\$27.31"**.

67. In Section 2, at Section 535.18(a)(7), line 2, strike "\$24.24" and insert **"\$23.79"**; in line 3, strike "\$25.40" and insert **"\$24.44"**; in line 4, strike "\$26.62" and insert **"\$25.13"**; in line 5, strike "\$27.92" and insert **"\$25.83"**; and also in line 5, strike "\$29.30" and insert in lieu thereof **"\$26.56"**.

68. In Section 2, at Section 535.18(a)(8), line 2, strike "\$24.99" and insert **"\$24.54"**; in line 3, strike "\$26.15" and insert **"\$25.19"**; in line 4, strike "\$27.37" and insert **"\$25.88"**; in line 5, strike "\$28.67" and insert **"\$26.58"**; and also in line 5, strike "\$30.05" and insert in lieu thereof **"\$27.31"**.

69. In Section 2, at Section 535.18(a)(9), line 2, strike "\$19.43" and insert **"\$18.98"**; in line 3, strike "\$20.59" and insert **"\$19.63"**; in line 4, strike "\$21.81" and insert **"\$20.32"**; in line 5, strike "\$23.11" and insert **"\$21.02"**; and in line 6, strike "\$24.49" and insert in lieu thereof **"\$21.75"**.

70. In Section 2, at Section 535.18(a)(10), line 2, strike "\$28.60" and insert **"\$28.01"**; in line 3, strike "\$30.12" and insert **"\$28.87"**; in line 4, strike "\$31.73" and insert **"\$29.77"**; in line 5, strike "\$33.44" and insert **"\$30.69"**; and also in line 5, strike "\$35.25" and insert in lieu thereof **"\$31.65"**.

71. In Section 2, at Section 535.18(a)(11), line 2, strike "\$28.60" and insert **"\$28.01"**; in line 3, strike "\$30.12" and insert **"\$28.87"**; in line 4, strike "\$31.73" and insert **"\$29.77"**; in line 5, strike "\$33.44" and insert **"\$30.69"**; and also in line 5, strike "\$35.25" and insert in lieu thereof **"\$31.65"**.

72. In Section 2, at Section 535.18(a)(12), line 2, strike "\$28.60" and insert **"\$28.01"**; in line 3, strike "\$30.12" and insert **"\$28.87"**; in line 4, strike "\$31.73" and insert **"\$29.77"**; in line 5, strike "\$33.44" and insert **"\$30.69"**; and in line 6, strike "\$35.25" and insert in lieu thereof **"\$31.65"**.

73. In Section 2, at Section 535.18(a)(13), line 2, strike "\$28.60" and insert **"\$28.01"**; in line 3, strike "\$30.12" and insert **"\$28.87"**; in line 4, strike "\$31.73" and insert **"\$29.77"**; in line 5, strike "\$33.44" and insert **"\$30.69"**; and also in line 5, strike "\$35.25" and insert in lieu thereof **"\$31.65"**.

74. In Section 2, at Section 535.18(a)(14), line 2, strike "\$28.60" and insert **"\$28.01"**; in line 3, strike "\$30.12" and insert **"\$28.87"**; in line 4, strike "\$31.73" and insert **"\$29.77"**; in line 5, strike "\$33.44" and insert **"\$30.69"**; and also in line 5, strike "\$35.25" and insert in lieu thereof **"\$31.65"**.

Amendments agreed to.

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

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

#### **Ord. No. 1909-99.**

By Councilman Sweeney.

An emergency ordinance to vacate a portion of Postal Court S.W. herein-after described.

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

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

#### **Ord. No. 2167-99.**

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

An emergency ordinance authorizing the Director of Public Service to make alterations and modifications in Contract No. 54089, for the rehabilitation of West 61st Street retaining wall, with Markie Construction Company, Inc., for the Department of Public Service.

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

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

**Ord. No. 134-2000.**

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

An emergency ordinance determining the method of making the public improvement of rehabilitating, replacing, improving and renovating various areas of the West Side Market and East Side Market, and authorizing the Director of Parks, Recreation and Properties to enter into contract for the making of such improvement.

Approved by Directors of Parks, Recreation and Properties, City Planning Commission, Finance, Law; Recommended by Committees on Public Parks, Property and Recreation, City Planning, Finance; when amended as follows:

1. At the end of Section 1, following "improvement" insert the following: **"; such improvement(s) shall be done in accordance with the following:**

<b>West Side Market</b>	
<b>(Bid Proposal No. 1)</b>	<b>Anticipated Approximate Cost</b>
a. Basebid	\$651,300.00
b. 1(A): Decorative Fencing at Hicks Parking Lot	\$31,950.00
c. 1(B): Trees for Hicks Parking Lot	\$42,726.00
d. 1(C): Gould Court Improvements	\$40,228.00
e. 1(D): Streetscape (Market Street to Gould Court)	\$105,401.00

<b>(Bid Proposal No. 2)</b>	<b>Anticipated Approximate Cost</b>
a. Basebid	\$2,446,000.00
b. 2(B): Removal of Mural	\$15,700.00
c. 2(C): ADA Toilet	\$17,000.00
d. 2(D): Interior Lamp Posts	\$59,000.00
e. 2(E): Signage Panels	\$94,000.00
f. 2(F): Basement Locker Replacement	\$440,000.00
g. 2(G): Arcade Door	\$69,000.00
* Restoration of Ventilation	\$100,000.00
* Secure Specifications, Bids and Contract the Public Improvement	

<b>(Bid Proposal No. 3)</b>	<b>Anticipated Approximate Cost</b>
a. Basebid	\$2,700,000.00

<b>East Side Market</b>	
<b>(Bid Proposal No. 4)</b>	<b>Anticipated Approximate Cost</b>
a. Basebid Improvements	\$205,000.00
* Replace Existing Undersized Rooftop Air Conditioners	\$100,000.00
* Roof Repairs to Correct Leaking	\$50,000.00
* Additional Electrical Work to Improve Lighting	\$50,000.00
* Electrical and Water Work to Connect to Produce Concrete Pad	\$175,000.00
* Secure Specifications, Bids and Contract the Public Improvements	

All improvements for both markets shall commence no later than September 1, 2000. The Director of Parks, Recreation and Properties shall provide monthly a detailed, written statement on the progress of each improvement to the Chairman of the committee on Public Parks, Property and Recreation and to the ward-representative Councilmembers for the West Side Market and East Side Markets, commencing October 1, 2000 and continuing until all such improvements specified in this section are completed."

2. In Section 2, line 2, after "authorized" insert "and directed".

3. In Section 3, line 2, after "from" insert "restricted income tax, such other funds as may be designated for the improvements(s) by the Director of Parks, Recreation and Properties and,"

4. Insert new Section 4 to read as follows:

**"Section 4. That in making such improvements to the West Side Market, the Director of Parks, Recreation and Properties shall work with the Director of Public Service to ensure that the West 24th Place alley remain brick."**

5. Renumber existing Section 4 to new "Section 5."

Amendments agreed to.

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

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



**Ord. No. 164-A-2000 (As substitute for Ordinance No. 164-2000).**

By Mayor White and Councilmen Polensek, Patmon, Melena and Britt. An emergency ordinance to enact Sections 619.23, 619.24 and 619.25 of the Codified Ordinances of Cleveland, Ohio, 1976, relating to declaring vehicles used in the commission of drug or prostitution offenses to be nuisances, and declaring other property to be nuisances, and providing for the abatement of the same.

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

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

**Ord. No. 320-2000.**

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

An emergency ordinance authorizing the Director of Port Control to enter into a Lease By Way of Concession with Specialty Restaurants for use of certain property in the vicinity of Cleveland Hopkins International Airport to construct and operate a restaurant.

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

1. In Section 1, strike lines 4, 5 and 6 and 7 in their entirety and insert in lieu thereof the following: "to construct and operate a restaurant upon approximately 4.5 acres of real property described as follows:

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 at Page 340 and Parcel No. 29-20-001, as recorded in Volume 6010 at Page 487 of the Cuyahoga County Land 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 North 37° 43' 44" East in the centerline of Old Grayton Road, 797.60 feet to the True Point of Beginning for the Parcel herein described;

Thence leaving said centerline, South 89° 24' 17" East in the Southerly line of lands conveyed to The Ullrich Family Limited Partnership as recorded in Volume 97-07511 at Pages 4 and 6 of the Cuyahoga County Land Records, a distance of 636.09 feet to the Northerly right of way line of proposed Relocation of Brookpark Road;

Thence along the arc of a curve which deflects to the left, along said right of way, a distance of 121.07 feet, 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 a point of curvature;

Thence along the arc of a curve which deflects to the right, 70.72 feet, 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 to a point of compound curvature;

Thence along the arc of a curve which deflects to the right and on the Easterly right of way of proposed Relocated Old Grayton Road, a distance of 41.57 feet, said curve having a radius of 25.00 feet, a delta of 95° 16' 04" and a chord of 36.94 feet which bears North 67° 33' 32" West to a point of tangency;

Thence leaving said right of way to Brookpark Road and continuing in said proposed right of way of Old Grayton Road, North 19° 55' 30" West, 99.10 feet to a point of curvature;

Thence along the arc of a curve which deflects to the right, 473.90 feet, said curve having a radius of 350.00 feet, a delta of 77° 34' 41", and a chord of 438.52 feet which bears North 18° 51' 51" East;

Thence leaving said right of way South 89° 42' 52" East, 151.06 feet to the point of beginning.

Containing within said bounds 5.7319 acres of land of which 0.6761 acres lies within the right of way of Old Grayton Road;

Prepared by KS Associates, Inc. under the supervision of Mark A. Yeager, Professional Surveyor, Ohio No. 7289.

Bearings are based on Ohio State Plane "Grid North" NAD83 1995.

The term of the Lease shall be for thirty (30) years with two (2) mutual options of five (5) years each. The term shall be divided into a Primary Term and a Secondary Term. The Primary Term shall commence upon Lessee taking possession of the premises to commence construction and shall expire twelve (12) months thereafter or upon completion of construction of the restaurant facility, whichever is earlier. The Secondary Term shall commence upon expiration of the Primary Term and expire upon expiration of the entire Lease term."

2. In Section 2, line 3, strike "\$850,000" and insert "\$875,000".

3. In Section 3, line 3, after "Thereafter," insert "during the Primary Term Lessee shall pay as rent \$1,000 per month. During the Secondary Term" and in line 4, strike "65% of revenues generated" and insert "(1) 65% of rent paid".

4. In Section 3, strike line 5 in its entirety and insert in lieu thereof the following: "year or (2) the percentage of gross revenue derived from operation of the restaurant set forth as follows:

**Food/Non-Alcoholic Beverage  
Alcoholic Beverage**

Lease Year	Percentage
0-5	2.5%
6-10	2.75%
11-20	3%
21-30	3.25%
31-40	4%

**Alcoholic Beverage**

Lease Year	Percentage
0-20	5%
21-30	6%
31-40	8%

or (3) a guaranteed minimum of \$50,000, whichever is greater."

5. Strike Section 5 in its entirety and insert in lieu thereof the following:

"Section 5. That the Lease authorized herein shall be prepared by the Director of Law and shall specifically contain a provision prohibiting any amendment, extension, alteration or modification to the

Lease, including a transfer of ownership, without City Council authorization.

The Lease shall also contain such other terms and conditions as the Director of Law deems necessary to protect and benefit the public interest."

Amendments agreed to.

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

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

**Ord. No. 415-2000.**

By Councilman Britt (by request). An emergency ordinance authorizing the Director of Public Service to issue a permit to The Cleveland Clinic Foundation to encroach into the public right-of-way of Chester and Carnegie Avenues, and East 90th to East 105th Streets with Directional Signs in four (4) locations that are a portion of their Main Campus Project, planned for this overall area.

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

1. Insert new Section 3 to read as follows:

"Section 3. That the permit herein authorized shall contain the following provisions: (1) that the directional signs must be evaluated and approved to be within the context of the Cleveland Clinic's overall sign program by the City Planning Commission; (2) that the directional signs must be evaluated and approved to be within the context of the City's kiosk program by the City Planning Commission; and (3) that the directional signs must be reviewed by Councilmembers Britt and Cimperman prior to placement."

2. Renumber existing Sections 3 and 4 to new "Section 4" and "Section 5".

Amendments agreed to.

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

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

**Ord. No. 422-2000.**

By Councilmen White and Patmon (by departmental request).

An emergency ordinance approving the collective bargaining agreement with City, County, Waste Paper Drivers Union, Local 244.

Approved by Directors of Personnel and Human Resources, Finance, Law; Recommended by Committees on Employment, Affirmative Action and Training, Finance.

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

**Ord. No. 552-2000.**

By Councilman Dolan. An emergency ordinance determining the method of making the public improvement of constructing and implementing new runway 5L/23R (Phase I) for the Department of Port Control; and authorizing the Director of Port Control to enter into various contracts for the making of such improvement.

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

1. Strike the title in its entirety and insert in lieu thereof the following:

"An emergency ordinance authorizing the Director of Port Control to employ by contract or contracts one or more consultants to provide professional services related to the construction of a new runway and necessary project components, authorizing the Director of Port Control to make the public improvement of constructing a new runway and necessary project components, and authorizing the Director of Port Control to enter into various agreements and contracts necessary to make the public improvement."

2. Strike Section 1 in its entirety and insert in lieu thereof the following:

"Section 1. That the Director of Port Control is hereby authorized to employ by contract or contracts one or more 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 related to the construction of a new runway known as 5L-23R (Phase I) and its necessary appurtenances and the following project components necessary to effectuate the construction and use of the Phase I runway improvement ("Improvement");

(1) Design of FAA TRACON Renovation, in an amount not to exceed \$345,771.00;

(2) Design of NASA Facilities and Relocation, in an amount not to exceed \$18,074,871.00; and

(3) Design of Doan Brook, in an amount not to exceed \$600,000.00.

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

3. Strike Section 2 in its entirety and insert in lieu thereof the following:

"Section 2. That pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of constructing and implementing the construction of a new runway known as 5L-23R (Phase I), consisting of 10,500 feet of runway (approximately 9,000 feet of usable runway), the construction cost of which is hereby authorized in the amount of \$139,937,365.00, and its necessary appurtenances and the following project components necessary to effectuate the construction and use of the Improvement:

(1) Demolition of Analex Office Building and demolition of the 100th Bomb Group Restaurant in an amount not to exceed \$2,692,047.00;

(2) Brookpark Road Relocation Construction in an amount not to exceed \$19,934,209.00; and

(3) West Hangar Road Construction in an amount not to exceed \$1,337,220.00.

The Director of Port Control is hereby authorized to enter into contracts for the making of the improvements authorized in Section 2 hereof, by contracts duly let to the lowest responsible bidders, after competitive bidding for a gross price, provided, however, that each separate trade and each distinct component part of the improvement may be treated as a separate improvement, and each, or any combination, of such trades or components may be the subject of a separate contract for a gross price, with the exception of roadwork, earthwork and utility work performed in connection with the projects authorized in Section 2 hereof, which shall be competitively bid on a unit price basis. For gross price contracts, the contractor shall furnish a correct schedule of unit prices, including profit and overhead, for all items constituting units of the improvement."

4. In Section 3, line 2, strike "contract" and insert "contracts".

5. Insert New Section 4 to read as follows:

"Section 4. That notwithstanding and as an exception to the provision of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to purchase, lease or otherwise acquire easements, fee interests, licenses, permits and other rights or interests in real property directly necessary for the Improvement."

6. Insert New Section 5 to read as follows:

"Section 5. That the Director of Port Control is hereby authorized to execute on behalf of the City of Cleveland all necessary documents to acquire said rights or interests in real property directly necessary for the Improvement and to employ title companies, surveyors, escrow agents, appraisers, environmental consultants, and field service consultants necessary for the acquisition or use of the rights or interests in real property authorized by Section 4 hereof."

7. Insert New Section 6 to read as follows:

"Section 6. That the Director of Port Control is hereby authorized to enter into agreements with the holders of said rights or interests in real property to relocate or to otherwise modify existing buildings, equipment, fixtures or other features of said property and to pay or reimburse related costs to permit the making of the Improvement."

In accordance with the authorization granted in this Section 6, the Director of Port Control is authorized to enter into an agreement with First Energy for design, relocation, and installation of First Energy power lines. All costs associated with such agreement shall not exceed \$12,491,068.00."

8. Insert New Section 7 to read as follows:

"Section 7. That the Director of Port Control is hereby authorized to enter into agreements with federal, state, and local governmental or regulatory entities or other public authorities necessary and to pay or reimburse directly related costs incurred by such entities for the purpose of making the Improvement."

In accordance with the authorization granted in this Section 7, the Director of Port Control is authorized to enter into agreements necessary to implement wetland and stream mitigation programs as required by federal law, excluding mitigation at Doan Brook. All ex-

penditures under such agreements shall not exceed \$8,197,000.00.

In accordance with the authorization granted in this Section 7 and in Section 2 hereof, the Director of Port Control is authorized to enter into agreements with the FAA for professional and engineering services. All expenditures under such agreement shall not exceed \$6,000,000.00.

In accordance with the authorization granted in this Section 7, the Director of Port Control is authorized to enter into agreements with the FAA for TRACON Renovation Design. All expenditures under such contract shall not exceed \$345,771.00."

9. In existing Section 4, line 3, after "authorized", strike "in Section 1 hereof" and insert: "herein".

10. Renumber existing Section 4 to new "Section 8".

11. Insert New Section 9 to read as follows:

"Section 9. That the Director of Port Control is hereby authorized to make a written contract with the company designated by the FAA for the purchase and installation of an Instrument Landing System, to be purchased by the Commissioner of Purchases and Supplies for a gross price for the Division of Cleveland Hopkins International Airport in an amount not to exceed \$2,200,000.00."

12. Insert New Section 10 to read as follows:

"Section 10. That the cost of any requirement contracts entered into pursuant to Section 3 hereof shall be charged against the proper account and the Director of Finance shall certify thereon, 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."

13. Renumber existing Section 5 to new "Section 11".

14. In existing Section 6, line 1, after "contracts" and before "or" insert: ", permits, licenses" and at the end of line 2, after "Council" insert ", the President of Council, the Chairman of the Aviation and Transportation Committee and the Chairman of the Finance Committee".

15. Renumber existing Section 6 to new "Section 12".

16. Strike existing Section 7 in its entirety and insert in lieu thereof the following:

"That the cost of any expenditures authorized by this ordinance for any contract, including all public improvements, standard purchases, requirements contracts, acquisition of rights or interests in real property shall not exceed a total amount of Two Hundred Eleven Million Eight Hundred Nine Thousand Five Hundred Fifty One Dollars (\$211,809,551.00) and shall be paid from Fund Nos. 60 SF 001, 60 SF 104, 60 SF 105, 60 SF 106, passenger facility charges and the fund and/or subfunds to which are credited the proceeds of any general airport revenue bonds, federal grants, state grants, and local grants issued for the purpose of the Improvement authorized herein. In the event that a project component listed herein exceeds or is anticipated to exceed the amount specific for each project component listed herein, the Director of Port Control shall notify the President of Council, the Chairman of the Aviation and Transportation Committee, and the Chairman of the Finance Committee of the need for a subsidiary agreement in accordance with Section 185.44 of the Codified Ordinances of the City of Cleveland,

Ohio, 1976, and shall immediately proceed to secure the necessary legislative approval from Cleveland City Council."

17. Renumber existing Section 7 to new "Section 13".

18. Insert New Section 14 to read as follows:

"Section 14. That, in accordance with federal law and to the extent permitted by federal law, all construction contracts entered into pursuant to this ordinance shall establish a goal of hiring at least forty percent (40%) disadvantaged business enterprises (DBE) and forty percent (40%) City residents. In seeking to obtain such goal, all contractors shall utilize best efforts."

19. Insert New Section 15 to read as follows:

"Section 15. That the Director of Port Control shall provide detailed bimonthly written reports to the President of Council, the Chairman of the Aviation and Transportation Committee, and the Chairman of the Finance Committee of all expenditures made pursuant to this ordinance, including the source of funds for such expenditures. The Director of Port Control shall also provide to the aforementioned Council representatives detailed bimonthly written reports of the DBE goals set forth herein.

Section 16. That for the purposes of the sound insulation program for program years 2000 through 2004, the Director of Port Control shall fund the sound insulation program in accordance with the following: General Airport Revenue Bonds (1997) - \$5,244,991.00; General Airport Revenue Bonds (2000) - \$15,000,000.00; PFC #6 - \$10,000,000.00; Brookpark Funds - \$787,945; Operating and Maintenance Funds and Land Sales - \$1,996,861.00; and AIP Grant Funds in the anticipated amount of \$27,500,000.00. The Director of Port Control shall provide copies of the annual application for the AIP funds to the President of Council, the Chairman of the Aviation and Transportation Committee and the Chairman of the Finance Committee, simultaneously with the submittal to the FAA. The Director of Port Control shall provide copies of any communications with the FAA concerning sound insulation to the President of Council, the Chairman of the Aviation and Transportation Committee and the Chairman of the Finance Committee. The Director of Port Control shall work with the Chairman of the Aviation and Transportation Committee to identify and apply such additional funds that may also be applied to the 2000-2004 sound insulation program."

20. Renumber existing Section 8 to new "Section 17".

Amendments agreed to.

The rules were suspended. Yeas 20. Nays 0. Read third time in full. Passed. Yeas 19. Nays 1.

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

Those voting nay: Councilman Brady.

Absent: Councilman Robinson.

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. 600-2000.**

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

An emergency ordinance authorizing the sale of real property as part

of the Land Reutilization Program and located on East 63rd Street to Burton, Bell, Carr Development Corporation or designee.

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

1. In Section 1, line 3, strike "and 118-29-029" and insert in lieu thereof ", 118-29-029 and 118-29-104".

2. In Section 2, at the end after the existing legal descriptions, add the following new legal description:

**P. P. No. 118-29-104**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 92 in W.S. and M.W. Chamberlain allotment of part of original 100 acre Lots Nos. 334 and 335 as shown by the recorded plat of said allotment in Volume 3 of maps Page 28 of Cuyahoga County Records Sublot No. 92 has a frontage of 40 feet on the Easterly side of E. 61st Street (formerly Lodge Avenue) and extends back between parallel lines 160 feet and is 40 feet wide in the rear as appears by said plat.

Subject to Zoning Ordinances, if any.

Amendments agreed to.

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

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

**Ord. No. 651-2000.**

By Councilmen Melena and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Community Development to expend Federal HOME Program funds for the administration of Housing Rehabilitation Programs.

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

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

**Ord. No. 654-2000.**

By Councilmen Melena, Cintron, Rybka, O'Malley, Cimperman and Patmon (by departmental request).

An emergency ordinance determining the method of making various public improvements as authorized by the Year XXVI Community Development Block Grant, and authorizing the Directors of Community Development, Public Service, Parks, Recreation and Properties, and Public Utilities to enter into contract for the making of the various public improvements.

Approved by Directors of Community Development, Public Service, Parks, Recreation and Properties, Public Utilities, City Planning Commission, Finance, Law; Recommended by Committees on Community and Economic Development, Public Service, Parks, Recreation and Properties, Public Utilities, City Planning, Finance.

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

**Ord. No. 733-2000.**

By Councilmen Gordon and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from

the U.S. Department of Housing and Urban Development for the 2001-2003 Lead-Based Paint Hazard Control Program; authorizing said Director to enter into contracts with various agencies to implement the program; and to enter into one or more contracts for the implementation of the Community Lead Exposure Prevention Project.

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

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

**Ord. No. 747-2000.**

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

An emergency ordinance authorizing the purchase by requirement contract of labor and materials needed to replace or repaid concrete or asphalt areas, for the Division of Cleveland Public Power, Department of of Public Utilities, for a period not to exceed two years.

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

1. In the title, line 5, strike the word "repaid" and insert in lieu thereof the following: "repair".

2. In Section 2, line 7, after "Finance," insert the following: "That all expenditures under the contract authorized herein shall not exceed \$250,000.00."

Amendments agreed to.

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

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

**Ord. No. 749-2000.**

By Councilmen Melena and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Community Development to enter into contract with various Citywide Development Support agencies to provide housing, commercial, industrial and real estate development activities.

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

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

**Ord. No. 751-2000.**

By Councilmen Melena and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Community Development to enter into contracts with various housing development entities, or their designees, to implement the Housing Trust Fund Program, for costs associated with various housing activities.

Approved by Directors of Community Development, Finance, Law; Recommended by Committees on Community and Economic Development, Finance; when amended as follows:

1. In Section 3, line 2, strike "\$3,955,000.00" and insert in lieu thereof "\$5,960,000.00".

2. Insert new Sections 5 and 6 to read, respectively, as follows:

"Section 5. That the City is authorized to accept promissory notes, naming the City of Cleveland as payee, and mortgages, naming the City of Cleveland as mortgagee, and any other security instrument executed to

evidence and secure repayment of loans made under this program.

**Section 6. That the Director of Community Development is hereby authorized to enter into forbearance agreements with any recipient of a validly existing loan administered by the City, and to charge and accept fees and to expend such fees to cover costs incurred in the preparation of loan documents, closing, and servicing costs. Such fees shall be deposited to and expended from Fund No. 14."**

3. Renumber existing Section 5 to new "Section 7".

Amendments agreed to.

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

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

**Ord. No. 752-2000.**

By Councilmen Melena and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Community Development to enter into contracts with various non-profit development corporations to provide grants to small, neighborhood-based street clubs, block clubs and other community improvement groups to implement the Cityworks Program.

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

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

**Ord. No. 754-2000.**

By Councilmen Melena and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Community Development to enter into a contract with Cleveland Housing Network, or its designee, to provide development loan assistance in the form of a Community Development Block Grant float loan for the purchase, rehabilitation or construction of low income rental housing.

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

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

**Ord. No. 755-2000.**

By Councilmen Melena and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Aging to expend Community Development Block Grant funds for the Senior Homeowners Assistance Program (SHAP) and the CHORE Program.

Approved by Directors of Community Development, Aging, Finance, Law; Recommended by Committees on Community and Economic Development, Finance; when amended as follows:

1. In Section 1, lines 2 and 3, strike "One Hundred Six thousand dollars (\$106,000.00)" and insert in lieu thereof **"One Hundred Thirty-one Thousand Dollars (131,000.00)"**.

Amendment agreed to.

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

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

**Ord. No. 757-2000.**

By Councilmen Melena and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Community Development to enter into a contract with Cleveland Housing Network, or its designee, for the acquisition, rehabilitation, or construction of low income housing units.

Approved by Directors of Community Development, Finance, Law; Recommended by Committees on Community and Economic Development, Finance; when amended as follows:

1. In Section 2, line 1, strike "contract" and insert in lieu thereof **"contracts"**.

2. Insert new Sections 3 and 4 to read, respectively, as follows:

**"Section 3. That the City is authorized to accept promissory notes, naming the City of Cleveland as payee, and mortgages, naming the City of Cleveland as mortgagee, and any other security instrument executed to evidence and secure repayment of loans made under this program.**

**Section 4. That the Director of Community Development is hereby authorized to enter into forbearance agreements with any recipient of a validly existing loan administered by the City, and to charge and accept fees and to expend such fees to cover costs incurred in the preparation of loan documents, closing, and servicing costs. Such fees shall be deposited to and expended from Fund No. 14."**

3. Renumber existing Section 3 to new **"Section 5"**.

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

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

**Ord. No. 813-2000.**

By Councilman Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of pre-sort mail service, for the various divisions of City government.

Approved by Directors of Finance, Law; Recommended by Committee on Finance.

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

**Ord. No. 816-2000.**

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

An emergency ordinance authorizing the Director of Public Utilities to lease property on the east side of East 140th Street between Interstate 90 and Aspinwall Avenue from City Rose L.L.C., or their designee, for a term not to exceed twenty years, for the public purpose of operating an eastside Cleveland Public Power service center.

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

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

**Ord. No. 821-2000.**

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

An emergency ordinance authorizing the purchase by contract of

labor and materials necessary to install not to exceed two heating boilers at West 41st Street Station, for the Division of Cleveland Public Power, Department of Public Utilities.

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

1. Strike Section 2 in its entirety and insert in lieu thereof the following: **"That all expenditures under the contract authorized herein shall not exceed \$200,000.00. The cost of said contract shall be paid from Fund No. 58 SF 001, Request No. 16610."**

Amendment agreed to.

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

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

**Ord. No. 833-2000.**

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

An emergency ordinance authorizing the issuance and sale by the City of Cleveland, Ohio, of Airport System Revenue Bonds in an aggregate principal amount not to exceed Six Hundred Seventy Five Million Dollars (\$675,000,000) for the purpose of paying costs of improving and enlarging the Airport System and an additional aggregate principal amount not to exceed Seventy Five Million Dollars (\$75,000,000) to refund outstanding Revenue Bonds on terms advantageous to the City; and authorizing the execution and delivery of a Supplemental Indenture to secure such Revenue Bonds.

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

1. In Section 1, at page 4, at the definition of "Series 2000 Project", at line 10 after "sound insulation program" and before "; and" insert **"as may be authorized by subsequent legislation passed by Cleveland City Council"**.

2. In Section 1, at page 4, at the definition of "Series 2000 Project", strike lines 13, 14, 15 and 16 in their entirety and insert in lieu thereof **"appurtenant improvements as may be authorized by subsequent legislation passed by Cleveland City Council"**.

3. In Section 2, strike line 2 in its entirety and insert in lieu thereof **"Provided that the Record of Decision is received authorizing the construction of a runway of approximately 9,000 feet, the Series 2000 Bonds shall be issued for the purposes of: (i) paying costs of or related to the"**.

4. In Section 9, strike lines 1, 2, and 3 in their entirety and insert in lieu thereof the following: **"Notwithstanding any provisions of the codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Series 2000 Bonds are hereby awarded to the following underwriters in the following percentages: Goldman, Sachs & Co., Senior Manager, (50%); A.G. Edwards & Sons, Inc. and NatCity Investments, Inc., Co-Senior Managers (10% each); and SBK-Brooks Investment Corp., Beal (M.R.) & Company, Lehman Brothers, Salomon**

Smith Barney, Merrill Lynch, and Paine Webber, Co-Managers (5% each)."

5. In Section 9, in line 5 after "Series 2000 Bond Purchase Agreement." insert the following: "The priority to be accorded to orders for the purchase of bonds established by Original Purchasers is as follows: (1) group net orders (public offering price) and (2) member orders."

6. Insert New Section 10 to read as follows:

**"Section 10. Counsel.** That, notwithstanding any provisions of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, Calfee, Halter & Griswold LLP is hereby designated to serve as Bond Counsel to the City and to provide legal services in the nature of the preparation of the documents and the proceedings in connection with the issuance and sale of the Bonds, and the rendering of approving legal opinions with respect thereto, together with legal advice and recommendations as to the documents and legal proceedings in connection with the issuance of the Series 2000 Bonds. In rendering such services, said firm shall not exercise any administrative discretion on behalf of the City in the formation of public policy, expenditure of public funds, enforcement of laws, rules and regulation of this Council and the City, or the execution of public trusts. For such services, said firm shall be paid from the proceeds of the Series 2000 Bonds just and reasonable compensation and reimbursement of actual out-of-pocket expenses.

Vorys, Sater, Seymour and Pease LLP is hereby designated to serve as underwriters' counsel and Forbes, Fields & Associates is hereby designated to serve as co-underwriter counsel to the Original Purchasers to provide legal services in connection therewith."

7. Renumber existing "Section 10" to new "Section 11".

8. Insert New Section 12 to read as follows:

**"Section 12. Noise and Sound Mitigation.**

The Director of Port Control shall fund noise and sound insulation programs in accordance with the terms and conditions set forth in Ordinance No. 552-2000."

9. Renumber existing "Section 11" to new "Section 13", existing "Section 12" to new "Section 14" and existing "Section 13" to new "Section 15".

10. Insert New Section 16 to read as follows:

**"Section 16. Reporting.**

The Director of Finance and/or the Director of Port Control shall provide a copy of all documents, agreements and reports arising from or issued pursuant to this legislation to the Clerk of Council and the Chairman of the Aviation and Transportation Committee immediately upon publication. The Chairman of the Aviation and Transportation Committee shall be provided with three (3) bound volumes of the Series 2000 bond transcript. In addition, the Director of Finance and/or the Director of Port Control shall provide written statements to the Chairman of the Aviation & Transportation Committee and the Chairman of the Finance Committee detailing expenditures from the Construction Fund at each of the fol-

lowing levels of draws from the Construction Funds: 20%, 40%, 60%, 80%, and 100%."

11. Renumber existing Section 14 to new "Section 17".

Amendments agreed to.

The rules were suspended. Yeas 20. Nays 0. Read third time in full. Passed. Yeas 19. Nays 1.

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

Those voting nay: Councilman Brady.

Absent: Councilman Robinson.

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. 835-2000.**

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

An emergency ordinance determining the method of making the public improvement of rehabilitating West 110th Street; authorizing the Director of Public Service to enter into contract for the making of such improvement; and authorizing said director to employ one or more professional consultants to design the improvement.

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

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

**Ord. No. 836-2000.**

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

An emergency ordinance determining the method of making the public improvement of rehabilitating East 110th Street; authorizing the Director of Public Service to enter into contract for the making of such improvement; and authorizing said director to employ one or more professional consultants to design the improvement.

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

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

**Ord. No. 844-2000.**

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

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to lease to Joshua Simon, or his designee, property located at 7654 Broadway Avenue, for a term not to exceed ten years, with two additional five year options to renew.

Approved by Directors of Parks, Recreation and Properties, City Planning Commission, Finance, Law; Recommended by Committees on Public Parks, Property and Recreation, City Planning, Finance; when amended as follows:

1. In Section 5, at the end, strike the period and insert ", including the requirement that the lease shall be reviewed for design by a local

design review board or by the City Planning Commission."

Amendment agreed to.

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

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

**Ord. No. 847-2000.**

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

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to sell City-owned property no longer needed for public use located at the corner of Broadway Avenue and Booth Avenue to Patrick L. Montgomery.

Approved by Directors of Parks, Recreation and Properties, City Planning Commission, Finance, Law; Recommended by Committees on Public Parks, Property and Recreation, City Planning, Finance.

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

**Ord. No. 860-2000.**

By Councilmen Melena and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Community Development to enter into contract with Cleveland State University to provide various housing, urban land-use, property parcel, vacant lot, and residential real estate market data services, products, studies, and other technical assistance in order to facilitate neighborhood planning and programming efforts.

Approved by Directors of Community Development, Finance, Law; Recommended by Committees on Community and Economic Development, Finance; when amended as follows:

1. Add a New Section 2 to read as follows:

**"Section 2. That the contract authorized herein shall contain the following provision: When any entity other than Cleveland City Council requests information pursuant to the terms of this contract, Cleveland State University will notify the Councilperson from the respective ward of such request prior to the generation of the information."**

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

Amendments agreed to.

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

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

**Ord. No. 861-2000.**

By Councilmen Melena and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Community Development to expend Community Development Block Grant funds and Federal Home funds for the operation of the Low Interest Loan and Grant Programs and to enter into contract with various agencies to implement these programs.

Approved by Directors of Community Development, Finance, Law; Recommended by Committees on Community and Economic Development, Finance; when amended as follows:

1. Insert new Sections 4 and 5 to read, respectively, as follows:

**"Section 4. That the City is authorized to accept promissory notes, naming the City of Cleveland as payee, and mortgages, naming the City of Cleveland as mortgagee, and any other security instrument executed to evidence and secure repayment of loans made under this program.**

**Section 5. That the Director of Community Development is hereby authorized to enter into forbearance agreements with any recipient of a validly existing loan administered by the City, and to charge and accept fees and to expend such fees to cover costs incurred in the preparation of loan documents, closing, and servicing costs. Such fees shall be deposited to and expended from Fund No. 14."**

2. Renumber existing Section 4 to new "Section 6".

Amendments agreed to.

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

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

**Ord. No. 862-2000.**

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

An emergency ordinance authorizing the Director of Community Development and other Directors of City Departments to enter into contracts with various agencies to provide social service programs, authorizing the Director of Community Development to enter into Memoranda of Understanding with the various Directors of City Departments, and authorizing the Director of Parks, Recreation and Properties to enter into lease agreements with various non-profit agencies to provide facilities for recreation activities.

Approved by Directors of Public Safety, Parks, Recreation and Properties, Community Relations, Finance, Law; Recommended by Committees on Community and Economic Development, Public Safety, Public Parks, Property and Recreation, Finance.

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

**Ord. No. 863-2000.**

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

An emergency ordinance authorizing the Directors of Economic Development and Community Development to enter into a Neighborhood Development Investment Fund contract with St. Vincent Quadrangle, Inc., or its designee, to provide economic development assistance to partially finance the acquisition, rehabilitation and conversion of the Tower Press Building into live/work affordable rental housing, located at 1900 Superior Avenue, Cleveland, Ohio.

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

The rules were suspended. Yeas 20. Nays 0. Read third time in full. Passed. Yeas 18. Nays 2.

Those voting yea: Councilmen Polensek, Brady, Britt, Cimperman, Cintron, Coats, Gordon, Jackson, Johnson, Jones, Lewis, Melena, Patmon, Rybka, Sweeney, Westbrook, White and Willis.

Those voting nay: Councilmen Dolan and O'Malley.

Absent: Councilman Robinson.

**Ord. No. 865-2000.**

By Councilmen Melena and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to expend Economic Development Initiative Grant and Title XX Grant funds for administration of the Empowerment Zone Program, as amended; and to enter into all contracts and related documents with Fairfax Renaissance Development Corporation, Glenville Development Corporation, Hough Area Partners in Progress, and MidTown Cleveland, for implementation of the Empowerment Zone Program, as amended.

Approved by Directors of Economic Development, Finance, Law; Recommended by Committees on Community and Economic Development, Finance; when amended as follows:

1. Add a New Section 4 to read as follows:

**"Section 4. That the Empowerment Zone Program authorized herein shall be subject to a yearly review and upon conclusion of such review, the Director of Economic Development shall provide each member of City Council with a copy of the review and present a detailed summary of the review to the Community and Economic Development Committee of City Council."**

2. Renumber existing Section 4 to new "Section 5".

Amendments agreed to.

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

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

**Ord. No. 866-2000.**

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

An emergency ordinance authorizing the directors of Economic Development and Personnel and Human Resources to enter into contracts with various agencies for the implementation of the Empowerment Zone Labor Force Development Program.

Approved by Directors of Economic Development, Personnel and Human Resources, Finance, Law; Recommended by Committees on Community and Economic Development, Employment, Affirmative Action and Training, Finance.

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

**Ord. No. 867-2000.**

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

An emergency ordinance authorizing the Director of Economic Development to enter into Tax Increment Financing Agreements with various property owners to provide for ser-

vice payments for the purpose of repayment of the revenue bonds to be issued for the purpose of assisting with the financing of public improvements on Superior Avenue; to provide for payments to the Cleveland City School District, and to declare certain improvements to real property to be a public purpose; authorizing the Director of Public Service to accept bids to enter into a contract to construct said public improvements; and apply and accept grants to partially pay for such improvements.

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

1. In Section 1, strike line 1 in its entirety and insert in lieu thereof the following:

**"Section 1. That improvements, the assessed value of which would first appear on the tax list and duplicate of real property subsequent to and within ten years of the effective date of this ordinance."**

2. In Section 3, line 4, after "other" insert "lesser".

3. In Section 8, line 1, after "That" insert "pursuant to Section 167 of the Charter of the City of Cleveland,"; and at the end, after "East 30th Street", strike the period and insert "by contract duly let to the lowest responsible bidder upon a unit basis for the improvement."

4. Strike Section 9 in its entirety and insert in lieu thereof the following:

**"Section 9. That, provided this Council authorizes and the City sells general obligation bonds in 2000 for the purposes that include the improvement authorized herein, the Director of Public Service is hereby authorized to enter into a contract for the making of the above public improvement with the lowest responsible bidder after competitive bidding upon a unit basis for the improvement, provided, however, that each separate trade and each distinct component part of said improvement may be treated as a separate improvement, and each, or any combination, of such trades or components may be the subject of a separate contract upon a unit basis.**

5. Insert new Section 13 to read as follows:

**"Section 13. That the cost of said improvement hereby authorized shall be paid from the fund or funds to which are credited the proceeds of the sale of general obligation bonds issued for the purpose which includes the above improvement, from the fund or funds to which are credited the grant proceeds accrued pursuant to Section 10 of this ordinance, and from the fund or funds to which are credited the proceeds of the sale of revenue bonds issued described in Section 6 of this ordinance for the purpose which includes the above improvement."**

6. Renumber existing Section 13 to "Section 14".

Amendments agreed to.

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

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

**Ord. No. 897-2000.**

By Councilman Patmon (by departmental request).

An emergency ordinance providing for the issuance and sale of Bonds in the maximum principal amount of \$8,820,000 for the purpose of providing funds for improving buildings and structures housing and providing for the discharge of governmental functions and services otherwise benefiting the public safety, health and welfare and to pay capitalized interest and all expenses incurred in connection with the issuance of the Bonds; to authorize agreements with respect to the Bonds; and to authorize the issuance of notes in anticipation of such Bonds.

Approved by Directors of Finance, Law; Recommended by Committee on Finance; when amended as follows:

1. In the title, line 3, strike "\$8,820,000" and insert in lieu thereof: "**\$9,975,000**".

2. In the first WHEREAS clause, line 2, strike "Eight Million Eight Hundred Twenty Thousand Dollars (\$8,820,000)" and insert in lieu thereof: "**Nine Million Nine Hundred Seventy Five Thousand Dollars (\$9,975,000)**".

3. In Section 1, line 2, strike "Eight Million Eight Hundred Twenty Thousand Dollars (\$8,820,000)" and insert in lieu thereof: "**Nine Million Nine Hundred Seventy Five Thousand Dollars (\$9,975,000)**".

4. In Section 4, line 4, after "SBK" and before "Investment Corp." insert: "**-Brooks**"; also in line 4, after "Investment Corp." and before "and" insert ", **as co-senior managers**"; and also in line 4 after "Brothers" and before "(collectively," insert ", **as co-manager**".

5. In Section 6, line 3, after "are issued" and before the period, insert: "**upon City Council authorization**".

6. In Section 9, lines 3 and 4, strike "Eight Million Eight Hundred Twenty Thousand Dollars (\$8,820,000)" and insert "**Nine Million Nine Hundred Seventy Five Thousand Dollars (\$9,975,000)**".

7. Add a New Section 24 to read as follows:

**"Section 24. Counsel. Calfee, Halter & Griswold LLP is hereby designated to serve as Bond Counsel to the City and to provide legal services in the nature of the preparation of the document, and the proceedings in connection with the issuance and sale of the Bonds, and the rendering of approving legal opinions with respect thereto, together with legal advice and recommendations as to the documents and legal proceedings in connection with the Bonds authorized herein. In rendering such services, said firm shall not exercise any administrative discretion on behalf of the City in the formation of public policy, expenditure of public funds, enforcement of laws, rules and regulation of this Council and the City or the execution of public trusts. For such services, said firm shall be paid from the proceeds of the Bonds authorized herein just and reasonable compensation and reimbursement of actual out-of-pocket expenses.**

**Arter & Hadden LLP is hereby designated to serve as underwriters' counsel and Forbes, Fields & Associates is hereby designated to serve as co-underwriter counsel to the Original Purchaser to provide legal services in connection therewith."**

8. Renumber existing "Section 24" to new "**Section 25**".

Amendments agreed to.

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

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

**Ord. No. 898-2000.**

By Councilman Patmon (by departmental request).

An emergency ordinance providing for the issuance and sale of bonds in the maximum principal amount of \$5,280,000 for the purpose of providing funds to improve municipal parks and recreation facilities and to pay capitalized interest and all expenses incurred in connection with the issuance of the Bonds; to authorize agreements with respect to the Bonds; and to authorize the issuance of notes in anticipation of such Bonds.

Approved by Directors of Finance, Law; Recommended by Committee on Finance; when amended as follows:

1. In the title, line 3, strike "\$5,280,000" and insert in lieu thereof: "**\$5,590,000**".

2. In the first WHEREAS clause, line 2, strike "Five Million Two Hundred Eighty Thousand Dollars (\$5,280,000)" and insert in lieu thereof: "**Five Million Five Hundred Ninety Thousand Dollars (\$5,590,000)**".

3. In Section 1, line 2, strike "Five Million Two Hundred Eighty Thousand Dollars (\$5,280,000)" and insert in lieu thereof: "**Five Million Five Hundred Ninety Thousand Dollars (\$5,590,000)**".

4. In Section 4, line 4, after "SBK" and before "Investment Corp." insert: "**-Brooks**"; also in line 4, after "Investment Corp." and before "and" insert ", **as co-senior managers**"; and also in line 4 after "Brothers" and before "(collectively," insert ", **as co-manager**".

5. In Section 6, line 3, after "are issued" and before the period, insert: "**upon City Council authorization**".

6. In Section 9, lines 3 and 4, strike "Five Million Two Hundred Eighty Thousand Dollars (\$5,280,000)" and insert "**Five Million Five Hundred Ninety Thousand Dollars (\$5,590,000)**".

7. Add a New Section 24 to read as follows:

**"Section 24. Counsel. Calfee, Halter & Griswold LLP is hereby designated to serve as Bond Counsel to the City and to provide legal services in the nature of the preparation of the documents and the proceedings in connection with the issuance and sale of the Bonds, and the rendering of approving legal opinions with respect thereto, together with legal advice and recommendations as to the documents and legal proceedings in connection with the Bonds authorized herein. In rendering such services, said firm shall not exercise any administrative discretion on behalf of the City in the formation of public policy, expenditure of public funds, enforcement of laws, rules and regulation of this Council and the City, or the execution of public trusts. For such services, said firm shall be paid from the proceeds of the Bonds authorized herein just and reasonable compensation and reimbursement of actual out-of-pocket expenses.**

**Arter & Hadden LLP is hereby designated to serve as underwriters'**

**counsel and Forbes, Fields & Associates is hereby designated to serve as co-underwriter counsel to the Original Purchaser to provide legal services in connection therewith."**

8. Renumber existing "Section 24" to new "**Section 25**".

Amendments agreed to.

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

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

**Ord. No. 899-2000.**

By Councilman Patmon (by departmental request).

An emergency ordinance providing for the issuance and sale of Bonds in the maximum principal amount of \$11,090,000 for the purpose of providing funds to improve the municipal street system and related facilities and to pay capitalized interest and all expenses incurred in connection with the issuance of the Bonds; to authorize agreements with respect to the Bonds; and to authorize the issuance of notes in anticipation of such Bonds.

Approved by Directors of Finance, Law; Recommended by Committee on Finance; when amended as follows:

1. In Section 4, line 4, after "SBK" and before "Investment Corp." insert: "**-Brooks**"; also in line 4, after "Investment Corp." and before "and" insert ", **as co-senior managers**"; and also in line 4 after "Brothers" and before "(collectively," insert ", **as co-manager**".

2. In Section 6, line 3, after "are issued" and before the period, insert: "**upon City Council authorization**".

3. Add a New Section 24 to read as follows:

**"Section 24. Counsel. Calfee, Halter & Griswold LLP is hereby designated to serve as Bond Counsel to the City and to provide legal services in the nature of the preparation of the documents and the proceedings in connection with the issuance and sale of the Bonds, and the rendering of approving legal opinions with respect thereto, together with legal advice and recommendations as to the documents and legal proceedings in connection with the Bonds authorized herein. In rendering such services said firm shall not exercise any administrative discretion on behalf of the City in the formation of public policy, expenditure of public funds, enforcement of laws, rules and regulation of this Council and the City, or the execution of public trusts. For such services, said firm shall be paid from the proceeds of the Bonds authorized herein just and reasonable compensation and reimbursement of actual out-of-pocket expenses.**

**Arter & Hadden LLP is hereby designated to serve as underwriters' counsel and Forbes, Fields & Associates is hereby designated to serve as co-underwriter counsel to the Original Purchaser to provide legal services in connection therewith."**

4. Renumber existing "Section 24" to new "**Section 25**".

Amendments agreed to.

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

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

**Ord. No. 900-2000.**

By Councilman Patmon (by departmental request).

An emergency ordinance providing for the issuance and sale of Bonds in the maximum principal amount of \$2,310,000 for the purpose of providing funds for public improvements of municipal properties and easements in residential neighborhoods and to pay capitalized interest and all expenses incurred in connection with the issuance of the Bonds; to authorize agreements with respect to the Bonds; and to authorize the issuance of notes in anticipation of such Bonds.

Approved by Directors of Finance, Law; Recommended by Committee on Finance; when amended as follows:

1. In Section 4, line 4, after "SBK" and before "Investment Corp." insert: "**Brooks**"; also in line 4, after "Investment Corp." and before "and" insert ", **as co-senior managers**"; and also in line 4 after "Brothers" and before "(collectively," insert ", **as co-manager**."

2. In Section 6, line 3, after "are issued" and before the period, insert: "**upon City Council authorization**".

3. Add a New Section 24 to read as follows:

**"Section 24. Counsel. Calfee, Halter & Griswold LLP is hereby designated to serve as Bond Counsel to the City and to provide legal services in the nature of the preparation of the documents and the proceedings in connection with the issuance and sale of the Bonds, and the rendering of approving legal opinions with respect thereto, together with legal advice and recommendations as to the documents and legal proceedings in connection with the Bonds authorized herein. In rendering such services, said firm shall not exercise any administrative discretion on behalf of the City in the formation of public policy expenditure of public funds, enforcement of laws, rules and regulation of this Council and the City, or the execution of public trusts. For such services, said firm shall be paid from the proceeds of the Bonds authorized herein just and reasonable compensation and reimbursement of actual out-of-pocket expenses.**

**Arter & Hadden LLP is hereby designated to serve as underwriters' counsel and Forbes, Fields & Associates is hereby designated to serve as co-underwriter counsel to the Original Purchaser to provide legal services in connection therewith."**

4. Renumber existing "Section 24" to new "**Section 25**".

Amendments agreed to.

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

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

**Ord. No. 908-2000.**

By Councilmen Dolan and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Port Control to

employ one or more professional consultants to provide professional engineering and surveying services necessary for various airport projects.

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

1. Insert New Section 2 to read as follows:

**"Section 2. That the contract authorized herein shall be for a term of one (1) year or less and shall not be amended, extended, or modified without City Council authorization."**

2. Delete existing Section 2 in its entirety and insert in lieu thereof New Section 3 to read as follows:

**"Section 3. That all expenditures under the contract authorized herein shall not exceed \$100,000.00, and shall be paid from Fund No. 60 SF 001, Request No. 8286."**

3. Renumber existing Section 3 to "**Section 4**".

Amendments agreed to.

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

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

**Ord. No. 921-2000.**

By Councilman Britt.

An emergency ordinance authorizing the Director of Public Service to issue a permit to The Cleveland Clinic Foundation to encroach into the public right-of-way of Reserve Court N.E. for the construction of a pavement for ingress and egress, steel posts and security gates over, through, upon, and encroaching into the public right-of-way of Reserve Court N.E. for the American Cancer Society's Community Resource Center.

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

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

**Ord. No. 922-2000.**

By Councilman Britt.

An emergency ordinance authorizing the Director of Public Service to issue a permit to Supper's Ready, Inc., an Ohio Corporation dba Salvatore's Ristorante to encroach into the right-of-way of Edgehill and Murray Hill Roads with an outdoor seasonal patio dining area with tables, chairs, railings and a wooden deck.

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

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

**Ord. No. 923-2000.**

By Councilmen Cintron and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Public Service to apply for and accept a grant from

the Ohio Department of Natural Resources for the 2001 Recycle Ohio! Program; authorizing a contract with Parkworks for professional advertising services; and authorizing a contract for the purchase of equipment and supplies for the program.

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

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

**Ord. No. 925-2000.**

By Councilman Cintron, Jr.

An emergency ordinance authorizing the Director of Public Service to issue a permit to Stonebridge Building and Design, Inc. to encroach into the public right-of-way of Riverbed Street with an apartment building from the second story upward to a minimum height of 12-feet, 8-inches above the pavement area.

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

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

**Ord. No. 926-2000.**

By Councilman Jackson (by request).

An emergency ordinance authorizing the Director of Public Service to issue a permit to Dunham Tavern Museum, to encroach into the right-of-way of Euclid Avenue with four (4) double sided banners to be attached to utility poles (by separate permission) to celebrate and identify their 175 years in existence.

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

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

**Ord. No. 927-2000.**

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

An emergency ordinance determining the method of making the public improvement of renovating various Department of Public Safety buildings; authorizing the Director of Public Safety to enter into contract for the making of such improvement; authorizing said director to employ one or more professional consultants to design the public improvement; and authorizing the purchase by requirement contract of equipment, furniture, supplies and fixtures, necessary to implement the improvement.

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

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



**Ord. No. 930-2000.**

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

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to apply for and accept a grant from the Ohio Department of Natural Resources for Phase II of the Woodland Recreation Center site improvements; determining the method of making the public improvement of constructing the bikeway; and authorizing the Director of Parks, Recreation and Properties to enter into contract for the making of such improvement.

Approved by Directors of Parks, Recreation and Properties, City Planning Commission, Finance, Law; Recommended by Committees on Public Parks, Property, and Recreation, City Planning, Finance; when amended as follows:

1. In Section 5, line 1, after "That" insert ", provided this Council authorizes and the City sells general obligation bonds in 2000 for the purposes that include the improvement authorized herein,".

2. In existing Section 6, line 4, between "ordinance" and the period insert "and the cash match".

3. Insert new Sections 6 and 7 to read as follows:

**"Section 6. That plans for the development of the improvement shall be reviewed by the City Planning Commission prior to construction of the improvement.**

**Section 7. That before April 1, 2001, the Director of Parks, Recreation and Properties is to submit to the Clerk of Council a list of all grants available from Natureworks and a list of all projects and sites that the Director recommends for consideration for grants."**

4. Renumber existing Sections 6 and 7, respectively to new "Section 8" and "Section 9".

5. In existing Section 6, line 4, between "ordinance" and the period insert "and the cash match".

Amendments agreed to.

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

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

**Ord. No. 931-2000.**

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

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter into and execute a lease agreement for certain properties in the City of Cleveland located at Paul Revere Elementary School, 10706 Sandusky Avenue, Benjamin Franklin Elementary School, 1905 Spring Road, and Denison Elementary School, 3799 West 33rd Street from the Cleveland Municipal School District for a term not to exceed twenty (20) years for the public purpose of constructing playground improvements; and authorizing the Director to enter into and execute an agreement with Parkworks, Cleveland for the construction of playground improvements at Benjamin Franklin Elementary School, 1905 Spring Road, and Denison Elementary School, 3799 West 33rd Street.

Approved by Directors of Parks, Recreation and Properties, City Planning Commission, Finance, Law; Recommended by Committees on

Public Parks, Property, and Recreation, City Planning, Finance; when amended as follows:

1. In the title, strike lines 19, 20, 21, 22 and 23 in their entirety and insert in lieu thereof the following: **"design of playground improvements at Benjamin Franklin, Denison and R.G. Jones Elementary Schools; and to determine the method of making the public improvement of improving the playgrounds; and authorizing the Director of Parks, Recreation and Properties to enter into contract for the making of such improvement and authorizing the Director of Parks, Recreation and Properties to enter into contract to purchase playground equipment."**

2. Strike the third whereas clause in its entirety and insert in lieu thereof the following:

**"Whereas, the Cleveland Municipal School District and the City desire to enter into an agreement authorizing joint use of parking lots and playgrounds at elementary schools in the City; and**

**Whereas, Parkworks has proposed to design playground improvements at Benjamin Franklin, Denison and R.G. Jones Elementary Schools; and"**

3. Strike Sections 7, 8, 9 and 10 in their entirety and insert in lieu thereof the following:

**"Section 7. That the Director of Parks, Recreation and Properties is authorized to enter into a joint use agreement with the Cleveland Municipal School District regarding the use of playgrounds and parking lots at the elementary schools located within the City by residents of the City. This agreement shall provide that the playgrounds shall be open to the public without barriers denying access during non-school hours and that the Cleveland Municipal School District shall maintain the playgrounds and parking lots. There shall be no use fee charged to the City.**

**Section 8. That the agreement authorized pursuant to Section 7 shall be prepared by the Director of Law and shall contain such terms and conditions as are required to protect the interest of the City.**

**Section 9. That the Director of Parks, Recreation and Properties and Community Development are hereby authorized to enter into an agreement with Parkworks to design playground improvements at Benjamin Franklin, Denison and R.G. Jones Elementary Schools.**

**Section 10. That the Mayor, and the Director of Parks, Recreation and Properties and other appropriate City officials, are hereby authorized to execute such other documents and certificates, and take such other actions as may be necessary or appropriate to effect the lease and agreements authorized pursuant to this ordinance.**

**Section 11. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of constructing playground and parking lot improvements to Benjamin Franklin, Denison, R.G. Jones and Paul Revere Elementary Schools, for the Department of Parks, Recreation and Properties.**

**Section 12. That the Director of Parks, Recreation and Properties is hereby authorized to enter into contract for the making of the above public improvement with the lowest responsible bidder after competitive bidding upon a unit basis for the improvement, provided, however,**

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

**Section 13. That the Director of Parks, Recreation and Properties is authorized to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for playground equipment for Benjamin Franklin, Denison, R.G. Jones and Paul Revere Elementary Schools to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Department of Parks, Recreation and Properties.**

**Section 14. That the cost of the contract authorized between the City and Parkworks and the cost of the improvement hereby authorized and the cost of the contract to purchase playground equipment shall be paid from Fund Nos. 10 SF 166 and 20 SF 361, Request No. 5056."**

Amendments agreed to.

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

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

**Ord. No. 936-2000.**

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

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to apply for and accept a grant from the Ohio Department of Transportation for Phase 2 of the 2000 Cleveland Lakefront Bikeway Project; determining the method of making the public improvement of constructing the bikeway; and authorizing the Director of Parks, Recreation and Properties to enter into contract for the making of such improvement.

Approved by Directors of Parks, Recreation and Properties, City Planning Commission, Finance, Law; Recommended by Committees on Public Parks, Property, and Recreation, City Planning, Finance; when amended as follows:

1. In Section 1, line 3, strike "\$681,966.00" and insert in lieu thereof "**\$684,000.00**".

2. In Section 2, line 4, strike "\$171,000" and insert in lieu thereof "**\$172,000**".

3. Insert new Section 5 to read as follows:

**"Section 5. That upon completion of said improvement, the City will thereafter keep said bikeway open to traffic at all times, and will:**

(a) **Maintain the portion of the improvement which lies within dedicated public rights of way in the City of Cleveland in accordance with the provisions of the statutes relating thereto and make ample financial and other provisions for such maintenance, it being understood that the State of Ohio will maintain those portions of the improvement located within State-owned or State-leased land; and**

(b) **Maintain said dedicated public right-of-way, keep it free of obstruction in a manner satisfactory to the State of Ohio, hold said right-of-way inviolate for public-highway bike route purposes and permit no signs, posters, billboards, roadside stands or other private installations within the right-of-way limits."**

4. In existing Section 5, line 1, after "That" insert ", provided this Council authorizes and the City sells general obligation bonds in 2000 for the purposes that include the improvement authorized herein."

5. Renumber existing Sections 5 and 6, respectively to new "Section 6" and "Section 7".

6. In existing Section 6, line 4, between "ordinance" and the period insert "and the cash match".

7. Insert new Section 8 to read as follows:

**"Section 8. That the Director of the City Planning Commission is hereby authorized to apply for a grant in an amount not to exceed \$101,000 from the Ohio Department of Transportation for the bicycle and pedestrian facility for the Mill Creek Trail."**

8. Renumber existing Section 7 to new "Section 9".

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

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

**Ord. No. 937-2000.**

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

An emergency ordinance determining the method of making the public improvement of rehabilitating Cleveland Memorial Gardens; authorizing the Director of Parks, Recreation and Properties to enter into contract for the making of such improvement; and authorizing said director to employ one or more professional consultants to design the improvement.

Approved by Directors of Parks, Recreation and Properties, City Planning Commission, Finance, Law; Recommended by Committees on Public Parks, Property, and Recreation, City Planning, Finance; when amended as follows:

1. Strike the title in its entirety and insert in lieu thereof the following:

**"An emergency ordinance authorizing the Director of Parks, Recreation and Properties to employ one or more professional consultants to provide professional services necessary to design the rehabilitation of Cleveland Memorial Gardens."**

2. Strike Sections 1, 2, 3 and 4 in their entirety and renumber existing Sections 5, 6 and 7, respectively, to new "Section 1", "Section 2" and "Section 3".

3. In existing Section 5, strike lines 6 and 7 in their entirety and insert in lieu thereof the following: **"professional services necessary to design the Phase II construction of the roadways, constructing a Maintenance Building and culverting the drainage ditch at Cleveland Memorial Gardens."**

4. In existing Section 6, line 2, after "shall" insert "not exceed \$60,000 and shall".

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

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

**Ord. No. 939-2000.**

By Councilmen Jackson, O'Malley, Cimperman and Patmon.

An emergency ordinance authorizing the sale of real property as part

of the Land Reutilization Program and located at East 63rd Street to Burten, Bell, Carr Development Corporation or designee.

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

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

**Ord. No. 940-2000.**

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at East 61st and 63rd Streets to Burten, Bell, Carr Development Corporation or designee.

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

1. Insert new Sections 35 and 36 to read as follows:

**"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 Nos. 118-29-105 and 118-30-050, as more fully described in Section 36 below, to Burten, Bell, Carr Development Corporation or their designee.**

**Section 36. That the real property to be sold pursuant to Section 35 of this Ordinance is more fully described as follows:**

**P. P. No. 118-29-105**

**Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 93 in Chamberlain Allotment of part of Original One Hundred Acre Lots Nos. 334 and 335 as shown by the recorded plat in Volume 3 of Maps, Page 28 of Cuyahoga County Records, and being 40 feet front on the Easterly line of East 61st Street (60 feet wide) and extending back of equal width 160 feet, be the same more or less, but subject to all legal highways.**

**Also subject to all zoning ordinances, if any.**

**P. P. No. 118-30-050**

**Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 141 in W.S. and M.W. Chamberlain's Allotment of part of Original One Hundred Acre Lots Nos. 334 and 335 as shown by the recorded plat in Volume 3 of Maps, Page 28 of Cuyahoga County Records and being 40 feet front on the Easterly side of East 63rd Street (formerly Richland Avenue) and extending back of equal width 160 feet as appears by said plat, be the same more or less, but subject to all legal highways.**

**Also subject to zoning ordinances, if any.**

2. Renumber Sections 35, 36, 37 and 38 to new "Section 37", "Section 38", "Section 39", and "Section 40".

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

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

**Ord. No. 942-2000.**

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

An emergency ordinance authorizing the Director of Community Development to enter into contract with Zaremba Cleveland Communities, Inc. and Millcreek Joint Venture (jointly referred to herein as "Developer") the developer of the Mill Creek Housing Development located on Turney Road in the Warner-Turney-Broadway neighborhood of Cleveland ("Mill Creek") for payment of infrastructure costs associated with Mill Creek and to authorize the acceptance of second mortgages on the Mill Creek parcels in repayment of aforesaid contract.

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

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

**Ord. No. 944-2000.**

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

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to sell City-owned property no longer needed for public use located in Block A-5 of the Cleveland Industrial Park to Arrowhead Industries Corp. and Erieview Metal Treating Company.

Approved by Directors of Economic Development, Finance, Law; Recommended by Committees on Community and Economic Development, Finance; when amended as follows:

1. In the title, line 7 and in Section 2, lines 3 and 4 delete "Arrowhead Industries Corp." and insert the following in lieu thereof: **"Scovill-Hanna Realty, LLC d.b.a. Arrowhead Industries Corp."**

Amendment agreed to.

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

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

**Ord. No. 946-2000.**

By Councilmen White and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Personnel and Human Resources to apply for and accept a grant from the Ohio Bureau of Employment Services POWER\* Ohio for the Workforce Investment Act Transition Program; and to enter into contract with OMTI Workforce Training Institute to implement the Program.

Approved by Directors of Personnel and Human Resources, Finance, Law; Recommended by Committees on Employment, Affirmative Action and Training, Finance.

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

**Ord. No. 996-2000.**

By Councilmen Polensek and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Law to apply for and accept a grant from the State of Ohio, Department of Education, for the 2000 TEAM Approach to Violence Against Women Program.

Approved by Directors of Finance, Law; Recommended by Committee on Finance; when amended as follows:

1. In Section 1, in lines 7, 8 and 9, strike "and that said funds be and they are appropriated for the purposes set forth in the summary for said grant" and insert in lieu thereof "that one-half of said grant funds are appropriated for the purposes set forth in the summary of the grant; and that appropriation of the remainder of said grant funds shall require further legislation of this Council."

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

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

**Ord. No. 998-2000.**

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

An emergency ordinance determining the method of making the public improvement of rehabilitating the Buhner Avenue sewer, and authorizing the Director of Public Utilities to enter into contract for the making of such improvement.

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

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

**Ord. No. 999-2000.**

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

An emergency ordinance determining the method of making the public improvement of rehabilitating the Fairville/West 190th Street area sewer, and authorizing the Director of Public Utilities to enter into contract for the making of such improvement.

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

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

**Ord. No. 1000-2000.**

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

An emergency ordinance determining the method of making the public improvement of rehabilitating the Westpark Road sewer, and authorizing the Director of Public Utilities to enter into contract for the making of such improvement.

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

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

**Ord. No. 1004-2000.**

By Councilmen Cintron and Patmon (by departmental request).

An emergency ordinance to amend the title and Section 1 of Ordinance No. 2161-99, 2162-99, 2164-99 and 2165-99, passed February 14, 2000, relating to various requirement contract purchases for the Division of Traffic Engineering and Parking.

Approved by Directors of Public Service, Public Safety, Finance, Law; Recommended by Committees

on Public Service, Public Safety, Finance; when amended as follows:

1. In Section 1, at amended Section 1, lines 6 and 7, strike "the approximate amount as purchased during the preceding year" and insert in lieu thereof "an amount not to exceed \$50,000".

2. In Section 2, at amended Section 1, lines 7 and 8, strike "the approximate amount as purchased during the preceding year" and insert in lieu thereof "an amount not to exceed \$30,000".

3. In Section 3, at amended Section 1, lines 6 and 7, strike "the approximate amount as purchased during the preceding year" and insert in lieu thereof "an amount not to exceed \$60,000".

4. In Section 4, at amended Section 1, lines 7 and 8, strike "the approximate amount as purchased during the preceding year" and insert in lieu thereof "an amount not to exceed \$300,000".

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

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

**Ord. No. 1058-2000.**

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

An emergency ordinance authorizing the Directors of Community Development and/or Public Health to enter into contracts with various agencies to provide AIDS related services.

Approved by Directors of Public Health, Community Development, Finance, Law; Recommended by Committees on Public Health, Community and Economic Development, Finance; when amended as follows:

1. In Section 1, line 5, after "program" insert "in accordance with File No. 1058-2000-A, attached hereto,".

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

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

**Ord. No. 1059-2000.**

By Councilmen Gordon and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Ohio Department of Health for the 2001 Infant Mortality Reduction (Initiative) Project and to enter into contract with Lutheran Metropolitan Ministry to implement the program.

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

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

**Ord. No. 1063-2000.**

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on West 52nd Street to Bridge Housing Corporation.

Approved by Directors of Community Development, City Planning Commission, Finance, Law; Recom-

mended by Committees on Community and Economic Development, City Planning, Finance.

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

**Ord. No. 1066-2000.**

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

An emergency ordinance authorizing the Director of Economic Development to enter into an Empowerment Zone Section 108 loan and an Economic Development Initiative Grant Agreement with Fairfax Renaissance Development Corporation to provide economic development assistance to partially finance the acquisition and construction of real property located at the northwest corner of East 82nd Street and Quincy Avenue, Cleveland, Ohio.

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

1. In Section 4, line 5, strike "1115023" and insert in lieu thereof "13115".

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

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

**Ord. No. 1070-2000.**

By Councilmen White and Patmon (by departmental request).

An emergency ordinance to amend Sections 8, 25, 28, 32, and 43 of Ordinance No. 434-2000, relating to compensation for various classifications.

Approved by Directors of Personnel and Human Resources, Finance, Law; Recommended by Committees on Employment, Affirmative Action and Training, Finance.

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

**Ord. No. 1071-2000.**

By Councilman Willis.

An emergency ordinance authorizing the Director of Public Service to issue a permit to University Circle Incorporated to encroach into the right-of-way at 11111 Euclid Ave. with a shuttle bus shelter in front of Case Western Reserve University's Thwing Student Service Center.

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

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

**LAID ON THE TABLE**

**Ord. No. 1940-98.**

By Councilmen Gordon, Zone and Johnson (by departmental request).

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Section 127.42 thereof relating to transferring the Bureau of Vital Statistics from the Department of Public Health to the Division of Assessments and Licenses in the Department of Finance; to amend Ordinance No. 141.01, as amended by Ordinance No. 63410-A, passed Sep-

tember 22, 1924; and to repeal existing Section 141.18 thereof, as enacted by Ordinance No. 63410-A, passed September 22, 1924, relating to the Bureau of Vital Statistics.

Without objection, Ordinance No. 1940-98 was Laid on the Table pursuant to the Rules of Council.

**Ord. No. 1949-98.**

By Councilmen Sweeney, Coats, Zone and Johnson (by departmental request).

An emergency ordinance to discontinue the Division of Waste Collection and Disposal by repealing Sections 131.14 and 131.15 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by various ordinances; to transfer the Division of Traffic Engineering from the Department of Public Safety to the Department of Public Service by supplementing said codified ordinances by enacting new Sections 131.14 and 131.15 thereof; to amend Sections 131.12, 403.03 and 403.06 of said codified ordinances, as amended by various ordinances, relating to the Duties of the Division of Traffic Engineering and the Commissioner thereof; and to allow for the discontinuance of the Division of Traffic Engineering and the office of the Commissioner of Traffic Engineering upon a vacancy in that office.

Without objection, Ordinance No. 1949-98 was Laid on the Table pursuant to the Rules of Council.

**Ord. No. 1950-98.**

By Councilmen Coats, Gordon, Zone and Johnson (by departmental request).

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Sections 135.57, 135.58, 135.59, 135.60, 135.61, 135.62 and 135.63 thereof, relating to transferring the Division of Correction from the Department of Public Health to the Department of Public Safety; to amend Sections 135.01 and 141.02, as amended by various ordinances; and to repeal existing Sections 141.06, 141.07, 141.071, 141.072, 141.08, 141.081 and 141.09, as amended by various ordinances relating to the Division of Correction.

Without objection, Ordinance No. 1950-98 was Laid on the Table pursuant to the Rules of Council.

**MOTION**

By Councilman Cintron and seconded by Councilman Gordon and unanimously carried that the absence of Councilman Odelia V. Robinson be and is hereby authorized.

**MOTION**

The Council adjourned at 11:55 p.m. to meet on Monday July 17, 2000 in the Council Chambers.



Clerk of Council

**THE CALENDAR**

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

NONE

**BOARD OF CONTROL**

June 14, 2000

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, June 14, 2000, at 11:00 a.m. with Acting Director Carr presiding.

Present: Acting Director Carr, Director Brooks, Acting Directors Sundheimer, Savas, Directors Ricchiuto, Whitlow, Guzman, Hudecek, Patterson, Warren, Acting Director Alexander.

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

On motion, the following resolutions were adopted.

**Resolution No. 385-00.**

By Director Brooks.  
Whereas, by Resolution No. 383-00, adopted June 7, 2000, pursuant to the authority of Ordinance No. 318-00, passed by the Cleveland City Council April 17, 2000, this Board of Control approved the bid of Dougherty Lumber, as the lowest and best bid for the purchase of lumber; and

Whereas, in said Resolution No. 383-00, the bidder's amount was incorrectly stated as Two Hundred Thirty-Seven Thousand Eight Hundred Ninety-Seven and 50/100 Dollars (\$237,895.50); now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that Board of Control Resolution No. 383-00, adopted June 7, 2000, affirming and approving the bid of Dougherty Lumber as the lowest and best for the purchase of lumber, for various divisions of City Government, Department of Finance, hereby is amended by changing the amount to "Two Hundred Thirty-Seven Thousand Eight Hundred Ninety-Five and 50/100 Dollars (\$237,895.50)."

Be it further resolved that all other provisions of said resolution not expressly amended hereby shall remain in full force and effect.

Yeas: Acting Director Carr, Director Brooks, Acting Directors Sundheimer, Savas, Directors Ricchiuto, Guzman, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.  
Absent: Mayor White, Directors Whitlow, Jackson.

**Resolution No. 386-00.**

By Director Brooks.  
Resolved, by the Board of Control of the City of Cleveland that the bid of Hough Supply & Specialty Co. for an estimated quantity of Janitorial Supplies (Group A - paper products), for the various divisions of City Government, Department of Finance, for a period of one (1) year beginning with the date of execution of a contract, received on May 11, 2000, pursuant to the authority of Ordinance No. 710-99, passed May 17, 1999, which on the basis of the estimated quantity would amount to Four Hundred Eighty-Eight Thousand Nine Hundred Sixty-Five and 00/100 Dollars (\$488,965.00) (Net 30 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. RE-15138  
(Division of Property Management - \$20,000.00)

RE-09900 (Division of Motor Vehicle Maintenance - \$5,000.00) which shall be certified against such contract in the total sum of Twenty-Five Thousand and 00/100 Dollars (\$25,000.00).

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

Yeas: Acting Director Carr, Director Brooks, Acting Directors Sundheimer, Savas, Directors Ricchiuto, Guzman, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.  
Absent: Mayor White, Directors Whitlow, Jackson.

**Resolution No. 387-00.**

By Director Konicek.  
Be it resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by Creative Works, Inc., contractor employed by contract to provide professional services to design, layout, produce and distribute the 1999 and 2000 water quality reports, for the Division of Water, Department of Public Utilities, under City Contract No. 56168, authorized by Ordinance No. 882-99, passed June 7, 1999 and Board of Control Resolution No. 163-00, adopted March 15, 2000 is hereby approved.

Subcontractor — Work

Andrew Johns, Inc. — \$19,734.00

Phil Vedda & Sons, Inc. —  
\$187,516.00

Alice Paul Printers and  
Mail Service — \$32,300.00

Mengay Photographic Illustration  
— \$7,000.00

The InterSoft Group, Inc. —  
\$5,600.00

Asist Translation Services —  
\$3,200.00

Yeas: Acting Director Carr, Director Brooks, Acting Directors Sundheimer, Savas, Directors Ricchiuto, Whitlow, Guzman, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.  
Absent: Mayor White, Director Jackson.

**Resolution No. 388-00.**

By Director Konicek.  
Be it resolved by the Board of Control of the City of Cleveland that Board of Control Resolution No. 353-00, adopted May 24, 2000, pursuant to the authority of Ordinance No. 1417-99, passed October 4, 1999 approving the bid of Meurer Research, Inc. as lowest and best for labor and materials to modify and maintain a trac-vac residuals collection system at the Garrett A. Morgan Water Treatment Plant (all items), for the Division of Water, Department of Public Utilities, is hereby amended by deleting the written words "Thirty Thousand

Dollars" referring to the requisition amount and adding the written words "Fifty Thousand Dollars".

Be it further resolved that all other provisions of said Resolution No. 353-00 not expressly amended hereby shall remain unchanged and in full force and effect.

Yeas: Acting Director Carr, Director Brooks, Acting Directors Sundheimer, Savas, Directors Ricchiuto, Whitlow, Guzman, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.

Absent: Mayor White, Director Jackson.

**Resolution No. 389-00.**

By Director Konecek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Perk Company, Inc. for an estimated quantity of various sewer maintenance appurtenances - slabs (items 1-9), for the Division of Water Pollution Control, Department of Public Utilities, for a period of two (2) years beginning with the date of execution of a contract, received on the 17th day of May 2000, pursuant to the authority of Section 129.27 of the Codified Ordinances of Cleveland, Ohio 1976, which on the basis of the estimated quantity would amount to Two Hundred Twenty-Seven Thousand One Hundred Sixty and 00/100 Dollars (\$227,160.00) (Net) 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 such contract of the following:

Requisition No. 22377

which shall be certified against such contract in the sum of Seventy-Five Thousand and 00/100 Dollars (\$75,000.00).

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.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractor by Perk Company, Inc. for the contract authorized herein is approved:

SUBCONTRACTOR MBE/FBE WORK

Cuyahoga Supply  
FBE — Misc. Building Supplies  
(5%)

Alexa Trucking  
MBE — Project Trucking (16%)

Yeas: Acting Director Carr, Director Brooks, Acting Directors Sundheimer, Savas, Directors Ricchiuto, Whitlow, Guzman, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.

Absent: Mayor White, Director Jackson.

**Resolution No. 390-00.**

By Director Konecek.

Resolved by the Board of Control of the City of Cleveland, that all bids received on May 19, 2000, for six (6) semi-dump trailers for the

Division of Water, Department of Public Utilities, pursuant to the authority of Ordinance No. 1816-99, passed by the Council of the City of Cleveland on December 13, 1999, be and the same are hereby rejected.

Yeas: Acting Director Carr, Director Brooks, Acting Directors Sundheimer, Savas, Directors Ricchiuto, Whitlow, Guzman, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.

Absent: Mayor White, Director Jackson.

**Resolution No. 391-00.**

By Director Konecek.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of Hooks Concrete Corporation for an estimated quantity of labor and materials to repair tree lawns (all items) for various divisions of the Department of Public Utilities, for a period of one (1) year beginning with the date of execution of a contract received on the 8th day of June, 2000, pursuant to the authority of Ordinance No. 516-2000, passed May 22, 2000 on the basis of the estimated quantity would amount to Two Hundred Thirty Nine Thousand Five Dollars (\$239,005.00), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into a requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 23713

which shall be certified against such contract in the sum of One Hundred Fifty Thousand Dollars (\$150,000.00).

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: Acting Director Carr, Director Brooks, Acting Directors Sundheimer, Savas, Directors Ricchiuto, Whitlow, Guzman, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.

Absent: Mayor White, Director Jackson.

**Resolution No. 392-00.**

By Director Konecek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Julian Supply Company, Inc. for an estimated quantity of fire hydrants and fire hydrant parts Group C — Item 14, for the Division of Water, Department of Public Utilities, for a period of one (1) year beginning with the date of execution of a contract received on the 26th day of April, 2000, pursuant to the authority of Section 129.25 of the Codified Ordinances of Cleveland, Ohio 1976, which on the basis of the estimated quantity would amount to Ten Thousand Dollars, (\$10,000.00) (0% 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into a requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 23682

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

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

Yeas: Acting Director Carr, Director Brooks, Acting Directors Sundheimer, Savas, Directors Ricchiuto, Whitlow, Guzman, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.

Absent: Mayor White, Director Jackson.

**Resolution No. 393-00.**

By Director Konecek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Mueller Co. for an estimated quantity of fire hydrants and fire hydrant parts Group A — Items 3 and 4; Group B — Items 8 and 12; Group C — Item 13; Item 12A, for the Division of Water, Department of Public Utilities, for a period of one (1) year beginning with the date of execution of a contract received on the 26th day of April, 2000, pursuant to the authority of Section 129.25 of the Codified Ordinances of Cleveland, Ohio 1976, which on the basis of the estimated quantity would amount to One Million One Hundred Ninety One Thousand Six Hundred Fifty Dollars (\$1,191,650.00) (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 a requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 23684

which shall be certified against such contract in the sum of Two Hundred Thousand Dollars (\$200,000.00).

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: Acting Director Carr, Director Brooks, Acting Directors Sundheimer, Savas, Directors Ricchiuto, Whitlow, Guzman, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.

Absent: Mayor White, Director Jackson.

**Resolution No. 394-00.**

By Director Konecek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Kennedy Valve, Division of McWane, Inc. for an estimated quantity of fire hydrants and fire hydrant parts, Group A — Items 1, 2, 5, and 6; Group B — Items 7, 9, 10, and 11; Group C — Item 15; Items 1A, 5A, 9A, 11A, 12B, 12C, and 12D, for the Division of Water, Department of Public Utilities, for a period of one (1) beginning with the date of execution of a contract received on the 26th day of April,

2000, pursuant to the authority of Section 129.25 of the Codified Ordinances of Cleveland, Ohio 1976, which on the basis of the estimated quantity would amount to One Million Thirty Six Thousand Nine Hundred Dollars, (\$1,036,900.00), (2% 31 Days) is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into a requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 23683 which shall be certified against such contract in the sum of Two Hundred Thousand Dollars (\$200,000.00).

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: Acting Director Carr, Director Brooks, Acting Directors Sundheimer, Savas, Directors Ricchiuto, Whitlow, Guzman, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.

Absent: Mayor White, Director Jackson.

**Resolution No. 395-00.**

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Underground Pipe and Valve Corp. for an estimated quantity of pipe repair clamps (all items), for the Division of Water, Department of Public Utilities, for a period of one (1) year beginning with the date of execution of a contract received on the 19th day of April, 2000, pursuant to the authority of Section 129.25 of the Codified Ordinances of Cleveland, Ohio 1976, which on the basis of the order quantities would amount to One Hundred Thirty One Thousand Six Hundred Seventy Dollars (\$131,670.00), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into a requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 23675 which shall be certified against such contract in the sum of Twenty Thousand Dollars (\$20,000.00).

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: Acting Director Carr, Director Brooks, Acting Directors Sundheimer, Savas, Directors Ricchiuto, Whitlow, Guzman, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.

Absent: Mayor White, Director Jackson.

**Resolution No. 396-00.**

By Director Sheffield-McClain.

Whereas, pursuant to the authority of Ordinance No. 239-98, passed by the Council of the City of Cleveland on April 6, 1998, and Board of Control Resolution No. 779-98, adopted December 2, 1998, the City, through its Director of Port Control, entered into City Contract No. 53894 with H.E.M.S., Inc. for labor and materials needed to remove rubber and paint from paved surfaces for the various divisions of the Department of Port Control, and

Whereas, by its May 30, 2000 letter, H.E.M.S., Inc. has notified the City that it has been acquired by and merged into Hi-Lite Markings, Inc. effectively requesting assignment of the contract to the latter; now, therefore

Be it resolved by the Board of Control of the City of Cleveland that this Board hereby acknowledges and consents to the merger of H.E.M.S., Inc. with and the change of name and the assignment of City Contract No. 53894 to Hi-Lite Markings, Inc.

Be it further resolved that the Director of Port Control is hereby authorized to execute all documents and to do all things necessary to effect and recognize the name change and the assignment of Contract No. 53894 and to implement the amendment to such contract authorized hereby. A copy of the consent to the name change and consent to assignment shall be filed in the office of the Commissioner of Accounts.

Yeas: Acting Director Carr, Director Brooks, Acting Directors Sundheimer, Savas, Directors Ricchiuto, Whitlow, Guzman, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.

Absent: Mayor White, Director Jackson.

**Resolution No. 397-00.**

By Director Sheffield-McClain.

Resolved, by the Board of Control of the City of Cleveland that the bid of Flight Light Inc. for an estimated quantity of labor and materials for electrical parts and equipment necessary to maintain, repair and modify airfield, parking and terminal lighting systems for the various divisions of the Department of Port Control, for the period not to exceed two (2) years beginning with the date of execution of a contract, received on the 19th day of April 2000, pursuant to the authority of Ordinance No. 1128-99, passed on July 14, 1999, which on the basis of the estimated quantity would amount to Seventy-One Thousand Five Hundred Fifty-Six and 20/100 Dollars, (\$71,556.20), is hereby affirmed and approved as the lowest and best bid for items numbers 2M, 2P, 3, 4, 13, 14, 20 and 33 through 37, and the Director of Port Control 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. 16178 which shall be certified against such contract in the sum of Fourteen Thousand Three Hundred Eleven and 20/100 Dollars (\$14,311.20).

Said requirement contract shall further provide that the Contractor shall furnish the remainder of the

City's requirements for such goods and/or services, whether more or less than said estimated quantity, as may be ordered under subsequent requisitions separately certified against said contract.

Yeas: Acting Director Carr, Director Brooks, Acting Directors Sundheimer, Savas, Directors Ricchiuto, Whitlow, Guzman, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.

Absent: Mayor White, Director Jackson.

**Resolution No. 398-00.**

By Director Sheffield-McClain.

Resolved, by the Board of Control of the City of Cleveland that the bid of ADE Alnaco Inc. for an estimated quantity of labor and materials for electrical parts and equipment necessary to maintain, repair and modify airfield, parking and terminal lighting systems for the various divisions of the Department of Port Control, for the period not to exceed two (2) years beginning with the date of execution of a contract, received on the 19th day of April 2000, pursuant to the authority of Ordinance No. 1128-99, passed on July 14, 1999, which on the basis of the estimated quantity would amount to Eight Thousand Nine Hundred Ninety-Six and 50/100 Dollars (\$8,996.50), is hereby affirmed and approved as the lowest and best bid for items numbers 1F, 2L, 2V and 25, and the Director of Port Control 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. 16177 which shall be certified against such contract in the sum of One Thousand Seven Hundred Ninety-Nine and 20/100 Dollars (\$1,799.20).

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

Yeas: Acting Director Carr, Director Brooks, Acting Directors Sundheimer, Savas, Directors Ricchiuto, Whitlow, Guzman, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.

Absent: Mayor White, Director Jackson.

**Resolution No. 399-00.**

By Director Sheffield-McClain.

Resolved, by the Board of Control of the City of Cleveland that the bid of Honeywell Airport Systems (Hughey & Phillips) for an estimated quantity of labor and materials for electrical parts and equipment necessary to maintain, repair and modify airfield, parking and terminal lighting systems for the various divisions of the Department of Port Control, for the period not to exceed two (2) years beginning with the date of execution of a contract, received on the 19th day of April 2000, pursuant to the authority of Ordinance No. 1128-99, passed on July 14, 1999, which on the basis of the estimated quantity would amount to Ninety-One Thousand One Hundred Ninety-Four and 00/100

Dollars (\$91,194.00), is hereby affirmed and approved as the lowest and best bid for items numbers 1A through 1E, 2A through 2K, 2N, 2O, 2Q through 2U, 22 through 24 and 26 through 26E, and the Director of Port Control 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. 16179**

which shall be certified against such contract in the sum of Eighteen Thousand Two Hundred Thirty-Eight and 80/100 Dollars (\$18,238.80).

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

Yeas: Acting Director Carr, Director Brooks, Acting Directors Sundheimer, Savas, Directors Ricchiuto, Whitlow, Guzman, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.

Absent: Mayor White, Director Jackson.

**Resolution No. 400-00.**

By Director Sheffield-McClain.

Resolved, by the Board of Control of the City of Cleveland that the bid of Leader Electric Supply Company, Inc. for an estimated quantity of labor and materials for electrical parts and equipment necessary to maintain, repair and modify airfield, parking and terminal lighting systems for the various divisions of the Department of Port Control, for the period not to exceed two (2) years beginning with the date of execution of a contract, received on the 19th day of April 2000, pursuant to the authority of Ordinance No. 1128-99, passed on July 14, 1999, which on the basis of the estimated quantity would amount to Nineteen Thousand Seven Hundred Sixty-Two and 44/100 Dollars (\$19,762.44), is hereby affirmed and approved as the lowest and best bid for items numbers 6, 7, 9, 10 and 31, and the Director of Port Control 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. 16175**

which shall be certified against such contract in the sum of Three Thousand Nine Hundred Fifty-Two and 40/100 Dollars (\$3,952.40).

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

Yeas: Acting Director Carr, Director Brooks, Acting Directors Sundheimer, Savas, Directors Ricchiuto, Whitlow, Guzman, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.

Absent: Mayor White, Director Jackson.

**Resolution No. 401-00.**

By Director Sheffield-McClain.

Resolved, by the Board of Control of the City of Cleveland that the bid of Wesco Distribution, Inc. for an estimated quantity of labor and materials for electrical parts and equipment necessary to maintain, repair and modify airfield, parking and terminal lighting systems for the various divisions of the Department of Port Control, for the period not to exceed two (2) years beginning with the date of execution of a contract, received on the 19th day of April 2000, pursuant to the authority of Ordinance No. 1128-99, passed on July 14, 1999, which on the basis of the estimated quantity would amount to Ten Thousand Nine Hundred Seventy-Nine and 38/100 Dollars (\$10,979.38), is hereby affirmed and approved as the lowest and best bid for items numbers 5, 8, and 16 through 19, and the Director of Port Control 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. 16176**

which shall be certified against such contract in the sum of Two Thousand One Hundred Ninety-Four and 80/100 Dollars (\$2,194.80).

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

Yeas: Acting Director Carr, Director Brooks, Acting Directors Sundheimer, Savas, Directors Ricchiuto, Whitlow, Guzman, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.

Absent: Mayor White, Director Jackson.

**Resolution No. 402-00.**

By Director Sheffield-McClain.

Be it resolved by Board of Control of the City of Cleveland that the bid of Koch Corporation, for the public improvement of Phase 2 Continuation of the Residential Sound Insulation Program, General Construction of Group "A-00", for the Division of Cleveland Hopkins International Airport, Department of Port Control, received on April 13, 2000, pursuant to the authority of Ordinance No. 930-95, passed on June 15, 1995 and Ordinance No. 469-98, passed on May 18, 1998, upon a unit basis for the improvement, in the aggregate amount of \$1,066,268.50, is hereby affirmed and approved as the lowest responsible bid; and the Director of Port Control is hereby authorized to enter into a contract for said improvement with said bidder.

Be it further resolved that the employment of the following sub-contractors by Koch Corporation for the public improvement of the Phase 2 Continuation of the Residential Sound Insulation Program, General Construction Group "A-00", hereby is approved:

General Construction  
MBE — \$213,129.00

Yeas: Acting Director Carr, Director Brooks, Acting Directors Sundheimer, Savas, Directors Ricchiuto,

Whitlow, Guzman, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.

Absent: Mayor White, Director Jackson.

**Resolution No. 403-00.**

By Director Sheffield-McClain.

Be it resolved by Board of Control of the City of Cleveland that the bid of Cyngier-Cahlik, for the public improvement of Phase 2 Continuation of the Residential Sound Insulation Program, HVAC/Electrical Construction of Group "A-00", for the Division of Cleveland Hopkins International Airport, Department of Port Control, received on April 13, 2000, pursuant to the authority of Ordinance No. 930-95, passed on June 19, 1995 and Ordinance No. 469-98, passed on May 18, 1998, upon a unit basis for the improvement, in the aggregate amount of \$642,718.25, is hereby affirmed and approved as the lowest responsible bid; and the Director of Port Control is hereby authorized to enter into a contract for said improvement with said bidder.

Be it further resolved that the employment of the following sub-contractors by Cyngier-Cahlik for the public improvement of the Phase 2 Continuation of the Residential Sound Insulation Program, HVAC/Electrical Construction Group "A-00", hereby is approved:

Coleman Trucking  
MBE — \$1,700.00

General Construction  
MBE — \$18,275.00

Yeas: Acting Director Carr, Director Brooks, Acting Directors Sundheimer, Savas, Directors Ricchiuto, Whitlow, Guzman, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.

Absent: Mayor White, Director Jackson.

**Resolution No. 404-00.**

By Director Ricchiuto.

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authority of Ordinance No. 951-99, passed by the Council of the City of Cleveland June 14, 1999, the firm of Parsons Brinckerhoff Ohio, Inc. is hereby selected upon the nomination of the Director of Public Service from a list of qualified engineering consultants or firms of such consultants determined to be available after a full and complete canvass by the Director of Public Service as the firm to be employed by contract to supplement the regularly employed staff of the several departments of the City in order to obtain the consulting services necessary to perform the Eagle Avenue Bridge and Alternative Analysis Study.

Be it further resolved that the Director of Public Service hereby is authorized to enter into a written contract with Parsons Brinckerhoff Ohio, Inc. based on its proposal dated January 28, 2000 as amended by its revised cost proposal dated May 1, 2000, provided that the compensation to be paid shall not exceed Five Hundred Twenty Four Thousand, Eight Hundred Eighty Nine and 00/100 Dollars (\$524,889.00). The agreement authorized hereby shall be prepared by the Director of Law and shall con-

tain such other provisions as the Director of Law deems necessary to protect and benefit the public interest.

Be it further resolved that the employment of the following sub-consultants by Parsons Brinckerhoff Ohio, Inc. for the contract authorized above hereby is approved:

DLZ Ohio, Inc.  
614 West Superior #1000  
Cleveland, OH - 44113  
MBE — \$139,873.00 — 26.648%

KS Associates, Inc.  
424 Middle Avenue  
Elyria, OH - 44035  
FBE — \$25,000.00 — 4.763%

Cobolt Group, Inc.  
2518 Green Road  
Cleveland, OH - 44122  
FBE — \$12,000.00 — 2.286%

E. G. & G., Inc.  
388 South Main Street #301  
Akron, OH - 44311  
\$10,000.00 — 1.905%

Yeas: Acting Director Carr, Director Brooks, Acting Directors Sundheimer, Savas, Directors Ricchiuto, Whitlow, Guzman, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.  
Absent: Mayor White, Director Jackson.

**Resolution No. 405-00.**

By Director Ricchiuto.

Resolved, by the Board of Control of the City of Cleveland that the bid of Kenmore Construction Co, Inc. for the public improvement of grinding of the local streets, for the Division of Streets, Department of Public Service received on the 26th day of May, 2000, pursuant to the authority of Ordinance No 1838-99, passed December 15, 1999, upon a unit basis for the improvements to be performed as ordered during one (1) year beginning upon execution of the contract at the unit prices set forth in the said bid, which on the basis of the estimated work to be done would amount to Five Hundred Forty Thousand and 00/100 Dollars (\$540,000.00) are hereby affirmed and approved as the lowest responsible bid, and the Director of Public Service is hereby requested to enter into a requirement contract for said improvement, which contract shall provide for the initial performance of the following work hereunder:

Requisition Number 16342 which shall be certified against such contract in the sum of Four Hundred Thousand Dollars. (\$400,000.00)

Said requirement contract shall further provide that the contractor will perform so much of the balance of the work as may be ordered under subsequent requisitions separately certified against said requirement contract, whether the same shall be less than the total estimate of work to be performed under said contract or shall exceed the same by not more than ten percent.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by Kenmore Construction Company Inc., for the hauling of grinding debris, if needed, is hereby approved:

Granger Trucking  
MBE — \$81,000.00 — 15%

LT Services  
FBE — \$27,000.00 — 5%

Yeas: Acting Director Carr, Director Brooks, Acting Directors Sundheimer, Savas, Directors Ricchiuto, Whitlow, Guzman, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.  
Absent: Mayor White, Director Jackson.

**Resolution No. 406-00.**

By Director Ricchiuto.

Resolved, by the Board of Control of the City of Cleveland that the bid of Interstate Safety and Service Co., Inc. for an estimated quantity of various traffic cones, safety drums with flasher and batteries, for the Division of Streets, Department of Public Service, for the period of one (1) year beginning with the date of execution of a contract, received on March 2, 2000, pursuant to the authority of Ordinance No. 1827-99, passed December 6, 1999, which on the basis of the estimated quantity would amount to Thirteen Thousand Six Hundred Eighty and 00/100 Dollars, (\$13,680.00), is hereby affirmed and approved as the lowest and best bid, for items numbers 1 through 6, 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. 16335 which shall be certified against such contract in the sum of Two Thousand Forty Six and no/100 Dollars (\$2,046.00).

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

Yeas: Acting Director Carr, Director Brooks, Acting Directors Sundheimer, Savas, Directors Ricchiuto, Whitlow, Guzman, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.  
Absent: Mayor White, Director Jackson.

**Resolution No. 407-00.**

By Director Ricchiuto.

Resolved, by the Board of Control of the City of Cleveland that the bid of Midwest Industrial Supply Company for an estimated quantity of Emulsion and Equipment Service Management (All Items) for the Division of Streets, Department of Public Service, for the period of one (1) year beginning with the date of execution of a contract received on March 16, 2000, pursuant to the authority of Ordinance No. 1828-99, passed December 6, 1999, which on the basis of the estimated quantity would amount to Seventy-Five Thousand and 00/100 Dollars, (\$75,000.00), 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. 16339 which shall be certified against such contract in the sum of Thirty-Seven Thousand Five Hundred and 00/100 Dollars (\$37,500.00).

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

Yeas: Acting Director Carr, Director Brooks, Acting Directors Sundheimer, Savas, Directors Ricchiuto, Whitlow, Guzman, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.  
Absent: Mayor White, Director Jackson.

**Resolution No. 408-00.**

By Director Jackson.

Be it resolved by the Board of Control of the City of Cleveland, that the bid of R.J. Platten Contracting Company for the public improvement of Rockefeller Park — Phase VI — Site Improvements for Base Bid Items #1-1.1, 1-1.2, 1-1.3, 1-1.4 and 1-1.5 including the adjusted 20% contingency, Base Bid Items #1-2.1 and 1-2.2 including the adjusted 3% contingency, Base Bid Items #1-3.1, 1-3.2, 1-3.4 and 1-3.5 including the adjusted 3% contingency, Base Bid Item #2-1.1 including the adjusted 3% contingency, Base Bid Items #2-2.1, 2-2.2, 2-2.3, 2-2.4, 2-2.5 and 2-2.6 including the adjusted 10% contingency, Base Bid Items #2-3.1 and 2-3.2 including the adjusted 3% contingency, Base Bid Items #2-4.1 and 2-4.2 including the 3% contingency, Base Bid Items #2-5.1, 2-5.2, 2-5.3 and 2-5.5 including the adjusted 3% contingency, Base Bid Items #2-6.1 and 2-6.2 including the 3% contingency, Base Bid Item #3-1.1 and Base Bid Item #3-3.1 including the 3% contingency, for the Division of Research, Planning & Development, Department of Parks, Recreation & Properties, received on April 5, 2000, pursuant to the authority of Ordinance No. 1748-99, passed April 17, 2000, upon a unit basis for the improvement in the aggregate amount of Two Hundred Sixty Seven Thousand, Six Hundred Ninety Eight and 72/100 Dollars (\$267,698.72), 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.

Be it further resolved by the Board of Control of the City of Cleveland that following subcontractors for R.J. Platten Contracting Company on the public improvement of Rockefeller Park — Phase VI — Site Improvements are hereby approved:

**SUBCONTRACTOR RESPONSIBILITY**

Lito Trucking  
MBE — Trucking

Barrow Sign  
FBE — Signage

Yeas: Acting Director Carr, Director Brooks, Acting Directors Sundheimer, Savas, Directors Ricchiuto, Whitlow, Guzman, Hudecek, Patter-



son, Warren, Acting Director Alexander.

Nays: None.

Absent: Mayor White, Director Jackson.

**Resolution No. 409-00.**

By Director Jackson.

Resolved by the Board of Control of the City of Cleveland that all bids received on May 5, 2000 for Commercial Electric Water Heaters for the Department of Parks, Recreation & Properties, pursuant to the authority of Ordinance No. 855-97 and 761-98, passed by the Council of the City of Cleveland on June 16, 1997 and May 18, 1998, be and the same are hereby rejected.

Yeas: Acting Director Carr, Director Brooks, Acting Directors Sundheimer, Savas, Directors Ricchiuto, Whitlow, Guzman, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.

Absent: Mayor White, Director Jackson.

**Resolution No. 410-00.**

By Director Hudecek.

Be it resolved by the Board of Control of the City of Cleveland, that pursuant to the authority of Ordinance No. 1272-92, passed by the Council of the City of Cleveland on June 15, 1992, Creative Business Solutions is selected by the Director of Community Development as the firm to be employed by contract, to provide professional services necessary for the implementation of the ACES system, for the Department of Community Development.

Be it further resolved that the Director of Community Development hereby is requested to enter into a contract with Creative Business Solutions, which contract shall be prepared by the Director of Law, shall provide for furnishing of professional services upon execution of a contract for an aggregate fee not in excess of \$13,575.00, and shall contain such additional provisions as the Director of Law deems necessary to protect and benefit the public interest.

Yeas: Acting Director Carr, Director Brooks, Acting Directors Sundheimer, Savas, Directors Ricchiuto, Whitlow, Guzman, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.

Absent: Mayor White, Director Jackson.

**Resolution No. 411-00.**

By Director Hudecek.

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

Whereas, under said Program, the City has acquired Permanent Parcel No. 004-17-159 located at 2491 Thurman Court in Ward 13; and

Whereas, Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976 authorizes the Commissioner of Purchases and Supplies, when directed by the Director of Community Development and when certain specified conditions have been met, to sell Land Reutilization Program parcels to adjacent or abutting landowners; and

Whereas, Cleveland Housing Network, abutting/adjacent landowner, has proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 13 has consented to the proposed sale;

2. The parcel is either less than 4,800 square feet or less than 40 feet frontage;

3. The proposed purchaser of said parcel is neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland with Cleveland Housing Network for the sale and development of Permanent Parcel No. 004-17-159, located at 2491 Thurman Court, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said Program.

Be it further resolved that the consideration for said parcel shall be \$1.00, which amount is hereby determined to be not less than the Fair Market value of said parcel for uses in accordance with said Program.

Yeas: Acting Director Carr, Director Brooks, Acting Directors Sundheimer, Savas, Directors Ricchiuto, Whitlow, Guzman, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.

Absent: Mayor White, Director Jackson.

**Resolution No. 412-00.**

By Director Hudecek.

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

Whereas, under said Program, the City has acquired Permanent Parcel No. 116-20-018 located at 805 Wayside Avenue in Ward 11; and

Whereas, Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976 authorizes the Commissioner of Purchases and Supplies, when directed by the Director of Community Development and when certain specified conditions have been met, to sell Land Reutilization Program parcels to adjacent or abutting landowners; and

Whereas, Daniel R. Palumbo, abutting/adjacent landowner, has proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 11 has consented to the proposed sale;

2. The parcel is either less than 4,800 square feet or less than 40 feet frontage;

3. The proposed purchaser of said parcel is neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the

City of Cleveland with Daniel R. Palumbo for the sale and development of Permanent Parcel No. 116-20-018, located at 805 Wayside Avenue, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said Program.

Be it further resolved that the consideration for said parcel shall be \$1.00, which amount is hereby determined to be not less than the Fair Market value of said parcel for uses in accordance with said Program.

Yeas: Acting Director Carr, Director Brooks, Acting Directors Sundheimer, Savas, Directors Ricchiuto, Whitlow, Guzman, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.

Absent: Mayor White, Director Jackson.

**Resolution No. 413-00.**

By Director Hudecek.

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

Whereas, under said Program, the City has acquired Permanent Parcel No. 107-03-077 located at 986 Ida Avenue in Ward 8; and

Whereas, Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976 authorizes the Commissioner of Purchases and Supplies, when directed by the Director of Community Development and when certain specified conditions have been met, to sell Land Reutilization Program parcels to adjacent or abutting landowners; and

Whereas, Della Saunders, abutting/adjacent landowner, has proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 8 has consented to the proposed sale;

2. The parcel is either less than 4,800 square feet or less than 40 feet frontage;

3. The proposed purchaser of said parcel is neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland with Della Saunders for the sale and development of Permanent Parcel No. 107-03-077 located at 986 Ida Avenue, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said Program.

Be it further resolved that the consideration for said parcel shall be \$1.00, which amount is hereby determined to be not less than the Fair Market value of said parcel for uses in accordance with said Program.

Yeas: Acting Director Carr, Director Brooks, Acting Directors Sundheimer, Savas, Directors Ricchiuto, Whitlow, Guzman, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.

Absent: Mayor White, Director Jackson.

**Resolution No. 414-00.**

By Director Hudecek.

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

Whereas, City has acquired Permanent Parcel No. 138-11-004 under said Land Reutilization Program; and

Whereas, Ordinance No. 1753-99 passed March 27, 2000, authorized the sale of said for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Greater Harvard Avenue Church has proposed to the City to purchase and develop said parcel; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 1753-99 passed March 27, 2000, by the Cleveland City Council, the Mayor is hereby authorized to execute an official deed for and on behalf of the City of Cleveland with Greater Harvard Avenue Church for the sale and development of Permanent Parcel No. 138-11-004, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcel shall be \$100.00, which amount is hereby determined to be not less than the fair market value of said parcel for uses in accordance with the Land Reutilization Program.

Yeas: Acting Director Carr, Director Brooks, Acting Directors Sundheimer, Savas, Directors Ricchiuto, Whitlow, Guzman, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.

Absent: Mayor White, Director Jackson.

JEFFREY B. MARKS,  
Secretary

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

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

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

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

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

ANNE BLOOMBERG,  
President

**SCHEDULE OF THE BOARD OF ZONING APPEALS**

MONDAY, JULY 3, 2000

9:30 A.M.

**Calendar No. 00-176:** 10832 Drexel Avenue (Ward 8)

Alfonzo Williams, owner, appeals to change the use of an existing 32' x 40' two-story frame, one dwelling house into a temporary shelter for women and children situated on a 45' x 167' parcel and located in a Two-Family District on the south side of Drexel Avenue at 10832 Drexel Avenue; said change of use being contrary to the Two-Family District Regulations where a shelter for women and children is not permitted but first permitted in a Multi-Family District as stated in Section 337.03 of the Codified Ordinances.

**Calendar No. 00-179:** 4015 Bailey Avenue (Ward 14)

Bailey Orchard Development Corporation, owner c/o James Maher, appeals to install approximately 35 linear feet of 6' high wooden fencing to the southeasterly portion of the approximate 60' x 157' irregular shaped parcel and at the rear of the garage at 2312 West 40th Street, located in a Two-Family District on the south side of Bailey Avenue at 4015 Bailey Avenue; said fence installation being contrary to the Residential District Regulations where the distance from the property line to the adjoining building shall equal the height of fencing permitted and a 6' high fence is proposed where a 3' high fence is permitted as stated in Section 337.03(a)(6) of the Codified Ordinances.

**Calendar No. 00-180:** 17325 Walden Avenue (Ward 1)

Edna and Eddie Tolbert, owners, appeal to install approximately 20 linear feet of 4' high chain link fencing 3' to the west of a 42' x 128' parcel located in a One-Family District at 17325 Walden Avenue; said fence installation being contrary to the Residential District Regulations where the distance from the property line to the adjoining building shall equal the height of fencing permitted and a 4' high fence is proposed where a 3' high fence is permitted as stated in Section 337.03(a)(6) of the Codified Ordinances.

**Calendar No. 00-183:** 9831 Denison Avenue (Ward 18)

Rosa and Ljubo Bjelovuk, owner, and James Thorne, tenant, appeal to change the first floor use of an existing 30' x 38' two-story masonry store building into a coffee shop situated on an approximate 43' x 160' corner parcel located in a General Retail Business District on the south side of Denison Avenue at 9831 Denison Avenue; said change of use being contrary to the Enforcement and Penalty Requirements of Section 327.02(c) where a plot plan drawn to scale needs to be submitted and 0 parking spaces are proposed and 9 are required as stated in the Off-Street Parking and Loading Requirements of Section 349.04 of the Codified Ordinances.

EUGENE CRANFORD, JR.,  
Secretary

**REPORT OF THE BOARD OF ZONING APPEALS**

MONDAY, JUNE 19, 2000

At the meeting of the Board of Zoning Appeals on Monday, June 19, 2000, the following appeals were heard by the Board:

The following appeals were **Approved:**

**Calendar No. 00-166:** 5000 Pearl Road

Pearl Road Auto Wrecking and Salvage Inc., owner c/o Myron Kaplan, appealed to construct a 59' x 267' one-story metal siding storage building to the west of an existing 100' x 150' building located in a Semi-Industry District.

**Calendar No. 00-167:** 2401 Superior Avenue

2530 Superior Partners, owner c/o Bruce Madorsky, appealed to establish an existing corner parcel into a parking lot for 58 spaces in a Semi-Industry District; upon approval of a revised plan showing installation of drainage and recommendations from Urban Forestry to improve appearance of the tree lawn area.

**Calendar No. 00-169:** 3887 Lee Road

Sherry Wingfield, owner, and Cynthia Tobin, agent, appealed to change the use of a one-story masonry restaurant building into a day care facility in a Local Retail Business District.

**Calendar No. 00-43:** 2259 West 11th Street

Sutton Builders LLC, owner c/o Keith Sutton, appealed to construct two, two-family townhouses with attached garages in a Multi-Family District.

The following appeals were **Denied:**

**Calendar No. 00-165:** 5111 Biddulph Road

Sameh Melek, owner, appealed to install 250 linear feet of 6' high wooden privacy fencing to the front of a 70' x 155' corner parcel in a Two-Family District.

**Calendar No. 00-168:** 2053 West 48th Street

Walter J. Eaton, owner, appealed from the Notice of Violation issued May 12, 2000 by the Commissioner of Building and Housing, Department of Community Development.

The following appeal was **Withdrawn:**

**Calendar No. 00-170:** 2173 West 95th Street

Thomas Saba, owner, appealed to install 79 linear feet of 6' high wooden privacy fencing to the rear of a 35' x 120' parcel in a Two-Family District.

**On Monday, June 19, 2000, in Executive Session:**

The following appeals were heard on Monday, June 12, 2000 and said decisions were approved and adopted by the Board on June 19, 2000.

The following appeals were **Approved**:

**Calendar No. 00-106:** 5616 Memphis Avenue

McDonald's Corporation, owners c/o Dave Gnatowski, appealed to construct a 48' x 84' one-story restaurant on a 254' x 164' parcel in a Local Retail Business District.

**Calendar No. 00-160:** 2165 East 30th Street

City of Cleveland, owner, and Quadrangle Inc., tenant, appealed for a permit to use an existing 134' x 25' parcel for parking 7 cars and to pave and landscape said parcel which is located in a Multi-Family District.

**Calendar No. 00-161:** 3008 Cedar Avenue

City of Cleveland, owner, and Quadrangle Inc., tenant, appealed for a permit to use an existing 47' x 132' parcel as an outdoor market, paving and landscaping said parcel which is in a General Retail Business District.

The following appeal was **Denied**:

**Calendar No. 00-162:** 1359 West 89th Street

David Metzger, owner, appealed to change the use of an existing 28' x 48' two-story frame dwelling unit into a three dwelling unit 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."

WEDNESDAY, JUNE 28, 2000

**Helicopter Maintenance**, for the Division of Police, Department of Public Safety, as authorized by Ordinance No. 736-2000, passed by the Council of the City of Cleveland.

**Pool Steps**, for the Division of Recreation, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 1748-99, passed by the Council of the City of Cleveland, April 17, 2000.

June 14, 2000 and June 21, 2000

THURSDAY, JULY 6, 2000

**Replacement of the Power System for the Watercraft "Delaney"**, for the Division of Police, Ports and Harbors Unit, Department of Public Safety, as authorized by Ordinance No. 182-99, passed by the Council of the City of Cleveland, June 7, 1999.

**Liquid Oxygen System**, for the Division of Fire, Department of Public Safety, as authorized by Ordinance No. 2051-99, passed by the Council of the City of Cleveland, March 6, 2000.

June 14, 2000 and June 21, 2000

WEDNESDAY, JULY 5, 2000

**Repair and Maintain Combination Sewer and Catch Basin Cleaners**, for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Ordinance No. 414-2000, passed by the Council of the City of Cleveland.

June 21, 2000 and June 28, 2000

THURSDAY, JULY 6, 2000

**Long Distance Telephone Service**, for Division of Information Sys-

tems Service, Department of Finance, as authorized by Ordinance No. 2042-99, passed by the Council of the City of Cleveland, December 13, 1999.

A PRE-BID MEETING WILL BE HELD ON THURSDAY, JUNE 29, 2000, 10:00 A.M., AT 1404 EAST 9TH STREET, 4TH FLOOR.

June 21, 2000 and June 28, 2000

FRIDAY, JULY 7, 2000

**Mower Parts and Labor**, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 2174-98, passed by the Council of the City of Cleveland, March 1, 1999.

June 21, 2000 and June 28, 2000

WEDNESDAY, JULY 12, 2000

**Replacement of the Air Conditioning Chiller at the First District Police Station**, for the Division of Property Management, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 2106-98, passed by the Council of the City of Cleveland, February 1, 1999.

**Parts and Labor to Repair Oshkosh Snow Removal Implement Head**, for the Department of Port Control, as authorized by Ordinance No. 411-2000, passed by the Council of the City of Cleveland.

**Burials for the Indigent Dead**, for the Division of Health, Department of Public Health, as authorized by Ordinance No. 1075-99, passed by the Council of the City of Cleveland, June 14, 1999.

June 21, 2000 and June 28, 2000

THURSDAY, JULY 13, 2000

**Halloran Skating Rink Improvements:**

- Base Bid 1 — Concrete Pad Replacement;
- Base Bid 2 — Acrylic Shield Installation (Dasher Boards)
- Base Bid 3 — Net Installation (Bird Protection)
- Base Bid 4 — Combined Bid

A DEPOSIT OF FIFTY DOLLARS (\$50.00) CERTIFIED CHECK WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS. THE DEPOSIT WILL BE REFUNDED IF THE PLANS AND SPECIFICATIONS ARE RETURNED IN GOOD CONDITION WITHIN FIFTEEN (15) DAYS AFTER THE BID OPENING DATE. A PRE-BID MEETING WILL BE HELD ON THURSDAY, JUNE 29, 2000, 10:00 A.M. AT THE HALLORAN SKATING RINK, 3550 WEST 117TH STREET, CLEVELAND, OHIO.

**Radar Units**, for the Division of Police, Department of Public Safety, as authorized by Ordinance No. 2051-99, passed by the Council of the City of Cleveland, March 6, 2000.

**Electronic Mugshot System**, for the Division of Police, Department of Public Safety, as authorized by Ordinance No. 182-99, passed by the Council of the City of Cleveland, June 7, 1999.

June 21, 2000 and June 28, 2000

**FRIDAY, JULY 14, 2000**

**Shaker Square Redevelopment**, for the Division of Engineering and Construction, Department of Public Service, as authorized by Ordinance No. 2173-99, passed by the Council of the City of Cleveland, January 10, 2000.

**A DEPOSIT OF FIFTY DOLLARS (\$50.00) CERTIFIED CHECK WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS. THE DEPOSIT WILL BE REFUNDED IF THE PLANS AND SPECIFICATIONS ARE RETURNED IN GOOD CONDITION WITHIN FIFTEEN (15) DAYS AFTER THE BID OPENING DATE.**

**Tube Bundles for Two (2) Bell and Gossett Heat Exchangers**, for the Division of Convention Center and Stadium, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 524-2000, passed by the Council of the City of Cleveland, May 1, 2000.

**Exterminating Services**, for the Various Divisions of City Government, Department of Finance, as authorized by Ordinance No. 2096-98, passed by the Council of the City of Cleveland, February 1, 2000.

June 21, 2000 and June 28, 2000

**Request for Qualifications (RFQ): Testing and Inspection Services — RFQ Package N920**

Interested firms may obtain qualifications packages beginning June 9, 2000 by going to:

[www.clevelandairport.com](http://www.clevelandairport.com)

Submit questions (prior to the pre-qualification meeting) via the website or E-mail at:

[proposal@clevelandairport.com](mailto:proposal@clevelandairport.com)

**SUBMITTAL DUE DATE:**

Thursday, July 13, 2000 at 12:00 Noon

**PRE-QUALIFICATIONS MEETING:**

**FRIDAY, JUNE 30, 2000 at 12:30 p.m.**  
Program Management Team Office,  
19501 Five Points  
Cleveland, Ohio 44135

For Further Information Contact: —

Denise Hale, M-F 8 A.M. to 5 P.M.  
(216) 676-9699 x103  
(216) 676-9778

June 21, 2000 and June 28, 2000

## ADOPTED RESOLUTIONS AND ORDINANCES

**Res. No. 1845-96.**  
**By Councilman Coats.**

**An emergency resolution opposing passage of HR 1020/S. 1271 which could lead to the transport by railway and highway of high level radioactive waste from other states through the Cleveland area, or failing the above, to amend these bills to provide additional provisions.**

Whereas, the Council of the City of Cleveland has been advised of legislation pending before the U.S. Congress, HR 1020/S. 1271, the Nuclear Waste Policy Act of 1995, which could lead to the transport by railway and highway of shipments of high level radioactive waste from other states through the Cleveland area; and

Whereas, the City Council and the appropriate City departments have attempted to inform themselves of the procedures to be used in these shipments and have taken all available precautions within their power; and

Whereas, in spite of assurances by responsible federal and state officials that shipment procedures are safe, there remain questions still unanswered regarding these procedures; and

Whereas, it is clear that the shipment of nuclear waste materials through the City of Cleveland represents an undesirable risk in the event of a catastrophic and unpredictable railway or highway accident; and

Whereas, this resolution constitutes an emergency measure providing for the immediate preservation of the public peace, property, health or safety in that the City of Cleveland is without sufficient emergency personnel, equipment and financial resources to safeguard its residents in the event of a major nuclear transport accident; now, therefore,

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

**Section 1.** That this Council hereby opposes passage of HR 1020/S. 1271 and urges the members of the General Assembly to vote against this threat to public health.

**Section 2.** That failing Section 1 of this resolution, to urge the members of the Senate and the General Assembly to support an amendment to these bills include the following: 1) to bar any shipment of irradiated fuel rods through the metropolitan Cleveland area until a deep-geological repository is available for permanent disposal; 2) to require the responsible federal agency or agencies to provide a written description with citations of Federal Regulations which justify the routing of this high level radioactive waste shipments through highly populated areas; and 3) to indemnify the City of Cleveland from accepting any liability for a risk of this magnitude for its residents or their properties.

**Section 3.** That the Clerk of Council is hereby directed to transmit

copies of this resolution to Governor Voinovich, the appropriate state and federal agencies and to the Speaker of the House of Representatives, the President of the Senate and the Ohio members of the United States Senate and the House of Representatives.

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

Adopted June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Res. No. 174-97.**

**By Councilman Dolan.**

**An emergency resolution urging the Cleveland Public Library to study and implement procedures restricting children's access to adult reading, viewing and audio materials on the Internet.**

Whereas, the Cleveland Public Library is a participant on the Internet; and

Whereas, adult reading, viewing and audio materials can be accessed on the Internet by children using library computers; and

Whereas, certain adult books, video and audio material may be inappropriate to be accessed by minors; and

Whereas, this resolution constitutes an emergency measure providing for the immediate preservation of the public peace, property, health or safety in that restriction of access to adult materials on the Internet is essential to the healthy development and welfare of the children of this country; now, therefore,

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

**Section 1.** That this Council urges the Cleveland Public Library to conduct a study on the feasibility of procedures that restrict the access of children to adult reading, viewing and audio materials on the Internet.

**Section 2.** That this Council urges the Cleveland Public Library to implement procedures which will restrict access of children to adult reading, viewing, and audio material on the Internet.

**Section 3.** That the Clerk of Council is hereby directed to transmit a copy of this resolution to the Board of Trustees of the Cleveland Public Library.

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

Adopted June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Res. No. 402-97.****By Councilman Dolan.**

**An emergency resolution urging the Mayor and the Administration to immediately and actively investigate and prepare the City of Cleveland for the imminent deregulation of the electric utility industry by pursuing the right of electrical utility customers, both residential and commercial/industrial, situated in the City of Cleveland to be aggregated together for the purpose of purchasing electricity to derive greater energy savings as a collective group and other matters set forth in Case No. 96-406-EL-COI before The Public Utilities Commission of Ohio.**

Whereas, The Public Utilities Commission of Ohio issued findings in Case No. 96-406-EL-COI, relating to the right of electrical utility customers to be aggregated together for the purpose of purchasing electricity to derive greater energy savings as collective groups then would otherwise be able to achieve individually; and

Whereas, the members of this Council understand the importance of the potentially significant energy savings such customer aggregation may have to the residential and commercial/industrial customers of electrical power who reside in the City of Cleveland; and

Whereas, such customer aggregation and the resulting competitive market will have a positive effect upon the cost of living and the cost of doing business in the City of Cleveland;

Now, therefore, be it resolved by the Council of the City of Cleveland:

**Section 1.** That this Council strongly urges Mayor Michael R. White and Directors Konicek and Jordan to commit the manpower and other resources required to immediately and actively investigate and prepare the City of Cleveland for the imminent deregulation of the electric utility industry and become fully involved in the matters set forth in Case No. 96-406-EL-COI before The Public Utilities Commission of Ohio regarding competition in the electric utility industry in Ohio, particularly the advisability of conjunctive electric service and the potential cost savings to residential and commercial/industrial customers situated in the City of Cleveland.

**Section 2.** That the Clerk of Council transmit copies of this resolution to the members of The Public Utilities Commission of Ohio.

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

Adopted June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Res. No. 677-97.****By Councilman Willis.**

**An emergency resolution urging enactment of legislation regulating the collection and disposal of tires.**

Whereas, tires are being disposed of at unauthorized disposal sites throughout the City of Cleveland and greater Cleveland areas; and

Whereas, the City of Cleveland intends to enact legislation regulating the collection and disposal of tires; and

Whereas, this resolution constitutes an emergency measure providing for the immediate preservation of the public peace, property, health or safety in that the illegal dumping of tires is detrimental to the environment; now therefore,

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

**Section 1.** That this Council urges other cities in the Greater Cleveland Area to adopt and enact similar legislation regulating the collection and disposal of tires.

**Section 2.** That the Clerk of Council is hereby directed to transmit copies of this resolution to the City Councils of each of the communities in Cuyahoga County.

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

Adopted June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Res. No. 377-2000.****By Councilman Westbrook (by request).**

**An emergency resolution declaring the intention to vacate a portion of West 68th Street.**

Whereas, this Council; is satisfied that there is good cause to vacate a portion of West 68th Street, as hereinafter described; and

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

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

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

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

WEST 68TH STREET (50.00 feet wide), extending Southerly from the Easterly prolongation of the Southerly line of Camden Avenue S.W. (30.00 feet wide), to its Southerly terminus.

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

Adopted June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Res. No. 1029-2000.****By Councilman Cimperman.**

**An emergency resolution withdrawing objection to the stock transfer of a D1, D2, D3 and D3A Liquor Permit to 5353 Dolloff Road, and repealing Res. No. 2194-99 objecting to said stock transfer.**

Whereas, Council objected to the stock transfer of a D1, D2, D3 and D3A Liquor Permit to 5353 Dolloff Road by Res. No. 2194-99 adopted by Council on December 13, 2000; and

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

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

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

**Section 1.** That objection to the stock transfer of a D1, D2, D3 and D3A Liquor Permit to 5353 Dolloff Road, be and the same is hereby withdrawn by Res. No. 2194-99, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate stock transfer thereof.

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

Adopted June 5, 2000.

Effective June 15, 2000.

**Res. No. 1030-2000.****By Councilman Rybka.**

**An emergency resolution withdrawing objection to the renewal of a C1 and C2 Liquor Permit to 4464 Warner Road, and repealing Res. No. 1332-99 objecting to said renewal.**

Whereas, this Council objected to the renewal of a C1 and C2 Liquor Permit to 4464 Warner Road by Res. No. 1332-99 adopted by Council on July 14, 1999; and

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

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

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

**Section 1.** That objection to the renewal of a C1 and C2 Liquor Permit to 4464 Warner Road, be and the same is hereby withdrawn and Res. No. 1332-99, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate transfer of location thereof.

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

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

Adopted June 5, 2000.  
Effective June 15, 2000.

**Res. No. 1031-2000.**

**By Councilman Brady.**

**An emergency resolution objecting to the transfer of ownership of a D2, D2X, D3 and D6 Liquor Permit to 11022 Lorain Avenue, 1st Fl. & Bsmt.**

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a D2, D2X, D3 and D6 and Liquor Permit from Permit No. 1747111, Corner Canteen Inc., DBA Corner Canteen, 11022 Lorain Avenue, 1st Fl. & Bsmt., Cleveland, Ohio 44111 to Permit No. 4373550, William N. Jones, DBA Corner Canteen, 11022 Lorain Avenue, 1st Fl. & Bsmt., Cleveland, Ohio 44111; 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 transfer of ownership of a D2, D2X, D3 and D6 and Liquor Permit from Permit No. 1747111, Corner Canteen Inc., DBA Corner Canteen, 11022 Lorain Avenue, 1st Fl. & Bsmt., Cleveland, Ohio 44111 to Permit No. 4373550,

William N. Jones, DBA Corner Canteen, 11022 Lorain Avenue, 1st Fl. & Bsmt., Cleveland, Ohio 44111 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted June 5, 2000.  
Effective June 15, 2000.

**Res. No. 1032-2000.**

**By Councilman Lewis.**

**An emergency resolution withdrawing objection to the transfer of ownership and location of a C2 and C2X Liquor Permit to 1905 East 55th Street, and repealing Res. No. 119-2000 objecting to said transfer of ownership and location.**

Whereas, this Council objected to the transfer of ownership and location of a C2 and C2X Liquor Permit to 1905 East 55 Street adopted by Council on January 24, 2000; and

Whereas, this Council wishes to withdraw its objection to the above transfer of ownership and location and consents to said transfer of ownership and location based upon and pursuant to a cooperation agreement signed May 15, 2000, a copy of which is in file for this address with the City Law Department; and

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

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

**Section 1.** That objection to the transfer of ownership and location of a C2 and C2X Liquor Permit to 1905 East 55th Street, be and the same if hereby withdrawn and Res. No. 119-2000, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate transfer of ownership and location thereof.

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

Adopted June 5, 2000.  
Effective June 15, 2000.

**Res. No. 1033-2000.**

**By Councilman Lewis.**

**An emergency resolution withdrawing objection to the transfer of location of a C2 and C2X Liquor Permit to 8812 Hough Avenue, and repealing Res. No. 1920-99 objecting to said transfer of location.**

Whereas, this Council objected to the transfer of location of a C2 and C2X Liquor Permit to 8812 Hough Avenue by Res. No. 1920-99 adopted by Council on October 25, 1999; and

Whereas, this Council wishes to withdraw its objection to the above transfer of location and consents to said transfer of location is based upon and pursuant to a cooperation agreement signed April 11, 2000, a copy of which is in the file for this address with the City Law Department; and

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

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

**Section 1.** That objection to the transfer of location of a C2 and C2X Liquor Permit to 8812 Hough Avenue, be and the same is hereby withdrawn and Res. No. 1920-99, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate transfer of location.

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

Adopted June 5, 2000.  
Effective June 15, 2000.

**Res. No. 1034-2000.**

**By Councilman Polensek.**

**An emergency resolution fixing the summer schedule of meetings of the Council of the City of Cleveland.**

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 the schedule of meetings during the summer months for the Council of the City of Cleveland is hereby fixed as follows:

July 17, 2000  
August 14, 2000

A notice identifying the time of the meeting as well as a schedule of committee meetings, if any, to be held prior to the meeting shall be prepared by the Clerk of Council prior to each of the above meeting dates. The Council will resume regular session at 7:00 P.M. on Monday, September 11, 2000.

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

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

Adopted June 5, 2000.  
Effective June 15, 2000.

**Res. No. 1036-2000.**

**By Councilman Willis.**

**An emergency resolution withdrawing objection to the renewal of a C1 and C2 Liquor Permit to 10509 Ashbury Avenue, and repealing Res. No. 1306-99 objecting to said renewal.**

Whereas, this Council objected to the renewal of a C1 and C2 Liquor Permit to 10509 Ashbury Avenue by Res. No. 1306-99 adopted by Council on July 14, 2000; and

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

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

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

**Section 1.** That objection to the renewal of a C1 and C2 Liquor Permit to 10509 Ashbury Avenue, be and the same is hereby withdrawn and Res. No. 1306-99, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

Adopted June 5, 2000.  
Effective June 15, 2000.

**Res. No. 1086-2000.**

**By Councilman Cimperman.**

**An emergency resolution withdrawing objection to the transfer of ownership of a C2 and C2X Liquor Permit to 1113-1115 Norwood Rd. 1st Fl. & Bsmt., and repealing Res. No. 487-2000 objecting to said transfer of ownership.**

Whereas, this Council objected to the transfer of ownership of a C2 and C2X Liquor Permit to 1113-1115 Norwood Rd. 1st Fl. & Bsmt. by Res. No. 487-2000 adopted by Council March 27, 2000; and

Whereas, this Council wishes to withdraw its objection to the above transfer of ownership and consents to said transfer of ownership based upon and pursuant to a letter forwarded to the Council and the City of Cleveland Law Department sent by the permit holder on May 15, 2000, a copy of which is in the file for this address with the City of Cleveland's Law Department; and

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

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

**Section 1.** That objection to the transfer of ownership of a C2 and C2X Liquor Permit to 1113-1115 Norwood Rd., 1st Fl. & Bsmt., be and the same is hereby withdrawn and Res. No. 487-2000, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate transfer of ownership thereof.

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

Adopted June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Res. No. 1087-2000.**

**By Councilmen Cimperman, Cintron, Melena, Sweeney and Dolan.**

**An emergency resolution condemning the Administration's failure to honor its commitment to fully staff the Department of Public Safety fireboat.**

Whereas, as part of the annual budget process for this year, Council and the Administration agreed that \$350,000 would be earmarked to fully staff the Department of Public Safety fireboat serving the neighborhoods along the Cuyahoga River; and

Whereas, Council reached this consensus with the Administration after much discussion, and eventual agreement by the Administration, that the fireboat is needed to ensure the safety of residents and businesses in Tremont, Ohio City and the Clark Metro areas of the City, and along the riverfront; and

Whereas, there is over \$1 billion of business development along the riverfront; and

Whereas, Council has become aware that the Administration has not fulfilled its promise to fully staff the fireboat, citing an opinion of an arbitrator that failed to give due consideration to the needs and safety of the impacted neighborhoods; and

Whereas, this Council condemns this decision of the arbitrator and the Administration which places neighborhoods last, as opposed to first; and

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

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

**Section 1.** That this Council of the City of Cleveland condemns the Administration's failure to honor its commitment to the residents and business owners of the City of Cleveland to fully staff the Department of Public Safety fireboat which provides protection and fire safety for the Tremont, Ohio City and Clark Metro neighborhoods and businesses and urges the Administration to promptly fulfill its

promise made during this year's budget process.

**Section 2.** That the Clerk of Council is hereby requested to transmit a copy of this resolution to Mayor Michael White.

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

Adopted June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Res. No. 1088-2000.**

**By Councilman Dolan.**

**An emergency resolution objecting to the renewal of a D1, D2, D3 and D3A Liquor Permit at 16800 Lorain Avenue.**

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

**Section 1.** That Council does hereby record its objection to the renewal of a D1, D2, D3 and D3A Liquor Permit, Permit No. 44656470001, owned by Kamms Korner Tavern Inc., DBA Kilbanes Restaurant & Pub, 16800 Lorain Avenue, Cleveland, Ohio 44111, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code of Ohio.

**Section 2.** That the Clerk of Council is hereby directed to transmit two certified copies of this resolution, together with two copies of a letter of objection and two copies of a letter requesting that the hearing be held in Cleveland, Cuyahoga County, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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

Adopted June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Res. No. 1089-2000.**

**By Councilman Rybka.**

**An emergency resolution withdrawing objection to the renewal of a D5 Liquor Permit to 5901 Francis Avenue, 1st Fl. & Bsmt., and repealing Res. No. 1334-99 objecting to said renewal.**

Whereas, this Council objected to the renewal of a D5 Liquor Permit to 5901 Francis Avenue, 1st Fl. & Bsmt., by Res. No. 1334-99, adopted by Council on July 14, 1999; and

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

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

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

**Section 1.** That objection to the renewal of a D5 Liquor Permit to 5901 Francis Avenue, 1st Fl. & Bsmt., be and the same is hereby withdrawn and Res. No. 1334-99, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

Adopted June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Res. No. 1090-2000.**

**By Councilman White.**

**An emergency resolution urging Rite Aid Pharmacies to keep the Rite Aid Pharmacy branch located on East 131st Street and Miles at this location in order to continue providing pharmaceutical prescriptions services to the residents in Ward 2.**

Whereas, the Rite Aid Pharmacy has been providing pharmaceutical services to residents in Ward 2 for the last ten years; and

Whereas, Rite Aid Pharmacy is the only pharmacy in Ward 2 that residents can go to in order to fill their pharmaceutical prescriptions; and

Whereas, Rite Aid Pharmacies has announced that the Rite Aid branch

located at the East 131st Street and Miles Avenue location will be relocating to another part of the City; and

Whereas, this Rite Aid Pharmacy branch has recently closed its prescription services, which now makes it difficult for Ward 2 residents especially senior citizens to obtain their medical prescriptions, since there are no other pharmacies in the neighborhood providing pharmaceutical services; and

Whereas, the absence of a pharmacy in Ward 2 will require many residents especially senior citizens to seek other pharmacies outside their own neighborhood in order to obtain medical prescriptions; and

Whereas, the absence of a neighborhood pharmacy could be a detriment to the health and quality of life for residents in Ward 2, now, therefore;

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

**Section 1.** That Council strongly opposes the decision by Rite Aid Pharmacies to relocate the Rite Aid Pharmacy branch that is presently located on East 131st Street and Miles Avenue to another location within the City of Cleveland, that would leave Ward 2 residents without a pharmacy service.

**Section 2.** That Council strongly urges Rite Aid Pharmacies to maintain a pharmacy branch in the Ward 2 area at the East 131st Street and Miles Avenue location, in order for residents to have their medical prescriptions filled at a pharmacy in their own neighborhood.

**Section 3.** That the Clerk of Council be and she hereby is directed to transmit two certified copies of this resolution to the Rite Aid Pharmacies Chief Executive Officer Robert Miller.

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

Adopted June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 2279-95.**

**By Councilman Coats.**

**An emergency ordinance to amend Section 131.03 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 391-87, passed March 23, 1987, relating to the hiring of truck owner drivers.**

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 131.03 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 391-87, passed March 23, 1987, is hereby amended to read as follows:

**Section 131.03 Director to Hire Truck Owner Drivers**

It is hereby determined that it is not feasible to procure the proper type of truck and driver by the ordinary processes of competitive bidding because of the qualifications of the drivers and the variance in types of trucks available, and it is in the public interest to secure owner drivers because of the advantage to the City from such operation. Therefore, the Director of Public Service is authorized to employ owner drivers with trucks as he or she deems necessary, at not to exceed the following rates for the services of the owner driver and the truck:

Truck Capacity	Rate per Hour
Two Tons or less	\$20.00
Two and one-half tons or more	\$23.00

**Section 2.** That existing Section 131.03 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 391-87, passed March 23, 1987, 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.

Passed June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 2187-96.**

**By Councilman Britt.**

**An ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Sections 687.01 through 687.17, relating to the registration of bounty hunters.**

Whereas, this ordinance constitutes a 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 Sections 687.01 through 687.17 thereof, to read, respectively as follows:

**CHAPTER 687  
BOUNTY HUNTERS**

**Section 687.01 Definitions**

As used in this chapter:

(a) "Bounty Hunter" means a person employed by a professional bondsman for the purpose of assisting the bondsman in the apprehending fugitives and returning them to court.

(b) "Commissioner" means the Commissioner of Assessments and Licenses or his designee.

(c) "Fugitive" means a person who has posted a bond with a professional bondsman and has failed to appear in court.



(d) "Person" means an individual, firm, partnership, association, corporation, company or business of any kind.

(e) "Professional bondsman" means a person authorized under the laws of the State of Ohio or any other jurisdiction to do business as a surety company and that demands or receives, directly or indirectly, fees or compensation for becoming the surety or providing surety on any bail bond, recognition bond, appeal bond or other court bond.

**Section 687.02 Registration Required**

No person shall act as a bounty hunter within the City of Cleveland without first having registered with the Commissioner of Assessments and Licenses.

Any person who violates this section is guilty of a misdemeanor of the first degree.

**Section 687.03 Availability of Application Forms**

The Commissioner shall make application forms available for the purpose of registering bounty hunters. The application forms shall include the questions contained in Section 687.04 and may include other questions that the Commissioner determines to be administratively helpful in determining whether the applicant is qualified.

**Section 687.04 Qualifications of Bounty Hunters.**

A person may be registered as a bounty hunter if he or she:

(a) Is a citizen of the United States; and

(b) Is at least twenty-one years of age; and

(c) Has good eyesight; and

(d) Has height, weight and muscle tone within normal range; and

(e) Answers the following questions in the negative:

"(1) Are you under indictment or have you been convicted of a felony of violence?"

"(2) Are you under indictment or have you been convicted of a crime involving force or threat of force?"

"(3) Are you currently engaging in the illegal use of drugs?"

"(4) Are you engaged in the abuse of alcohol?"

"(5) Have you been arrested for driving under the influence?"; and

(f) Answers all the following questions in the negative or demonstrates to the satisfaction of the Commissioner that an affirmative answer will not adversely affect the applicant's ability to perform the job of a bounty hunter:

"(1) Have you ever been convicted of a crime under federal, state or local law, other than a minor traffic violation? If you answer 'yes', explain."

"(2) Are you under a current court order that may affect your ability to perform the job of a bounty hunter? If you answer 'yes', explain."

"(3) Do you have any condition that would render you unfit to carry a firearm? If you answer 'yes' explain."; and

(g) Submits all the items identified in Section 687.05.

**Section 687.05 Items Required to be Submitted**

Any person seeking registration as a bounty hunter must submit all of the following items to the Commissioner of Assessments and Licenses:

(a) A completed application form; and

(b) Three (3) unretouched photographs of the applicant taken within thirty (30) days of the submission of the application of a size that can be affixed to the identification card; and

(c) A letter from two (2) reputable persons who can attest to the good character of the applicant; and

(d) A fingerprint card of the applicant taken at the Division of Police.

**Section 687.06 Referral to the Division of Police**

Upon receipt of a completed application, the Commissioner of Assessments and Licenses shall refer the application to the Chief of Police who shall cause a criminal record check to be made of the applicant. If the Chief of Police has any objection to the issuance of the registration, those objections shall be reported to the Commissioner together with results of the criminal record check.

**Section 687.07 Registration Fees; Record Check Fees**

A registration fee of sixty-five (\$65.00) shall be submitted with the application form required by Section 687.05. The applicant shall also pay a fee of fifteen (\$15.00) for the cost of a criminal record check.

**Section 687.08 Duration of Registration**

Registrations shall commence on April 30th of each year, and unless revoked, shall continue for a period of one year.

**Section 687.09 Issuance of Registration**

The Commissioner shall register any applicant who meets all of the requirements of this chapter and shall issue the registrant a photo identification card.

**Section 687.10 Suspension or Revocation**

Any person who has information that a registrant is unqualified to be a bounty hunter may file a complaint with the Commissioner of Assessments and Licenses. The Commissioner shall suspend or revoke the registration following a hearing if he finds that the registrant:

(1) Was unqualified at the time the registration was issued; or

(2) Has become unqualified and would be denied registration as a bounty hunter if he or she was submitting an application at the time of the hearing; or

(3) Has failed to honestly answer each of the questions on the application form.

The rules of evidence applicable to courts of law shall not be strictly applied.

**Section 687.11 Appeals**

Any person who is denied registration as a bounty hunter, or whose registration is suspended or

revoked, may appeal the Commissioner's decision to the Board of Zoning Appeals. The notice of appeal shall be in writing and shall be filed with the Commissioner of Assessments and Licenses within ten (10) days of the finding of the Commissioner. The Board shall sustain or overrule the decision from which the appeal is taken.

**Section 687.12 Limitations**

(a) The issuance of a registration under this chapter does not confer law enforcement status upon the registrant.

(b) The issuance of a registration does not authorize the registrant to carry a weapon. If the registrant intends to carry a weapon of any sort, he or she must comply with all federal, state and local laws, rules and regulations governing the same.

**Section 687.13 [Reserved]**

**Section 687.14 Notification of the Police Before Attempting an Apprehension**

No person acting as a bounty hunter shall attempt to apprehend a fugitive within the City of Cleveland without first notifying the Division of Police that an apprehension will be attempted. The Chief of Police shall determine the method by which such notifications will be made.

Any person who violates this section is guilty of a misdemeanor of the first degree.

**Section 687.15 Identification Card to be Visible**

No person registered as a bounty hunter shall attempt the apprehension of a fugitive without wearing on his or her outermost clothing the identification card issued by the Commissioner in a manner that it can be readily seen by any citizen or police officer.

Any person who violates this section is guilty of a misdemeanor of the second degree.

**Section 687.16 Rules and Regulations**

The Commissioner of Assessments and Licenses and the Director of Public Safety may each issue regulations to carry out the purposes of this chapter. Regulations shall take effect ten (10) days after their publication in the City Record.

**Section 687.17 Hiring Unqualified Bounty Hunters Prohibited**

(a) No person shall employ a person to act as a bounty hunter unless the person being employed is registered as a bounty hunter under this chapter.

(b) No person engaging in business as a professional bondsman shall employ as a bounty hunter a person known to the bondsman to be unqualified under this chapter.

(c) Whoever violates division (a) or (b) of this section is guilty of a misdemeanor of the first degree.

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

Passed June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 1783-97.**

**By Councilmen Zone, Polensek, Patmon, Britt, Cimperman, Coats, Gordon, Jackson, Melena and Sweeney.**

**An emergency ordinance to supplement the Codified Ordinance of the City of Cleveland, 1976, by adding new Section 605.071 thereof relating to the intentional abuse of the local 9-1-1 emergency system.**

Whereas, the 9-1-1 system is designed to be used in the event of major emergencies involving Cleveland police, fire, or ems services; and

Whereas the misuse of the 9-1-1 system results in excessive consumption of police, fire, and ems safety services and creates a potential threat of the health and safety to the citizens of Cleveland; and

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

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

**Section 1.** That the Codified Ordinance of the City of Cleveland, 1976, shall be supplemented by adding new Section 605.071 thereof, to read as follows:

**Section 605.071 Making False Alarms**

(a) No person shall do either of the following:

(1) Initiate a call to 9-1-1 regarding an alleged or impending fire, explosion, crime, or other emergency, knowing that such report is false, and likely to cause inconvenience or alarm;

(2) Knowingly cause a false alarm of fire or other emergency to be transmitted to or within any safety service in the City of Cleveland, for dealing with emergencies involving a risk of physical harm to persons or property;

(3) Report to 9-1-1 that an alleged offense or other incident within the respective areas of concern for the safety divisions occurred, knowing that such offense did not occur;

(4) Knowingly use the 9-1-1 system, knowing that no major critical or life threatening emergency exists and knowing that such report is likely to result in unnecessary consumption of safety services; or

(b) Whoever violates this section is guilty of improper use of 9-1-1 telephone system, a misdemeanor of the first degree.

**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 June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 650-99.**

**By Councilmen Coats, Zone and Johnson (by departmental request).**

**An emergency ordinance to amend Section 405.06 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1109-96, passed December 16, 1996, relating to impounding and towing fees.**

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 405.06 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1109-96, passed December 16, 1996, is hereby amended to read as follows:

**Section 405.06 Impounding and Towing Fees**

(a) In addition to the storage fee provided for in Section 405.04, the following fees shall be assessed against the owner or other person claiming an impounded vehicle:

(1) An impound fee of thirty dollars (\$30.00), except that the impound fee shall be reduced to ten dollars (\$10.00) for a person reclaiming a recovered stolen vehicle.

(2) A towing fee of seventy-five dollars (\$75.00), except that the towing fee shall be reduced to fifty dollars (\$50.00) for a person reclaiming a recovered stolen vehicle, and shall be increased to one hundred dollars (\$100.00) for a person reclaiming a vehicle impounded incident to an arrest.

The towing charge shall be increased by ten dollars (\$10.00) if a dolly or flatbed is used or if a tire or tires are changed, except that there shall be no such additional charge in the case of a recovered stolen vehicle.

(b) No towing or impounding fees shall be charged when the vehicle is the property of the victim of a crime and such vehicle is being held by the Division of Police for processing.

**Section 2.** That existing Section 405.06 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1109-96, passed December 16, 1996, 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.

Passed June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 1411-99.**

**By Councilmen Britt, Sweeney, Cintron, Cimperman, Dolan, Jackson, Jones, Lewis, Melena, O'Malley, Polensek, Robinson Westbrook, White, Willis and Zone.**

**An emergency ordinance to amend Section 535.051 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1524-95 passed January 29, 1996, relating to additional eligibility for special Homestead rates.**

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 535.051 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1524-95, passed January 29, 1996, is hereby amended to read as follows:

**Section 535.051 Additional Eligibility for Special Homestead Rates**

(a) In addition to those homesteads eligible for the special homestead rates prescribed by division

(f) of Section 535.04, and divisions (f)(1), (f)(2), and (f)(3) of Section 535.05, homesteads owned by a person sixty-five years of age or older or permanently and totally disabled whose total annual income does not exceed Twenty Three Thousand Dollars (\$23,000.00) may be eligible for the special homestead rate established for the service district in which the homestead is located pursuant to Sections 535.04 and 535.05 of these codified ordinances.

(b) The Director of Public Utilities shall prescribe the application form for the homestead rate and have final approval of all applications.

**Section 2.** That existing Section 535.051 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1524-95, passed January 29, 1996, 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.

Passed June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 1971-99.**

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

**An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 5510 Whittier Avenue to The Eleanor B. Rainey Memorial Institute, Inc.**

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 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). 104-18-100, as more fully described in Section 2 below, to The Eleanor B. Rainey Memorial Institute, 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. 104-18-100

Parcel No. 1

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Westerly 130.00 feet of the Easterly 180.00 feet of Sublot No. 1 in Sweesy, et. al. Re-Allotment of part of Original One Hundred Acre Lot No. 340,

as shown by the recorded plat in Volume 12 of Maps, Page 40 of Cuyahoga County Records and being 130.00 feet front on the Southerly side of Whittier Avenue, S.E., and extending back 90.47 feet on the Easterly line 90.49 feet on the Westerly line and having a rear line of 130.00 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.

**Parcel No. 2**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Westerly 38 feet of the Easterly 50 feet of Sublot No. 1 and the Westerly 38 feet of the Easterly 50 feet of the Northerly 52.27 feet of Sublot No. 2 in the Sweesy, et. al. Subdivision of a part of Original One Hundred Acre Lot No. 340, as shown by the recorded plat in Volume 12 of Maps, Page 40 of Cuyahoga County Records, and being 38 feet front on the Southerly side of Whittier Avenue, and extending back between parallel lines 142.74 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 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.

**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.

Passed June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

---

**Ord. No. 2049-99.**  
**By Councilmen Dolan, Cimperman, Patmon (by departmental request).**  
**An emergency ordinance authorizing the Director of Port Control to employ one or more professional consultants to design the roadway modifications to the baggage/tug road at Cleveland Hopkins International Airport; determining the method of making the public improvement; and authorizing said director 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 the Director of Port Control is hereby authorized to employ by contract one or more design engineers or one or more firms of design engineers for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to design the roadway modifications to the baggage/tug road, including, but not limited to, the relocation of existing utilities, traffic signs and signals at Cleveland Hopkins International Airport (the "Improvement").

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

**Section 2.** That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of implementing the Improvement, for the Division of Cleveland Hopkins International Airport, Department of Port Control, by contract duly let to the lowest responsible bidder after competitive bidding for a gross price for the improvement.

**Section 3.** That the Director of Port Control is hereby authorized to enter into contract for the making of the above public improvement with the lowest responsible bidder after competitive bidding upon a unit basis for the improvement, provided, however, that each separate trade and each distinct component part of said improvement may be treated as a separate improvement, and each, or any combination, of such trades or components may be the subject of a separate contract for a gross price. Upon request of said director the contractor shall furnish a correct schedule of unit prices, including profit and overhead, for all items constituting units of said improvement.

**Section 4.** That the costs for such improvement and services herein authorized shall be paid from Fund No. 60 SF 001, 60 SF 105, 60 SF 106, 60 SF 114, and from any funds or subfunds to which are credited any federal grants for the above project and the proceeds from the sale of any airport revenue bonds issued for a purpose which includes the above project, Request No. 8220.

**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.

Passed June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

---

**Ord. No. 2116-99.**  
**By Councilmen Dolan, Cimperman and Patmon (by departmental request).**

**An emergency ordinance determining the method of making the public improvement of installing and replacing curbing, aprons, ramps for the handicapped, and other concrete work for the various divisions of the Department of Port Control and authorizing the Director of Port Control to enter into one or more requirement contracts for the making of such improvement, 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, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of installing and/or replacing curbing, aprons, ramps for the handicapped, and other concrete work which is not otherwise included as part of any other public improvement contract, for the various divisions of the Department of Port Control, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.

**Section 2.** That the Director of Port Control is hereby authorized to enter into a requirement contract for the making of the above public improvement with the lowest responsible bidder after competitive bidding for the period of two years, upon a unit basis, the unit prices for which shall include all labor, material and equipment, required therefore, with no fixed price for items not subject to competitive bidding. In the discretion of the Board of Control separate requirement contracts may be let for the work to be done for each of the divisions of the Department of Port Control.

**Section 3.** That the Director of Finance shall certify said contract or contracts in the amount set forth in the initial requisition, and thereafter shall certify all orders placed by the Commissioner of Purchases and Supplies pursuant to the requisition issued against any such contract.

**Section 4.** That the cost of said improvement hereby authorized shall not exceed 150,000.00 and shall be paid from Fund No. 60 SF 001, Request No. 8234.

**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.

Passed June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 137-2000.****By Councilmen Cimperman and Lewis (by departmental request).****An emergency ordinance to amend Section 355.04 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 552-96, passed June 10, 1996, relating to residence buildings and other main buildings in residence districts.**

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 355.04 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 552-96, passed June 10, 1996, is hereby amended to read as follows:**Section 355.04 Residence Buildings and Other Main Buildings in Residence District**

(a) Except as provided in Sections 335.05 to 335.07, in any use district, no residence building shall hereafter be erected, established or altered except in conformity with the limitations and requirements specified in the following table.

(b) In a Residence District, no main building, irrespective of occupancy classification, shall hereafter be erected, established or altered except in conformity with the maximum gross floor area limitation specified in the following table:

**AREA REGULATIONS FOR RESIDENCE BUILDINGS IN ALL USE DISTRICTS AND FOR ALL MAIN BUILDINGS IN RESIDENCE DISTRICTS**

Area District	Maximum Gross Floor Area	Minimum Lot Width** (feet)		Minimum Street Frontage*** (feet)	Minimum Lot Area (square feet)				Minimum Floor Area Per Primary Residential Building (square feet)
		One Family Dwelling	Two Family Dwelling		One Family Dwelling	Two Family Dwelling	Row House: Per Dwelling Unit	Class A Multiple Dwelling Per Dwelling Unit	
AA	1/2 lot area	60	—	50	7200	—	—	—	1400
A	1/2 lot area	50	—	30	4800	—	—	—	1250
B	1/2 lot area	40	50	25	4800	6000	2400	2400	950
C*	1/2 lot area	40	50	25	4800	6000	2400	—	950
D*	lot area	40	50	25	4800	6000	2100	—	950
E*	1 1/2 lot area	40	50	25	4800	6000	2100	—	950
F*	2 lot area	40	50	25	4800	6000	2100	—	950
G*	3 lot area	40	50	25	4800	6000	2100	—	950
H*	4 lot area	40	50	25	4800	6000	2100	—	950
J*	5 lot area	40	50	25	4800	6000	2100	—	950
K*	6 lot area	40	50	25	4800	6000	2100	—	950

\* Shall not apply to Class B Multiple Dwellings erected, established or altered in the Central Business District defined in Section 325.12.

\* Shall not apply to alterations made to an existing building in a Residence district nor to an existing residence building in another use district, which building exceeds the maximum gross floor area limitation, provided the gross floor area of such existing building is not increased.

\*\* Measured at "building line."

\*\*\* Lot width measured at front street line.

**Section 2.** That Section 355.04 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 552-96, passed June 10, 1996, 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.

Passed June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 178-2000.****By Councilman Sweeney.****An ordinance to change the Use District of lands on the northwesterly side of Grayton Road, S.W; south of I-480 (Map Change No. 2006, Sheet No. 13)**

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

**Section 1.** That the Use District of lands bounded and described as follows:**LEGAL DESCRIPTION****Parcel No. 1**

Situating in the Township of Cleveland, County of Cuyahoga, State of Ohio; and known as being part of Original Rockport Township Section

No. 4 and bounded and described as follows:

Beginning on the Easterly line of parcel of land conveyed to the Board of Park Commissioners of the Cleveland Metropolitan Park District, by deed recorded in Volume 3288, Page 412 of Cuyahoga County Records of Deeds, at the most Westerly corner of a parcel of land conveyed to Thomas Najjar, by deed recorded in Volume 14272, Page 17 of Cuyahoga County Records;

Thence South 66 degrees, 23 minutes, 02 seconds East, along the Southwesterly line of land so conveyed to Thomas Najjar, a distance of 326.51 ft.;

Thence North 83 degrees, 17 minutes, 06 seconds East, a distance of

290.43 feet to the Easterly line of land so conveyed to Thomas Najjar;

Thence North 0 degrees, 04 minutes, 24 seconds East, along the Easterly line of land so conveyed to Thomas Najjar, a distance of 47.70 ft. to the Northeasterly corner thereof;

Thence North 85 degrees, 13 minutes, 11 seconds West, along the Northerly line of land so conveyed to Thomas Najjar, a distance of 589.72 feet to the place of beginning, and containing 0.871 acres of land, be the same more or less, but subject to all legal highways.

**Parcel No. 2**

Situating in the City of Cleveland, County of Cuyahoga, State of Ohio

and known as being all of Sublot No. 63 and part of Sublots Nos. 24, 25, 59, 60, 61, 62, 64, 67, 68, 69, 70, 71, 72, 73, 74 and 76 and part of Sabre Drive S.W., 50 feet wide, and Hilltop Drive S.W. 50 feet wide, in the Alex Fodor Realty Co. Unis Subdivision, of part of Original Rockport Township Section No. 4, as shown by the recorded plat in Volume 174 of Maps, Page 18 of Cuyahoga County Records; together forming a parcel of land bounded and described as follows:

Beginning on the Westerly line of Grayton Road, as widened at the Northwestern corner of a parcel of land conveyed to the State of Ohio, by deed recorded in Volume 12965, Page 658 of Cuyahoga County Records of Deeds;

Thence South 87 degrees, 58 minutes, 57 seconds West, along the Northerly line of a parcel of land conveyed to Caroline L. Najjar, by deed recorded in Volume 14886, Page 801 of Cuyahoga County Records of Deeds, and along the Northerly line of a parcel of land conveyed to Thomas S. Najjar, by deed recorded in Volume 14239, Page 757 of Cuyahoga County Records of Deeds, a distance of 232.66 feet;

Thence North 2 degrees, 01 minutes, 03 seconds West, a distance of 42.50 feet to a point of curvature;

Thence Northwesterly, a distance of 85.53 feet on the arc of a circle deflecting to the left, whose radius is 42.50 feet and whose chord bears North 59 degrees, 40 minutes, 18 seconds West, a distance of 71.81 feet;

Thence North 76 degrees, 57 minutes, 54 seconds West, a distance of 571.97 feet to the boundary line between the City of Cleveland and Riveredge Township;

Thence North 0 degrees, 04 minutes, 24 seconds East, along the boundary line between the City of Cleveland and Riveredge Township, a distance of 47.70 feet to an angle point therein;

Thence North 85 degrees, 13 minutes, 11 seconds West, along the boundary line between the City of Cleveland and Riveredge Township, a distance of 589.72 feet to the Southwesterly corner of a parcel of land conveyed to Thomas S. Najjar, by deed recorded in Volume 14243, Page 385 of Cuyahoga County Records of Deeds;

Thence North 23 degrees, 44 minutes, 20 seconds West, along the Southwesterly line of land conveyed to Thomas S. Najjar in Volume 14243, Page 385, a distance of 136.17 feet to an angle point;

Thence North 5 degrees, 53 minutes, 58 seconds East, along the Westerly line of land conveyed to Thomas S. Najjar in volume 14243, Page 385, a distance of 85.11 feet to the South line of Interstate 480;

Thence North 81 degrees, 20 minutes, 28 seconds East, along the South line of Interstate 480, a distance of 308.37 feet to an angle point therein;

Thence South 85 degrees, 40 minutes, 38 seconds East, along the South line of Interstate 480, a distance of 193.74 feet to an angle point therein;

Thence South 42 degrees, 23 minutes, 18 seconds East, along the South line of Interstate 480, a distance of 201.54 feet to an angle point therein;

Thence South 79 degrees, 43 minutes, 35 seconds East, along the

South line of Interstate 480, a distance of 324.77 ft. to an angle point therein;

Thence South 58 degrees, 22 minutes, 44 seconds East, along the South line of Interstate 480, a distance of 418.57 feet to an angle point therein;

Thence South 67 degrees, 26 minutes, 20 seconds East, along the South line of Interstate 480, a distance of 200.78 feet to the Westerly line of Grayton Road, as widened;

Thence South 13 degrees, 47 minutes, 50 seconds West, along the Westerly line of Grayton Road, as widened, a distance of 35.28 feet to the place of beginning according to a survey by the Henry G. Reitz Engineering Company dated May, 1981, be the same more or less, but subject to all legal highways, and as outlined in red on the map hereto attached, be and the same is hereby changed to a General Industry Use District.

**Section 2.** That said changed designation of lands described in Section 1 shall be identified as Map Change No. 2006, Sheet No. 13 and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for such purpose by the City Planning Commission.

**Section 3.** That the lands bounded and described herein shall not be used for asphalt manufacturing or mixing.

**Section 4.** That within one year from the date of passage of this ordinance, the use of the lands bounded and described herein shall be improved by the installation of a hard pavement at least two hundred (200) feet back from Grayton Road and the installation of a tire wash, including a proper drainage system, to alleviate the concerns of neighboring residents.

**Section 5.** That the lands bounded and described herein and within one hundred (100) feet of the Metropolitan Park shall be maintained in their natural state.

**Section 6.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed June 12, 2000.

Effective July 22, 2000.

**Ord. No. 210-2000.**

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

**An emergency ordinance authorizing the Director of Community Development to transfer property described as Permanent Parcel Nos. 014-15-010, 104-15-011, 112-25-074, 112-25-075, 112-25-076 and 112-25-091 to the control, possession and use of the Department of Parks, Recreation and Properties for the expansion of Thames Playfield and for the creation of Henritze Park.**

Whereas, the Department of Community Development desires to transfer certain property under its control to the Department of Parks, Recreation and Properties; and

Whereas, Section 183.14 of the Codified Ordinances of Cleveland, Ohio, 1976, requires that such transfer be preceded by an ordinance of Council approving the transfer; and

Whereas, the property to be transferred is a component of the City of Cleveland's land reutilization program and, as such, can be transferred pursuant to Section 5722.07 of the Ohio Revised Code without the consent of other legislative authorities only if: (a) the property is sold at not less than fair market value; and (b) the property is subject to such restrictions and covenants as appropriate to assure the land's effective reutilization; 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 183.14 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Community Development is authorized to transfer the following described property to the control, possession and use of the Department of Parks, Recreation and Properties for the expansion of Thames Playfield:

15001 Thames Avenue  
Permanent Parcel No. 112-25-074  
Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 21 in the Greenhut Goodman Improvement Co. Subdivision of part of Original Euclid Township Tract No. 16, as shown by the recorded plat in Volume 41 of Maps, Page 9 of Cuyahoga County Records, and being 33-63/100 feet front on the Northerly side of Thames Avenue, N.E., 142-6/100 feet deep on the Westerly line, 142-16/100 feet deep on the Easterly line and 33-63/100 feet in the rear as appears by said plat, be the same more or less, but subject to all legal highways. Restrictions of record and zoning Ordinance.

14913 Thames Avenue  
Permanent Parcel No. 112-25-075  
Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being Sublot No. 20 in the Greenhut Goodman Improvement Co. Subdivision of part of Original Euclid Township Tract No. 16, as shown by the recorded plat in Volume 41 of Maps, Page 9 of Cuyahoga County Records, be the same more or less, but subject to all legal highways.

14909 Thames Avenue  
Permanent Parcel No. 112-25-076  
Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being Sublot No. 19 in the Greenhut Goodman Improvement Co. Subdivision of part of Original Euclid Township Tract No. 16, as shown by the recorded plat in Volume 41 of Maps, Page 9 of Cuyahoga County Records, be the same more or less, but subject to all legal highways.

Also subject to zoning ordinances, if any.

Vac. Rear of 14914 Sylvia Avenue taken by State of Ohio  
Permanent Parcel No. 112-25-091  
Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being the Southerly part of Sublot No. 8 in the Greenhut-Goodman Improvement Co.'s Subdivision of part of Original Euclid Township Tract No. 16, as shown by the recorded plat in Vol-

ume 41 of Maps, Page 9 of Cuyahoga County Records, and bounded and described as follows:

Beginning at the Southwesterly corner of said Sublot No. 8 in said Greenhut-Goodman Improvement Co's. Subdivision;

Thence Northerly along the West-erly line of said Sublot No. 8, a distance of 72.94 feet to the Southwesterly corner of land appropriated by the State of Ohio for easement purposes in Cuyahoga County Common Pleas Court Case No. 732630;

Thence Northeasterly along the Southeasterly line of said land so appropriated to the Southeasterly corner thereof and the Easterly line of Sublot No. 8;

Thence Southerly along the East-erly line of said Sublot No. 8, a distance of 85.49 feet to the Southeasterly corner thereof;

Thence Westerly along the South-erly line of said Sublot No. 8, a distance of 35.32 feet to the place of beginning, be the same more or less, but subject to all legal highways.

**Section 2.** That pursuant to Section 183.14 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Community Development is authorized and directed to transfer the following described property within forty five (45) days after passage of this ordinance to the control, possession and use of the Department of Parks, Recreation and Properties for the creation of Henritze Park:

**P. P. No. 014-15-010**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as Sublot No. 71 in the Charles & John Henritze's Allotment of part of Original Brooklyn Township Lots Nos. 58 and 63, as shown by the recorded plat in Volume 19 of Maps, Page 14 of Cuyahoga County Records, and being 40 feet front on the Northerly side of Henritze Avenue and extending back of equal width 122 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

**P. P. No. 014-15-011**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as Subdivision 72 in the Charles & John Henritze's Allotment of part of Original Brooklyn Township Lots Nos. 58 and 63, as shown by the recorded plat in Volume 19 of Maps, Page 14 of Cuyahoga County Records, and being 40 feet front on the Northerly side of Henritze Avenue and extending back of equal width 122 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

**Section 3.** That upon consummation of transfers referenced herein, the Directors participating in the transaction shall initial and date a copy of this ordinance and deliver said copy to the custody of the Division of Property Management of the Department of Parks, Recreation and Properties.

**Section 4.** That, as a condition of said transfers, the Department of Parks, Recreation and Properties shall pay the Department of Community Development a price not less than fair market value as determined by the Board of Control, considering the restrictions and covenants deemed necessary by the

Director of Community Development to assure the property's effective reutilization.

**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.

Passed June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 213-2000.**

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

**An emergency ordinance authorizing the Director of Port Control to enter into a Lease By Way of Concession with BTS/LTL Joint Venture for operation as a business service center and the installation of Internet kiosks at Cleveland Hopkins International Airport.**

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

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

**Section 1.** That notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Director of Port Control is hereby authorized to enter into a Lease By Way of Concession with BTS/LTL Joint Venture for the use and occupancy of approximately one thousand (1,000) square feet of space in the Airport Terminal Building and the installation of Internet kiosks in various locations throughout the terminal in connection with its operation of a business service center. The annual rent shall be determined as follows: Lessee shall pay to the City a minimum annual guaranteed concession fee of Twenty-Four Thousand One Dollars (\$24,001); one and one-half percent (1-1/2%) of gross revenues realized by Lessee on U.S. currency traded; ten percent (10%) of the gross premium on the sale of travel related insurance and fifteen percent (15%) of gross revenues realized by Lessee from all other operations. The minimum annual guaranteed concession fee shall be subject to an annual increase of four percent (4%). The term shall commence on the date of execution of the Agreement, and unless sooner terminated, shall expire five years thereafter.

**Section 2.** That the Lease By Way of Concession authorized herein shall be prepared by the Director of Law and shall contain such additional provisions as he deems necessary to protect and benefit the public interest. The Lease by way of Concession shall require BTS/LTL Joint Venture to use best efforts to utilize a Cleveland based firm or firms for maintenance services that may be needed in the operation of the business service center.

**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 June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 257-2000.**

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

**An emergency ordinance authorizing the purchase by requirement contract of non 800 MHz radio communications equipment and electronic vehicle equipment, including aircraft radios, lights, sirens, public announcement systems, vehicle installs and de-installs, console equipment, replacement parts, antennas, brackets, wiring harnesses and support equipment and labor and materials necessary to maintain and service said equipment, for the various divisions of the Department of Port Control, for a period not to exceed two years.**

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

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

**Section 1.** That the Director of Port Control is hereby authorized to make a written requirement contract with the lowest and best bidder 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 non 800 MHz radio communications equipment and electronic vehicle equipment, including aircraft radios, lights, sirens, public announcement systems, vehicle installs and de-installs, console equipment, replacement parts, antennas, brackets, wiring harnesses and support equipment and labor and materials necessary to maintain and service said equipment, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of the Department of Port Control. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

**Section 2.** That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. All expenditures under the contract authorized herein shall not exceed \$50,000.00 (RL 8240)

**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 June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 264-2000.**

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

**An emergency ordinance authorizing the Director of Port Control to enter into a lease with United Parcel Service for certain real property at Cleveland Hopkins International Airport to construct a transfer station/air cargo distribution and sorting facility and for preferential use of ramp area adjacent to the premises.**

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 the Codified Ordinances of Cleveland, Ohio, the Director of Port Control ("Director") is hereby authorized to enter into a Lease with United Parcel Service ("Lessee") for approximately 110,610 square feet of real property at Cleveland Hopkins International Airport, the address being 5203 West Hangar Road (the "Premises") for construction of a transfer station/air cargo distribution and sorting facility including a service office open to the public, public parking, parking for UPS delivery vehicles and parking for UPS ground service equipment, and for approximately 194,023 square feet of ramp area adjacent to the Premises. The term of the Lease shall be for twenty (20) years, with an option exercisable by United Parcel Service to renew the term for an additional five (5) years. The rent for use of the Premises shall be \$0.30 per square foot; the rent for the preferential use ramp area shall be \$0.40 per square foot. The rents for the Premises and the ramp area shall be adjusted during the term of the Lease to reflect increases in the Consumer Price Index. The method of calculating these increase shall be stated in the Lease.

**Section 2.** That the Lease authorized herein 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 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 June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 327-2000.**

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

**An emergency ordinance to amend Section 5 of Ordinance No. 469-98, passed May 18, 1998, relating to the public improvement of implementing Phase II of the sound insulation program.**

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

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

**Section 1.** That Section 5 of Ordinance No. 469-98, passed May 18, 1998, is hereby amended to read as follows:

Section 5. That the costs of the contracts authorized herein shall be paid from Fund Nos. 60 SF 106, 60 SF 001, 60 SF 124, 60 SF 122, 61 SF 097 and from any funds or subfunds to which are or may be credited any federal grants or federal passenger facilities charges authorized for the making of the above Improvement, and the proceeds from the sale of any airport revenue bonds issued for a purpose which would include the above Improvement, Request No. 22543.

**Section 2.** That Section 5 of Ordinance No. 469-98, passed May 18, 1998, 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.

Passed June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 328-2000.**

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

**An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to clean and maintain oilwater separators, sewers, electrical vaults and associated appurtenances, including test and disposal of waste materials, for the various divisions of the Department of Port Control.**

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

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

**Section 1.** That the Director of Port Control is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of labor and materials necessary to clean and maintain oilwater separators, sewers, electrical vaults and associated appurtenances, including test and disposal of waste materials, in the approximate amount as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Sup-

plies upon a unit basis for the various divisions of the Department of Port Control. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than 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. All expenditures under the contract authorized herein shall not exceed \$250,000.00. (RL 8256)

**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 June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 368-2000.**

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

**An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 14725 Thames Avenue to Greater Bethel African Meth. Epis. Church.**

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). 112-25-084, as more fully described in Section 2 below, to Greater Bethel African Meth. Epis. Church.

**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. 112-25-084

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being a part of Sublot No. 3 in Deborah McIlraths Partition of part of Original Euclid Township Tract No. 16 and bounded and described as follows:

Beginning on the Northerly line of Thames Avenue, N.E., at the Southeastly corner of land conveyed to Frank J. Neff by deed dated October 1, 1953 and recorded in Volume 7879, Page 674 of Cuyahoga County Records; thence Westerly along the Northerly line of Thames Avenue, N.E., 65 feet to the Southwestly corner of land so conveyed to Frank J. Neff; thence Northerly along the Westerly line of land so conveyed, about 94.38 feet to the Southwestly corner of land conveyed to the City of Cleveland by deed dated October 7, 1959 and recorded in Volume 9790, Page 243 of Cuyahoga County Records; thence Northeastly along the Southeastly line of land conveyed to the City of Cleveland, to the Easterly line of land conveyed to Frank J. Neff, as aforesaid; thence Southerly long the Easterly line of land so conveyed to Frank J. Neff, about 117.66 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 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.

**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.

Passed June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 371-2000.**

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

**An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 6305, 6301 and 6215 Lexington Avenue to Johnny A. Barnes and Lucille E. Barnes.**

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). 104-19-034, 104-19-035 and 104-19-036, as more fully described in Section 2 below, to Johnny A. Barnes and Lucille E. Barnes.

**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. 104-19-034

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 56 in Luther and Arvilla Moses Subdivision of part of Original One Hundred Acre Lot No. 340, as shown by the recorded plat in Volume 5 of Maps, Page 48 of Cuyahoga County Records and being 40 feet front on the Northerly side of Lexington Avenue and extending back of equal width 150 feet deep, be the same more or less, but subject to all legal highways.

P. P. No. 104-19-035

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 54 in the Luther Moses "et.al." Allotment of part of Original One Hundred Acre Lot No. 340 as shown by the recorded plat in Volume 5 of Maps, Page 48 of Cuyahoga County Records and being 40 feet front on the Northerly side of Lexington 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.

P. P. No. 104-19-036

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 52 in Luther Moses Subdivision of part of Original One Hundred Acre Lot No. 340, as shown by the recorded plat in Volume 5 of Maps, Page 48 of Cuyahoga County Records and

being 40 feet front on the Northerly side of Lexington Avenue, and extending back of equal width 150 feet deep, as appears by said plat, 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.

**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.

Passed June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 373-2000.**

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

**An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 15912 Saranac Road to Sheila Frey.**

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). 116-11-029, as more fully described in Section 2 below, to Sheila Frey.

**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. 116-11-029

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 42 in Block "L" in Crosby's Allotment of part of Original Euclid Township Tract No. 16, as shown by the recorded plat in Volume 9 of Maps, Page 25 of Cuyahoga County Records, bounded and described as follows:

Beginning at the Northeasterly corner of said Sublot; thence Southerly along the Easterly line of said Sublot, 101 feet 9 inches to the Southeasterly corner thereof; thence Northwesterly along the Northeasterly line of land conveyed to Julius G. Avorp, et al. by deed dated May 15, 1958 and recorded in Volume 9086 of Deeds, Page 243 of Cuyahoga County Records to a point on the Westerly line of said Sublot, which is 3 feet Northerly from the Southwesterly corner of said Sublot (said point being also in the Easterly line of East 159th Street); thence Northerly along the Westerly line of said Sublot, 15 feet to the Southwesterly line of Saranac Road, N.E., (formerly Collins Avenue); thence Northeasterly along said Southeasterly line 160 feet to the place of beginning, 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.

**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.

Passed June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 412-2000.**

**By Mayor White.**

**An emergency ordinance authorizing the purchase by contract of office furniture, for the various divisions of the Department of Port Control.**

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

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

**Section 1.** That the Director of Port Control is hereby authorized to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: office furniture, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of the Department of Port Control.

**Section 2.** That the contract authorized herein shall be for a term of one (1) year or less and all expenditures under the contract shall not exceed \$35,000.00. The cost of said contract shall be paid from Fund Nos. 60 SF 001, 60 SF 105 and 60 SF 106, Request No. 8251.

**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 June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 465-2000.**

**By Mayor White.**

**An emergency ordinance authorizing the Director of Port Control to enter into a Lease By Way of Concession with Pilot Management, Inc. dba Cleveland AirSports for the purpose of operating a flight training facility and related 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 notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Director of Port Control is hereby authorized to enter into a Lease By Way of Concession with Pilot Management, Inc. dba Cleveland AirSports for the use and occupancy of approximately 826 square feet of office space in the terminal building at Burke Lakefront Airport in connection with its operation of a flight training facility and related services. Any change in square footage shall be subject to approval by the Board of Control. The annual rent shall be determined at a rate of \$12.00 per square foot, and shall be paid at mutually-agreed upon intervals. The term shall commence on the date of execution of the Agreement and, unless sooner terminated, shall expire two (2) years thereafter.

**Section 2.** That the Lease authorized herein shall be prepared by

the Director of Law. The Lease shall contain such terms and conditions as the Director of Law deems necessary to protect and benefit the public interest and shall specifically contain provisions that the City shall provide Lessee with twelve (12) months' written notice prior to cancellation of the Lease for any reason other than Lessee's default and that the City shall provide Lessee with four (4) months' written notice prior to cancellation of the Lease as a result of Lessee's default. The President of City Council, the Chairman of the Aviation and Transportation Committee, and the Chairman of the Finance Committee shall receive a copy of all such notices.

**Section 3.** That notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, Lessee shall provide the City with a security deposit in lieu of a performance bond. Such security deposit shall be in an amount equal to four (4) months rent.

**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 June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 466-2000.**

**By Mayor White.**

**An emergency ordinance authorizing the Director of Port Control to enter into a Lease By Way of Concession with American Flyers, Inc. for the purpose of operating a flight training facility and related 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 notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Director of Port Control is hereby authorized to enter into a Lease By Way of Concession with American Flyers, Inc. for the use and occupancy of approximately 1,711.71 square feet of office space in the terminal building at Burke Lakefront Airport in connection with its operation of a flight training facility and related services. Any change in square footage shall be subject to approval by the Board of Control. The annual rent shall be determined at a rate of \$12.00 per square foot, and shall be paid at mutually-agreed upon intervals. The term shall commence on the date of execution of the Agreement and, unless sooner terminated, shall expire two (2) years thereafter.

**Section 2.** That the Lease authorized herein shall be prepared by the Director of Law. The Lease shall contain such terms and conditions as the Director of Law deems necessary to protect and benefit the

public interest and shall specifically contain provisions that the City shall provide Lessee with twelve (12) months' written notice prior to cancellation of the Lease for any reason other than Lessee's default and that the City shall provide Lessee with four (4) months' written notice prior to cancellation of the Lease as a result of Lessee's default. The President of City Council, the Chairman of the Aviation and Transportation Committee, and the Chairman of the Finance Committee shall receive a copy of all such notices.

**Section 3.** That notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, Lessee shall provide the City with a security deposit in lieu of a performance bond. Such security deposit shall be in an amount equal to four (4) months rent.

**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 June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 467-2000.**

**By Mayor White.**

**An emergency ordinance authorizing the Director of Port Control to enter into a Lease By Way of Concession with Circadian Knight Corp., dba Top Gun for the purpose of operating a flight training facility and related 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 notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Director of Port Control is hereby authorized to enter into a Lease By Way of Concession with Circadian Knight Corp., dba Top Gun for the use and occupancy of approximately 205.34 square feet of office space in the terminal building at Burke Lakefront Airport in connection with its operation of a flight training facility and related services. Any change in square footage shall be subject to approval by the Board of Control. The annual rent shall be determined at a rate of \$12.00 per square foot, and shall be paid at mutually-agreed upon intervals. The term shall commence on the date of execution of the Agreement and, unless sooner terminated, shall expire two (2) years thereafter.

**Section 2.** That the Lease authorized herein shall be prepared by the Director of Law. The Lease shall contain such terms and conditions as the Director of Law deems necessary to protect and benefit the public interest and shall specifically contain provisions that the City shall provide Lessee with twelve (12) months' written notice prior to

cancellation of the Lease for any reason other than Lessee's default and that the City shall provide Lessee with four (4) months' written notice prior to cancellation of the Lease as a result of Lessee's default. The President of City Council, the Chairman of the Aviation and Transportation Committee, and the Chairman of the Finance Committee shall receive a copy of all such notices.

**Section 3.** That notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, Lessee shall provide the City with a security deposit in lieu of a performance bond. Such security deposit shall be in an amount equal to four (4) months rent.

**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 June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 469-2000.**

**By Mayor White.**

**An emergency ordinance authorizing the purchase by requirement contract of deicing services, for the Division of Cleveland Hopkins International Airport, Department of Port Control, for a period not to exceed one year.**

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

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

**Section 1.** That the Director of Port Control is hereby authorized to make a written 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 deicing services, including but not limited to analyzing, storing, disposing, reselling, recycling deicing agents, and for reporting on, supervising and maintaining and preparing reports concerning deicing operations in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Cleveland Hopkins International Airport, Department of Port Control. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than one year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

**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. All expenditures under the contract authorized herein shall not exceed 1,900,000.00. (RL 8255)

**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 June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 519-2000.**

**By Councilman Melena.**

**An emergency ordinance to vacate a portion of West 76th Street hereinafter described.**

Whereas, on the 20th day of September, 1999, the Council of the City of Cleveland adopted Resolution No. 271-99 declaring its intention to vacate a portion of West 76th Street, hereinafter described.

Whereas, notice of the adoption of the above Resolution No. 271-99 has been served upon the owners of all the property abutting West 76th 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 28th day of March, 2000, the Board of Revision of Assessments approved the vacation of West 76th 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 West 76th 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 situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being all that portion of:

West 76th Street (20 feet wide) extending Northerly from the Northerly line of Lorain Avenue (66.00 feet wide) to the Southerly line of Colgate Court (14.00 feet wide), is hereby vacated.

**Section 2.** That there be and hereby is reserved to the City of Cleveland an easement for existing Division of Fire equipment.

The description of easement is as follows:

That portion of West 76th Street (20 feet wide) extending Northerly from the Northerly line of Lorain Avenue (66.00 feet wide) to the Southerly line of Colgate Court (14.00 feet wide).

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 Commissioner of the Division of Water.

**Section 3.** 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 of West 76th 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.

Passed June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 521-2000.**  
**By Councilman Sweeney.**  
**An emergency ordinance to vacate a portion of Springdale Ave., and West 188th Street hereinafter described.**

Whereas, on the 14th day of July 1999, the Council of the City of Cleveland adopted Resolution No. 1295-99 declaring its intention to vacate a portion of Springdale Ave., and West 188th Street, hereinafter described.

Whereas, notice of the adoption of the above Resolution No. 1295-99 has been served upon the owners of all the property abutting Springdale Ave., and West 188th 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 28th day of March, 2000, the Board of Revision of Assessments approved the vacation of Springdale Ave., and West 188th 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 Springdale Ave., and West 188th 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 situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being all that portion of:

**SPRINGDALE AVE., AND WEST 188TH STREET FOR CLEVELAND BUSINESS PARK LTD., PHASE II**

Situated in the City of Cleveland County of Cuyahoga and the State of Ohio and known as being part of Springdale Avenue (50 feet wide) and part of West 188th Street (50 feet wide). The parcel is further

known as being part of Section No. 3 and part of Section No. 4 of Original Rockport Township, and bounded and described as follows:

Beginning at the intersection of the centerline of West 188th Street (50 feet wide) and the northerly line of Home Gardens Allotment II, thence South 89°-04'-47" East, 25.00 feet to a point on the easterly right-of-way line of West 188th Street;

Thence South 01°-53'-16" West along the easterly right-of-way line of West 188th Street, 144.34 feet to a point of intersection with the northerly right-of-way line of Springdale Avenue (50 feet wide);

Thence South 89°-02'-44" East, 848.30 feet along the northerly right-of-way line of Springdale Avenue to a point;

Thence North 58°-08'-25" East, 32.98 feet along said northerly right-of-way line to a point on the Westerly right-of-way line of Rocky River Drive;

Thence South 25°-19'-31" West, 99.14 feet along said westerly right-of-way line to a point on the southerly right-of-way line of Springdale Avenue;

Thence North 31°-51'-45" West, 26.69 feet along said southerly right-of-way line to a point;

Thence North 89°-02'-44" West, 821.46 feet along said southerly right-of-way line to a point of intersection with the easterly right-of-way line of West 188th Street;

Thence South 01°-53'-16" West 266.22 feet along said easterly right-of-way line to a point of intersection with the northerly right-of-way line of Widened Maplewood Avenue (60 feet wide);

Thence North 89°-04'-14" West 50.01 feet along said northerly right-of-way line to a point of intersection with the westerly right-of-way line of West 188th Street;

Thence North 01°-53'-16" East 266.25 feet along said westerly right-of-way to a point of intersection with the southerly right-of-way line of Springdale Avenue;

Thence North 89°-02'-44" West, 592.58 feet along said southerly right-of-way line to a point;

Thence North 00°-57'-16" East, 50.00 feet to a point on the northerly right-of-way line of Springdale Avenue;

Thence South 89°-02'-44" East, 593.40 feet along said northerly right-of-way line to a point of intersection with the westerly right-of-way line of West 188th Street;

Thence North 01°-53'-16" East, 144.31 feet along said westerly right-of-way line to a point of intersection with the northerly line of The Home Gardens Allotment II;

Thence South 89°-04'-47" East, 25.00 feet to the point of beginning, containing within said boundaries 95,980 square feet (2.2034 acres) of land, be the same more or less, but subject to all legal highways. Bearings used are based on an assumed meridian and are used to indicate angles only, is hereby vacated.

**Section 2.** That there be and hereby is reserved to the City of Cleveland an easement for existing Division of Fire equipment.

The description of easement is as follows:

That all that portion of SPRINGDALE AVE., AND WEST 188TH STREET FOR CLEVELAND BUSINESS PARK LTD., PHASE II

Situated in the City of Cleveland, County of Cuyahoga and the State

of Ohio and known as being part of Springdale Avenue (50 feet wide) and part of West 188th Street (50 feet wide). The parcel is further known as being part of Section No. 3 and part of Section No. 4 of Original Rockport Township, and bounded and described as follows:

Beginning at the intersection of the centerline of West 188th Street (50 feet wide) and the northerly line of Home Gardens Allotment II, thence South 89°-04'-47" East, 25.00 feet to a point on the easterly right-of-way line of West 188th Street;

Thence South 01°-53'-16" West along the easterly right-of-way line of West 188th Street, 144.34 feet to a point of intersection with the northerly right-of-way line of Springdale Avenue (50 feet wide);

Thence South 89°-02'-44" East, 848.30 feet along the northerly right-of-way line of Springdale Avenue to a point;

Thence North 58°-08'-25" East, 32.98 feet along said northerly right-of-way line to a point on the Westerly right-of-way line of Rocky River Drive;

Thence South 25°-19'-31" West, 99.14 feet along said westerly right-of-way line to a point on the southerly right-of-way line of Springdale Avenue;

Thence North 31°-51'-45" West, 26.69 feet along said southerly right-of-way line to a point;

Thence North 89°-02'-44" West, 821.46 feet along said southerly right-of-way line to a point of intersection with the easterly right-of-way line of West 188th Street;

Thence South 01°-53'-16" West, 266.22 feet along said easterly right-of-way line to a point of intersection with the northerly right-of-way line of Widened Maplewood Avenue (60 feet wide);

Thence North 89°-04'-14" West, 50.01 feet along said northerly right-of-way line to a point of intersection with the westerly right-of-way line of West 188th Street;

Thence North 01°-53'-16" East, 266.25 feet along said westerly right-of-way to a point of intersection with the southerly right-of-way line of Springdale Avenue;

Thence North 89°-02'-44" West, 592.58 feet along said southerly right-of-way line to a point;

Thence North 00°-57'-16" East, 50.00 feet to a point on the northerly right-of-way line of Springdale Avenue;

Thence South 89°-02'-44" East, 593.40 feet along said northerly right-of-way line to a point of intersection with the westerly right-of-way line of West 188th Street

Thence North 01°-53'-16" East, 144.31 feet along said westerly right-of-way line to a point of intersection with the northerly line of The Home Gardens Allotment II;

Thence South 89°-04'-47" East, 25.00 feet to the point of beginning, containing within said boundaries 95,980 square feet (2.2034 acres) of land, be the same more or less, but subject to all legal highways. Bearings used are based on an assumed meridian and are used to indicate angles only.

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 Division of Fire.

**Section 3.** 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 of Springdale Ave., and West 188th 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.

Passed June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 522-2000.**

**By Councilman Westbrook.**

**An emergency ordinance to vacate a portion of Mueller Court N.W. hereinafter described.**

Whereas, on the 7th day of June, 1999, the Council of the City of Cleveland adopted Resolution No. 2115-98 declaring its intention to vacate a portion of Mueller Court N.W., hereinafter described.

Whereas, notice of the adoption of the above Resolution No. 2115-98 has been served upon the owners of all the property abutting Mueller Court N.W. 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 28th day of March, 2000, the Board of Revision of Assessments approved the vacation of Mueller Court N.W., 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 Mueller Court N.W., 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 Mueller Court N.W. (16.00 feet wide) and its Westerly Cul-de-sac extending Westerly from the Westerly line of West 100th Street (48.00 feet wide) to its Westerly terminus, 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 of Mueller Court N.W., 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.

Passed June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 528-2000.**

**By Councilman Gordon.**

**An ordinance to change the Use and Area Districts of lands north of Memphis Avenue between West 57 Street and West 56 Street (Map Change No. 2009, Sheet No. 2)**

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

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

Beginning at the intersection of the center line of West 56 Street and the easterly extension of the southerly line of Sublot No. 52 in the Memphis Ridge Subdivision as recorded in Volume 56, Page 24 of the Cuyahoga County Map Records; thence westerly along said easterly extension and along said southerly line of said Sublot No. 52 to its intersection with the westerly line thereof; thence northerly along said westerly line of said Sublot No. 52 to its intersection with the southerly line of Sublot No. 151 in the Memphis Avenue (Municipal Realty Company) Subdivision as recorded in Volume 84, Page 12 of the Cuyahoga County Map Records; thence westerly along said southerly line of said Sublot No. 151 and along its westerly extension to the center line of West 57 Street; thence northerly along said center line of West 57 Street to its intersection with the westerly prolongation of the northerly line of said Sublot No. 52; thence easterly along said westerly prolongation and along said northerly line of said Sublot No. 52 and along its easterly extension to the center line of West 56 Street; thence southerly along said center line of West 56 Street to the place of beginning,

and as outlined in red on the map hereto attached, be and the same is hereby changed to a Local Retail Use District and a 'C' Area District.

**Section 2.** That said changed designation of lands described in Section 1 shall be identified as Map Change No. 2009, Sheet No. 2 and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for such purpose by the City Planning Commission.

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

Passed June 12, 2000.

Effective July 22, 2000.

**Ord. No. 554-2000.**

**By Councilmen Rybka, White and Cimperman.**

**An ordinance establishing the Broadway Corridor Business Revitalization District (BRD) (Map Change No. 2008 Sheet No. 5 & 6)**

Whereas, the Board of Trustees of Slavic Village Development have submitted a written request dated February 3, 2000 to the Planning Commission to establish a Business Revitalization District in accordance with the procedures outlined in Chapter 303 of the Codified Ordinances of the City of Cleveland; and

Whereas, such request is accompanied by a map identifying the boundaries of the proposed district; and

Whereas, the City Planning Commission has determined that the pro-

posed District meets the criteria for designation set forth in Section 303.04 of Chapter 303 of the Codified Ordinances of the City of Cleveland, Ohio 1976, therefore,

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

**Section 1.** That the following area, further defined and outlined on the map hereto attached, be and the same is hereby designated the Broadway Corridor Business Revitalization District (BRD).

Beginning at the intersection of the center line of Broadway, S.E. and the center line of Finn Avenue, S.E.; thence northeasterly along said center line of Finn Avenue, S.E. to its intersection with the center line of a fifteen (15) foot unnamed alley; thence southeasterly along said center line of said fifteen (15) foot unnamed alley and along its southeasterly extension to the center line of Wendell Avenue, S.E.; thence northeasterly along said center line of Wendell Avenue, S.E. to its intersection with the northwesterly extension of the southwesterly line of Sublot No. 24 in the Mrs. J. Smith Subdivision as recorded in Volume 9, Page 33 of the Cuyahoga County Map Records; thence southeasterly along said northwesterly extension and along said southwesterly line of said Sublot No. 24 to its intersection with the southeasterly line thereof; thence northeasterly along said southeasterly line of said Sublot No. 24 to its intersection with the northwesterly extension of the southwesterly line of Sublot No. 61 in the Abel Mead Subdivision as recorded in Volume 4, Page 41 of the Cuyahoga County Map Records; thence southeasterly along said northwesterly extension and along said southwesterly line of said Sublot No. 61 and along its southeasterly extension to the center line of Mead Avenue, S.E.; thence southwesterly along said center line of Mead Avenue, S.E. to its intersection with the northwesterly extension of a line located approximately one hundred fifty (150) feet northeast of the northeasterly line of Broadway, S.E.; thence southeasterly along said northwesterly extension and along said line which is parallel to and approximately one hundred fifty (150) feet northeast of said northeasterly line of Broadway, S.E. and along its southeasterly extension to the center line of Pershing Avenue, S.E.; thence northeasterly along said center line of Pershing Avenue, S.E. to its intersection with the northwesterly extension of the northeasterly line of Sublot No. 7 in the Hubbard Hollister Subdivision as recorded in Volume 4, Page 25 of the Cuyahoga County Map Records; thence southeasterly along said northwesterly extension and along said northeasterly line of said Sublot No. 7 to its intersection with the northwesterly line of Sublot No. 13 in the Edwin Fowler Allotment as recorded in Volume 11, Page 44 of the Cuyahoga County Map Records; thence northeasterly along said northwesterly line of said Sublot No. 13 to its intersection with the northeasterly line thereof; thence southeasterly along said northeasterly line of said Sublot No. 13 and along its southeasterly extension to the center line of Fowler Avenue, S. E.; thence northeasterly along said center line of Fowler Avenue, S.E. to the center line of Hector Street, S.E.; thence southeasterly along said center line of

Hector Street, S.E. to the center line of McBride Avenue, S.E.; thence southwesterly along said center line of McBride Avenue, S.E. to the center line of St. Alexis Court, S.E.; thence southeasterly along said center line of St. Alexis Court, S.E. and along its southeasterly extension to its intersection with the northeasterly line of Sublot No. 122 in the Mary D. Morgan and Heirs of Caleb Morgan Re-Subdivision as recorded in Volume 16, Page 4 of the Cuyahoga County Map Records; thence southeasterly along said northeasterly line of said Sublot No. 122 to its intersection with the southeasterly line thereof; thence southwesterly along said southeasterly line of said Sublot No. 122 and along its southwesterly extension to the center line of Broadway, S.E.; thence northwesterly along said center line of Broadway, S.E. to its intersection with the northeasterly extension of a line located approximately fifty (50) feet northwest of the northwesterly line of Barkwell Avenue, S.E.; thence southwesterly along said northeasterly extension and along said line which is parallel to and approximately fifty (50) feet northwest of said northwesterly line of Barkwell Avenue, S.E. to its intersection with a line located approximately one hundred sixty five (165) feet southwest of the southwesterly line of Broadway, S.E.; thence northwesterly along said line which is parallel to and approximately one hundred sixty five (165) feet southwest of said southwesterly line of Broadway, S.E. to its intersection with a line located approximately one hundred (100) feet northwest of said northwesterly line of Barkwell Avenue, S.E.; thence southwesterly along said line which is parallel to and approximately one hundred (100) feet northwest of said northwesterly line of Barkwell Avenue, S.E. to its intersection with the northeasterly line of Permanent Parcel No. 123-31-85 (said northeasterly line of said Permanent Parcel No. 123-31-85 being located one hundred ten (110) feet northeast of the northeasterly line of Dolloff Road, S.E.); thence northwesterly along said northeasterly line of said Permanent Parcel No. 123-31-85 and continuing northwesterly along the northeasterly lines of Permanent Parcel Nos. 123-31-84, 123-31-83, 123-31-82, 123-31-81, and 123-31-80 to its intersection with the northwesterly line thereof; thence southwesterly along said northwesterly line of said Permanent Parcel No. 123-31-80 to its intersection with a line located approximately one hundred and five tenths (100.5) feet northeast of said northeasterly line of Dolloff Road, S.E.; thence northwesterly along said line which is parallel to and approximately one hundred and five tenths (100.5) feet northeast of said northeasterly line of Dolloff Road, S.E. to its intersection with a line located one hundred seventy (170) feet southwest of the southwesterly line of Broadway, S.E.; thence northwesterly along said line which is parallel to and one hundred seventy (170) feet southwest of said southwesterly line of Broadway, S.E. and along its northwesterly extension to the center line of McBride Avenue, S.E. and beyond to its intersection with the southeasterly line of Sublot No. 1 in the T.G. Clewell Non Recorded Subdivision; thence southwesterly along said southeasterly line of said Sublot No. 1 to its inter-

section with the southwesterly line thereof; thence northwesterly along said southwesterly line of said Sublot No. 1 and continuing northwesterly along the southwesterly lines of Sublot Nos. 2, 3, 4, 5, 6, 7 and 8 in said T.G. Clewell Non Recorded Subdivision to its intersection with the southeasterly line of Sublot No. 37 in the Phineas Dolloff Allotment as recorded in Volume 8, Page 35 of the Cuyahoga County Map Records; thence northeasterly along said southeasterly line of said Sublot No. 37 to its intersection with the northeasterly line thereof; thence northwesterly along said northeasterly line of said Sublot No. 37 and continuing northwesterly along the northeasterly lines of Sublot Nos. 36 and 35 in said Phineas Dolloff Allotment to its intersection with the northwesterly line thereof; thence southwesterly along said northwesterly line of said Sublot No. 35 to its intersection with a line located one hundred twenty (120) feet northeast of the northeasterly line of Dolloff Road, S.E.; thence northwesterly along said line which is parallel to and one hundred twenty (120) feet northeast of said northeasterly line of Dolloff Road, S.E. to its intersection with a line located approximately fifty (50) feet southeast of the southeasterly line of Pershing Avenue, S.E.; thence southwesterly along said line which is parallel to and approximately fifty (50) feet southeast of said southeasterly line of Pershing Avenue, S.E. and along its southwesterly extension to the center line of Dolloff Road, S.E.; thence northwesterly along said center line of Dolloff Road, S.E. to the center line of East 49 Street; thence northerly along said center line of East 49 Street to the center line of Jewett Avenue, S.E.; thence westerly along said center line of Jewett Avenue, S.E. to the center line of East 49 Place; thence northerly along said center line of East 49 Place to the center line of Czar Avenue, S.E.; thence southwesterly along said center line of Czar Avenue, S.E. to the center line of a continuation of East 49 Place; thence northwesterly along said center line of said continuation of East 49 Place to its intersection with the easterly extension of a line located one hundred forty (140) feet north of the northerly line of Czar Avenue, S.E.; thence westerly along said easterly extension and along said line which is parallel to and one hundred forty (140) feet north of said northerly line of Czar Avenue, S.E.; thence westerly along said easterly extension and along said line which is parallel to and one hundred forty (140) feet north of said northerly line of Czar Avenue, S.E. and along its westerly extension to the center line of East 47 Street; thence northerly along said center line of East 47 Street to the center line of Finn Avenue, S.E.; thence northeasterly along said center line of Finn Avenue, S.E. to the center line of Broadway, S.E.; thence southeasterly along said center line of Broadway, S.E. to the place of beginning.

**Section 2.** That the designation of the area set forth in Section 1 hereof as the Broadway Corridor Business Revitalization District (BRD) and shall be noted on the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of

the City Planning Commission by the appropriate person designated for such purpose by the City Planning Commission.

**Section 3.** That the following area, further defined and outlined in the map hereto attached, be and the same is hereby designated the Broadway Corridor Business Revitalization District (BRD).

Beginning at the intersection of the northwesterly extension of the northeasterly line of Permanent Parcel No. 125-26-80 and the center line of Cable Avenue, S.E.; thence southwesterly along said center line of Cable Avenue, S.E. to the center line of Broadway, S.E.; thence northwesterly along said center line of Broadway, S.E. to its intersection with the northeasterly extension of the southeasterly line of Permanent Parcel No. 131-22-76; thence southwesterly along said northeasterly extension and along said southeasterly line of said Permanent Parcel No. 131-22-76 and along its southwesterly extension to the center line of Escoba Court, S.E.; thence northwesterly and southwesterly along said center line of Escoba Court, S.E. to its intersection with the southeasterly extension of the southwesterly line of Permanent Parcel No. 131-22-78; thence northwesterly along said southeasterly extension and along said southwesterly line of said Permanent Parcel No. 131-22-78 and continuing northwesterly along the southwesterly lines of Permanent Parcel Nos. 131-22-77, 131-22-78, 131-22-79, 131-22-80, 131-22-81, 131-22-82, 131-22-83, 131-22-84, and 131-22-85 and along its northwesterly extension to the center line of Hamm Avenue, S.E.; thence southwesterly along said center line of Hamm Avenue, S.E. to the center line of Dolloff Road, S.E.; thence southwesterly along said center line of Dolloff Road, S.E. to the center line of Blanche Avenue, S.E.; thence southwesterly and westerly along said center line of Blanche Avenue, S.E. to the center line of East 55 Street to the center line of Morgana Avenue, S.E.; thence easterly along said center line of Morgana Avenue, S.E. to its intersection with the northerly extension of the easterly line of Permanent Parcel No. 131-36-7; thence southerly along said northerly extension and along said easterly line of said Permanent Parcel No. 131-36-7 to its intersection with the northerly line of Permanent Parcel No. 131-36-8; thence easterly along said northerly line of said Permanent Parcel No. 131-36-8 and continuing easterly and southeasterly along the northerly and northeasterly lines of Permanent Parcel Nos. 131-36-9, 131-36-10, 131-36-11 to its intersection with the southwesterly line of Permanent Parcel No. 131-25-12; thence southeasterly and northeasterly along the southwesterly and southeasterly lines of said Permanent Parcel No. 131-25-12 and along its northeasterly extension to said center line of Morgana Avenue, S.E.; thence southeasterly along said center line of Morgana Avenue, S.E. crossing Ackley Avenue, S.E. and continuing southeast along said center line of Morgana Avenue, S.E. to its intersection with the northerly extension of the easterly line of Permanent Parcel No. 132-1-26; thence southerly along said northerly extension and along said easterly line of said Permanent Parcel No. 132-1-26 and along its southerly extension to the center

line of Kenyon Avenue, S.E. and the northerly extension of a line located four hundred ninety (490) feet east of the easterly line of East 61 Street; thence southerly along said northerly extension and along said line which is parallel to and four hundred ninety (490) feet east of said easterly line of East 61 Street and along its southerly extension to the center line of Heisley Avenue, S.E.; thence continuing southerly to its intersection with a line located one hundred forty (140) feet south of the southerly line of Heisley Avenue, S.E.; thence westerly along said line which is parallel to and one hundred forty (140) feet south of said southerly line of Heisley Avenue, S.E. to its intersection with a line located one hundred forty (140) feet east of the easterly line of East 63 Street; thence southerly along said line which is parallel to and one hundred forty (140) feet east of said easterly line of East 63 Street to its intersection with a line located one hundred fifty (150) feet north of the northerly line of Fleet Avenue, S.E.; thence easterly along said line which is parallel to and one hundred fifty (150) feet north of said northerly line of Fleet Avenue, S.E. to its intersection with a line located one hundred sixty (160) feet east of said easterly line of East 63 Street; thence southerly along said line which is parallel to and one hundred sixty (160) feet east of said easterly line of East 63 Street and along its southerly extension to the center line of Fleet Avenue, S.E.; thence westerly along said center line of Fleet Avenue, S.E. to its intersection with the northerly extension of a line located one hundred twenty (120) feet west of the westerly line of East 65 Street; thence southerly along said northerly extension and along said line which is parallel to and one hundred twenty (120) feet west of said westerly line of East 65 Street to its intersection with a line located one hundred thirty five (135) feet north of the northerly line of Fullerton Avenue, S.E.; thence easterly along said line which is parallel to and one hundred thirty five (135) feet north of said northerly line of Fullerton Avenue, S.E. to its intersection with the easterly line of Permanent Parcel No. 132-13-19; thence southerly along said easterly line of said Permanent Parcel No. 132-13-19 to the center line of Fullerton Avenue, S.E.; thence westerly along said center line of Fullerton Avenue, S.E. to its intersection with the northerly extension of the easterly line of said Permanent Parcel No. 132-13-46; thence southerly along said northerly extension and along said easterly line of said Permanent Parcel No. 132-13-46 to its intersection with the southerly line thereof; thence westerly along said southerly line of said Permanent Parcel No. 132-13-46 to its intersection with the easterly line of Permanent Parcel No. 132-13-51; thence southerly along said easterly line of said Permanent Parcel No. 132-13-51 and along its southerly extension to the center line of Gertrude Avenue, S.E.; thence westerly along said center line of Gertrude Avenue, S.E. to its intersection with the northerly extension of the easterly line of Permanent Parcel No. 132-13-78; thence southerly along said northerly extension and along said easterly line of said Permanent Parcel No. 132-13-78 and continuing southerly along the east-

erly line of Permanent Parcel No. 132-13-82 and along its southerly extension to the center line of Hasmer Avenue, S.E.; thence westerly along said center line of Hasmer Avenue, S.E. to its intersection with the northerly extension of the easterly line of Permanent Parcel No. 132-13-109; thence southerly along said northerly extension and along said easterly line of said Permanent Parcel No. 132-13-109 and continuing southerly along the easterly line of Permanent Parcel No. 132-13-116 and along its southerly extension to the center line of Lansing Avenue, S.E.; thence westerly along said center line of Lansing Avenue, S.E. to the center line of East 64 Street; thence southerly along said center line of East 64 Street to its intersection with the westerly extension of a line located one hundred forty (140) feet south of the southerly line of Lansing Avenue, S.E.; thence easterly along said westerly extension and along said line which is parallel to and one hundred forty (140) feet south of said southerly line of Lansing Avenue, S.E. and along its easterly extension to the center line of East 66 Street; thence northerly along said center line of East 66 Street to the center line of Lansing Avenue, S.E.; thence westerly along said center line of Lansing Avenue, S.E. to its intersection with the southerly extension of the easterly line of Permanent Parcel No. 132-14-152; thence northerly along said southerly extension and along said easterly line of said Permanent Parcel No. 132-14-152 and continuing northerly along the westerly line of Permanent Parcel No. 132-14-117 and along its northerly extension to the center line of Hasmer Avenue, S.E.; thence easterly along said center line of Hasmer Avenue, S.E. to its intersection with the southerly extension of the easterly line of Permanent Parcel No. 132-14-113; thence northerly along said southerly extension and along said easterly line of said Permanent Parcel No. 132-14-113 and continuing northerly along the easterly line of Permanent Parcel No. 132-14-78 and along its northerly extension to the center line of Gertrude Avenue, S.E.; thence easterly along said center line of Gertrude Avenue, S.E. to its intersection with the southerly extension of the westerly line of Permanent Parcel No. 132-14-74; thence northerly along said southerly extension and along said westerly line of said Permanent Parcel No. 132-14-74 and continuing northerly along the westerly line of Permanent Parcel No. 132-14-41 and along its northerly extension to the center line of Fullerton Avenue, S.E.; thence easterly along said center line of Fullerton Avenue, S.E. to its intersection with the southerly extension of the westerly line of Permanent Parcel No. 132-14-36; thence northerly along said southerly extension and along said westerly line of said Permanent Parcel No. 132-14-36 and continuing northerly along the westerly line of Permanent Parcel No. 132-14-3 and along its northerly extension to the center line of Fleet Avenue, S.E.; thence easterly along said center line of Fleet Avenue, S.E. to its intersection with the southerly extension of a line located eighty (80) feet east of the easterly line of East 65 Street and along its northerly prolongation to the center line of Forman Avenue, S.E.; thence easterly along said center line of Forman

Avenue, S.E. to the center line of East 67 Street; thence northerly along said center line of East 67 Street to the center line of Baxter Avenue, S.E.; thence easterly along said center line of Baxter Avenue, S.E. to its intersection with the northwesterly extension of a line located one hundred fifty (150) feet southwest of the southwesterly line of Broadway, S.E.; thence southeasterly along said northwesterly extension and along said line which is parallel to and one hundred fifty (150) feet southwest of said southwesterly line of Broadway, S.E. and along said its southeasterly extension to the center line of Forman Avenue, S.E.; thence easterly along said center line of Forman Avenue, S.E. to the center line of East 69 Street; thence southerly along said center line of East 69 Street to the center line of Chambers Avenue, S.E.; thence easterly along said center line of Chambers Avenue, S.E. to the center line of East 71 Street; thence southerly along said center line of East 71 Street to the center line of Fleet Avenue, S.E.; thence northeasterly along said center line of Fleet Avenue, S.E. to the center line of Spafford Road, S.E.; thence southeasterly along said center line of Spafford Road, S.E. to the center line of Fullerton Road, S.E.; thence southwesterly along said center line of Fullerton Road, S.E. to the center line of Spafford Place, S.E.; thence southeasterly along said center line of Spafford Place, S.E. and along its southeasterly prolongation to its intersection with the southeasterly line of Permanent Parcel No. 133-17-25 (said southeasterly line of said Permanent Parcel No. 133-17-25 being located approximately one hundred sixty five (165) feet northwest of the northwesterly line of Worley Avenue, S.E.); thence southwesterly along said southeasterly line of said Permanent Parcel No. 133-17-25 and along its southwesterly extension to the center line of Spafford Road, S.E.; thence southeasterly along said center line of Spafford Road, S.E. to the center line of Worley Avenue, S.E.; thence northeasterly along said center line of Worley Avenue, S.E. to its intersection with the northeasterly extension of a line located ninety three (93) feet southwest of the southwesterly line of Broadway, S.E.; thence southeasterly along said line which is parallel to and ninety three (93) feet southwest of said southwesterly line of Broadway, S.E. to the center line of Homestead Avenue, S.E. and continuing southeasterly to its intersection with a line located eighty five (85) feet southeast of the southeasterly line of Homestead Avenue, S.E.; thence southwesterly along said line which is parallel to and eighty five (85) feet southeast of said southeasterly line of Homestead Avenue, S.E. to its intersection with a line located one hundred sixty five (165) feet northeast of the northeasterly line of Spafford Road, S.E.; thence southeasterly along said line which is parallel to and one hundred sixty five (165) feet northeast of said northeasterly line of Spafford Road, S.E. to its intersection with the southeasterly line of Permanent Parcel No. 133-16-68; thence northeasterly along said southeasterly line of said Permanent Parcel No. 133-16-68 to its intersection with the northeasterly line of Permanent Parcel No. 133-15-41; thence southeasterly along said northeasterly line of said

Permanent Parcel No. 133-15-41 and along its southeasterly extension to the center line of Jones Road, S.E.; thence northeasterly along said center line of Jones Road, S.E. to its intersection with the northwesterly extension of a line located one hundred (100) feet southwest of the southwesterly line of Broadway, S.E.; thence southeasterly along said line which is parallel to and one hundred (100) feet southwest of said southwesterly line of Broadway, S.E. to its intersection with the southeasterly line of Permanent Parcel No. 133-15-10; thence southwesterly along said southeasterly line of said Permanent Parcel No. 133-15-10 to its intersection with the easterly line thereof; thence southerly along said easterly line of said Permanent Parcel No. 133-15-10 to its intersection with the easterly line of Permanent Parcel No. 133-14-10; thence southerly along said easterly line of said Permanent Parcel No. 133-14-10 to its intersection with the northwesterly prolongation of the northeasterly line of Permanent Parcel No. 133-14-12; thence southeasterly along said northwesterly prolongation and along said northeasterly line of said Permanent Parcel No. 133-14-12 and along its southeasterly prolongation to the center line of Harvard Avenue, S.E.; thence easterly along said center line of Harvard Avenue, S.E. to the center line of East 81 Street; thence southerly along said center line of East 81 Street to its intersection with the westerly extension of a line located one hundred seventy five (175) feet south of the southerly line of Harvard Avenue, S.E.; thence easterly along said westerly extension and along said line which is parallel to and one hundred seventy five (175) feet south of said southerly line of Harvard Avenue, S.E. and along its easterly extension to the center line of East 82 Street; thence southerly along said center line of East 82 Street to its intersection with the westerly extension of the southerly line of Permanent Parcel No. 134-6-17; thence easterly along said westerly extension and along said southerly line of said Permanent Parcel No. 134-6-17 and along its easterly prolongation to its intersection with the southwesterly Right of Way line of the C & P Railroad line; thence southeasterly along said southwesterly Right of Way line of said C & P Railroad and continuing southerly along the westerly Right of Way line of said C & P Railroad and easterly along the southerly Right of Way line and southerly along a westerly Right of Way line of said C & P Railroad and easterly along a southerly Right of Way line of said C & P Railroad to the center line of Turney Road, S.E.; thence southerly along said center line of Turney Road, S.E. to its intersection with the center line of Warner Road, S.E.; thence northeasterly along said center line of Warner Road, S.E. to its intersection with the northwesterly extension of the southwesterly Right of Way line of the C & P Railroad; thence southeasterly along said northwesterly extension and along said southwesterly Right of Way line of said C & P Railroad to its intersection with the southwesterly prolongation of the northwesterly line of Permanent Parcel No. 134-9-7; thence northeasterly along said southwesterly prolongation and along said northwesterly line of said Permanent Par-

cel No. 134-9-7 to its intersection with the northeasterly line thereof; thence southeasterly along said northeasterly line of said Permanent Parcel No. 134-9-7 to its intersection with the westerly line of Permanent Parcel No. 134-9-12; thence northerly along said westerly line of said Permanent Parcel No. 134-9-12 and along its northerly extension to the center line of Miles Avenue, S.E.; thence westerly along said center line of Miles Avenue, S.E. to its intersection with the southerly extension of the easterly line of Permanent Parcel No. 134-8-31; thence northerly along said southerly extension and along said easterly line of said Permanent Parcel No. 134-8-31 to its intersection with the northerly line thereof; thence westerly along said northerly line of said Permanent Parcel No. 134-8-31 and continuing westerly along the northerly line of Permanent Parcel No. 134-8-30 to its intersection with the westerly line of Permanent Parcel No. 134-8-19; thence northerly along said westerly line of said Permanent Parcel No. 134-8-19 to its intersection with the northwesterly line of Permanent Parcel No. 134-8-27; thence southwesterly along said northwesterly line of said Permanent Parcel No. 134-8-27 to its intersection with the easterly line of Permanent Parcel No. 134-8-22; thence northerly along said easterly line of said Permanent Parcel No. 134-8-22 and along its northerly extension to the center line of Miles Park Avenue, S.E.; thence southwesterly along said center line of Miles Park Avenue, S.E. to its intersection with the southeasterly extension of the southwesterly line of Permanent Parcel No. 134-6-43; thence northwesterly along said southeasterly extension and along said southwesterly line of said Permanent Parcel No. 134-6-43 to its intersection with the southeasterly line of Permanent Parcel No. 134-6-36; thence northeasterly along said southeasterly line of said Permanent Parcel No. 134-6-36 to its intersection with the northeasterly line thereof; thence northwesterly along said northeasterly line of said Permanent Parcel No. 134-6-36 to its intersection with the northwesterly line thereof; thence southwesterly along said northwesterly line of said Permanent Parcel No. 134-6-36 to its intersection with the southwesterly line of Permanent Parcel No. 134-6-72; thence northwesterly along said southwesterly line of said Permanent Parcel No. 134-6-72 and along its northwesterly extension to the center line of Walker Avenue, S.E.; thence northeasterly along said center line of Walker Avenue, S.E. to its intersection with the southeasterly extension of the northeasterly line of Permanent Parcel No. 134-6-63; thence northwesterly along said southeasterly extension and along said northeasterly line of said Permanent Parcel No. 134-6-63 and along its northwesterly prolongation to the center line of Whitehead Avenue, S.E.; thence northerly along said center line of Whitehead Avenue, S.E. to the center line of Harvard Avenue, S.E.; thence westerly along said center line of Harvard Avenue, S.E. to the center line of East 86 Street; thence northwesterly along said center line of East 86 Street to its intersection with the easterly prolongation of the northerly line of Permanent Parcel No. 133-27-8; thence westerly along said easterly prolongation and

along said northerly line of said Permanent Parcel No. 133-27-8 and along its westerly extension to the easterly line of Permanent Parcel No. 133-27-35; thence northerly along said easterly line of said Permanent Parcel No. 133-27-35 to its intersection with the northeasterly line thereof; thence northwesterly along said northeasterly line of said Permanent Parcel No. 133-27-35 and continuing northwesterly along the northeasterly line of Permanent Parcel Nos. 133-27-34, 133-27-1 and 133-27-2 and along its northwesterly extension to the center line of Jones Road, S.E.; thence southwesterly along said center line of Jones Road, S.E. to its intersection with the southeasterly extension of the southwesterly line of Permanent Parcel No. 133-13-2; thence northwesterly along said southeasterly extension and along said southwesterly line of said Permanent Parcel No. 133-13-2 and along its northwesterly extension to the center line of Wire Avenue, S.E.; thence southwesterly along said center line of Wire Avenue, S.E. to its intersection with the southwesterly extension of the northeasterly line of Permanent Parcel No. 133-12-17; thence northwesterly along said southwesterly extension and along said northeasterly line of said Permanent Parcel No. 133-12-17 to its intersection with a line located one hundred ninety eight (198) feet south of the southerly line of Burke Avenue, S.E.; thence westerly along said line which is parallel to and one hundred ninety eight (198) feet south of said southerly line of Burke Avenue, S.E. and along its westerly extension to the center line of East 78 Street; thence northeasterly along said center line of East 78 Street to its intersection with the southeasterly extension of the northeasterly line of Permanent Parcel No. 133-10-24; thence northwesterly along said southeasterly extension and along said northeasterly line of said Permanent Parcel No. 133-10-24 and southwesterly along the northwesterly line of said Permanent Parcel No. 133-10-24 to its intersection with the northeasterly line of Permanent Parcel No. 133-10-16; thence northwesterly along said northeasterly line of said Permanent Parcel No. 133-10-16 and continuing northwesterly along the northeasterly lines of Permanent Parcel Nos. 133-10-15, 133-10-14, 133-10-13, 133-10-12, 133-10-11, 133-10-10, and along its northwesterly extension to its intersection with the northeasterly line of Permanent Parcel No. 133-10-9; thence continuing northwesterly along the northeasterly lines of Permanent Parcel Nos. 133-10-9, 133-10-48, 133-10-5 and 133-10-4 to its intersection with the easterly line of Permanent Parcel No. 133-10-46; thence northerly along said easterly line of said Permanent Parcel No. 133-10-46; and along its northerly extension to the center line of Marble Avenue, S.E.; thence easterly along said center line of Marble Avenue, S.E. to the center line of East 77 Street; thence northerly along said center line of East 77 Street to the center line of Osage Avenue, S.E.; thence westerly and southwesterly along said center line of Osage Avenue, S.E. to its intersection with the southeasterly extension of a line located one hundred ninety (190) feet northeast of the northeasterly line of Broadway, S.E.; thence northwesterly along said southeasterly extension and

along said line which is parallel to and one hundred ninety (190) feet northeast of said northeasterly line of Broadway, S.E. and along its northwesterly extension to the center line of Fleet Avenue, S.E.; thence northeasterly and northerly along said center line of Fleet Avenue, S.E. to the center line of Aetna Road, S.E.; thence northwesterly along said center line of Aetna Road, S.E. to the center line of East 71 Street; thence northeasterly and northerly along said center line of East 71 Street; to the center line of Union Avenue, S.E.; thence westerly along said center line of Union Avenue, S.E. to its intersection with the southerly extension of a line located approximately two hundred ninety five (295) feet east of the easterly line of East 70 Street; thence northerly along said southerly extension and along said line which is parallel to and approximately two hundred ninety five (295) feet east of said easterly line of East 70 Street to its intersection with a line located one hundred thirty five (135) feet north of the northerly line of Union Avenue, S.E.; thence westerly along said line which is parallel to and one hundred thirty five (135) feet north of said northerly line of Union Avenue, S.E. to its intersection with a line located one hundred twenty five (125) feet east of said easterly line of East 70 Street; thence southerly along said line which is parallel to and one hundred twenty five (125) feet east of said easterly line of East 70 Street to its intersection with a line located one hundred twenty (120) feet south of the southerly line of Ivy Avenue, S.E.; thence westerly along said line which is parallel to and one hundred twenty (120) feet south of said southerly line of Ivy Avenue, S.E. and along its westerly extension to the center line of East 70 Street; thence northerly along said center line of East 70 Street to its intersection with the easterly extension of the northerly line of Permanent Parcel No. 125-33-72; thence westerly along said easterly extension and along said northerly line of aid Permanent Parcel No. 125-33-72 and continuing westerly along the northerly line of Permanent Parcel No. 125-33-35 and along its westerly extension to the center line of East 69 Street; thence southerly along said center line of East 69 Street to its intersection with the easterly extension of a line located one hundred thirty (130) feet south of the southerly line of Consul Avenue, S.E.; thence westerly along said easterly extension and along said line which is parallel to and one hundred thirty (130) feet south of said southerly line of Consul Avenue, S.E. to its intersection with a line located approximately one hundred eighteen and thirty six hundredths (118.36) feet west of the westerly line of East 69 Street; thence northerly along said line which is parallel to and approximately one hundred eighteen and thirty six hundredths (118.36) feet west of said westerly line of East 69 Street and along its northerly extension to the center line of Consul Avenue, S.E.; thence westerly along said center line of Consul Avenue, S.E. to its intersection with the northerly extension of a line located one hundred sixty (160) feet east of the easterly line of East 66 Street; thence southerly along said

northerly extension and along said line which is parallel to and one hundred sixty (160) feet east of said easterly line of East 66 Street to its intersection with a line located one hundred thirty (130) feet south of said southerly line of Consul Avenue, S.E.; thence westerly along said line which is parallel to and one hundred thirty (130) feet south of said southerly line of Consul Avenue, S.E. and along its westerly extension to the center line of East 66 Street; thence northerly along said center line of East 66 Street to its intersection with the easterly extension of the center line of a ten (10) foot unnamed alley; thence westerly along said easterly extension and along said center line of said (10) foot unnamed alley and along its westerly extension to the center line of East 65 Street; thence southerly along said center line of East 65 Street to its intersection with the easterly extension of the center line of Hinde Court, S.E.; thence westerly along said easterly extension and westerly and northwesterly along said center line of Hinde Court, S.E. and along its northwesterly extension to the center line of Hinde Avenue, S.E.; thence northeasterly along said center line of Hinde Avenue, S.E. to its intersection with the southeasterly extension of the southwesterly line of Permanent Parcel No. 125-28-95; thence northwesterly along said southeasterly extension and along said southwesterly line of said Permanent Parcel No. 125-28-95 to its intersection with the southeasterly line of Permanent Parcel No. 125-28-93; thence southwesterly along said southeasterly line of said Permanent Parcel No. 125-28-93 to its intersection with the southwesterly line thereof; thence northwesterly along said southwesterly line of said Permanent Parcel No. 125-28-93 and along its northwesterly extension to the center line of Morton Avenue, S.E.; thence northwesterly along the southeasterly extension of the southwesterly line of Permanent Parcel No. 125-28-65 and along said southwesterly line of said Permanent Parcel No. 125-28-65 to its intersection with the northwesterly line thereof; thence northeasterly along said northwesterly line of said Permanent Parcel No. 125-28-65 to its intersection with the southwesterly line of Permanent Parcel No. 125-28-63; thence northwesterly along said southwesterly line of said Permanent Parcel No. 125-28-63 and along its northwesterly extension to the center line of Hillman Avenue, S.E.; thence southwesterly along said center line of Hillman Avenue, S.E. to its intersection with the southeasterly extension of the northeasterly line of Permanent Parcel No. 125-26-21; thence northwesterly along said southeasterly extension and along said northeasterly line of said Permanent Parcel No. 125-26-21 and continuing northwesterly along the northeasterly lines of Permanent Parcel Nos. 125-26-20 and 125-26-19 to its intersection with the southeasterly line of Permanent Parcel No. 125-26-18; thence northeasterly along said southeasterly line of said Permanent Parcel No. 125-26-18 to its intersection with the northeasterly line thereof; thence northwesterly along said northeasterly line of said Permanent Parcel No. 125-26-18 and continuing northwesterly along the northeasterly line of Permanent Parcel No. 125-26-17 and along its north-

westerly extension to the center line of Engle Avenue, S.E.; thence northeasterly along said center line of Engle Avenue, S.E. to its intersection with the southeasterly extension of the northeasterly line of Permanent Parcel No. 125-26-61; thence northwesterly along said southeasterly extension and along said northeasterly line of said Permanent Parcel No. 125-26-61 to its intersection with the northwesterly line thereof; thence southwesterly along said northwesterly line of said Permanent Parcel No. 125-26-61 and continuing southwesterly along the northwesterly lines of Permanent Parcel Nos. 125-26-60 and 125-26-59 to its intersection with said northeasterly line of Permanent Parcel No. 125-26-80 and along said northwesterly line to the place of beginning.

**Section 4.** That the designation of the area set forth in Section 1 hereof as the Broadway Corridor Business Revitalization District shall be noted on the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for such purpose by the City Planning Commission.

**Section 5.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed June 12, 2000.

Effective July 22, 2000.

---

**Ord. No. 588-2000.**

**By Mayor White.**

**An emergency ordinance authorizing the Director of Port Control to enter into a termination agreement with Green Energy, Inc. and Carl R. Gessel d/b/a Green Energy Company for the plugging and abandonment of the Tuma No. 1 gas well and to pay termination costs.**

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 enter into a termination agreement with Green Energy, Inc. and Carl R. Gessel d/b/a Green Energy Company for the plugging and abandonment of the Tuma No. 1 gas well and to pay termination costs in the amount of \$182,000, to be paid from the proceeds from the sale of the 1997 GARBS, Request No. 8265. Said agreement shall be prepared by the Director of Law and shall contain such other terms and conditions as the Director of Law deems necessary to protect and benefit the public interest.

**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 June 12, 2000.

Awaiting the approval or disapproval of the Mayor.



**Ord. No. 593-2000.**

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

An emergency ordinance determining the method of making the public improvement of repairing and constructing sidewalks, driveway aprons, curbing, curb strips, intersections, bridge approaches, utility box and casting adjustments, and appurtenances and authorizing the Director of Public Service to enter into one or more requirement contracts for the making of said 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, it is hereby determined to make the public improvement of repairing and constructing sidewalks, driveway aprons, curbing, curb ramps, median strips, intersections, bridge approaches, utility box and casting adjustments, and appurtenances in areas of the City of Cleveland, by one or more public improvement contracts duly let to the lowest responsible bidder after competitive bidding.

**Section 2.** That the Director of Public Service is hereby authorized to enter into a written requirement contract, in the approximate amount of \$4,000,000.00 with the lowest responsible bidder after advertising for all such work estimated to be done during a two year period, upon a unit basis. In the discretion of the Board of Control, separate requirement contracts may be let for specified districts within the City.

**Section 3.** That the contract authorized herein shall expire on or before December 31, 2001.

**Section 4.** That prior to the performance of any work authorized herein, the Director of Public Service shall obtain the consent of the council member representing the ward in which the work is to be performed.

**Section 5.** That the cost of said contract or contracts 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.

**Section 6.** That the cost of the improvement hereby authorized shall be paid from Fund No. 11 SF 401, 14 SF 025, 14 SF 026 and 10 SF 166, Request No. 22515.

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

from and after the earliest period allowed by law.

Passed June 5, 2000.

Effective June 15, 2000.

**Ord. No. 598-2000.**

By Councilmen Cintron, Gordon, Melena, O'Malley and Patmon (by departmental request).

An emergency ordinance to amend the title, Section 1 and Section 2 of Ordinance No. 962-99, passed June 7, 1999, relating to the public improvement of rehabilitating West 40th Place.

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

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

**Section 1.** That the title, Section 1 and Section 2 of Ordinance No. 962-99, passed June 7, 1999, are hereby amended to read, respectively, as follows:

An emergency ordinance determining the method of making the public improvement of rehabilitating West 40th Place, and authorizing the Directors of Community Development, Public Utilities or Public Service to enter into contract for the making of such improvement.

**Section 1.** That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of rehabilitating West 40th Place, including but not limited to paving, grading, drainage, installing water lines, curbing, sidewalks, lighting, streetscaping, traffic signals, and other necessary appurtenances (the "Improvement"), for the Departments of Community Development, Public Utilities or Public Service, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the Improvement.

**Section 2.** That the Directors of Community Development, Public Utilities or Public Service, as appropriate, are hereby authorized to enter into contract for the making of the above 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 2.** That the existing title, Section 1 and Section 2 of Ordinance No. 962-99, passed June 7, 1999, 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 June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 599-2000.**

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 4425 Lorain Avenue and 2020-22 West 44th Street to Spanish American Committee.

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) 006-20-020 and 006-20-022, as more fully described in Section 2 below, to Spanish American Committee.

**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. 006-20-020**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southwesterly one-half of Sublot No. 153 and the Northeasterly one-half of Sublot No. 154 in the Peach Orchard Subdivision of part of Original Brooklyn Township Lot No. 52, as shown by the recorded plat in Volume 3 of Maps, Page 7 of Cuyahoga County Records, and together forming a parcel of land 40 feet front on the Southeasterly side of Lorain Avenue and extending back 125 feet 1/2 inch on the Northeasterly line, 125 feet 1/2 inch on the Southwesterly line, and having a rear line of 40 feet 1/2 inch, as appears by said plat.

**P. P. No. 006-20-022**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and described as follows to-wit: And known as being Subdivision 151 in Mueller and Meyers Peach Orchard Allotment of part of Original Brooklyn Township, Lot No. 52, as shown by the recorded plat in Volume 3 of Maps, Page 7 of Cuyahoga County Records and being 53-10/12 feet front on the Westerly side of West 44th Street, (formerly Harbor Street) and extending back 113-1/2 feet on the Southerly line, 125-5/12 feet on an alley on the Northerly side, as appears by said plat, 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 and 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.

Passed June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 601-2000.**

**By Councilman Patmon.**

**An ordinance to change the Use District of lands on the southerly side of St. Clair Avenue, N.E. and the west side of East 93 Street. (Map Change No. 2010, Sheet No. 4)**

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

**Section 1.** That the Use District of lands bounded and described as follows,

Beginning at the intersection of the center line of St. Clair Avenue, N.E. and the center line of East 93 Street; thence southerly along said center line of East 93 Street to its intersection with the northeasterly extension of the center line of a ten (10) foot unnamed alley; thence southwesterly along said northeasterly extension and along said center line of said ten (10) foot unnamed alley to its intersection with the southeasterly extension of the southwesterly line of Sublot No. 3 in the Mary D. Stackpole Allotment as recorded in Volume 4, Page 28 of the Cuyahoga County Map Records; thence northwesterly along said southeasterly extension and along said southwesterly line of said Sublot No. 3 to its intersection with a line located approximately one hundred eighty (180) feet southeast of the southeasterly line of St. Clair Avenue, N.E.; thence southwesterly along said line which is parallel to and approximately one hundred eighty (180) feet southeast

of said southeasterly line of St. Clair Avenue, N.E. to its intersection with the northeasterly line of Sublot No. 1 in said Mary D. Stackpole Allotment; thence northwesterly along said northeasterly line of said Sublot No. 1 and along its northwesterly extension to the center line of St. Clair Avenue, N.E.; thence northeasterly along said center line of St. Clair Avenue, N.E. to the place of beginning, and as outlined in red on the map hereto attached, be and the same is hereby changed to a Semi-Industry Use District.

**Section 2.** That said changed designation of lands described in Section 1 shall be identified as Map Change No. 2010, Sheet No. 4 and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for such purpose by the City Planning Commission.

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

Passed June 12, 2000.

Effective July 22, 2000.

**Ord. No. 644-2000.**

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

**An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Ohio Department of Health for the 2000-2001 State AIDS Community Based Care Program.**

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

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

**Section 1.** That the Director of Public Health is hereby authorized to apply for and accept a grant in the approximate amount of \$43,875.00, and any other funds as they become available during the grant term, from the Ohio Department of Health, to conduct the 2000-2001 State AIDS Community Based Care Program, for the purposes set forth in the summary and according thereto; that the Director of Public Health is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the summary for said grant.

**Section 2.** That the summary for said grant, File No. 644-2000-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

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

Passed June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 645-2000.**

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

**An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Alcohol and Drug Addiction Services Board of Cuyahoga County for the 2000-2001 Drug Prevention, Treatment and Intervention Program; and to enter into a contract for the lease of facilities needed to implement the program.**

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

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

**Section 1.** That the Director of Public Health is hereby authorized to apply for and accept a grant in the approximate amount of \$464,152.00, and any other funds as they become available during the grant term, from the Alcohol and Drug Addiction Services Board of Cuyahoga County, to conduct the 2000-2001 Drug Prevention, Treatment and Intervention Program, for the purposes set forth in the program description and according thereto; that the Director of Public Health is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the program description for said grant.

**Section 2.** That the program description for said grant, File No. 645-2000-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

**Section 3.** 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 Public Health is hereby authorized to lease a facility for the implementation of the grant. The term of the lease shall not exceed the grant period and shall be payable from the fund or funds to which are credited the grant proceeds accepted pursuant to Section 1 of this ordinance.

That the lease may authorize the City to make improvements to the leased premises under terms to be determined by the parties consistent with the purposes of the grant. That the lease may provide for the City's payment of appropriate utility and other operating costs of the leased premises.

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

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

**Section 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 June 12, 2000.  
Awaiting the approval or disapproval of the Mayor.

**Ord. No. 646-2000.**  
**By Councilmen Gordon and Patmon (by departmental request).**

**An emergency ordinance authorizing the purchase by requirement contract of pneumococcal vaccine, for the Division of Health, Department of Public Health.**

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

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

**Section 1.** That the Director of Public Health is hereby authorized to 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 pneumococcal vaccine in the estimated sum of \$42,000 to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Health, Department of Public Health. 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 6584)

**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 June 12, 2000.  
Awaiting the approval or disapproval of the Mayor.

**Ord. No. 647-2000.**  
**By Councilmen Polensek and Patmon (by departmental request).**

**An emergency ordinance authorizing the purchase by requirement contract of hepatitis B vaccine, 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 hepatitis B vaccine 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 5708)

**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 June 12, 2000.  
Awaiting the approval or disapproval of the Mayor.

**Ord. No. 648-2000.**  
**By Councilmen Polensek and Patmon (by departmental request).**

**An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the U.S. Department of Justice, Office for State and Local Domestic Preparedness for the Domestic Preparedness Equipment Support Program; authorizing the purchase by requirement contract of equipment and supplies necessary to implement the program.**

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

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

**Section 1.** That the Director of Public Safety is hereby authorized to apply for and accept a grant in the amount of \$100,000.00, from the U.S. Department of Justice, Office for State and Local Domestic Preparedness, to conduct the Domestic Preparedness Equipment Support Program, for the purposes set forth in the application and according thereto; that the Director of Public Safety is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the application for said grant.

**Section 2.** That the application for said grant, File No. 648-2000-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

**Section 3.** That the Director of Public Safety shall have the authority to extend the term of the grant if said extension does not involve an increase in the dollar amount of the grant specified above.

**Section 4.** 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 grant term for the necessary items of equipment and supplies necessary to implement the program, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the 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 one year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

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.

**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.

Passed June 12, 2000.  
Awaiting the approval or disapproval of the Mayor.

**Ord. No. 650-2000.**

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

**An emergency ordinance authorizing the Director of Parks, Recreation and Properties to expend Community Development Block Grant funds for the operation of the Project Clean Program.**

Whereas, the City of Cleveland has received a Community Development Block Grant, Year XXVI from the United States Government, 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 expend Community Development Block Grant funds in the amount of Seven Hundred Thousand Dollars (\$700,000.00), from Fund No. 14 SF 026, Request No. 1179, for the operation of the Project Clean Program and that said Director and the Director of Community Development are hereby authorized to memorialize said expenditure through a memorandum of understanding.

**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 June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 652-2000.**

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

**An emergency ordinance authorizing the Director of Community Development to enter into one or more contracts to provide for the demolition, removal or the boarding up of structures within the City of Cleveland.**

Whereas, the City of Cleveland has received a Community Development Block Grant, Year XXVI from the United States Government, 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 Community Development is hereby authorized to enter into one or more contracts for the demolition, removal or the boarding up of structures within the City of Cleveland.

**Section 2.** That the cost of said contract or contracts shall be in an amount not to exceed \$3,450,000.00 and shall be paid from Fund No. 14 SF 026 RL 1178.

**Section 3.** That the Director of Community Development is authorized to accept monies in repayment under said program and to utilize said repayments and other program income in a revolving fund for making additional expenditures under this program.

**Section 4.** Authorizing the City to accept promissory notes, naming the City of Cleveland as payee, and mortgages, naming the City of Cleveland as mortgagee, and any other security instrument executed to evidence and secure repayment of fees under the City's Demolition/Board Up Program.

**Section 5.** That the Director of the Department of Community Development be and is hereby authorized to enter into forbearance agreements with any recipient of a validly existing loan, administered by the City under the City's Demolition/Board Up Program.

**Section 6.** That the Director of Community Development is hereby authorized to charge and accept fees and to expend such fees to cover costs incurred in the preparation of loan documents, closing, and servicing costs. Such fees shall be deposited to and expended from Fund No. 14.

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

Passed June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 655-2000.**

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

**An emergency ordinance authorizing the Director of Economic Development to enter into a contract with the Cleveland Neighborhood Development Corporation to continue the administration of the Cleveland Industrial Retention Initiative.**

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 Cleveland Neighborhood Development Corporation ("CNDC") to provide the professional services necessary to administer the Cleveland Industrial Retention Initiative ("CIRI") for CIRI participants, in the total sum of Three Hundred Seventy Five Thousand Dollars (\$375,000.00) payable from Fund No. 17 SF 008, Request No. 26611, for the Department of Economic Development.

**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 June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 712-2000.**

**By Councilman Cimperman.**

**An emergency ordinance authorizing the Director of Public Service to issue a permit to STAVSERV, Inc., an Ohio Corporation, dba the Greek Isles Restaurant to encroach into the public right-of-way of West St. Clair Ave. with an outdoor seasonal sidewalk cafe, a fencing enclosure and associated equipment for the dining area.**

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

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

**Section 1.** That the Director of Public Service hereby is authorized to issue a permit to STAVSERV, Inc., an Ohio Corporation, dba the Greek Isles Restaurant to encroach into the public right-of-way of West St. Clair Ave. with an outdoor seasonal sidewalk cafe, a fencing enclosure and associated equipment for the dining area which will encroach into the public right-of-way of West St. Clair Avenue at the location more fully described as Exhibit "A" in File No. 712-2000-A, being filed by the Clerk of the Council of the City of Cleveland at the Council Office of the City of Cleveland.

**Section 2.** That said outdoor seasonal sidewalk cafe, fencing enclosure and associated equipment for the cafe dining area will be placed within the public right-of-way as aforesaid, in Section 1, and will be constructed in accordance with plans and specifications approved by the Commissioner of Engineering and Construction. That all other required permits, including a building Permit, shall be obtained before said fence is constructed.

**Section 3.** That this permit herein authorized shall be prepared by the Director of Law and shall be issued only when in the opinion of the Director of Law, the City of Cleveland has been properly indemnified against any and all loss which may result from said permit.

**Section 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 June 5, 2000.

Effective June 15, 2000.

**Ord. No. 713-2000.**  
By Councilmen Cintron, Cimperman and Patmon (by departmental request).

**An emergency ordinance approving the final draft Solid Waste Management Plan of the Cuyahoga County Solid Waste Management District.**

Whereas, the Ohio Solid Waste Disposal Act, effective June 24, 1988, mandated that all counties establish a Solid Waste District and a Solid Waste Management Policy Committee to prepare, adopt and submit to the Ohio Environmental Protection Agency a Solid Waste Management Plan (Sections 3734.52 to 3734.56 of the Revised Code); and

Whereas, through its Resolution No. 814313, adopted August 29, 1988, the Cuyahoga County Board of Commissioners formed a single-county Solid Waste Management District, in accordance with Section 3734.52 of the Revised Code; and

Whereas, the Director of the Ohio Environmental Protection Agency, on March 30, 1989, designated the Cuyahoga County Planning Commission to serve as the Solid Waste Management Policy Committee for the Cuyahoga County Solid Waste District (the "Policy Committee") pursuant to Section 3734.54(D) of the Ohio Revised Code, which Policy Committee is required to prepare a "solid waste management plan" for the District as required by Section 3734.54 (the "Plan"); and

Whereas, the Policy Committee completed a draft Plan for the District and submitted that Plan to the Director of the Ohio Environmental Protection Agency for preliminary review and comment in accordance with Sections 3734.54 and 3734.55 of the Revised Code; and

Whereas, the Policy Committee received the Director's written, non-binding advisory opinion regarding binding advisory opinion regarding the draft Plan and established a public's authorized by Divisions (A) and (B) of Section 3734.573 of the Revised Code to levy fees upon the generation of solid wastes within the District for the purposes of preparing, revising and implementing the Solid Waste Management Plan and as otherwise provided in Section 3734.573 of the Revised Code; and

Whereas, the Policy Committee has adopted and submitted to this Council a resolution adopting a proposed fee schedule upon the generation of solid wastes within the District and disposed of within the State of Ohio; 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 Final Draft Plan for the Cuyahoga County Solid Waste District is hereby approved in the form submitted to this Council and contained in File No. 713-2000-A.

**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 June 12, 2000.  
Awaiting the approval or disapproval of the Mayor.

**Ord. No. 717-2000.**  
By Councilmen White, Robinson, Jones, Cintron and Patmon (by departmental request).

**An emergency ordinance authorizing the Director of Public Service to cause payment of the City's share to the Cuyahoga County Commissioners for the cost of the design and rehabilitation of Phases II and III the Harvard Avenue project between East 116th Street and the east corporation line.**

Whereas, in Ordinance No. 2166-99, passed March 27, 2000, this Council gave consent to the Cuyahoga County Commissioners, for the design and rehabilitation of Phases II and III of the Harvard Avenue project between East 116th Street and the east corporation line; and

Whereas, this Council authorized the City to cooperate with the County of Cuyahoga in the cost of the above-referenced improvement, including its design; and

Whereas, the City's share of the cost of said improvement, including its design, is currently estimated to be \$459,400.00; 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 hereby authorizes payment to the Cuyahoga County Commissioners of the City's share of the design and rehabilitation of Phases II and III of the Harvard Avenue project between East 116th Street and the east corporation line, from Fund No. 20 SF 364, and from the fund or funds to which are credited the proceeds of the sale of general obligation bonds for 2000 if authorized by this Council and sold by the City for a purpose which includes this payment, Request No. 22504.

**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 June 12, 2000.  
Awaiting the approval or disapproval of the Mayor.

**Ord. No. 727-2000.**  
By Councilman Cimperman.

**An emergency ordinance authorizing the Director of Public Service to issue a permit to the Gene Marco Co. LLC, dba Circo/Zibibbo Restaurant/Lounge for an outdoor seasonal cafe restaurant with a sidewalk barrier which will encroach into the public right-of-way of West 9th 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 Public Service hereby is authorized to issue a permit, revocable at the will of Council, and assignable by the Permittee with the written con-

sent of the Director of Public Service to Gene Marco Co. LLC, dba Circo/Zibibbo Restaurant/Lounge, 1300 West 9th Street, Cleveland, Ohio, 44113, its successors and assigns, for the construction, use and maintenance of an outdoor seasonal cafe restaurant with a sidewalk barrier which will encroach into the public right-of-way of West 9th Street at the location described herein:

LEGAL DESCRIPTION FOR  
PROPOSED ENCROACHMENT  
AREA/CIRCO CAFE N.W.  
CORNER OF WEST ST. CLAIR  
AVENUE AND WEST 9TH  
STREET

Situated in the City of Cleveland, County of Cuyahoga and the State of Ohio and known as being part of West 9th Street, 99.00 feet wide, and being further bounded and described as follows:

Beginning at the intersection of the Northwesterly right-of-way line of West St. Clair Avenue, 49.50 feet wide, and the Southwesterly right-of-way line of said West 9th Street; thence North 34°-56'-42" West along the Southwesterly right-of-way line of West 9th Street a distance of 16.50 feet to a point and the Principal Place of Beginning of the encroachment herein described;

Course No. 1: Thence continuing North 34°-56'-42" West along the Southwesterly right-of-way line of West 9th Street, a distance of 67.00 feet to a point;

Course No. 2: Thence North 55°-03'-18" East and at right angles to said Southwesterly right-of-way line of West 9th Street, a distance of 10.50 feet to a point;

Course No. 3: Thence South 34°-56'-42" East parallel to the Southwesterly right-of-way line of said West 9th Street, a distance of 67.00 feet to a point;

Course No. 4: Thence South 55°-03'-18" West and at right angles to the Southwesterly right-of-way line of said West 9th Street, a distance of 10.50 feet to the place of beginning and containing 703 square feet of land as calculated and described by McSteen and Associates, Inc. dated March 29, 2000, be the same more or less, but subject to all legal highways and easements.

**Section 2.** That said outdoor seasonal cafe will be placed within the public right-of-way as aforesaid in Section 1, and will be by the Commissioner of Engineering and Construction. That all other required permits, including a Building Permit, shall be obtained before said fence is constructed.

**Section 3.** That the permit herein authorized shall be prepared by the Director of Law and shall be issued only when in the opinion of the Director of Law, the City of Cleveland has been properly indemnified against any and all loss which may result from said permit.

**Section 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 June 5, 2000.  
Effective June 15, 2000.

**Ord. No. 729-2000.**

**By Councilman Dolan.**

**An emergency ordinance authorizing the Director of Public Service to issue a permit to Fairview Hospital, of the Cleveland Clinic Health System, to encroach into the right-of-way of Fernshaw Ave. S.W. & Riveredge Rd. S.W. for the construction of a walk, driveway and landscaping to the new Fairview Hospital Parking Facility pending the vacation of portions of Fernshaw Ave. S.W. & Riveredge Rd. S.W. & the completion of the Cul-de-Sacs.**

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

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

**Section 1.** That the Director of Public Service hereby is authorized to issue a permit, revocable at the will of Council, and assignable by the Permittee with the written consent of the Director of Public Service to Fairview Hospital (of the Cleveland Clinic Health System), 18101 Lorain Avenue, Cleveland, Ohio 44111-5656, its successors and assigns, for the construction, use and maintenance of grading, paving and draining of an access driveway, walk and the associated landscaping to the Fairview Hospital Parking Facility which will encroach into the public right-of-way of Fernshaw Avenue S.W. and Riveredge Road S.W., pending the street vacation of parts of Fernshaw Avenue S.W. and Riveredge Road S.W. and the completion of the street Cul-de-Sacs, at the locations more fully described as follows:

**LEGAL DESCRIPTION OF THE PROPOSED ENCROACHMENT AREA FOR FAIRVIEW HOSPITAL PARKING FACILITY WITH LANDSCAPING:**

Situated in the City of Cleveland, County of Cuyahoga and the State of Ohio and described as follows:

Being those portions of Fernshaw Avenue S.W. (50.00 feet wide), and Riveredge Road S.W. (60.00 feet wide), extending Southerly from Old Lorain Road (so called) to the proposed Cul-de-Sacs for said Fernshaw Avenue S.W. and Riveredge Road S.W.

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

**Section 3.** That the permit herein authorized shall be prepared by the Director of Law and shall be issued only when in the opinion of the Director of Law, the City of Cleveland has been properly indemnified against any and all loss which may result from said permit.

**Section 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 June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 730-2000.**

**By Councilmen Gordon, O'Malley, Cintron, Cimperman and Patmon (by departmental request).**

**An emergency ordinance determining the method of making the public improvement of rehabilitating State Road from Brookpark Road to Pearl Road, and authorizing the Director of Public Service 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 rehabilitating State Road from Brookpark Road to Pearl Road, for the Division of Engineering and Construction, Department of Public Service, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.

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

**Section 3.** That the cost of said improvement hereby authorized shall be paid from Fund No. 20 SF 364 and from the fund or funds to which are credited the proceeds of any grant funds from the Ohio Works Commission and from the Ohio Department of Transportation, Request No. 22513.

**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 June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 734-2000.**

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

**An emergency ordinance authorizing the Director of Public Health to enter into one or more lease or leases by way of concession with MetroHealth to provide medical services and clinical physician services at the J. Glen Smith, Thomas McCafferty, and Miles-Broadway Health Center, and to provide health care screenings at the Tremont Health Center six times a year, for a period not to exceed five years, and to employ medical professionals to provide necessary 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, notwithstanding Section 183.03 or any other provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Director of Public Health is hereby authorized to enter into one or more lease or leases by way of concession with MetroHealth Systems for the provision of medical services and clinical physician services, including comprehensive maternal services, infant and pediatric services, primary adult health care services, dental services, and Women, Infants and Children ("WIC") services, at the J. Glen Smith and Miles-Broadway Health Center, for a period not greater than five (5) years, with approval by City Council.

**Section 2.** That, notwithstanding Section 183.03 or any other provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Director of Public Health is hereby authorized to enter into one or more lease or leases by way of concession with MetroHealth Systems for the provision of health care screenings at the Tremont Health Center six (6) times a year, for a period of not greater than five (5) years, with approval by City Council.

**Section 3.** That said leases or by way of concession shall include provisions for MetroHealth Systems to assist the City of Cleveland in coordinating other medical and public health services offered at McCafferty, J. Glen Smith and Miles-Broadway Health Centers; to contribute medical and other staff; and to contribute a share of the operating costs of said Health Centers. The lease or leases by way of concession shall contain a provision wherein City Council approval is necessary to amend said lease or leases in order for MetroHealth Health Systems to provide medical services or clinical physician services in addition to those specified in said lease on its Effective Date. The lease or leases by way of concession shall contain a provision wherein MetroHealth Medical Systems shall provide notice to City Council in the event that any of those factors contained in said lease, which permit MetroHealth Medical Systems to terminate said lease or leases, come into existence and that said notification shall be at the earliest possible time.

**Section 4.** That the Director of Public Health and MetroHealth Health Systems shall not enter into a billing agreement for services provided under the lease or leases by way of concession without prior approval from City Council.

**Section 5.** That the Director of Public Health is hereby authorized to employ by contract(s) MetroHealth and/or MetroHealth employed physicians and professional staff for the professional consulting services of said physicians and professional staff, as necessary. This authority shall be included in the lease or leases by way of concession and said authority shall continue for the duration of the lease or leases by way of concession.

**Section 6.** That the lease or leases by way of concession shall be prepared by the Director of Law and shall contain such necessary provisions which the Director of Law deems necessary to protect the public interest.

**Section 7.** That the term of the lease or leases authorized herein shall not be extended without City Council authorization.

**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 June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 735-2000.**

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

**An emergency ordinance to extend the retirement dates of Officer Emil Cielec, Lieutenant Michael O'Malley, Lieutenant Edward Lentz and Detective Arssie Taylor, for a one year period for the Division of Police, Department of Public Safety.**

Whereas, Section 135.07 of the Codified Ordinances of Cleveland, Ohio, 1976, provides that members of the Division of Police in the Department of Public Safety, attaining the age of sixty-five years, upon written request of the Police Chief, shall continue on active duty on a year-to-year basis subject to the approval of the Department of Public Safety and this Council; and

Whereas, Officer Emil Cielec, Lieutenant Michael O'Malley, Lieutenant Edward Lentz and Detective Arssie Taylor, possess great wealth of knowledge and expertise and have proved invaluable in attaining the goals of the Division of Police, Department of Public Safety; and

Whereas, the Director of Public Safety has approved the continuation on active duty for Officer Emil Cielec, Lieutenant Michael O'Malley, Lieutenant Edward Lentz and Detective Arssie Taylor; 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 Officer Emil Cielec of the Division of Police, Department of Public Safety, shall continue on active duty for a one (1) year period beginning on August 20, 2000, and that such continuation is hereby approved by this Council.

**Section 2.** That Lieutenant Michael O'Malley of the Division of Police, Department of Public Safety, shall continue on active duty for a one (1) year period beginning on June 30, 2000, and that such continuation is hereby approved by this Council.

**Section 3.** That Lieutenant Edward Lentz of the Division of Police, Department of Public Safety, shall continue on active duty for a one (1) year period beginning on August 14, 2000, and that such continuation is hereby approved by this Council.

**Section 4.** That Detective Arssie Taylor of the Division of Police, Department of Public Safety, shall continue on active duty for a one (1) year period beginning on August 26, 2000, and that such continuation is hereby approved by this Council.

**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.

Passed June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 736-2000.**

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

**An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to service and maintain police aircraft, including labor if necessary, 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 labor and materials necessary to service and maintain police aircraft, including labor if necessary, 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 5704)

**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 June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 737-2000.**

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

**An emergency ordinance authorizing the purchase by requirement contract of supplies needed for care and feeding of horses, 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 supplies needed for the care and feeding of horses 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 5706)

**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 June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 738-2000.**

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

**An emergency ordinance authorizing the purchase by requirement contract of aviation fuel and hangar space for aircraft, 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 avi-

ation fuel and hangar space for police aircraft 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 5705)

**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 June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 739-2000.**  
**By Councilmen Polensek and Patmon (by departmental request).**

**An emergency ordinance authorizing the purchase by requirement contract of prisoner meals, 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 prisoner meals 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 5703)

**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 June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 740-2000.**  
**By Councilmen Polensek and Patmon (by departmental request).**

**An emergency ordinance authorizing the purchase by requirement contract of citation forms, 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 citation forms 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 5709)

**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 June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 741-2000.**  
**By Councilmen Polensek and Patmon (by departmental request).**

**An emergency ordinance authorizing the purchase by requirement contract of photo lab materials and supplies, 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 photo lab materials and supplies 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 5707)

**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 June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 743-2000.**  
**By Councilmen Cimperman, Dolan and Patmon (by departmental request).**

**An emergency ordinance authorizing the Director of Port Control to enter into a Lease By Way of Concession with T & G Flying Club, Inc. for space in the terminal building at Burke Lakefront Airport for use as a flight training facility and related 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 Director of Port Control ("Director") is authorized to enter into a Lease By Way of Concession ("Lease") with T & G Flying Club, Inc. ("Lessee") for approximately 486 square feet of



space in the terminal building at Burke Lakefront Airport for use as a flight training facility and related services. The term of the Lease shall be for two years. The rent shall be \$12.00 per square foot per year. During the term, any addition or deletion of space to be leased shall be approved by the Board of Control, and shall be effective upon written agreement between Lessee and the City.

**Section 2.** That the Lease shall be prepared by the Director of Law. The Lease shall contain such terms and conditions as the Director of Law deems necessary to protect and benefit the public interest and shall specifically contain provisions that the City shall provide Lessee with twelve (12) months' written notice prior to cancellation of the Lease for any reason other than Lessee's default and that the City shall provide Lessee with four (4) months' written notice prior to cancellation of the Lease as a result of Lessee's default. The President of City Council, the Chairman of the Aviation and Transportation Committee, and the Chairman of the Finance Committee shall receive a copy of all such notices.

**Section 3.** That notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, Lessee shall provide the City with a security deposit in lieu of a performance bond. Such security deposit shall be in an amount equal to four (4) months rent.

**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 June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 745-2000.**

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

**An emergency ordinance authorizing the purchase by requirement contract of tree trimming, for the Division of Cleveland Public Power, Department of Public Utilities.**

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

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

**Section 1.** That the Director of Public Utilities is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of tree trimming 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 Cleveland Public Power, Department of Public Utilities. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Altern-

nate 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. All expenditures under the contract authorized herein shall not exceed \$100,000.00. (RL 12249)

**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 June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 746-2000.**

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

**An emergency ordinance authorizing the purchase by requirement contract of labor and materials needed to install streetlighting bases and pull boxes, for the Division of Cleveland Public Power, Department of Public Utilities, for a period not to exceed two years.**

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

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

**Section 1.** That the Director of Public Utilities is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two years of the necessary items of labor and materials needed to install underground miscellaneous duct line streetlighting bases and pull boxes, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Cleveland Public Power, Department of Public Utilities. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

**Section 2.** That the cost of said contract shall 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 Pur-

chases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. All expenditures under the two year contract authorized herein shall not exceed \$1,500,000. In the event that a contract for less than two years is entered into, all expenditures under such contract and authorized herein, shall not exceed \$750,000. (RL 16533)

**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 June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 748-2000.**

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

**An emergency ordinance authorizing the Director of Community Development to enter into or amend contracts with various social service agencies, community development or local development corporations and private for profit entities and to enter into or amend memorandums of understanding with various City of Cleveland departments to implement the City's community development programs and to expend funds from the operation of programs administered by the Department of Community Development.**

Whereas, the City of Cleveland has received a Community Development Block Grant, Year XXVI, from the United States Government; and

Whereas, the Council of the City of Cleveland has approved the Year XXVI Community Development Block Grant Plan as set forth in File No. 135-2000-A, pursuant to Ordinance No. 135-2000, passed March 30, 2000; and

Whereas, in prior Block Grant years, the Council has approved Block Grant Plans; and

Whereas, the Block Grant Plans as approved commit funds to Neighborhood Development Activities ("NDA"), which are CDBG eligible activities proposed by the various Council members; 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 Community Development, after receiving the approval stated in Section 4 below, is authorized to enter into or amend contracts with various social services agencies, community development or local development corporations and private for profit entities for activities and programs that are eligible under the Community Development Block Grant ("CDBG") Program and are consistent with the City's Community Development objectives and policies.

**Section 2.** That the Director of Community Development, after receiving the approval stated in Section 4 below, is authorized to enter into or amend memorandums of understanding with various City departments to implement activities

and programs that are eligible under the CDBG Program and are consistent with the City's Community Development objectives and policies.

**Section 3.** That the Director of Community Development, after receiving the approval stated in Section 4 below, is authorized to expend NDA funds for the operation of programs administered by the Department of Community Development, including all related services, and to enter into contract under those programs.

**Section 4.** That prior to entering into or amending those contracts or memorandums of understanding, or expending any funds, the Director of Community Development shall receive written approval from the Councilmember whose ward line item is to fund the activity or program, provided that the amount for such activity or program does not exceed the amount allocated for the Councilmember's ward pursuant to the relevant Community Development Block Grant plan.

**Section 5.** That the cost of the contracts, memorandums of understanding and expenditures for the programs administered by the Department of Community Development shall not exceed \$10,500,000.00 and shall be paid from Fund No. 14 SC 026.

**Section 6.** That the Director of Community Development is authorized to accept program income and to deposit that program income in Fund No. 14 to be used as a revolving fund to finance the eligible NDA programs that generated the program income.

**Section 7.** That the Director of Community Development is authorized to enter into or amend contracts with the entities administering the NDA program that generated the program income in an amount not to exceed that generated program income and to expend funds for the programs administered by the Department of Community Development that generated program income in an amount not to exceed that generated program income, all to be paid from the revolving fund in Fund 14.

**Section 8.** That the City is authorized to accept promissory notes, naming the City of Cleveland as payee, and mortgages, naming the City of Cleveland as mortgagee, and any other security instrument executed to evidence and secure repayment of loans made under this program.

**Section 9.** That the Director of Community Development is hereby authorized to enter into forbearance agreements with any recipient of a validly existing loan administered by the City, and to charge and accept fees and to expend such fees to cover costs incurred in the preparation of loan documents, closing, and servicing costs. Such fees shall be deposited to and expended from Fund No. 14.

**Section 10.** 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 June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 750-2000.**

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

**An emergency ordinance authorizing the Director of Community Development to expend Community Development Block Grant funds for the operation of the Storefront Renovation Program.**

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

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

**Section 1.** That the Director of the Department of Community Development is hereby authorized to expend Community Development Block Grant funds in the amount of \$2,000,000 from Fund No. 14 SC 026, Request No. 20690 for the operation of the Storefront Renovation Program for all related services including: to enter into rebate contracts with program applicants and to reimburse eligible administrative costs to local development corporations for implementation of the program.

**Section 2.** That the Director of Community Development is authorized to accept program income monies in repayment from local development corporations under the Storefront Renovation Program, to utilize this program income, other Community Development Block Grant program income and Kiosk program income for additional expenditures under the Storefront Renovation Program.

**Section 3.** Authorizing the City to accept promissory notes, naming the City of Cleveland as payee, and mortgages, naming the City of Cleveland as mortgagee, and any other security instrument executed to evidence and secure repayment of fees under the City's Storefront Renovation Program.

**Section 4.** That the Director of the Department of Community Development be and is hereby authorized to enter into forbearance agreements with any recipient of a validly existing loan, administered by the City under the City's Storefront Renovation Program.

**Section 5.** That the Director of Community Development is hereby authorized to charge and accept fees and to expend such fees to cover costs incurred in the preparation of loan documents, closing, and serving costs. Such fees shall be deposited to and expended from Fund No. 14.

**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.

Passed June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 753-2000.**

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

**An emergency ordinance authorizing the Director of Community Development to enter into contract with Cleveland Action to Support Housing (CASH) for administrative costs to implement housing rehabilitation, new housing construction and commercial redevelopment loan 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 the Director of Community Development is hereby authorized to enter into contract with Cleveland Action to Support Housing (CASH) for administrative costs to implement housing rehabilitation, new housing construction and commercial redevelopment loan programs in the City of Cleveland.

**Section 2.** That the cost of said contract shall be in an amount not to exceed \$500,000.00, and shall be paid from Fund No. 14 SC 026, Request No. 20683.

**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 June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 756-2000.**

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

**An emergency ordinance authorizing the Directors of Community Development and the Community Relations Board to expend Community Development Block Grant funds for fair housing services.**

Whereas, the City of Cleveland has received a Community Development Block Grant, Year XXVI, from the United States Government; 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 the Community Relations Board is hereby authorized to expend Community Development Block Grant funds in the amount of \$100,000.00 from Fund No. 14 SF 026 Request No. 20680, for fair housing services in conjunction with the Community Development Block Grant Program.

**Section 2.** That said Director and the Director of Community Development are hereby authorized to enter into a memorandum of understanding for this program.

**Section 3.** That the Director of the Community Relations Board is hereby authorized to enter into contracts with outside agencies for the purpose of providing fair housing services in conjunction with the Community Development Block Grant Program.

**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 June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 760-2000.**  
**By Councilmen Lewis, Melena and Patmon (by departmental request).**

An emergency ordinance to amend the title and Sections 1, 2 and 3 of Ordinance No. 739-99, passed June 14, 1999, relating to an Empowerment Zone contract with Aletha Gambrell dba Hot Curls and Clippers to provide economic development assistance to partially finance capital improvements to property located at 1787 East 55th Street, Cleveland, Ohio.

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

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

**Section 1.** That the title and Sections 1, 2 and 3 of Ordinance No. 739-99, passed June 14, 1999, are hereby amended to read, respectively, as follows:

An emergency ordinance authorizing the Director of Economic Development to enter into an Empowerment Zone contract with Aletha Gambrell dba Hot Curls and Clippers to provide economic development assistance to partially finance capital improvements to property located at 1787 East 55th Street, Cleveland, Ohio.

**Section 1.** That the Director of Economic Development is hereby authorized to enter into an Empowerment Zone contract with Aletha Gambrell dba Hot Curls and Clippers to provide economic development assistance to partially finance capital improvements to property located at 1787 East 55th Street, Cleveland, Ohio.

**Section 2.** That the terms of said loan shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 739-99-B. That notwithstanding any provision of said file to the contrary, the goal shall be to employ City of Cleveland residents for all new permanent jobs created, using best efforts.

**Section 3.** That the costs of said contract shall not exceed \$155,000.00 and shall be paid from Fund Nos. 18 SF 001 and 18 SF 003, Request Nos. 23762 and 13104.

**Section 2.** That the existing title and Sections 1, 2 and 3 of Ordinance No. 739-99, passed June 14, 1999, 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 June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 762-2000.**

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

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with ACHProperties, LLC to provide economic development assistance to partially finance the acquisition of real property located at 7100 Broadway Avenue, Cleveland, Ohio.

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 contract with ACH Properties, LLC to provide economic development assistance to partially finance the acquisition real property located at 7100 Broadway Avenue, Cleveland, Ohio.

**Section 2.** That the term of said loan shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 762-2000-A.

**Section 3.** That the costs of said contract shall not exceed One Hundred Ten Thousand Dollars (\$110,000.00), and shall be paid from Fund No. 17 SF 008, Request No. 26629.

**Section 4.** That the Director of Economic Development is hereby authorized to accept the collateral as set forth in the Executive Summary contained in Section 2 of this ordinance in order to secure repayment of said loan. Any security instrument shall be prepared and approved by the Director of Law.

**Section 5.** That the Director of Economic Development is hereby authorized to accept monies in repayment of the loan and to deposit said monies in Fund No. 17 SF 006.

**Section 6.** That the Director of Economic Development is hereby authorized to charge and accept fees in an amount not to exceed the maximum allowable fees under federal regulations and expend such fees to cover costs incurred in the preparation of the loan application, closing and servicing of the loan. Such fees shall be deposited to and expended from Fund No. 17 SF 305, Loan Fees Fund.

**Section 7.** That the Director of Law is hereby authorized to prepare said contract and such other documents as may be appropriate to complete the transaction.

**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 June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 765-2000.**

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

An emergency ordinance authorizing the Director of Economic Development to enter into an Enterprise Zone Agreement with Midland Steel Products Holding Company to provide for a ten year abatement for certain tangible personal property and real estate taxes as an incentive to assist with making the acquisition of machinery and equipment and for real property improvements located at 10615 Madison Avenue in the Cleveland Area Enterprise Zone.

Whereas, pursuant to Ordinance No. 948-95, passed June 19, 1995, this Council designated an area which is in the City of Cleveland and

described in File No. 948-95-A, as the Cleveland Area Enterprise Zone (the "Zone") pursuant to Chapter 5709 of the Ohio Revised Code; and

Whereas, in August, 1995, the Director of Development of the State of Ohio determined that the Zone contains the characteristics set forth in Section 5709.61(A) of the Revised Code and certified said area as an "Urban Jobs and Enterprise Zone" pursuant to Chapter 5709 of the Revised Code; and

Whereas, Midland Steel Products Holding Company (the "Enterprise") has proposed to acquire machinery and equipment and for real property improvements located at 10615 Madison Avenue in the City of Cleveland; and

Whereas, the Enterprise has certified to the City that, but for abatement of personal property and real estate taxes the Enterprise would be at a competitive disadvantage by operating at this location; and

Whereas, this ordinance constitutes an emergency measure in that the same provides for the immediate preservation of the public peace, safety, property, and welfare and for the further reason that its enactment is a necessary prerequisite to providing immediate assistance to create and preserve job opportunities and advance and promote commercial and economic development in the City of Cleveland, such assistance being immediately necessary or such jobs will be lost; now, therefore,

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

**Section 1.** That this Council hereby approves the application of the Enterprise for enterprise zone incentives on the basis that the Enterprise is qualified by financial responsibility and business experience to create and preserve employment opportunities in the Cleveland Area Enterprise Zone and to improve the economic climate of the City of Cleveland.

**Section 2.** That the Director of Economic Development is authorized to enter into an Enterprise Zone Agreement with the Enterprise to provide for a ten (10) year abatement for certain tangible personal property and real estate taxes as an incentive to assist with the acquisition of machinery and equipment and for real property improvements thereto located at 10615 Madison Avenue; said abatement shall be subject to annual review of the Tax Incentive Review Council.

**Section 3.** That the terms of said tax abatement shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 765-2000-A. The terms of said file notwithstanding, the terms of the tax abatement shall not be amended, nor shall the tax abatement be assignable or transferrable to any entity, without the prior legislative authorization by Cleveland City Council.

**Section 4.** That the Director of Economic Development is hereby authorized to charge and accept fees in an amount not to exceed the maximum allowable under Chapter 5709 of the Revised Code and such funds are hereby appropriated for the purposes set forth in Chapter 5709 of the Revised Code. Such fees shall be deposited to and expended from Fund No. 17 SF 305, Loan Fees Fund.

**Section 5.** That the Director of Law shall prepare and approve said agreement and that said agreement

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

**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.

Passed June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 766-2000.**  
By Councilmen Westbrook, Melena and Patmon (by departmental request).

**An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Midland Steel Products Holding Company to provide economic development assistance to partially finance the acquisition of machinery and equipment and for real property improvements located at 10615 Madison Avenue, Cleveland, Ohio.**

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 contract with Midland Steel Products Holding Company to provide economic development assistance to partially finance the acquisition of machinery and equipment and for real property improvements located at 10615 Madison Avenue, Cleveland, Ohio.

**Section 2.** That the term of said loan shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 766-2000-A.

**Section 3.** That the costs of said contract shall not exceed Five Hundred Thousand Dollars (\$500,000.00), and shall be paid from Fund No. 17 SF 008, Request No. 26615.

**Section 4.** That the Director of Economic Development is hereby authorized to accept the collateral as set forth in the Executive Summary contained in the file referenced in Section 2 of this ordinance in order to secure repayment of said loan. Any security instrument shall be prepared and approved by the Director of Law.

**Section 5.** That the Director of Economic Development is hereby authorized to accept monies in repayment of the loan and to deposit said monies in Fund No. 17 SF 006.

**Section 6.** That the Director of Economic Development is hereby authorized to charge and accept fees in an amount not to exceed the maximum allowable fees under federal regulations and expend such fees to cover costs incurred in the preparation of the loan application, closing and servicing of the loan. Such fees shall be deposited to and expended from Fund No. 17 SF 305, Loan Fees Fund.

**Section 7.** That the Director of Law is hereby authorized to prepare said contract and such other documents as may be appropriate to complete the transaction.

**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 June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 768-2000.**  
By Councilman Cintron.  
**An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Section 133.04 thereof, relating to Exempted Special Events.**

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 133.04 thereof, to read as follows:

**Section 133.04 Exempted Special Events**

Notwithstanding Section 133.031(g) or any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, a member of Council may request an exemption for a special event for an event located outside of the members' ward if there is not a location in the members' ward suitable for the special event. This exemption shall not be considered as the exemption designated pursuant to Section 133.031(g) of the Codified Ordinances.

**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 June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 811-2000.**  
By Councilman Patmon (by departmental request).

**An emergency ordinance authorizing the purchase by requirement contract of lamps, for the various divisions of City government.**

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 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 lamps 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 various divisions of City government. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

**Section 2.** 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 3062)

**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 June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 812-2000.**  
By Councilman Patmon (by departmental request).

**An emergency ordinance authorizing the purchase by requirement contract of office supplies, for the various divisions of City government, for a period of one year, with one option to renew for an additional year.**

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 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 office supplies in the approximate amount as purchased during the preceding year, with one (1) option exercisable by the Director of Finance, to renew for an additional one-year consecutive term, and cancellable upon thirty days written notice by said Director, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of City government. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable

by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

**Section 2.** That the 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 3060)

**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 June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 814-2000.**  
By Councilman Patmon (by departmental request).

**An emergency ordinance authorizing the purchase by requirement contract of various sizes of steel plates, for the various divisions of City government.**

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 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 sizes of steel plates 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 various divisions of City government. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

**Section 2.** That the 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 3059)

**Section 3.** That all costs under the one (1) year contract authorized herein shall not exceed \$136,000.00.

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

Passed June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 815-2000.**  
By Councilman Patmon (by departmental request).

**An emergency ordinance authorizing the purchase by requirement contract of the lease or lease with option to purchase an electronic key telephone system, for the Division of Information System Services, Department of Finance, for a period not to exceed three years.**

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

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

**Section 1.** That the Director of Finance is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the lease or lease with option to purchase the necessary items, exercisable by the Director of Finance, for a period not to exceed three years, an electronic key telephone system, in the estimated sum of \$45,000.00 to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Information System Services, Department of Finance. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than three years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

**Section 2.** That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 7758)

**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 June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 822-2000.**

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

**An emergency ordinance authorizing the purchase by requirement contract of labor, material and services necessary to maintain outdoor residential lighting and energy efficient programs, for the Division of Cleveland Public Power, Department of Public Utilities, for a period not to exceed two years.**

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

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

**Section 1.** That the Director of Public Utilities is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two years of the necessary items of labor, material and services necessary to maintain outdoor residential lighting and energy efficient programs, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Cleveland Public Power, Department of Public Utilities. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

**Section 2.** That the cost of said contract shall 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 16620)

**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 June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 823-2000.**

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

**An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to remove idle wood, concrete and metal poles, for the Division of Cleveland Public Power, Department of Public Utilities, for a period not to exceed two years.**

Whereas, this ordinance constitutes an emergency measure provid-

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

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

**Section 1.** That the Director of Public 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 remove idle wood, concrete and metal poles, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Cleveland Public Power, Department of Public Utilities. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

**Section 2.** That the cost of said contract shall 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. That all expenditures under the contract authorized herein shall not exceed \$35,000.00. (RL 16613)

**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 June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 824-2000.**

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

**An emergency ordinance authorizing the purchase by requirement contract of labor and materials needed to fabricate ring and pinion gears, 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 for the necessary items of

labor and materials needed to fabricate ring and pinion gears, 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.** 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 18744)

**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 June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 825-2000.**

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

**An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary for miscellaneous building maintenance services, for the various divisions of the 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 for miscellaneous building maintenance services, 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 Divisions of Water, Water Pollution Control and Cleveland Public Power, Department of Public Utilities. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate

bids for a period less than two years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

**Section 2.** 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 16618)

**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 June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 826-2000.**

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

**An emergency ordinance authorizing the purchase by requirement contract of hauling and disposal 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 requirements for the period of two years of the necessary items of hauling and disposal 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.** 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 23478)

**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 June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 827-2000.**

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

**An emergency ordinance authorizing the purchase by requirement contract of paper products, for the Divisions of Water and Cleveland Public Power, Department of Public Utilities, for a period not to exceed two years.**

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

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

**Section 1.** That the Director of 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 paper products, 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 Divisions of Water and Cleveland Public Power, Department of Public Utilities. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

**Section 2.** That the cost of said contract shall 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. That all expenditures under the contract authorized herein shall not exceed \$900,000.00. (RL 18742)

**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 June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 828-2000.**

**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 services necessary to design, layout, produce and distribute 2000 and 2001 annual reports and other customer public information materials, for the various divisions of the Department of Public Utilities.**

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

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

**Section 1.** That the Director of Public Utilities is hereby authorized to employ by contract one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to design, layout, produce and distribute 2000 and 2001 annual reports and other customer public information materials, including but not limited to writing, photography and artwork offset lithographic reproduction, for the Divisions of Water, Cleveland Public Power and Water Pollution Control, Department of Public Utilities.

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

**Section 2.** That the costs for such services herein contemplated shall be paid from Fund Nos. 52 SF 001, 54 SF 001 and 58 SF 001, Request No. 23477.

**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 June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 829-2000.**

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

**An emergency ordinance authorizing the procurement by requirement contract of the rental of various pieces of heavy equipment, for the Division of Water, Department of Public Utilities and the Division of Cleveland Public Power, Department of Public Utilities, for a period not to exceed two years.**

Whereas, this ordinance constitutes an emergency measure provid-

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

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

**Section 1.** That the Director of Public 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 the rental of various pieces of heavy equipment, in the approximate amount as procured during the preceding term, to be procured by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Water, Department of Public Utilities and the Division of Cleveland Public Power, Department of Public Utilities. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

**Section 2.** That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial procurement thereunder, which procurement, together with all subsequent procurements, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. That all expenditures under the contract authorized herein shall not exceed \$150,000.00. (RL 18745)

**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 June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 830-2000.**

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

**An emergency ordinance authorizing the purchase by requirement contract of labor and materials to maintain decorative and special lighting, for the Division of Cleveland Public Power, Department of Public Utilities, for a period not to exceed two years.**

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

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

**Section 1.** That the Director of Public Utilities is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two

years of the necessary items of labor and materials necessary to maintain decorative and special lighting, in the estimated sum of \$300,000.00 to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Cleveland Public Power, Department of Public Utilities. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

**Section 2.** That the cost of said contract shall 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. That all expenditures under the contract authorized herein shall not exceed \$300,000.00. (RL 16622)

**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 June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 831-2000.**  
**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 Pitney Bowes for the maintenance of a mail inserter machine, for the Division of Water, Department of Public Utilities, for a period not to exceed three years.**

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

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

**Section 1.** That it is hereby determined that the within commodities are non-competitive and cannot be secured from any source other than Pitney Bowes. Therefore, the Director of Public Utilities is hereby authorized to make a written contract with said Pitney Bowes upon the basis of their proposal dated January 12, 2000, for maintenance of a mail inserter machine for a period not to exceed three years, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Water, Department of Public Utilities.

**Section 2.** That all expenditures under the contract authorized herein shall not exceed \$42,673.00. The cost of said contract shall be paid

from Fund No. 52 SF 001, Request No. 18741.

**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 June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 832-2000.**  
**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 ORACLE Service Industries for the purchase of multi-server licenses, for the Division of Water, Department of Public Utilities.**

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

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

**Section 1.** That it is hereby determined that the within commodities are non-competitive and cannot be secured from any source other than ORACLE Service Industries. Therefore, the Director of Public Utilities is hereby authorized to make a written contract with said ORACLE Service Industries upon the basis of its proposal dated April 26, 2000, for multi-server licenses, to be purchased by the Commissioner of Purchases and Supplies for a gross price for the Division of Water, Department of Public Utilities.

**Section 2.** That all expenditures under the contract authorized herein shall not exceed \$319,979.00. The cost of said contract shall be paid from Fund No. 52 SF 001, Request No. 23492.

**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 June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 834-2000.**  
**By Councilmen Polensek and Patmon (by departmental request).**

**An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to service and repair elevators at the Justice Center and the 3rd District Police Station, for the Division of Police, Department of Public Safety, for a period of one year, with one option to renew for an additional year.**

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 of the necessary items of labor and materials necessary to service and repair elevators at the Justice Center and the 3rd District Police Station, in the approximate amount as purchased during the preceding term, with one (1) option exercisable by the Director of Finance, to renew for an additional one-year consecutive term, and cancellable upon thirty days written notice by said Director, 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 one year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire 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 15234)

**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 June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 838-2000.**  
**By Councilmen Polensek and Patmon (by departmental request).**

**An emergency ordinance authorizing the purchase by requirement contract of furniture and fixtures for various locations within 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 furniture and fixtures for various locations within the Division of Police in the approximate amount as pur-



chased 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 15236)

**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 June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 839-2000.**  
By Councilmen Polensek and Patmon (by departmental request).

**An emergency ordinance authorizing the Director of Public Safety to enter into contract without competitive bidding with Medtronic PhysioControl for the purchase of maintenance service on defibrillators, including but not limited to monitors and battery support systems, 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 it is hereby determined that the within commodities are non-competitive and cannot be secured from any source other than Medtronic PhysioControl. Therefore, the Director of Public Safety is hereby authorized to make a written contract with said Medtronic PhysioControl, for a period of one year on the basis of their proposal for maintenance service on defibrillators, including but not limited to monitors and battery support systems, to be purchased by the Commissioner of Purchases and Supplies for a gross price for the Division of Emergency Medical Service, Department of Public Safety.

**Section 2.** That the cost of said contract hereby authorized shall be paid from Fund No. 01-600402-661200, Request No. 10665.

**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 June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 840-2000.**  
By Councilmen Polensek and Patmon (by departmental request).

**An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the Ohio Department of Public Safety for the 2000-2001 EMS-EMT Training Program; and authorizing the purchase by requirement contract of equipment and supplies necessary to implement the program.**

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

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

**Section 1.** That the Director of Public Safety is hereby authorized to apply for and accept a grant in the amount not to exceed \$78,686.13, from the Ohio Department of Public Safety, to conduct the 2000-2001 EMS-EMT Training Program, for the purposes set forth in the application and according thereto; that the Director of Public Safety is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the application for said grant.

**Section 2.** That the application for said grant, File No. 840-2000-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

**Section 3.** That the Director of Public Safety shall have the authority to extend the term of the grant if said extension does not involve an increase in the dollar amount of the grant specified above.

**Section 4.** 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 grant term for the necessary items of equipment and supplies necessary to implement the program, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the 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 one year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

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.

**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.

Passed June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 841-2000.**  
By Councilmen Gordon and Patmon (by departmental request).

**An emergency ordinance authorizing the Director of Public Health to enter into contracts with various agencies to provide AIDS-related 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 Director of Public Health is hereby authorized to enter into one or more contracts to provide AIDS-related services with the following agencies, in the following amounts:

Agency	Amount
AIDS Housing Council (support services)	\$370,000.00
AIDS Housing Council (rental assistance)	\$128,327.00
AIDS Taskforce of Greater Cleveland	\$165,576.00
Visiting Nurses Association	\$ 40,986.00

In addition, the sum of not more than \$20,000 is appropriated to the Department of Public Health for administrative costs of implementing the HOPWA program.

**Section 2.** That the costs of the contracts authorized above shall be paid from Fund No. 13 SF 515, Request No. 6791.

**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 June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 842-2000.**  
By Councilmen Gordon and Patmon (by departmental request).

**An emergency ordinance authorizing the Director of Public Health to amend Contract No. 53170 with University Settlement to provide additional lead abatement services.**

Whereas, pursuant to Ordinance No. 2186-97, passed April 6, 1998, the

Director of Public Health entered into Contract No. 53170 with University Settlement to provide lead abatement services; and

Whereas, additional lead abatement services 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 Public Health is authorized to amend Contract No. 53170 with University Settlement to provide additional lead abatement services, and to increase the amount of the contract by \$25,000, for a total of \$230,000.00. Said increase shall be paid from Fund No. 13 SF 456, Request No. 7148.

**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 June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 843-2000.**

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

**An emergency ordinance authorizing the Director of Public Health to enter into an agreement or memorandum of understanding with the State of Ohio, Department of Education, Division of Early Childhood Education and the Ohio Association of County Boards of Mental Retardation and Developmental Disabilities; to accept funds to administer and perform inspections of day care centers; and to authorize the Director of Public Health to enter into contracts with certified inspectors to perform day care center inspections.**

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

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

**Section 1.** That the Director of Public Health is hereby authorized to enter into an agreement or memorandum of understanding, as appropriate, with the State of Ohio, Department of Education, Division of Early Childhood Education ("ODE") and the Ohio Association of County Boards of Mental Retardation and Developmental Disabilities ("Ohio Association"), under which the ODE, through the Ohio Association, shall provide the City with funds in the estimated amount of Sixty Five Thousand Dollars (\$65,000.00), for the purpose of the City Department of Public Health's provision of administrative support, maintenance of data and records and payment of fees and expenses for inspection services of day care centers.

**Section 2.** That the Director of Public Health is hereby authorized to enter into contracts with certified

inspectors identified on a list provided by the ODE or with any inspectors who are certified by the State of Ohio to perform inspections of day care centers, for the purpose of providing inspections, during the period from July 1, 2000, through June 30, 2001. The Director of Public Health is hereby authorized to receive the funds for this program; and upon acceptance of said funds appropriate them for the purposes as identified above and set forth in the agreement or memorandum of understanding.

**Section 3.** That the cost of the contracts authorized herein shall be paid from the fund or funds to which are credited the proceeds accepted pursuant to 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.

Passed June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 845-2000.**

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

**An emergency ordinance authorizing the purchase by contract of labor and materials necessary to install tubing and other related work at Glenville Recreation Center, including removal of existing tubing and appurtenances, for the Division of Property Management, Department of Parks, Recreation and Properties.**

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

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

**Section 1.** That the Director of Parks, Recreation and Properties is hereby authorized to make a written 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 install tubing within two (2) existing boilers at Glenville Recreation Center and other related work, including removal of existing tubing and appurtenances, to be purchased by the Commissioner of Purchases and Supplies for a gross price for the Division of Property Management, Department of Parks, Recreation and Properties.

**Section 2.** That the contract authorized herein shall be for a term of one (1) year or less and all expenditures under the contract shall not exceed \$25,000.00. The cost of said contract shall be paid from Fund No. 01-701110-645200, Request No. 21953.

**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 June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 846-2000.**

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

**An emergency ordinance authorizing the Director of Parks, Recreation and Properties to transfer the ownership of the Ivan Franko bust from the City of Cleveland to the United Ukrainian Organizations of Greater Cleveland in exchange for two Ukrainian busts to be created and installed in the Cultural Gardens at Rockefeller Park.**

Whereas, Section 181.19 of the Codified Ordinances of Cleveland, Ohio, 1976, authorizes the sale of personal property owned by the City of Cleveland when no longer needed or not suitable for the use of the City; and

Whereas, the City owns the Ivan Franko bust; and

Whereas, the bust is not currently being displayed but rather is in a Division of Park Maintenance and Properties service station; and

Whereas, if the City transfers ownership of the Ivan Franko bust to the United Ukrainian Organizations of Greater Cleveland, that organization will have a replica of the Ivan Franko bust and of another best of a famous Ukrainian created and installed in the Cultural Gardens at Rockefeller Park; 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 Section 181.19 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Parks, Recreation and Properties will transfer ownership of the Ivan Franko bust to the United Ukrainian Organizations of Greater Cleveland. In exchange for this transfer of ownership, the City of Cleveland will receive from the United Ukrainian Organizations of Greater Cleveland, a replica of the Ivan Franko bust and of another bust of a famous Ukrainian both to be created and installed in the Cultural Gardens at Rockefeller Park at no cost to the City.

**Section 2.** The Director of Parks, Recreation and Properties is authorized to execute all documents or agreements and do all things necessary to effectuate the exchange identified above.

**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 June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 848-2000.**  
**By Councilmen Gordon and Patmon (by departmental request).**

**An emergency ordinance authorizing the Director of Aging to apply for and accept a grant from the Western Reserve Area Agency on Aging for the 2000 Western Reserve Area Agency on Aging Program.**

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

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

**Section 1.** That the Director of Aging is hereby authorized to apply for and accept a grant in the amount of \$114,855.00, from the Western Reserve Area Agency on Aging, to conduct the 2000 Western Reserve Area Agency on Aging Program, for the purposes set forth in the application and according thereto; that the Director of Aging is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the application for said grant.

**Section 2.** That the application for said grant, File No. 848-2000-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

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

Passed June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 851-2000.**  
**By Councilmen Cimperman, Melena and Patmon (by departmental request).**

**An emergency ordinance authorizing the Director of Community Development to enter into contract with Marshall-Magnate Building, LTD to provide a Loan to partially finance the rehabilitation and redevelopment of the historic Marshall Drug Building located at the corner of W. 9th Street and Lakeside Avenue, Cleveland, Ohio.**

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 hereby authorized to enter into and execute a contract for and on behalf of the City of Cleveland with Marshall-Magnate Building, LTD to provide a loan to partially finance the rehabilitation and redevelopment of the Marshall Building located at the corner of W. 9th Street and Lakeside Avenue, Cleveland, Ohio into market rate rental housing units and commercial space.

**Section 2.** That the terms of said loan shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 851-2000-A.

**Section 3.** That the cost of said contract shall not exceed Three Hundred Thousand Dollars (\$300,000.00), and shall be paid from Fund No. 17 SF 008, Request No. 26618.

**Section 4.** That the Director of Community Development is hereby authorized and directed to accept collateral as said Director shall deem adequate in order to secure repayment of said Loan. Any security instrument shall be prepared and approved by the Director of Law.

**Section 5.** That the Director of Community Development is hereby authorized to accept monies in repayment of the loan and to deposit said monies in Fund No. 17 SF 006.

**Section 6.** That the Director of Community Development is hereby authorized to accept and charge fees in an amount not to exceed the maximum allowable under federal regulations and expend such fees to cover costs incurred in the preparation of the loan application, closing and servicing of the loan. Such fees shall be deposited to and expended from Fund No. 17 SF 305, Loan Fees Fund.

**Section 7.** That the Director of Law is authorized to prepare said contract and such other documents as may be appropriate to complete the transaction.

**Section 8.** That the Mayor, the Directors of Law, Finance, Community Development and Economic Development are hereby authorized to execute such certifications and documents and to take such other actions as may be necessary or appropriate to carry out the terms of the agreements authorized in this Ordinance.

**Section 9.** 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 June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 868-2000.**  
**By Councilmen Cimperman and Patmon (by departmental request).**

**An emergency ordinance authorizing the Director of the City Planning Commission to apply for and accept a grant from the Federal Highway Administration for the Scenic Byways Program.**

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

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

**Section 1.** That the Director of the City Planning Commission is hereby authorized to apply for and accept a grant in the amount of \$280,000,

from the Federal Highway Administration, to conduct the Scenic Byways Program, for the purposes set forth in the project summary and according thereto; that the Director of the City Planning Commission is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the project summary for said grant.

**Section 2.** That the project summary for said grant, File No. 868-2000-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

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

Passed June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 869-2000.**  
**By Councilmen Cimperman and Patmon (by departmental request).**

**An emergency ordinance authorizing the Director of the City Planning Commission to apply for and accept a grant from the Federal Highway Administration for the TCSP Program.**

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

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

**Section 1.** That the Director of the City Planning Commission is hereby authorized to apply for and accept a grant in the amount of \$259,000.00, from the Federal Highway Administration, to conduct the TCSP Program, for the purposes set forth in the program description and according thereto; that the Director of the City Planning Commission is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the program description for said grant.

**Section 2.** That the program description for said grant, File No. 869-2000-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

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

Passed June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 902-2000.****By Councilman Patmon (by departmental request).****An emergency ordinance authorizing the Director of Finance to pay as Moral Claims the sums herein set forth opposite the names of the claimants.**

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 pay as Moral Claims the sums set forth opposite and names of the following claimants and charged against the fund numbers opposite the names of the claimants:

Claimant	Claim No.	Amount	Division	Fund
Milan Kovatch	10857	\$1,500.00	Water Pollution Control	54 SF 001
Christopher Velotta	10862	\$602.43	Water Pollution Control	54 SF 001
Tania Starcovic	10868	\$296.59	Water Pollution Control	54 SF 001
Carol Dolan	10869	\$1,500.00	Water Pollution Control	54 SF 001
Matthew Cappezzuto	10886	\$1,000.00	Water Pollution Control	54 SF 001
Oscar Crowder III	10893	\$300.00	Water Pollution Control	54 SF 001
Zaremba Molden Investments	10902	\$1,000.00	Water Pollution Control	54 SF 001
James Carr, Jr.	10907	\$500.00	Water Pollution Control	54 SF 001
Danette Boone	10911	\$500.00	Water Pollution Control	54 SF 001
David Sandoval	10921	\$1,500.00	Water Pollution Control	54 SF 001
Beverly Jarrett	10930	\$250.00	Water Pollution Control	54 SF 001
Gloria Rauscher	10936	\$1,500.00	Water Pollution Control	54 SF 001
Charlotte Hamilton	10937	\$500.00	Water Pollution Control	54 SF 001
Rick Plotz	10939	\$500.00	Water Pollution Control	54 SF 001
Shirleen and Tyrone Mitchell	10925	\$2,000.00	Water Pollution Control	54 SF 001
Narun Prak	10926	\$498.15	Water Pollution Control	54 SF 001
Robert Smith	10927	\$1,639.75	Water Pollution Control	54 SF 001
Robert and Ethel Gentry	10811	\$350.00	Police	01-600202-672000
Juanita Garnett	10864	\$1,159.00	Police	01-600202-672000
Douglas Hawkins	10870A	\$290.00	Police	01-600202-672000
Emmanuel Lozano	10870B	\$500.00	Police	01-600202-672000
Tommie and Eddie Tartt	10888	\$125.00	Police	01-600202-672000
Jerry Beavers	10900	\$282.49	Police	01-600202-672000
Katherine Habdas	10918	\$300.00	Police	01-600202-672000
Chris Hall	10935	\$608.41	Police	01-600202-672000
Keith Sehlegel	10942	\$71.00	Police	01-600202-672000
Nancy Cooper	10874A	\$180.82	Fire	01-600302-672000
Rafik Massouh-Kharaz	10874B	\$502.55	Fire	01-600302-672000
James Moss, Sr.	10903	\$1,000.00	Fire	01-600302-672000
Renetha S. Webb	10931	\$590.75	Fire	01-600302-672000
Bobby Betts	10932	\$575.77	Fire	01-600302-672000
Donald Phillips	10894	\$500.00	EMS	01-600402-672000
Dempsey Powers	10851	\$51.36	Park Maintenance	01-701205-672000
St. Joseph Collinwood Elementary School	10872	\$250.00	Recreation	01-700404-672000
Showanda Bolwaire	10861	\$1,375.00	Park Maintenance (Urban Forestry)	01-701204-672000
Dolores Smaloer	10890	\$490.60	Park Maintenance (Urban Forestry)	01-701204-672000
Willa Wright	10897	\$500.00	Park Maintenance (Urban Forestry)	01-701204-672000
Cyrus E. Oatridge	10877	\$1,799.95	Streets	11 SF 401
Frank Townsend	10904	\$19.33	Waste Collection	01-400303-672000
Granger Trucking, Inc.	10922	\$524.75	Waste Collection	01-400303-672000
Marian Belle	10899	\$78.00	Municipal Clerk Of Courts	01-011601-672000

**Section 2.** That the authority of the Director of Finance to pay the amounts set forth in Section 1 of this ordinance is conditioned upon a City-approved written acceptance by the claimant of the City's offer to pay this claim within six months from the effective date 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.

Passed June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 903-2000.**  
By Councilman Patmon (by departmental request).

An emergency ordinance to amend the title and Sections 1 and 2 of Ordinance No. 1174-97, passed July 16, 1997, relating to the purchase, lease or lease with option to purchase of telephone equipment and systems, voice and data communication systems and coin operated telephones, including equipment, service, supplies and materials necessary to service and maintain new and existing telephone networks of the Department of Port Control.

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

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

**Section 1.** That the title and Sections 1 and 2 of Ordinance No. 1174-97, passed July 16, 1997, are hereby amended to read, respectively, as follows:

An emergency ordinance authorizing the purchase or lease, or lease with option to purchase of telephone equipment and systems, voice and data communication systems and coin operated telephones, including equipment, service, supplies and materials necessary to service and maintain new and existing telephone networks for the Department of Port Control, for a period not to exceed three years.

**Section 1.** That the Director of Port Control is hereby authorized to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the purchase, lease or lease with option to purchase for the necessary items, exercisable by the Director of Port Control, for a period not to exceed three (3) years, telephone equipment and systems, voice and data communication systems and coin operated telephones, including equipment, service, supplies and materials necessary to service and maintain new and existing telephone networks of the Department of Port Control, in the approximate amount as purchased during the preceding terms, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Department of Port Control.

That pursuant to Section 108(b) of the Charter, the purchases, leases or leases with option to purchase authorized by this ordinance may be made through cooperative agreements using state procedures. The Director of Port Control may sign all documents with the State of Ohio or any of its political subdivisions that are necessary to effectuate such cooperative efforts, and may enter into contract with the vendors selected through that cooperative process.

**Section 2.** That the cost of said contract hereby authorized shall be paid from Fund No. 60 SF 001, Request No. 8291.

**Section 2.** That the existing title and Sections 1 and 2 of Ordinance No. 1174-97, passed July 16, 1997, 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 June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 906-2000.**  
By Councilmen O'Malley, Lewis and Patmon (by departmental request).

An emergency ordinance to amend Section 129.33 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1148-88, passed May 16, 1998, relating to contracts for purchase of electric power and energy.

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 129.33 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1148-88, passed May 16, 1998, is hereby amended to read as follows:

**Section 129.33 Contracts for Purchase of Electric Power and Energy**

Notwithstanding and as an exception to the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Utilities, or any person designated for this purpose by the Director, is hereby authorized to enter into contracts for the wholesale purchase and sale of electric power and energy, as needed, for the Division of Cleveland Public Power.

**Section 2.** That Section 129.33 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1148-88, passed May 16, 1998, 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.

Passed June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 924-2000.**  
By Councilmen Cintron and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary for emergency cleanup and replacement of leaking underground storage tanks and systems, for the Division of Motor Vehicle Maintenance, Department of Public Service.

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

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

**Section 1.** That the Director of Public Service is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one

year for the necessary items of labor and materials necessary for emergency cleanup and replacement of leaking underground storage tanks and systems 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 Motor Vehicle Maintenance, Department of Public Service. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than 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 17724)

**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 June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 928-2000.**  
By Councilmen Polensek and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Public Safety to enter into a requirement contract with Dictaphone Corporation for the a maintenance contract for Dictaphone 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 it is hereby determined that the within services are non-competitive and cannot be secured from any source other than Dictaphone Corporation. Therefore, the Director of Public Safety is hereby authorized to make a written requirement contract with Dictaphone Corporation for the renewal of a maintenance contract for one Dictaphone recorder and not to exceed two (2) Dictaphone playbacks, for the Division of Emergency Medical Service, Department of Public Safety.

**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 Pur-

chases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 10674)

**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 June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 929-2000.**  
**By Councilmen Polensek and Patmon (by departmental request).**

**An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the U.S. Department of Justice's Bulletproof Vest Partnership for the 1999-2001 Bulletproof Vest Grant.**

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

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

**Section 1.** That the Director of Public Safety is hereby authorized to apply for and accept a grant in the amount of \$104,960, from the U.S. Department of Justice's Bulletproof Vest Partnership, to conduct the 1999-2001 Bulletproof Vest Grant, for the purposes set forth in the application and according thereto; that the Director of Public Safety is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the application for said grant.

**Section 2.** That the application for said grant, File No. 929-2000-A, made a part hereof as if fully rewritten herein, including the obligation of the City of Cleveland to provide cash matching funds in the sum of \$52,480.00 from Fund No. 01-600200-644000, is hereby approved in all respects.

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

Passed June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 938-2000.**  
**By Councilmen Rybka and Patmon (by departmental request).**

**An emergency ordinance authorizing the Director of Parks, Recreation and Properties to accept a cash donation from Dollar Bank for recreational purposes.**

Whereas, Dollar Bank has indicated a desire to make a cash donation of \$12,500, resulting in proceeds generated by the Dollar Bank Jamboree held in Cleveland in 1999, to the Division of Recreation; and

Whereas, this ordinance constitutes an emergency measure provid-

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

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

**Section 1.** That the Director of Parks, Recreation and Properties is hereby authorized to accept on behalf of the Division of Recreation, a cash donation in the amount of \$12,500, from Dollar Bank to be used for recreational purposes.

**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 June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 943-2000.**  
**By Councilmen Jackson, Melena and Patmon (by departmental request).**

**An emergency ordinance authorizing the Director of Economic Development to consent to assignment of Contract No. 56030 from Athersys, Inc. to Advanced Biotherapeutics, Inc., a wholly owned subsidiary of Athersys, Inc.**

Whereas, pursuant to Ordinance No. 460-99, passed May 10, 1999, the Director of Economic Development entered into City Contract No. 56030 with Athersys, Inc. for an economic development assistance to partially finance the acquisition of equipment at its operation located at 11000 Cedar Avenue, Cleveland, Ohio; and

Whereas, Athersys, Inc. has requested consent of the City to assignment of Contract No. 56030 to Advanced Biotherapeutics, Inc., which is a wholly-owned subsidiary of Athersys, Inc. and Advanced Biotherapeutics, Inc. has stated its intention to undertake the obligations of Athersys, Inc. under said contract; and

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

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

**Section 1.** That the Director of Economic Development is hereby authorized to consent to the request of Athersys, Inc. and Advanced Biotherapeutics, Inc. to assign the obligations of Athersys, Inc. under Contract No. 56030 for economic development assistance to partially finance the acquisition of equipment at its operation located at 11000 Cedar Avenue, Cleveland, Ohio, to Advanced Biotherapeutics, Inc.

**Section 2.** That the Director of Economic Development is hereby authorized to execute all documents and do all things necessary and appropriate to effect such consent to assignment. A copy of the assignment shall be filed in the office of the Commissioner of Accounts.

**Section 3.** That this assignment shall be prepared and approved by the Director of Law and shall contain such provisions as he deems necessary to protect and benefit the public interest.

**Section 4.** That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of

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

Passed June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 962-2000.**  
**By Councilmen Polensek and Patmon (by departmental request).**

**An emergency ordinance authorizing the Director of Finance, on behalf of the Cleveland Municipal Court, to enter into contract with the Cuyahoga County Public Defender Commission for legal services necessary to defend indigents charged with violation of ordinances of the City of Cleveland, provided such violation may result in incarceration, for the Cleveland Municipal Court.**

Whereas, in *Argersinger v. Hamlin* and *Scott v. Illinois*, the United States Supreme Court held that no indigent criminal defendant may be sentenced to a term of imprisonment unless he has been afforded the right to assistance of appointed counsel in his defense; and

Whereas, the City of Cleveland, through the Cleveland Municipal Court, is therefore obligated to provide an indigent defendant appointed counsel in order to permit the imposition of a sentence including a term of imprisonment; and

Whereas, pursuant to Section 120.14 of the Ohio Revised Code, a county commission which has organized a county public defender commission may contract with any municipal corporation within the County served by the county public defender to provide such legal representation on behalf of the municipal corporation; and

Whereas, it is the recommendation of the Cleveland Municipal Court, the district of which encompasses Bratenahl and the City of Cleveland, that such indigent defense should be provided by the Cuyahoga County Public Defender Commission, who will in turn, enter into an agreement with the Legal Aid Society of Cleveland to provide these services; 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 Finance, on behalf of the Cleveland Municipal Court, is hereby authorized to enter into contract with the Cuyahoga County Public Defender Commission for legal services necessary to defend indigents charged with violation of ordinances of the City of Cleveland, provided such violation may result in incarceration, for the period of one year beginning January 1, 2000, at the estimated cost of \$1,000,000, payable from Fund No. 01-011502-632000, Request No. 19254.

**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 June 5, 2000.  
Effective June 15, 2000.

**Ord. No. 963-2000.  
By Councilmen Polensek and Patmon.**

**An emergency ordinance authorizing the Director of Finance, on behalf of the Cleveland Municipal Court, to enter into contract without competitive bidding with Oracle Corporation for computer database software maintenance and support services for the Cleveland Integrated Justice Information System for a period not to exceed one year, for the Cleveland Municipal 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 it is hereby determined that the within commodities are non-competitive and cannot be secured from any source other than Oracle Corporation. Therefore, the Director of Finance, on behalf of Cleveland Municipal Court, is hereby authorized to make a written contract with said Oracle Corporation upon the basis of their proposal dated January 24, 2000, for computer database software maintenance and support services for the Cleveland Integrated Justice Information System for a period not to exceed one year, to be purchased by the Commissioner of Purchases and Supplies for a gross price for the Cleveland Municipal Court.

**Section 2.** That the cost of said contract hereby authorized shall be paid from Fund No. 10 SF 086, Request No. 19225.

**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 June 5, 2000.  
Effective June 15, 2000.

**Ord. No. 1014-2000.  
By Councilman Britt.**  
**An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Fairfax Renaissance Development Corporation for the creation of a web based information system to assist first time home buyers through the use of Ward 6 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 Fairfax Renaissance Development Corporation for the creation of a web based information system to assist first-time home buyers.

**Section 2.** That the cost of said contract shall be in an amount not to exceed \$30,000 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 June 5, 2000.  
Effective June 15, 2000.

**Ord. No. 1015-2000.  
By Councilmen Britt, White, Willis and Rybka.**

**An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Case Western Reserve University for transportation services for their national youth sports program through the use of Wards 2, 6, 9, 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 Community Development is authorized to enter into an agreement with Case Western Reserve University for transportation services for their national youth sports program.

**Section 2.** That the cost of said contract shall be in an amount not to exceed \$12,000 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 June 5, 2000.  
Effective June 15, 2000.

**Ord. No. 1016-2000.  
By Councilman Cimperman.**  
**An emergency ordinance consenting and approving the issuance of a permit for the America's Walk for Diabetes (WALKTOBERFEST) on October 7, 2000, sponsored by the American Diabetes Association.**

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

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

**Section 1.** That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of the America's Walk for Diabetes (WALKTOBERFEST), sponsored by the American Diabetes Association on October 7, 2000, beginning at the Nautica Stage - Boardwalk, turn left in Center Road, cross Riverbed and Merwin Roads, turn left on Carter Road (this becomes Robert Lockwood Road), turn right on Front Street, turn right on West 9th Street, turn left on Lakeside Avenue, turn right on West 6th Street, turn left on Superior Avenue, circle Public Square via Tower City (not into circle), BP Building, Society Bank and the Illuminating Building, turn right on West 3rd Street, turn left onto Lakeside Avenue, turn right onto West 9th Street, turn onto Front Street, turn left onto Old River Road, turn right onto Center Street, turn right onto Main Street, which leads straight to Nautica Boardwalk/Finish Line, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified 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.

Passed June 5, 2000.  
Effective June 15, 2000.

**Ord. No. 1017-2000.  
By Councilman Cimperman.**  
**An emergency ordinance consenting and approving the issuance of a permit for the Cleveland Corporate Challenge on August 13, 2000, sponsored by the YMCA and Hermes Race System.**

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

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

**Section 1.** That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of the Cleveland Corporate Challenge sponsored by the YMCA and Hermes Race Systems, on August 13, 2000, beginning at Muny Parking Lot to South Marginal Road to East 49th Street and return the same route, 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.

Passed June 5, 2000.  
Effective June 15, 2000.

**Ord. No. 1018-2000.**  
**By Councilman Cimperman.**  
**An emergency ordinance consenting and approving the issuance of a permit for the Cleveland Browns Run, on July 29, 2000, sponsored by Hermes Race System.**

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

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

**Section 1.** That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of the Cleveland Browns Run sponsored by Hermes Race Systems, on July 29, 2000, beginning at East 9th Street to Eagle to North Coast Harbor and 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.

Passed June 5, 2000.  
Effective June 15, 2000.

**Ord. No. 1019-2000.**  
**By Councilman Cimperman.**  
**An emergency ordinance consenting and approving the issuance of a permit for the East 9th Street Mile, on September 9, 2000, sponsored by Hermes Race Systems.**

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

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

**Section 1.** That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of the East 9th Street Mile sponsored Hermes Race Systems, on September 9, 2000, beginning at East 9th Street and Eagle to North Coast Harbor and 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.

Passed June 5, 2000.  
Effective June 15, 2000.

**Ord. No. 1020-2000.**  
**By Councilman Coats.**  
**An emergency ordinance authorizing the Director of Community Development to enter into an agreement with The International Preparatory School for partial support of student participation in an international conference and youth summit in China 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 Director of Community Development is authorized to enter into an agreement with The International Preparatory School for partial support of student participation in an international conference and youth summit in China.

**Section 2.** That the cost of said contract shall be in an amount not to exceed \$16,000 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 June 5, 2000.  
Effective June 15, 2000.

**Ord. No. 1021-2000.**  
**By Councilman Dolan.**  
**An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Kamm's Corners Development Corporation for purchase and installation of holiday lighting through the use of Ward 21 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 Kamm's Corners Development Corporation for purchase and installation of holiday lighting.

**Section 2.** That the cost of said contract shall be in an amount not to exceed \$50,000 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 June 5, 2000.  
Effective June 15, 2000.

**Ord. No. 1022-2000.**  
**By Councilman Gordon.**  
**An emergency ordinance to amend the Title and Section 1 of Ordinance No. 183-2000, passed February 7, 2000, relating to crime watch personnel and programs for business and residential groups in the Old Brooklyn Area using Ward 15 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 Title and Section 1 of Ordinance No. 183-2000, passed February 7, 2000, are hereby amended to read as follows:

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Lutheran Housing Corporation for crime watch personnel and programs in the Old Brooklyn Area, using Ward 15 Neighborhood Equity Funds.

**Section 1.** That the Director of Community Development is authorized to enter into an agreement with Lutheran Housing Corporation for crime watch personnel and programs in the Old Brooklyn Area, using Ward 15 Neighborhood Equity Funds.

**Section 2.** That the existing title and Section 1 of Ordinance No. 183-2000, passed February 7, 2000 are hereby repealed.

**Section 3.** That this ordinance is hereby declared to be an emergency



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

Passed June 5, 2000.  
Effective June 15, 2000.

**Ord. No. 1023-2000.**

**By Councilman O'Malley.**

**An emergency ordinance to amend the Title and Section 1 of Ordinance No. 187-2000, passed February 7, 2000, relating to crime watch personnel and programs for business and residential groups in the Old Brooklyn Area using Ward 16 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 Title and Section 1 of Ordinance No. 187-2000, passed February 7, 2000, are hereby amended to read as follows:

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Lutheran Housing Corporation for crime watch personnel and programs in the Old Brooklyn Area, using Ward 16 Neighborhood Equity Funds.

**Section 1.** That the Director of Community Development is authorized to enter into an agreement with Lutheran Housing Corporation for crime watch personnel and programs in the Old Brooklyn Area, using Ward 16 Neighborhood Equity Funds.

**Section 2.** That the existing title and Section 1 of Ordinance No. 187-2000, passed February 7, 2000 are hereby repealed.

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

Passed June 5, 2000.  
Effective June 15, 2000.

**Ord. No. 1024-2000.**

**By Councilman Melena.**

**An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to Sagrada Familia Church to stretch banners at 7750 Detroit Avenue, for the period from June 6, 2000 to July 7, 2000, inclusive, publicizing the Church 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 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 Sagrada Familia Church to install, maintain and remove banners across Kinsman Avenue at 7750 Detroit Avenue (pole nos. E643 and E54), for the period from June 6, 2000 to July 7, 2000, 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 June 5, 2000.  
Effective June 15, 2000.

**Ord. No. 1025-2000.**

**By Councilman O'Malley.**

**An emergency ordinance to amend the Title and Section 1 of Ordinance No. 189-2000, passed February 7, 2000, relating to the improvements to the public right-of-way located at 4533 State Road at the corner of State Road and Cypress Avenue in Ward 16.**

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

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

**Section 1.** That the Title and Section 1 of Ordinance No. 189-2000, passed February 7, 2000, are hereby amended to read as follows:

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Lutheran Housing Corporation for the purpose of improving the public right-of-way at 4533 State Road at the corner of State Road and Cypress Avenue in Ward 16, using Ward 16 Neighborhood Equity Funds.

**Section 1.** That the Director of Community Development is authorized to enter into an agreement with Lutheran Housing Corporation for the purpose of improving the public right-of-way at 4533 State Road at the corner of State Road and Cypress Avenue in Ward 16, using Ward 16 Neighborhood Equity Funds.

**Section 2.** That the existing title and Section 1 of Ordinance No. 189-2000, passed February 7, 2000 are hereby repealed.

**Section 3.** That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force

immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed June 5, 2000.  
Effective June 15, 2000.

**Ord. No. 1026-2000.**

**By Councilmen Robinson and Britt.**

**An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to Muhammad Mosque No. 18 to stretch banners across Kinsman Avenue at 14402 Kinsman and across Fairhill at the intersection of Cedar Avenue, for the period from June 1, 2000 to July 7, 2000, inclusive, publicizing the Million Family March.**

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 Muhammad Mosque No. 18 to install, maintain and remove banners across Kinsman Avenue at 14402 Kinsman and across Fairhill at the intersection of Cedar Avenue, for the period from June 1, 2000 to July 7, 2000, 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 June 5, 2000.  
Effective June 15, 2000.

**Ord. No. 1027-2000.**

**By Councilman Rybka.**

**An emergency ordinance to amend Section 133.16 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 1662-91, passed April 6, 1992 relating to rental of market stalls.**

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 133.16 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 1662-91, passed April 6, 1992, is hereby amended to read as follows:

The Director of Parks, Recreation and Properties is hereby directed to establish a schedule of prices for all the various parts and sections of the West Side Market as consideration for rental of spaces or of grant of right to use the same and to present such schedule in the form of legislation, to Council for review, approval, and modification, if necessary, no later than October 1 of each year. The Director shall take into consideration the relative value of the various spaces and parts of the building and may modify the schedule of prices yearly in accordance with such variation in value, if any, as may arise. Upon Council's approval of such schedule of prices for the various parts and spaces in the Market House, the Director may rent such spaces or parts or grant the right to use the same for a period not to exceed one year. He may make such provision for renewal or extension of the rental right or grant as he may deem advisable from time to time for additional periods not exceeding one year each, upon notification to Council, providing that the option or right of renewal shall be exercisable only by the Director and not by the grantee. The Director is hereby authorized to provide in the renting or granting of rights to the use of such part or space that the rental right or grant shall not be transferred or assigned by the grantee thereof to any other person without the consent, in writing, of the Director. Such right or grant may be revoked by the Director upon conviction of the grantee of violation of law or ordinances relating to weights and measures. Provisions shall be made by the Director for the payment of such rental at such regular times and at such place as may be by him deemed most advisable.

**Section 2.** That existing Section 133.16 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 1662-91, passed April 6, 1992 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.

Passed June 5, 2000.  
Effective June 15, 2000, without the signature of the Mayor.

**Ord. No. 1028-2000.**

**By Councilman Willis.**

**An emergency ordinance consenting and approving the issuance of a permit for the Race for the Cure, on September 24, 2000, sponsored by Hermes Race Systems.**

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

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

**Section 1.** That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of the Race for the Cure sponsored by Hermes Race Systems, on September 24, 2000, beginning at East Blvd. and Euclid Avenue, Euclid Avenue to Martin Luther King, Martin Luther King to Wade Park, Wade Park to East 118th Street and East 118th to Euclid Avenue, Euclid Avenue to Ford, Ford to Bellflower, Bellflower to East Blvd. and 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.

Passed June 5, 2000.

Effective June 15, 2000.

**Ord. No. 1035-2000.**

**By Councilmen Cimperman, Cintron, Lewis, Melena and Westbrook.**

**An emergency ordinance consenting and approving the issuance of a permit for Clean Air Challenge 2000 (50 Mile Tour, 25 Mile Tour, 12.5 Family Cleveland Landmark Tour, 5K Run and 5K Walk), on Sunday, June 18, 2000, sponsored by The American Lung Association.**

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

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

**Section 1.** That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of the Clean Air Challenge 2000 (50 Mile Tour, 25 Mile Tour, 12.5 Family Cleveland Landmark Tour, 5K Run and 5K Walk) sponsored by The American Lung Association, on Sunday, June 18, 2000, beginning with the 50 Mile Bicycle Route for 2000 starting at Burke Lakefront Airport exit Airport east on N. Marginal Dr., N. Marginal continue east on "bike only path" Martin Luther King Blvd. (Gordon Park) turn right (s) onto Martin Luther King, Hough Avenue turn right to reflecting pond CHECKPOINT #1, exit checkpoint no. 1, turn right or south onto Martin Luther King through Wade

Park, Euclid Avenue turn right, East 14th Street turn left, Sumner Ave. turn right, E. 9th Street turn left, Carnegie Ave. turn right, Lorain Carnegie Bridge cross bridge, W. 25th St., turn right, Detroit Ave., turn left, West Blvd./Cliff Dr. turn right go across Lake Ave., Edgewater Drive turn left, Cove Ave. turn left, Lake Ave., turn right, Lakewood Park Entrance turn right into Park CHECKPOINT #2, Exit Checkpoint #2, turn right or west onto Lake Ave., W. Clifton Blvd. turn left, Sloane Ave. turn right, cross Detroit Rd. and enter Rocky River Metro Park, Valley Parkway follow Valley Parkway in the Metro Park south approx. 12 miles to turn-around at Checkpoint #3, turn-around at CHECKPOINT #3 located near the West Park YMCA Camp entrance, Cedar Point Rd. turn left, Columbia Rd. turn right, Mastick Rd. turn right, W. 210 St. turn left, Wager Rd. cross Center Ridge Rd. where W. 210th St. turns into Wager Rd., Avalon Dr. turn right, Beachcliff Blvd. turn left, Kensington Oval turn left, Frasier Dr. turn left, Beachcliff Blvd. turn left, Lake Rd. turn right, Linda St. turn left, Detroit Rd. turn left, Sloane Ave. turn left, W. Clifton Blvd. turn left, Lake Rd. turn right enter Lakewood Park CHECKPOINT #4, exit Checkpoint #4 and continue east on Lake Rd., Cove Ave., turn left, Edgewater Dr. turn right, Cliff Dr./West Blvd. turn right go across Lake Ave. to West Blvd., Detroit Ave. turn left, Detroit Superior Bridge cross bridge, Ontario turn left, Rockwell Ave. turn left, W. 3rd St. turn right, Erieside circle around north & east sides of Browns Stadium, N. Marginal Dr. turn left, Burke Lakefront Airport, turn left into Airport parking lot Finish; 25 Mile Bicycle Route for 2000, Burke Lakefront Airport exit Airport east on N. Marginal Dr., N. Marginal continue east on "bike only path", Martin Luther King Blvd. (Gordon Park) turn right (S) onto Martin Luther King, Hough Ave. turn right to reflecting pond CHECKPOINT #1, exit Checkpoint No. 1, turn right or south onto Martin Luther King through Wade Park, Euclid Ave. turn right, E. 14th St. turn left, Sumner Ave. turn right, E. 9th St. turn left, Carnegie Ave. turn right, Lorain Carnegie Bridge cross bridge, W. 25th St. turn right, Detroit Ave. turn left, West Blvd./Cliff Dr. turn right go across Lake Ave., Edgewater Dr. turn left, Cove Ave. turn left, Lake Ave. turn right, Lakewood Park Entrance turn right into Park CHECKPOINT #2, exit Checkpoint No. 2, turn right or west onto Lake Ave., Web Rd. (25 mile turn-around point) turn right, Edgewater Dr. turn right, Kenneth Ln. turn right, Lake Rd. turn left (will pass Checkpoint #2 again), Cove Ave. turn left, Edgewater Dr. turn right, Cliff Dr./West Blvd. turn right go across Lake Ave. to West Blvd., Detroit Ave. turn left, Detroit Superior Bridge cross bridge, Ontario turn left, Rockwell Ave. turn left, W. 3rd St. turn right, Erieside circle around north & east side of Browns Stadium, N. Marginal Dr. turn left, Burke Lakefront Airport turn left into Air-

port parking lot Finish; 12.5 Mile "Family" Bicycle Route for 2000 Burke Lakefront Airport exit Airport east on N. Marginal Dr., N. Marginal continue east on "bike only path" Martin Luther King Blvd. (Gordon Park) turn right (s) onto Martin Luther King, Hough Ave. turn right to reflecting point CHECKPOINT #1, exit Checkpoint #1, turn right or south onto Martin Luther King through Wade Park, Euclid Ave., turn right, E. 14th St. turn left, Sumner Ave. turn right, E. 9th St. turn left, Carnegie Ave. turn right, Ontario turn right, Rockwell Ave. turn left, W. 3rd St. turn right, Erieside circle around north & east sides of Browns Stadium, N. Marginal Dr. turn left, Burke Lakefront Airport turn left into Airport parking lot finish; Clean Air Challenge Run 5K (3.1 Miles) on driveway in front of airport near main lobby, (Note - runners will run with the direction of road traffic on most the course), head west on drive to west airport exit and North Marginal, turn right/west on North Marginal which comes into Erieside, stay on Erieside heading west to stop sign near S.E. corner of Browns Stadium, turn right at stop sign heading north on Erieside to first stop sign at N.E. corner of Browns Stadium, turn left heading west on Erieside around stadium, stay on Erieside heading south which becomes West 3rd St., turn right/west on Lakeside Ave to W. 9 St., turn right/north on W. 9th St. to Front St., turn left/west on Front St. to West 10th St., turn left/south on W. 10th St. to W. 10th St. hill, (Note - West 10th St. is a one-way street that goes south to north, and runners will be running against the direction of traffic), turn left/east heading up West 10th St. hill on to St. Clair, stay on St. Clair going east to West 3rd St., turn left/north on West 3rd St. to stop sign at S.W. corner of Browns Stadium, turn right at stop sign heading east on North Coast Stadium Drive to Erieside, stay on Erieside heading east onto North Marginal Dr., stay on North Marginal to second (east entrance) driveway of Burke Lakefront Airport, turn left at driveway to finish line, finish on driveway in front of Burke Airport, 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.

Passed June 5, 2000.  
Effective June 15, 2000.

**Ord. No. 1074-2000.**  
**By Councilman Cimperman.**  
**An emergency ordinance consenting and approving the issuance of a permit for the Race for Wishes on July 22, 2000, sponsored by the Hermes Race Systems.**

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

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

**Section 1.** That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of the Race for Wishes, sponsored by the Hermes Race Systems on July 22, 2000, starting on Euclid and E. 13th Street, north on East 13th Street to Lakeside, Lakeside to E. 9th, E. 9th to Erieside, Erieside to W. 3rd, W. 3rd to Lakeside, Lakeside to E. 13th, E. 13th to Euclid, Euclid to E. 17th and 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.

Passed June 12, 2000.  
Awaiting the approval or disapproval of the Mayor.

**Ord. No. 1075-2000.**  
**By Councilman Cimperman.**  
**An emergency ordinance consenting and approving the issuance of a permit for the American Heart Walk on September 16, 2000, sponsored by the American Heart Association.**

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

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

**Section 1.** That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of the American Heart Walk, sponsored by the American Heart Walk on September 16, 2000, beginning at East 9th to Erieside, Erieside to West 3rd, West 3rd to Lakeside, Lakeside to West 6th, West 6th to St. Clair, St. Clair to West 9th, West 9th to Superior, Superior to West 6th, West 6th to Lakeside, Lakeside to East 9th, East 9th to Rock and Roll Hall of Fame and 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.

Passed June 12, 2000.  
Awaiting the approval or disapproval of the Mayor.

**Ord. No. 1076-2000.**  
**By Councilmen Jones, Johnson, Jackson, Britt, Patmon, Willis, Cinton, Gordon, Melena, Brady and Sweeney.**

**An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Catholic Charities Services Corporation for the purchase of computers to enable skills training for their Job Readiness Training Program and job search efforts through the use of Wards 1, 4, 5, 6, 8, 9, 14, 15, 17, 19, and 20 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 Catholic Charities Services Corporation for the purchase of computers to enable skills training for their Job Readiness Training Program and job search efforts.

**Section 2.** That the cost of said contract shall be in an amount not to exceed \$12,000 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 June 12, 2000.  
Awaiting the approval or disapproval of the Mayor.

**Ord. No. 1077-2000.**  
**By Councilman Dolan.**  
**An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Kamm's Corners Development Corporation for their flower planter program and vacant lot nuisance abatement program through the use of Ward 21 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 Kamm's Corners Development Corporation for their flower planter program and vacant lot nuisance abatement program.

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

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

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

Passed June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

---

**Ord. No. 1078-2000.**

**By Councilman O'Malley.**

**An emergency ordinance to amend Section 2 of Ordinance No. 187-2000 passed February 7, 2000 relating to crime watch personnel and programs for business and residential groups in the Old Brooklyn Area using Ward 16 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 Section 2 of Ordinance No. 187-2000, passed February 7, 2000, is hereby amended to read as follows:

**Section 2.** That the costs of said contract shall be in an amount not to exceed Thirty-Eight Thousand Dollars (\$38,000) and shall be paid from Fund No. 10 SF 166.

**Section 2.** That the existing Section 2 of Ordinance No. 187-2000, passed February 7, 2000 are hereby repealed.

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

Passed June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

---

**Ord. No. 1079-2000.**

**By Councilman Polensek.**

**An emergency ordinance consenting and approving the issuance of a permit for the East 185th Street Festival Parade on August 6, 2000, sponsored by Northeast Shores Development Corporation.**

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

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

**Section 1.** That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of the East 185th Street Festival Parade, sponsored by Northeast Shores Development Corporation on August 6, 2000, with the parade traveling down Neff Road to East 185th Street and head north to Lakeshore Blvd. where it will end, 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.

Passed June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

---

**Ord. No. 1080-2000.**

**By Councilman Polensek.**

**An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to Northeast Shores Development Corporation to stretch banners at East 185th and Villaview, Lakeshore Blvd. and East 185th, LaSalle at East 185th and Pawnee at East 185th, for the period from July 19, 2000 to August 11, 2000, inclusive, publicizing the East 185th Street Festival and Run.**

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 Northeast Shores Development Corporation to install, maintain and remove banners at East 185th and Villaview, Lakeshore Blvd. and East 185th, LaSalle at East 185th and Pawnee at East 185th, for the period from July 19, 2000 to August 11, 2000, 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 June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

---

**Ord. No. 1081-2000.**

**By Councilman Sweeney.**

**An emergency ordinance to amend Section 2 of Ordinance No. 611-2000 passed April 17, 2000 relating to the design and construction of a playground at R.G. Jones School through the use of Ward 20 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 Section 2 of Ordinance No. 611-2000, passed April 17, 2000, is hereby amended to read as follows:

**Section 2.** That the costs of said contract shall be in an amount not to exceed Sixty-Five Thousand Dollars (\$65,000) and shall be paid from Fund No. 10 SF 166.

**Section 2.** That the existing Section 2 of Ordinance No. 611-2000, passed April 17, 2000 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.

Passed June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

---

**Ord. No. 1082-2000.**

**By Councilman Robinson.**

**An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to Mt. Pleasant Community Council to stretch banners at the intersections of MLK & Kinsman, East 116th & Kinsman, East 130th & Kinsman and East 146th & Kinsman, for the period from June 19, 2000 to June 30, 2000, inclusive, publicizing the Great Clean Sweep.**

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 Mt. Pleasant Community Council to install, maintain and remove banners at the intersections of MLK & Kinsman, East 116th & Kinsman, East 130th & Kinsman and East 146th & Kinsman, for the period from June 19, 2000 to June 30, 2000, 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 June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 1083-2000.**

**By Councilman Rybka.**

**An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Slavic Village Development for pre-development costs related to the Harvard School Senior Apartments Project 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 Community Development is authorized to enter into an agreement with Slavic Village Development for pre-development costs related to the Harvard School Senior Apartments Project.

**Section 2.** That the cost of said contract shall be in an amount not to exceed \$150,000 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 June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 1084-2000.**

**By Councilman Rybka.**

**An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Slavic Village Development for their Waterman Place housing development project 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 Community Development is authorized to enter into an agreement with Slavic Village Development for their Waterman Place housing development project.

**Section 2.** That the cost of said contract shall be in an amount not to exceed \$75,000 and shall be paid from Fund No. 10 SF 167.

**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 June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 1085-2000.**

**By Councilman White.**

**An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Southeast Improvement Association to provide crime prevention security and code enforcement services through the use of Ward 2 Neighborhood Equity Funds.**

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

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

**Section 1.** That the Director of Community Development is authorized to enter into an agreement with Southeast Improvement Association to provide crime prevention security and code enforcement services.

**Section 2.** That the cost of said contract shall be in an amount not to exceed \$42,950 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 June 12, 2000.

Awaiting the approval or disapproval of the Mayor.

**COUNCIL COMMITTEE MEETINGS**

**Thursday, June 15, 2000**

**Public Safety Committee (Special Investigative Hearings joint with Employment, Affirmative Action and Training Committee): 10:00 a.m.**—Present: Polensek, Chairman; Patmon, Vice Chairman; Cimperman, Coats, Gordon, Jackson, Sweeney. Excused: Britt, Melena.

**Employment, Affirmative Action and Training Committee (Special Investigative Hearings joint with Public Safety Committee): 10:00 a.m.**—Present: White, Chairman; Lewis, Vice Chairman; Coats, Gordon. Excused: Cintron, Johnson, Jones.

**Friday, June 16, 2000**

**Employment, Affirmative Action and Training Committee (Joint with Legislation Committee): 10:00 a.m.**—Present: White, Chairman; Lewis, Vice Chairman; Cintron, Coats, Gordon, Jones. Excused: Johnson.

**Legislation Committee (Joint with Employment, Affirmative Action and Training Committee): 10:00 a.m.**—Present: Lewis, Chairman; Jones, Vice Chairman; Brady, Coats, Gordon, Westbrook. Excused: Johnson.

**Monday, June 19, 2000**

**Public Parks, Recreation and Properties Committee (Joint with City Planning Committee): 9:30 a.m.**—Present: Rybka, Chairman; Dolan, Vice Chairman; Brady, Johnson, Sweeney, White. Excused: Britt.

**City Planning Committee (Joint with Public Parks, Recreation and Properties Committee): 9:30 a.m.**—Present: Cimperman, Chairman; Rybka, Vice Chairman; Dolan, Jackson, O'Malley, White. Excused: Robinson.

**Finance Committee: 11:00 a.m.**—Present: Patmon, Chairman; Rybka, Vice Chairman; Cintron, Dolan, Johnson, Lewis, Melena, O'Malley, Polensek, Sweeney. Excused: Robinson.

**Committee of the Whole: 1:00 p.m.**—Present: Polensek, Chairman; Brady, Britt, Cimperman, Cintron, Coats, Dolan, Gordon, Jackson, Johnson, Jones, Lewis, Melena, O'Malley, Patmon, Robinson, Rybka, Sweeney, White, Willis. Absent: Westbrook.

# Index

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

## 9-1-1 Service

Intentional abuse of the local 9-1-1 emergency system — new Section 605.07A  
 (O 1783-97).....1398

## Aging Department

2000 West Reserve Area Agency on Aging Program — grant — Western Reserve Area Agency  
 on Aging (O 848-2000).....1431  
 Senior Homeowners Assistance Program (SHAP) — CHORE Program — Community Development  
 Block Grant funds (O 755-2000) .....1376

## Agreements

City, County, Waste Paper Drivers Union, Local 244. - collective bargaining agreement  
 (O 422-2000).....1373  
 Euclid Corridor Transportation Project — design and implementation — General Agreement  
 — Greater Cleveland Regional Transit Authority (O 1102-2000) .....1343  
 Green Energy, Inc. and Carl R. Gessel d/b/a Green Energy Company — termination agreement  
 — plugging and abandonment of Tuma No. 1 gas well and pay termination costs — Port  
 Control (O 588-2000) .....1412

## AIDS

AIDS related Services — Community Development and/or Public Health — contracts with  
 various agencies (O 1058-2000) .....1383  
 AIDS-related services — contracts with various agencies — Public Health  
 (O 841-2000).....1429

## American Heart Association

American Heart Walk — permit — American Heart Association — (Ward 13)  
 (O 1075-2000).....1439

## Arrowhead Industries Corporation

Block A-5 — Cleveland Industrial Park — sell City-owned property — Arrowhead Industries  
 Corp. and Erieview Metal Treating Company — Purchases and Supplies (O 944-2000).....1382

## Automobiles

Sections 686.01 to 686.10 and 686.99 of Codified Ordinances enact — relating to motor  
 vehicle sales (O 672-97).....1368

## Banners

Dunham Tavern Museum — four (4) double sided banners — celebrate and identify their 175  
 years in existence — Public Service (O 926-2000) .....1380  
 East 185th Street Festival and Run — banners — Northeast Shores Development Corporation  
 (O 1080-2000).....1440  
 Great Clean Sweep — permit — Public Service — (Ward 3) (O 1082-2000).....1440  
 Million Family March — banners — Muhammad Mosque No. 18 (O 1026-2000).....**1437**  
 Our Lady of Mt. Carmel Catholic Church West — banner — annual festival  
 (O 1136-2000).....1365  
 Sagrada Familia Church — Church Festival — banners (O 1024-2000) .....**1437**  
 Western Reserve Historical Society — one banner — special event (O 1128-2000) .....1363

## Block Grants

Fair housing services — Community Development block Grant funds — Community Relations  
 Board (O 756-2000) .....1422  
 Senior Homeowners Assistance Program (SHAP) — CHORE Program — Community Development  
 Block Grant funds (O 755-2000) .....1376  
 Storefront Renovation Program — Community Development Block Grant funds  
 (O 750-2000).....1422

**Board of Control - Cleveland Hopkins International Airport Division**

Residential Sound Insulation Program, Phase 2 Continuation (Group A-00) - contract pursuant to Ord. 930-95 and 469-98 to Koch Corporation - Division of Cleveland Hopkins International Airport, Dept. of Port Control (BOC Res. 402-00) ..... 1387

Residential Sound Insulation Program, Phase 2 Continuation (Group A-00) - contract pursuant to Ord. 930-95 and 469-98 to Cyngier-Cahlik - Division of Cleveland Hopkins International Airport, Dept. of Port Control (BOC Res. 403-00)..... 1387

**Board of Control - Community Development Department**

ACES System implementation - contract pursuant to Ord. 1272-92 to Creative Business Solutions - Dept. of Community Development (BOC Res. 410-00) ..... 1389

East 131st Street, 4064 (Ward 2) - PPN 138-11-004 - to Greater Harvard Avenue Church pursuant to Ord. 1753-99 (BOC Res. 414-00) ..... 1390

Ida Avenue, 986 (Ward 8) - PPN 107-03-077 - to Della Saunders (BOC Res. 413-00) ..... 1389

Thurman Court, 2491 (Ward 13) - PPN 004-17-159 - to Cleveland Housing Network (BOC Res. 411-00) ..... 1389

Wayside Avenue, 805 (Ward 11) - PPN 116-20-018 - to Daniel R. Palumbo (BOC Res. 412-00) ..... 1389

**Board of Control - Finance Department**

Janitorial supplies - contract pursuant to Ord. 710-99 to Hough Supply & Specialty Co. - Dept. of Finance (BOC Res. 386-00)..... 1384

Lumber - amend BOC Res. 383-00 - Dept. of Finance (BOC Res. 385-00)..... 1384

**Board of Control - Garrett A. Morgan Water Works Plant**

Garrett A. Morgan Water Works Plant trac-vac residuals collection system, modify and maintain - amend BOC Res. 353-00 - Division of Water, Dept. of Public Utilities (BOC Res. 388-00) ..... 1384

**Board of Control - Land Reutilization Program**

East 131st Street, 4064 (Ward 2) - PPN 138-11-004 - to Greater Harvard Avenue Church pursuant to Ord. 1753-99 (BOC Res. 414-00) ..... 1390

Ida Avenue, 986 (Ward 8) - PPN 107-03-077 - to Della Saunders (BOC Res. 413-00) ..... 1389

Thurman Court, 2491 (Ward 13) - PPN 004-17-159 - to Cleveland Housing Network (BOC Res. 411-00) ..... 1389

Wayside Avenue, 805 (Ward 11) - PPN 116-20-018 - to Daniel R. Palumbo (BOC Res. 412-00) ..... 1389

**Board of Control - Land Reutilization Program (Ward 2)**

East 131st Street, 4064 (Ward 2) - PPN 138-11-004 - to Greater Harvard Avenue Church pursuant to Ord. 1753-99 (BOC Res. 414-00) ..... 1390

**Board of Control - Land Reutilization Program (Ward 8)**

Ida Avenue, 986 (Ward 8) - PPN 107-03-077 - to Della Saunders (BOC Res. 413-00) ..... 1389

**Board of Control - Land Reutilization Program (Ward 11)**

Wayside Avenue, 805 (Ward 11) - PPN 116-20-018 - to Daniel R. Palumbo (BOC Res. 412-00) ..... 1389

**Board of Control - Land Reutilization Program (Ward 13)**

Thurman Court, 2491 (Ward 13) - PPN 004-17-159 - to Cleveland Housing Network (BOC Res. 411-00) ..... 1389

**Board of Control - Parks, Recreation and Properties Department**

Rockefeller Park site improvements (Phase VI) - contract pursuant to Ord. 1748-99 to R.J. Platten Contracting Company - Division of Research, Planning and Development, Dept. of Parks, Recreation and Properties (BOC Res. 408-00) ..... 1388

Water heaters, commercial electric - pursuant to Ord. 855-97 and 761-98 - all bids rejected - Dept. of Parks, Recreation and Properties (BOC Res. 409-00) ..... 1389

**Board of Control - Port Control Department**

Lighting systems for airfield, parking and terminal, labor and materials to maintain, repair and modify - contract pursuant to Ord. 1128-99 to Flight Light, Inc. - Dept. of Port Control (BOC Res. 397-00) ..... 1386

Lighting systems for airfield, parking and terminal, labor and materials to maintain, repair and modify - contract pursuant to Ord. 1128-99 to ADB Alnaco, Inc. - Dept. of Port Control (BOC Res. 398-00) ..... 1386

Lighting systems for airfield, parking and terminal, labor and materials to maintain, repair and modify - contract pursuant to Ord. 1128-99 to Honeywell Airport Systems (Hughey & Phillips) - Dept. of Port Control (BOC Res. 399-00) ..... 1386

Lighting systems for airfield, parking and terminal, labor and materials to maintain, repair and modify - contract pursuant to Ord. 1128-99 to Leader Electric Supply Company, Inc. - Dept. of Port Control (BOC Res. 400-00) ..... 1387

Lighting systems for airfield, parking and terminal, labor and materials to maintain, repair and modify - contract pursuant to Ord. 1128-99 to Wesco Distribution, Inc. - Dept. of Port Control (BOC Res. 401-00) ..... 1387

Residential Sound Insulation Program, Phase 2 Continuation (Group A-00) - contract pursuant to Ord. 930-95 and 469-98 to Koch Corporation - Division of Cleveland Hopkins International Airport, Dept. of Port Control (BOC Res. 402-00) ..... 1387

Residential Sound Insulation Program, Phase 2 Continuation (Group A-00) - contract pursuant to Ord. 930-95 and 469-98 to Cyngier-Cahlik - Division of Cleveland Hopkins International Airport, Dept. of Port Control (BOC Res. 403-00)..... 1387

Rubber and paint removal from paved surfaces - amend Contract #53894 pursuant to BOC Res. 779-98 - Dept. of Port Control (BOC Res. 396-00) ..... 1386

**Board of Control - Professional Service Contracts**

ACES System implementation - contract pursuant to Ord. 1272-92 to Creative Business Solutions - Dept. of Community Development (BOC Res. 410-00) ..... 1389

Eagle Avenue Bridge and Alternative Analysis Study services - contract pursuant to Ord. 951-99 to Parsons Brinckerhoff Ohio, Inc. - Dept. of Public Service (BOC Res. 404-00) ..... 1387

Water Quality Reports, 1999 and 2000 - approve subcontractors for Contract #56168 pursuant to BOC Res. 163-00 - Division of Water, Dept. of Public Utilities (BOC Res. 387-00) ..... 1384

**Board of Control - Public Improvement Contracts**

Grinding of streets - contract pursuant to Ord. 1838-99 to Kenmore Construction Co., Inc. - Division of Streets, Dept. of Public Service (BOC Res. 405-00)..... 1388

Residential Sound Insulation Program, Phase 2 Continuation (Group A-00) - contract pursuant to Ord. 930-95 and 469-98 to Koch Corporation - Division of Cleveland Hopkins International Airport, Dept. of Port Control (BOC Res. 402-00) ..... 1387

Residential Sound Insulation Program, Phase 2 Continuation (Group A-00) - contract pursuant to Ord. 930-95 and 469-98 to Cyngier-Cahlik - Division of Cleveland Hopkins International Airport, Dept. of Port Control (BOC Res. 403-00)..... 1387

Rockefeller Park site improvements (Phase VI) - contract pursuant to Ord. 1748-99 to R.J. Platten Contracting Company - Division of Research, Planning and Development, Dept. of Parks, Recreation and Properties (BOC Res. 408-00) ..... 1388

**Board of Control - Public Service Department**

Eagle Avenue Bridge and Alternative Analysis Study services - contract pursuant to Ord. 951-99 to Parsons Brinckerhoff Ohio, Inc. - Dept. of Public Service (BOC Res. 404-00) ..... 1387

Emulsion and equipment service management - contract pursuant to Ord. 1828-99 to Midwest Industrial Supply Company - Division of Streets, Dept. of Public Service (BOC Res. 407-00) ..... 1388

Grinding of streets - contract pursuant to Ord. 1838-99 to Kenmore Construction Co., Inc. - Division of Streets, Dept. of Public Service (BOC Res. 405-00)..... 1388

Traffic cones, safety drums with flashers and batteries - contract pursuant to Ord. 1827-99 to Interstate Safety and Service Co., Inc. - Division of Streets, Dept. of Public Service (BOC Res. 406-00)..... 1388

**Board of Control - Public Utilities Department**

Fire hydrants and fire hydrant parts - contract pursuant to C.O. Sec. 129.25 to Julian Supply Company, Inc. - Division of Water, Dept. of Public Utilities (BOC Res. 392-00) ..... 1385

Fire hydrants and fire hydrant parts - contract pursuant to C.O. Sec. 129.25 to Mueller Co. - Division of Water, Dept. of Public Utilities (BOC Res. 393-00) ..... 1385

Fire hydrants and fire hydrant parts - contract pursuant to C.O. Sec. 129.25 to Kennedy Valve, division of McWane, Inc. - Division of Water, Dept. of Public Utilities (BOC Res. 394-00) ..... 1385

Garrett A. Morgan Water Works Plant trac-vac residuals collection system, modify and maintain - amend BOC Res. 353-00 - Division of Water, Dept. of Public Utilities (BOC Res. 388-00) ..... 1384

Pipe repair clamps - contract pursuant to C.O. Sec. 129.25 to Underground Pipe & Valve Corp. - Division of Water, Dept. of Public Utilities (BOC Res. 395-00) ..... 1386

Sewer maintenance appurtenances - slabs - contract pursuant to C.O. Sec. 129.27 to Perk Company, Inc. - Division of Water Pollution Control, Dept. of Public Utilities (BOC Res. 389-00) ..... 1385

Trailers, semi-dump - pursuant to Ord. 1816-99 - all bids rejected - Division of Water, Dept. of Public Utilities (BOC Res. 390-00) ..... 1385

Tree lawn repair - contract pursuant to Ord. 516-2000 to Hooks Concrete Corporation - Dept. of Public Utilities (BOC Res. 391-00) ..... 1385

Water Quality Reports, 1999 and 2000 - approve subcontractors for Contract #56168 pursuant to BOC Res. 163-00 - Division of Water, Dept. of Public Utilities (BOC Res. 387-00) ..... 1384



**Board of Control - Requirement Contracts**

Emulsion and equipment service management - contract pursuant to Ord. 1828-99 to Midwest Industrial Supply Company - Division of Streets, Dept. of Public Service (BOC Res. 407-00) ..... 1388

Fire hydrants and fire hydrant parts - contract pursuant to C.O. Sec. 129.25 to Julian Supply Company, Inc. - Division of Water, Dept. of Public Utilities (BOC Res. 392-00) ..... 1385

Fire hydrants and fire hydrant parts - contract pursuant to C.O. Sec. 129.25 to Mueller Co. - Division of Water, Dept. of Public Utilities (BOC Res. 393-00) ..... 1385

Fire hydrants and fire hydrant parts - contract pursuant to C.O. Sec. 129.25 to Kennedy Valve, division of McWane, Inc. - Division of Water, Dept. of Public Utilities (BOC Res. 394-00) ..... 1385

Garrett A. Morgan Water Works Plant trac-vac residuals collection system, modify and maintain - amend BOC Res. 353-00 - Division of Water, Dept. of Public Utilities (BOC Res. 388-00) ..... 1384

Janitorial supplies - contract pursuant to Ord. 710-99 to Hough Supply & Specialty Co. - Dept. of Finance (BOC Res. 386-00) ..... 1384

Lighting systems for airfield, parking and terminal, labor and materials to maintain, repair and modify - contract pursuant to Ord. 1128-99 to Flight Light, Inc. - Dept. of Port Control (BOC Res. 397-00) ..... 1386

Lighting systems for airfield, parking and terminal, labor and materials to maintain, repair and modify - contract pursuant to Ord. 1128-99 to ADB Alnaco, Inc. - Dept. of Port Control (BOC Res. 398-00) ..... 1386

Lighting systems for airfield, parking and terminal, labor and materials to maintain, repair and modify - contract pursuant to Ord. 1128-99 to Honeywell Airport Systems (Hughey & Phillips) - Dept. of Port Control (BOC Res. 399-00) ..... 1386

Lighting systems for airfield, parking and terminal, labor and materials to maintain, repair and modify - contract pursuant to Ord. 1128-99 to Leader Electric Supply Company, Inc. - Dept. of Port Control (BOC Res. 400-00) ..... 1387

Lighting systems for airfield, parking and terminal, labor and materials to maintain, repair and modify - contract pursuant to Ord. 1128-99 to Wesco Distribution, Inc. - Dept. of Port Control (BOC Res. 401-00) ..... 1387

Lumber - amend BOC Res. 383-00 - Dept. of Finance (BOC Res. 385-00) ..... 1384

Pipe repair clamps - contract pursuant to C.O. Sec. 129.25 to Underground Pipe & Valve Corp. - Division of Water, Dept. of Public Utilities (BOC Res. 395-00) ..... 1386

Rubber and paint removal from paved surfaces - amend Contract #53894 pursuant to BOC Res. 779-98 - Dept. of Port Control (BOC Res. 396-00) ..... 1386

Sewer maintenance appurtenances - slabs - contract pursuant to C.O. Sec. 129.27 to Perk Company, Inc. - Division of Water Pollution Control, Dept. of Public Utilities (BOC Res. 389-00) ..... 1385

Traffic cones, safety drums with flashers and batteries - contract pursuant to Ord. 1827-99 to Interstate Safety and Service Co., Inc. - Division of Streets, Dept. of Public Service (BOC Res. 406-00) ..... 1388

Tree lawn repair - contract pursuant to Ord. 516-2000 to Hooks Concrete Corporation - Dept. of Public Utilities (BOC Res. 391-00) ..... 1385

**Board of Control - Research, Planning and Development Division**

Rockefeller Park site improvements (Phase VI) - contract pursuant to Ord. 1748-99 to R.J. Platten Contracting Company - Division of Research, Planning and Development, Dept. of Parks, Recreation and Properties (BOC Res. 408-00) ..... 1388

**Board of Control - Rockefeller Park**

Rockefeller Park site improvements (Phase VI) - contract pursuant to Ord. 1748-99 to R.J. Platten Contracting Company - Division of Research, Planning and Development, Dept. of Parks, Recreation and Properties (BOC Res. 408-00) ..... 1388

**Board of Control - Streets Division**

Emulsion and equipment service management - contract pursuant to Ord. 1828-99 to Midwest Industrial Supply Company - Division of Streets, Dept. of Public Service (BOC Res. 407-00) ..... 1388

Grinding of streets - contract pursuant to Ord. 1838-99 to Kenmore Construction Co., Inc. - Division of Streets, Dept. of Public Service (BOC Res. 405-00) ..... 1388

Traffic cones, safety drums with flashers and batteries - contract pursuant to Ord. 1827-99 to Interstate Safety and Service Co., Inc. - Division of Streets, Dept. of Public Service (BOC Res. 406-00) ..... 1388

**Board of Control - Water Division**

Fire hydrants and fire hydrant parts - contract pursuant to C.O. Sec. 129.25 to Julian Supply Company, Inc. - Division of Water, Dept. of Public Utilities (BOC Res. 392-00) ..... 1385

Fire hydrants and fire hydrant parts - contract pursuant to C.O. Sec. 129.25 to Mueller Co. - Division of Water, Dept. of Public Utilities (BOC Res. 393-00) ..... 1385

Fire hydrants and fire hydrant parts - contract pursuant to C.O. Sec. 129.25 to Kennedy Valve, division of McWane, Inc. - Division of Water, Dept. of Public Utilities (BOC Res. 394-00) ..... 1385

Garrett A. Morgan Water Works Plant trac-vac residuals collection system, modify and maintain - amend BOC Res. 353-00 - Division of Water, Dept. of Public Utilities (BOC Res. 388-00) ..... 1384

Pipe repair clamps - contract pursuant to C.O. Sec. 129.25 to Underground Pipe & Valve Corp. - Division of Water, Dept. of Public Utilities (BOC Res. 395-00) ..... 1386

Trailers, semi-dump - pursuant to Ord. 1816-99 - all bids rejected - Division of Water, Dept. of Public Utilities (BOC Res. 390-00) ..... 1385

Water Quality Reports, 1999 and 2000 - approve subcontractors for Contract #56168 pursuant to BOC Res. 163-00 - Division of Water, Dept. of Public Utilities (BOC Res. 387-00) ..... 1384

**Board of Control - Water Pollution Control Division**

Sewer maintenance appurtenances - slabs - contract pursuant to C.O. Sec. 129.27 to Perk Company, Inc. - Division of Water Pollution Control, Dept. of Public Utilities (BOC Res. 389-00) ..... 1385

**Board of Zoning Appeals - Report**

Biddulph Road, 5111, (Ward 16) - Sameh Melek, owner - appeal heard on 6/19/00 (Cal. 00-165) ..... 1390

Cedar Avenue, 3008, (Ward 5) - City of Cleveland, owner and Quadrangle Inc., tenant - appeal granted and adopted on 6/19/00 (Cal. 00-161)..... 1391

East 30th Street, 2165, (Ward 5) - City of Cleveland, owner and Quadrangle Inc., tenant - appeal granted and adopted on 6/19/00 (Cal. 00-160)..... 1391

Lee Road, 3887, (Ward 1) - Sherry Wingfield, owner and Cynthia Tobin, agent - appeal heard on 6/19/00 (Cal. 00-169) ..... 1390

Memphis Avenue, 5616, (Ward 15) - McDonald's Corporation, owners, c/o Dave Gnatowski - appeal granted and adopted on 6/19/00 (Cal. 00-106) ..... 1391

Pearl Road, 5000, (Ward 16) - Pearl Road Auto Wrecking and Salvage, Inc., owner - appeal heard on 6/19/00 (Cal. 00-166) ..... 1390

Superior Avenue, 2401, (Ward ) - 2530 Superior Partners, owner c/o Bruce Madorsky - appeal heard on 6/19/00 (Cal. 00-167) ..... 1390

West 11th Street, 2259, (Ward ) - Sutton Builders LLC, owner c/o Keith Sutton - appeal heard on 6/19/00 (Cal. 00-43) ..... 1390

West 48th Street, 2053, (Ward 14) - Walter J. Eaton, owner - appeal heard on 6/19/00 (Cal. 00-168) ..... 1390

West 89th Street, 1359, (Ward 17) - David Metzger, owner - appeal denied and adopted on 6/19/00 (Cal. 00-162) ..... 1391

West 95th Street, 2173, (Ward 18) - Thomas Saba, owner - appeal withdrawn on 6/19/00 (Cal. 00-170) ..... 1390

**Board of Zoning Appeals - Schedule**

Bailey Avenue, 4015, (Ward 14) - Bailey Orchard Development Corporation, owner c/o James Maher - appeal to be heard on 7/3/00 (Cal. 00-179) ..... 1390

Denison Avenue, 9831, (Ward ) - Rosa and Ljubo Bjelovuk, owners, and James Thorne, tenant - appeal to be heard on 7/3/00 (Cal. 00-183) ..... 1390

Drexel Avenue, 10832, (Ward 8) - Alfonzo Williams, owner - appeal to be heard on 7/3/00 (Cal. 00-176)..... 1390

Walden Avenue, 17325, (Ward 1) - Edna and Eddie Tolbert, owners - appeal to be heard on 7/3/00 (Cal. 00-180)..... 1390

**Bonds**

Airport System Revenue Bonds — sale by the City of Cleveland — improving and enlarging the Airport System (O 833-2000)..... 1376

Improve municipal parks and recreation facilities — sale of bonds — \$5,280,000 (O 898-2000)..... 1379

Improve the municipal street system and related facilities — sale of bonds — \$11,090,000 (O 899-2000)..... 1379

Improvement of municipal properties and easements in residential neighborhoods — sale of bonds — \$2,310,000 (O 900-2000) ..... 1380

Improving buildings and structures housing — sale of bonds — \$8,820,000 (O 897-2000)..... 1379

**Burke Lakefront Airport**

T & G Flying Club, Inc. — Lease By Way of Concession — Burke Lakefront Airport — flight training facility and related services (O 743-2000)..... 1420

**Business Revitalization District (BRD)**

Broadway Corridor Business Revitalization District — Establishing (O 554-2000)..... 1408

**Case Western Reserve University**

Euclid Avenue, 11111 — permit — shuttle bus shelter — Case Western Reserve University's  
Thwing Student Service Center. (O 1071-2000).....1383

**City Council**

Summer schedule of meetings — Council of the City of Cleveland (R 1034-2000).....1394

**City of Cleveland Bids**

Bell & Gossett heat exchanger tube bundles - Department of Parks, Recreation  
and Properties - Division of Convention Center and Stadium - per Ord. 524-2000 - bid  
due July 14, 2000 (advertised 6/21/2000 and 6/28/2000) ..... 1392

Burials of indigent dead - Department of Public Health - Division of Health - per Ord.  
1075-99 - bid due July 12, 2000 (advertised 6/21/2000 and 6/28/2000) ..... 1391

Combination sewer and catch basin cleaners, repair and maintain - Department of Public  
Utilities - Division of Water Pollution Control - per Ord. 414-2000 - bid due July  
5, 2000 (advertised 6/21/2000 and 6/28/2000) ..... 1391

Electronic mugshot system - Department of Public Safety - Division of Police - per Ord.  
182-99 - bid due July 13, 2000 (advertised 6/21/2000 and 6/28/2000) ..... 1392

Exterminating services - Department of Finance - per Ord. 2096-98 - bid due July 14,  
2000 (advertised 6/21/2000 and 6/28/2000) ..... 1392

First District Police Station air conditioning chiller replacement - Department of Parks,  
Recreation and Properties - Division of Property Management - per Ord. 2106-98 - bid  
due July 12, 2000 (advertised 6/21/2000 and 6/28/2000) ..... 1391

Halloran Skating Rink improvements - Department of Parks, Recreation and Properties - bid  
due July 13, 2000 (advertised 6/21/2000 and 6/28/2000) ..... 1391

Helicopter maintenance - Department of Public Safety - Division of Police - per Ord.  
736-2000 - bid due June 28, 2000 (advertised 6/14/2000 and 6/21/2000) ..... 1391

Liquid oxygen system - Department of Public Safety - Division of Fire - per Ord. 2051-99  
- bid due July 6, 2000 (advertised 6/14/2000 and 6/21/2000) ..... 1391

Long distance telephone service - Department of Finance - Division of Information Systems  
Services - per Ord. 2042-99 - bid due July 6, 2000  
(advertised 6/21/2000 and 6/28/2000)..... 1391

Mower parts and labor - Department of Public Service - Division of Motor  
Vehicle Maintenance - per Ord. 2174-98 - bid due July 7, 2000  
(advertised 6/21/2000 and 6/28/2000)..... 1391

Oshkosh snow removal implement head repair - Department of Port Control - per Ord.  
411-2000 - bid due July 12, 2000 (advertised 6/21/2000 and 6/28/2000)..... 1391

Pool steps - Department of Parks, Recreation and Properties - Division of Recreation -  
per Ord. 1748-99 - bid due June 28, 2000 (advertised 6/14/2000 and 6/21/2000) ..... 1391

Power system replacement for the "Delaney" - Department of Public Safety - Division of  
Police - per Ord. 182-99 - bid due July 6, 2000  
(advertised 6/14/2000 and 6/21/2000)..... 1391

Radar units - Department of Public Safety - Division of Police - per Ord. 2051-99 - bid  
due July 13, 2000 (advertised 6/21/2000 and 6/28/2000) ..... 1391

Shaker Square redevelopment - Department of Public Service - Division of Engineering and  
Construction - per Ord. 2173-99 - bid due July 14, 2000  
(advertised 6/21/2000 and 6/28/2000)..... 1392

Testing and inspection services (RFQ Package N920) - Department of Port Control - due  
July 13, 2000 (advertised 6/21/2000 and 6/28/2000) ..... 1392

**City Planning Commission**

Broadway Corridor Business Revitalization District — Establishing (O 554-2000)..... 1408

Clifton Road/West Boulevard Historic Landmark District Extension — Establishing  
(O 1118-2000)..... 1354

Grayton Road, S.W. south of I-480 — change the Use District (O 178-2000) ..... 1400

Memphis Avenue — between West 57 Street and West 56 Street — change the Use and Area  
Districts (O 528-2000)..... 1408

Residence buildings and other main buildings in residence districts — amend Section  
355.04 (O 137-2000) ..... 1400

Scenic Byways Program — grant — Federal Highway Administration — City Planning  
Commission (O 868-2000)..... 1431

TCSP Program — grant — Federal Highway Administration — City Planning Commission  
(O 869-2000)..... 1431

**Cleveland Clinic Foundation**

Directional Signs in four (4) locations — permit — Cleveland Clinic Foundation  
(O 415-2000)..... 1373

Reserve Court N.E. — pavement for ingress and egress, steel posts and security gates —  
permit — construction — American Cancer Society's Community Resource Center  
(O 921-2000)..... 1380

**Cleveland Hopkins International Airport**

5L/23R (Phase I) — new runway — Port Control (O 552-2000) .....	1373
American Flyers — flight training facility and related services — Lease By Way of Concession — Cleveland Hopkins International Airport (O 466-2000) .....	1405
Business Traveler Services, Inc. — business service center — operate — Lease By Way of Concession — Cleveland Hopkins International Airport (O 213-2000).....	1402
Circadian Knight Corp., dba Top Gun — flight training facility and related services — Lease By Way of Concession — Cleveland Hopkins International Airport (O 467-2000).....	1406
Deicing services and space to house deicing operations — contract — Cleveland Hopkins International Airport (O 469-2000).....	1406
Expansion of Lot 3 to provide for additional employee parking — Cleveland Hopkins International Airport (O 1104-2000) .....	1344
Pilot Management, Inc. dba Cleveland AirSports — Lease by Way of Concession — flight training facility and related services — Cleveland Hopkins International Airport (O 465-2000).....	1405
Property to construct a transfer station and use of ramp area — lease — United Parcel Service — Cleveland Hopkins International Airport (O 264-2000).....	1403
Roadway modifications to the baggage/tug road — design — Cleveland Hopkins International Airport (O 2049-99).....	1399
Specialty Restaurants — Lease By Way of Concession — vicinity of Cleveland Hopkins International Airport (O 320-2000).....	1373
Use and occupancy of certain space in the Secondary Hangar — ramp and parking areas adjacent to the premises — Lease By Way of Concession — Air Services of Cleveland, Inc. (O 1103-2000) .....	1344

**Cleveland Housing Network**

Cleveland Housing Network — contract — purchase, rehabilitation or construction of low income rental housing — Community Development (O 754-2000).....	1376
Low income housing units — acquisition, rehabilitation, or construction — Cleveland Housing Network (O 757-2000) .....	1376

**Cleveland Industrial Park**

Block A-5 — Cleveland Industrial Park — sell City-owned property — Arrowhead Industries Corp. and Erieview Metal Treating Company — Purchases and Supplies (O 944-2000).....	1382
---	------

**Cleveland Municipal Court**

Computer database software maintenance and support services — Cleveland Integrated Justice Information System — Cleveland Municipal Court (O 963-2000).....	1435
Legal services necessary to defend indigents charged — contract — Cuyahoga County Public Defender Commission (O 962-2000) .....	1434

**Cleveland Neighborhood Development Corporation**

Cleveland Industrial Retention Initiative — Cleveland Neighborhood Development Corporation — contract — Economic Development (O 655-2000) .....	1416
--	------

**Cleveland Public Power**

Decorative and special lighting — Cleveland Public Power (O 830-2000).....	1427
East 140th Street — between Interstate 90 and Aspinwall Avenue — lease property — Cleveland Public Power service center (O 816-2000) .....	1376
Outdoor residential lighting and energy efficient programs — Cleveland Public Power (O 822-2000).....	1425
Paper products — Divisions of Water and Cleveland Public Power (O 827-2000) .....	1427
Replace or repaid concrete or asphalt areas — Cleveland Public Power (O 747-2000).....	1375
Streetlighting bases and pull boxes — Cleveland Public Power (O 746-2000).....	1421
Tree trimming — Cleveland Public Power (O 745-2000).....	1421
Two heating boilers at West 41st Street Station — Cleveland Public Power (O 821-2000).....	1376

**Cleveland Public Schools**

Idle wood, concrete and metal poles — remove — Cleveland Public Power (O 823-2000).....	1425
Playground improvements — constructing — Paul Revere Elementary School — Benjamin Franklin Elementary School — Denison Elementary School (O 931-2000) .....	1381
Superior Avenue — financing of public improvements — Economic Development — Cleveland City School District — ayments (O 867-2000).....	1378

**Cleveland State University**

Housing, urban land-use, property parcel, vacant lot, and residential real estate market data services, products, studies — neighborhood planning and programming efforts — Cleveland State University (O 860-2000).....	1377
--	------

**Codified Ordinances**

Cleveland Fair Employment Law — new Chapter 189 — Living Wage (O 2009-99-A).....	1357
Exempted Special Events — new Section 133.04 (O 768-2000).....	1424
Homestead rates — additional eligibility — amend Section 535.051 (O 1411-99).....	1398
Intentional abuse of the local 9-1-1 emergency system — new Section 605.07A (O 1783-97).....	1398
Living Wage — new Chapter 189 — Codified Ordinance (O 2009-99).....	1357
Penalty for assault upon a taxicab driver — amend Section 621.03 (O 1139-2000).....	1365
Purchase of electric power and energy — amend Section 129.33 (O 906-2000).....	1433
Rental of market stalls — amend Section 133.16 (O 1027-2000).....	<b>1437</b>
Residence buildings and other main buildings in residence districts — amend Section 355.04 (O 137-2000).....	1400
Section 127.42 of Codified Ordinances, relating to transfer of Bureau of Vital Statistics to the Division of Assessments and Licenses — Section 141.18 repeal (O 1940-98).....	<b>1383-T</b>
Section 131.03 — amend Codified Ordinances — rates for truck owner drivers — Service Department (O 2279-95).....	1396
Section 405-06 — amend Codified Ordinances — impounding and towing fees (O 650-99).....	1398
Sections 131.14 and 131.15 repeal Sections of Codified Ordinances — transfer of Division of Traffic Engineering to Department of Public Service; enact new Sections 131.14 and 131.15; amend Sections 131.12, 403.03 and 403.06 (O.1949-98).....	1384
Sections 535.04, 535.05, 535.51, 535.06, 535.18 and 535.21 — enact new sections relating to rates, rules and regulations for water service — Division of Water (O 1743-99).....	1369
Sections 619.23, 619.24 and 619.25 — enact new Sections of Codified Ordinances — declaring vehicles and other property used in commission of drug or prostitution offenses to be a nuisance (O 164-2000-A).....	1373
Sections 686.01 to 686.10 and 686.99 of Codified Ordinances enact — relating to motor vehicle sales (O 672-97).....	1368
Sections 687.01 through 687.17 — enact new sections — Codified Ordinances — registration of bounty hunters (O 2187-96).....	1396
Sewerage service charges within Cleveland — amend Section 543.02 (O 1742-99).....	1369
Transferring the Division of Correction — new Sections 135.57, 135.58, 135.59, 135.60, 135.61, 135.62, and 135.63 — amend Sections 135.01 and 141.02 — repeal existing Sections 141.06, 141.07, 141.071, 141.072, 141.08, 141.081 and 141.09 (O.1950-98).....	1384

**Community Development**

5510 Whittier Avenue (Ward 7) — Land Reutilization Program — The Eleanor B. Rainey Memorial Institute, Inc. (O 1971-99).....	1398
African-American picnic — Murtis H. Taylor Multi-Service Center — Ward 1, 2, 3, 4, 5, 6, 9, 10, 11, 15, 18, 19 and 20. Neighborhood Equity Funds (O 1140-2000).....	1366
AIDS related Services — Community Development and/or Public Health — contracts with various agencies (O 1058-2000).....	1383
Beautify a vacant lot that is currently a public nuisance — Kamm's Corners Development Corporation — Ward 21 Neighborhood Equity Funds (O 1077-2000).....	1439
Building site improvements and recreational equipment for football — Miles Avenue Family YMCA — Ward 2 Neighborhood Equity Funds (O 1143-2000).....	1366
Central Avenue — north side — Land Reutilization Program — Fairfax Renaissance Development Corporation (O 1111-2000).....	1347
Citywide Community Support agencies — contract — housing, commercial, industrial and real estate development activities — Community Development (O 749-2000).....	1375
Cityworks Program — grants to small, neighborhood-based street clubs, block clubs and other community improvement groups — contract — Community Development (O 752-2000).....	1376
Clean Sweep Vacant Lot Program — Amistad Development Corporation — Ward 4 Neighborhood Equity Funds (O 1134-2000).....	1364
Cleveland Housing Network — contract — purchase, rehabilitation or construction of low income rental housing — Community Development (O 754-2000).....	1376
Community art programs — Broadway School of Music & the Arts — Ward 13 Neighborhood Equity Funds (O 1131-2000).....	1364
Comprehensive market study analysis of the Buckeye Corridor — Buckeye Area Development Corporation — Ward 6 Neighborhood Equity Funds (O 1121-2000).....	1361
Computers to enable skills training — purchase — Job Readiness Training Program — Ward 1, 4, 5, 6, 8, 9, 14, 15, 17, 19, 20 Neighborhood Equity Funds (O 1076-2000).....	<b>1439</b>
Crime prevention security and code enforcement services — agreement — Southeast Improvement Association — Ward 2 Neighborhood Equity Funds (O 1085-2000).....	1441
Demolition, removal or the boarding up of structures — Community Development — contracts (O 652-2000).....	1416
East 61st and 63rd Streets — Land Reutilization Program — Burten, Bell, Carr Development Corporation (O 940-2000).....	1382

East 63rd Street — Land Reutilization Program — Burten, Bell, Carr Development Corporation (O 939-2000) .....	1382
East 63rd Street — Land Reutilization Program — Burton, Bell, Carr Development Corporation (O 600-2000) .....	1375
East 82nd Street — Land Reutilization Program — Fairfax Renaissance Development Corporation (O 1112-2000) .....	1349
East 97th Street, 2245 — demolition of a six unit multi-family building — Fairfax Renaissance Development Corporation — Ward 6 Neighborhood Equity Funds (O 1122-2000).....	1361
Exercise equipment for Riverview Towers — chairs for the Lakeview Community Center — Cuyahoga Metropolitan Housing Authority (CMHA) — Ward 13 Neighborhood Equity Funds (O 1133-2000).....	1364
Fair housing services — Community Development block Grant funds — Community Relations Board (O 756-2000) .....	1422
Grand, Tennyson and Buckeye Roads — Land Reutilization Program — Allegheny West Conference of Seventh Day Adventist (O 1114-2000) .....	1351
Harvard School Senior Apartments Project — pre-development costs — Slavic Village Development — Ward 12 Neighborhood Equity Funds (O 1083-2000).....	1441
Holiday lighting — purchase and installation — Kamm's Corners Development Corporation — Ward 21 Neighborhood Equity Funds (O 1021-2000).....	<b>1436</b>
Housing Rehabilitation Programs — Community Development — Federal HOME Program funds (O 651-2000).....	1375
Housing rehabilitation, new housing construction and commercial redevelopment loan programs — Cleveland Action to Support Housing (CASH) — contract — Community Development (O 753-2000).....	1422
Housing Trust Fund Program — contracts — Community Development — housing activities (O 751-2000).....	1375
Housing, urban land-use, property parcel, vacant lot, and residential real estate market data services, products, studies — neighborhood planning and programming efforts — Cleveland State University (O 860-2000).....	1377
Independent Inner City Youth Football Program — fully equip thirty-five (35) — Cleveland Comanche football program — Ward 16 Neighborhood Equity Funds (O 1123-2000).....	1362
Installation of curbs and yard lamps along Hulda Avenue — Buckeye Area Development Corporation — Ward 6 Neighborhood Equity Funds (O 1125-2000).....	1362
International conference and youth summit in China — The International Preparatory School — Ward 10 Neighborhood Equity Funds (O 1020-2000).....	<b>1436</b>
Lawn maintenance services on vacant properties — Northeast Shores Development Corporation — Ward 11 Neighborhood Equity Funds (O 1138-2000).....	1365
Lexington Avenue, 6305, 6301 and 6215 — Land Reutilization Program — Johnny A. Barnes and Lucille E. Barnes. (O 371-2000) .....	1404
Lorain Avenue, 4425 — 2020-22 West 44th Street — Land Reutilization Program — Spanish American Committee (O 599-2000) .....	1413
Low income housing units — acquisition, rehabilitation, or construction — Cleveland Housing Network (O 757-2000) .....	1376
Low Interest Loan and Grant Programs — expend Community Development Block Grant funds and Federal Home funds (O 861-2000) .....	1377
Marshall Drug Building historic — W. 9th Street and Lakeside Avenue — contract — Community Development (O 851-2000) .....	1431
Meridian Avenue, 8720 — Land Reutilization Program — Curly Mae Jelks (O 1115-2000) .....	1353
Miles Park Carnegie Library — renovation — Ward 2 Neighborhood Equity Funds (O 1144-2000).....	1367
National youth sports program — Case Western Reserve University — Ward 6 Neighborhood Equity Funds (O 1015-2000).....	<b>1435</b>
Operating expenses — St. Clair Superior Neighborhood Development Association — Ward 13 Neighborhood Equity Funds (O 1132-2000) .....	1364
Phase IV improvements to the Mill Creek Housing Development Project — Community Development, Public Service and Public Utilities (O 1117-2000).....	1354
Promote the sale of certain townhouses — Northeast Shores Development Corporation — Ward 11 Neighborhood Equity Funds (O 1137-2000) .....	1365
Property — to be appropriated in Ward 20 — development of a Corporate Office Park — Economic Development Department (O 1123-99) .....	1369
Saranac Road, 15912 — Land Reutilization Program — Sheila Frey (O 373-2000).....	1404
Senior Homeowners Assistance Program (SHAP) — CHORE Program — Community Development Block Grant funds (O 755-2000) .....	1376
Social service programs — contracts with various agencies — Community Development — various Directors of City Departments (O 862-2000) .....	1378
Storefront Renovation Program — Community Development Block Grant funds (O 750-2000) .....	1422
Summer internship program — Cuyahoga River Remedial Action Plan — Ward 1, 2, 5, 6, 12, 13, 15, 16, 19, 20 and 21. Neighborhood Equity Funds (O 1141-2000).....	1366
Thames Avenue, 14725 — Land Reutilization Program — Greater Bethel African Meth. Epis. Church. (O 368-2000).....	1403
Thames Playfield — expansion — transfer property — Community Development — Parks, Recreation and Properties (O 210-2000).....	1401
Tower Press Building — Neighborhood Development Investment Fund contract — St. Vincent Quadrangle, Inc., (O 863-2000).....	1378
Turney Road — acceptance of second mortgages on the Mill Creek parcels in repayment of aforesaid contract — contract — Zaremba Cleveland Communities, Inc. — Millcreek Joint Venture — Community Development (O 942-2000).....	1382

Varian Avenue, 6410, 6412 — 1224 East 61st Street — 1114 East 68th Street — Land Reutilization Program — St. Clair Superior Neighborhood Development Association (O 1113-2000).....1350

Various social service agencies, community development — memorandums of understanding — Community Development (O 748-2000).....1421

Waterman Place housing development project — agreement — Slavic Village Development — Ward 12 Neighborhood Equity Funds (O 1084-2000) .....1441

Web based information system to assist first-time home buyers — creation — Ward 6 Neighborhood Equity Funds (O 1014-2000) .....1435

West 40th Place — rehabilitating — amend the title, Section 1 and Section 2 of Ordinance No. 962-99 (O 598-2000).....1413

West 54th Street — Land Reutilization Program — Detroit Shoreway Community Development Organization (O 1116-2000).....1354

West 58th Street — EcoVillage Townhouse Development — Detroit Shoreway Community Development Organization — Ward 17 Neighborhood Equity Funds (O 1135-2000).....1365

Woodhill Road, 2749 — security windows and heating and cooling system — East End Neighborhood House — Ward 6 Neighborhood Equity Funds (O 1124-2000) .....1362

Year XXVI Community Development Block Grant — various public improvements — Community Development, Public Service, Parks, Recreation and Properties, and Public Utilities (O 654-2000).....1375

**Community Development Block Grant Program**

Low Interest Loan and Grant Programs — expend Community Development Block Grant funds and Federal Home funds (O 861-2000) .....1377

Project Clean Program — Parks, Recreation and Properties — Community Development Block Grant funds (O 650-2000) .....1416

Year XXVI Community Development Block Grant — various public improvements — Community Development, Public Service, Parks, Recreation and Properties, and Public Utilities (O 654-2000).....1375

**Community Relations Board**

Fair housing services — Community Development block Grant funds — Community Relations Board (O 756-2000) .....1422

**Condolences**

Gleisser, Arnold D. (R 1150-2000).....1343

Tufts, Alice (R 1092-2000).....1343

**Congratulations**

Bornfield, Jack Officer (R 1098-2000) .....1343

Gilliam, Jayson W. (R 1094-2000).....1343

Holland, Walter Beck (R 1097-2000) .....1343

Kokoskie, Donald (R 1093-2000) .....1343

Perry, F.E. Bishop (R 1096-2000) .....1343

Stewiorek, Daniel P. Dr. (R 1095-2000).....1343

Tekancic, Henry A. Lt. (R 1099-2000).....1343

**Contracts**

5L/23R (Phase I) — new runway — Port Control (O 552-2000) .....1373

800 MHz radio communications equipment and labor and materials — contract — Port Control (O 257-2000).....1402

AIDS related Services — Community Development and/or Public Health — contracts with various agencies (O 1058-2000) .....1383

AIDS-related services — contracts with various agencies — Public Health (O 841-2000) .....1429

Assignment of Contract No. 56030 from Athersys, Inc. to Advanced Biotherapeutics, Inc., — Economic Development (O 943-2000) .....1434

Broadway Avenue, 7100 — ACH Properties, Inc. — acquisition of real property — Economic Development (O 762-2000).....1423

Citywide Community Support agencies — contract — housing, commercial, industrial and real estate development activities — Community Development (O 749-2000).....1375

Cityworks Program — grants to small, neighborhood-based street clubs, block clubs and other community improvement groups — contract — Community Development (O 752-2000).....1376

Cleveland Housing Network — contract — purchase, rehabilitation or construction of low income rental housing — Community Development (O 754-2000).....1376

Cleveland Industrial Retention Initiative — Cleveland Neighborhood Development Corporation — contract — Economic Development (O 655-2000) .....1416

Defibrillators — monitors and battery support systems — purchase — Division of Emergency Medical Service (O 839-2000).....1429

Deicing services and space to house deicing operations — contract — Cleveland Hopkins International Airport (O 469-2000) .....1406

Demolition, removal or the boarding up of structures — Community Development — contracts (O 652-2000).....1416

Empowerment Zone Labor Force Development Program — implementation — contracts with various agencies — Economic Development and Personnel (O 866-2000) .....1378

Housing rehabilitation, new housing construction and commercial redevelopment loan programs — Cleveland Action to Support Housing (CASH) — contract — Community Development (O 753-2000).....1422

Housing Trust Fund Program — contracts — Community Development — housing activities (O 751-2000).....1375

Housing, urban land-use, property parcel, vacant lot, and residential real estate market data services, products, studies — neighborhood planning and programming efforts — Cleveland State University (O 860-2000).....1377

Lead abatement services — amend Contract No. 53170 — University Settlement — Public Health (O 842-2000) .....1429

Low income housing units — acquisition, rehabilitation, or construction — Cleveland Housing Network (O 757-2000) .....1376

Marshall Drug Building historic — W. 9th Street and Lakeside Avenue — contract — Community Development (O 851-2000) .....1431

Office furniture — purchase — Port Control. (O 412-2000) .....1405

Oilwater separators, sewers, electrical vaults and associated appurtenances — test and disposal of waste materials — Port Control. (O 328-2000).....1403

Phase II of the Erieside and West 3rd Street Area Pump Station Project — make alterations and modifications in Contract No. 53947 — Division of Water Pollution Control (O 1106-2000) .....1345

Requirement contract purchases — amend Ord. Nos. 2161-99; 2162-99; 2164-99; and 2165-99 — Traffic Engineering and Parking (O 1004-2000) .....1383

Temporary Assistance to Needy Families Program — contracts — provide services — Personnel and Human Resources (O 1145-2000).....1367

Turney Road — acceptance of second mortgages on the Mill Creek parcels in repayment of aforesaid contract — contract — Zaremba Cleveland Communities, Inc. — Millcreek Joint Venture — Community Development (O 942-2000).....1382

Waterman Place housing development — contract with Slavic Village Development Corporation — amend Section 2 of Ordinance No. 1084-2000 (O 1142-2000).....1366

West 61st Street retaining wall — alterations and modifications in Contract No. 54089 — Markie Construction Company, I (O 2167-99) .....1371

Workforce Investment Act Program — contracts — provide services — Personnel and Human Resources (O 1146-2000) .....1367

**Correction Division**

Transferring the Division of Correction — new Sections 135.57, 135.58, 135.59, 135.60, 135.61, 135.62, and 135.63 — amend Sections 135.01 and 141.02 — repeal existing Sections 141.06, 141.07, 141.071, 141.072, 141.08, 141.081 and 141.09 (O.1950-98).....1384

**Crime Watch Program**

Crime watch personnel and programs for business and residential groups — Old Brooklyn Area — amend the Title and Section 1 of Ordinance No. 187-2000 — Ward 16 Neighborhood Equity Funds (O 1023-2000) .....1437

Crime watch personnel and programs for business and residential groups — Old Brooklyn Area — amend the Title and Section 1 of Ordinance No. 183-2000 — Ward 15 Neighborhood Equity Funds (O 1022-2000) .....1436

**Cuyahoga County**

Phases II and III the Harvard Avenue — cause payment — Cuyahoga County Commissioners (O 717-2000).....1417

Solid Waste Management Plan — Approving the final draft — Cuyahoga County Solid Waste Management District (O 713-2000) .....1417

**Drugs**

Sections 619.23, 619.24 and 619.25 — enact new Sections of Codified Ordinances — declaring vehicles and other property used in commission of drug or prostitution offenses to be a nuisance (O 164-2000-A) .....1373

**East Side Market Project**

West Side Market and East Side Market — public improvement — Parks, Recreation and Properties Department (O 134-2000).....1372

**Economic Development Department**

Assignment of Contract No. 56030 from Athersys, Inc. to Advanced Biotherapeutics, Inc., — Economic Development (O 943-2000) .....1434

Block A-5 — Cleveland Industrial Park — sell City-owned property — Arrowhead Industries Corp. and Erieview Metal Treating Company — Purchases and Supplies (O 944-2000).....1382



Broadway Avenue, 7100 — ACH Properties, Inc. — acquisition of real property — Economic Development (O 762-2000).....1423

Cleveland Industrial Retention Initiative — Cleveland Neighborhood Development Corporation — contract — Economic Development (O 655-2000) .....1416

East 55th Street, 1787 — capital improvements — Aletha Gambrell dba Operation Hair — amend Sections 2 and 3 of Ordinance No. 739-99 (O 760-2000) .....1423

East 82nd Street and Quincy Avenue — northwest corner — Empowerment Zone Section 108 loan and an Economic Development Initiative Grant Agreement — Fairfax Renaissance Development Corporation (O 1066-2000) .....1383

Empowerment Zone Labor Force Development Program — implementation — contracts with various agencies — Economic Development and Personnel (O 866-2000) .....1378

Empowerment Zone Program — Economic Development Initiative Grant and Title XX Grant funds — various corporations (O 865-2000).....1378

Madison Avenue, 10615 — Enterprise Zone Agreement — — Midland Steel Products Holding Company (O 765-2000) .....1423

Madison Avenue, 10615 — acquisition of machinery and equipment — property improvements — Midland Steel Products Holding Company — contract — Economic Development (O 766-2000).....1424

Superior Avenue — financing of public improvements — Economic Development — Cleveland City School District — payments (O 867-2000).....1378

Tower Press Building — Neighborhood Development Investment Fund contract — St. Vincent Quadrangle, Inc., (O 863-2000).....1378

**Empowerment Zone**

East 55th Street, 1787 — capital improvements — Aletha Gambrell dba Operation Hair — amend Sections 2 and 3 of Ordinance No. 739-99 (O 760-2000) .....1423

East 82nd Street and Quincy Avenue — northwest corner — Empowerment Zone Section 108 loan and an Economic Development Initiative Grant Agreement — Fairfax Renaissance Development Corporation (O 1066-2000) .....1383

**Enterprise Zone Agreement**

Madison Avenue, 10615 — Enterprise Zone Agreement — — Midland Steel Products Holding Company (O 765-2000) .....1423

Madison Avenue, 10615 — acquisition of machinery and equipment — property improvements — Midland Steel Products Holding Company — contract — Economic Development (O 766-2000).....1424

**Finance Department**

Cleveland Fair Employment Law — new Chapter 189 — Living Wage (O 2009-99-A) .....1357

Computer database software maintenance and support services — Cleveland Integrated Justice Information System — Cleveland Municipal Court (O 963-2000) .....1435

Electronic key telephone system — Division of Information Systems Services — Finance Department (O 815-2000) .....1425

Improve municipal parks and recreation facilities — sale of bonds — \$5,280,000 (O 898-2000).....1379

Improve the municipal street system and related facilities — sale of bonds — \$11,090,000 (O 899-2000).....1379

Improvement of municipal properties and easements in residential neighborhoods — sale of bonds — \$2,310,000 (O 900-2000) .....1380

Improving buildings and structures housing — sale of bonds — \$8,820,000 (O 897-2000) .....1379

Lamps — various divisions of City government (O 811-2000).....1424

Legal services necessary to defend indigents charged — contract — Cuyahoga County Public Defender Commission (O 962-2000) .....1434

Living Wage — new Chapter 189 — Codified Ordinance (O 2009-99).....1357

Moral Claims — pay — Finance (O 902-2000) .....1432

Office supplies — various divisions of City government — Finance Department (O 812-2000) .....1424

Pre-sort mail service - various divisions of City government — Finance Department (O 813-2000).....1376

Section 127.42 of Codified Ordinances, relating to transfer of Bureau of Vital Statistics to the Division of Assessments and Licenses — Section 141.18 repeal (O 1940-98) .....1383-T

Steel plates — various divisions of City government — Finance Department (O 814-2000) .....1425

Telephone equipment and systems, voice and data communication systems — amend the title and Sections 1 and 2 of Ordinance No. 1174-97 (O 903-2000) .....1433

**Funds**

Day care center inspections — agreement or memorandum of understanding — State of Ohio — Ohio Association of County Boards of Mental Retardation and Developmental Disabilities (O 843-2000) .....1430

Empowerment Zone Program — Economic Development Initiative Grant and Title XX Grant funds — various corporations (O 865-2000).....1378

Housing Rehabilitation Programs — Community Development — Federal HOME Program funds (O 651-2000).....1375

Tower Press Building — Neighborhood Development Investment Fund contract — St. Vincent Quadrangle, Inc., (O 863-2000).....1378

**Glenville Recreation Center**

Tubing and other related work at Glenville Recreation Center — Division of Property Management (O 845-2000) .....	1430
--	------

**Grants**

1999-2001 Bulletproof Vest Grant — grant — U.S. Department of Justice's Bulletproof Vest Partnership — Public Safety (O 929-2000) .....	1434
2000 West Reserve Area Agency on Aging Program — grant — Western Reserve Area Agency on Aging (O 848-2000) .....	1431
2000 - 2001 EMS-EMT Training Program — grant — Ohio Department of Public Safety (O 840-2000) .....	1429
2000 TEAM Approach to Violence Against Women Program — grant — apply and accept — Law Department (O 996-2000) .....	1382
2000-2001 Drug Prevention, Treatment and Intervention Program — grant — Alcohol and Drug Addiction Services Board of Cuyahoga County — Public Health (O 645-2000) .....	1414
2000-2001 State AIDS Community Based Care Program — grant — Public Health (O 644-2000) .....	1414
2001 Infant Mortality Reduction (Initiative) Project — grant — Public Health (O 1059-2000) .....	1383
2001 Recycle Ohio! Program — grant — Ohio Department of Natural Resources — Public Service (O 923-2000) .....	1380
2001-2003 Lead-Based Paint Hazard Control Program — grant — U.S. Department of Housing and Urban Development — Public Health (O 733-2000) .....	1375
Cityworks Program — grants to small, neighborhood-based street clubs, block clubs and other community improvement groups — contract — Community Development (O 752-2000) .....	1376
Domestic Preparedness Equipment Support Program — grant — U.S. Department of Justice — Public Safety (O 648-2000) .....	1415
Empowerment Zone Program — Economic Development Initiative Grant and Title XX Grant funds — various corporations (O 865-2000) .....	1378
Phase 2 of the 2000 Cleveland Lakefront Bikeway Project — grant — Ohio Department of Transportation — Parks, Recreation and Properties (O 936-2000) .....	1381
Scenic Byways Program — grant — Federal Highway Administration — City Planning Commission (O 868-2000) .....	1431
TCSP Program — grant — Federal Highway Administration — City Planning Commission (O 869-2000) .....	1431
Woodland Recreation Center site improvements — Phase II — grant — Ohio Department of Natural Resources Transportation — Parks, Recreation and Properties (O 930-2000) .....	1381
Workforce Investment Act Transition Progra — grant — Ohio Bureau of Employment Services POWER* Ohio (O 946-2000) .....	1382

**Handicapped**

Curbing, aprons, ramps for handicapped — installing and replacing various divisions — Port Control (O 2116-99) .....	1399
---	------

**Health Centers**

MetroHealth — leases by way of concession — provide medical services and clinical physician services — Public Health (O 734-2000) .....	1418
--	------

**Health Department**

2000-2001 Drug Prevention, Treatment and Intervention Program — grant — Alcohol and Drug Addiction Services Board of Cuyahoga County — Public Health (O 645-2000) .....	1414
2000-2001 State AIDS Community Based Care Program — grant — Public Health (O 644-2000) .....	1414
2001 Infant Mortality Reduction (Initiative) Project — grant — Public Health (O 1059-2000) .....	1383
2001-2003 Lead-Based Paint Hazard Control Program — grant — U.S. Department of Housing and Urban Development — Public Health (O 733-2000) .....	1375
AIDS related services — Community Development and/or Public Health — contracts with various agencies (O 1058-2000) .....	1383
AIDS-related services — contracts with various agencies — Public Health (O 841-2000) .....	1429
Day care center inspections — agreement or memorandum of understanding — State of Ohio — Ohio Association of County Boards of Mental Retardation and Developmental Disabilities (O 843-2000) .....	1430
Lead abatement services — amend Contract No. 53170 — University Settlement — Public Health (O 842-2000) .....	1429
MetroHealth — leases by way of concession — provide medical services and clinical physician services — Public Health (O 734-2000) .....	1418
Pneumococcal vaccine — purchase — Division of Health (O 646-2000) .....	1415

**Hermes Race Systems**

Cleveland Brown Run — permit — Hermes Race System (O 1018-2000) .....	1436
Cleveland Corporate Challenge — permit — YMCA and Hermes Race System (O 1017-2000) .....	1435
Race for the Cure — permit — Hermes Race Systems (O 1028-2000) .....	1438
Race for Wishes — permit — Hermes Race Systems — (Ward 13) (O 1074-2000) .....	1439

**Historic Landmark District**

Clifton Road/West Boulevard Historic Landmark District Extension — Establishing (O 1118-2000).....1354

**Homestead Rates**

Homestead rates — additional eligibility — amend Section 535.051 (O 1411-99).....1398

**Housing**

Housing Trust Fund Program — contracts — Community Development — housing activities (O 751-2000).....1375

**Housing Rehabilitation Program**

Housing Rehabilitation Programs — Community Development — Federal HOME Program funds (O 651-2000).....1375

**Land Reutilization Program**

5510 Whittier Avenue (Ward 7) — Land Reutilization Program — The Eleanor B. Rainey Memorial Institute, Inc. (O 1971-99) .....1398  
 Central Avenue — north side — Land Reutilization Program — Fairfax Renaissance Development Corporation (O 1111-2000) .....1347  
 East 82nd Street — Land Reutilization Program — Fairfax Renaissance Development Corporation (O 1112-2000) .....1349  
 East 61st and 63rd Streets — Land Reutilization Program — Burten, Bell, Carr Development Corporation (O 940-2000) .....1382  
 East 63rd Street — Land Reutilization Program — Burton, Bell, Carr Development Corporation (O 600-2000) .....1375  
 East 63rd Street — Land Reutilization Program — Burten, Bell, Carr Development Corporation (O 939-2000) .....1382  
 Grand, Tennyson and Buckeye Roads — Land Reutilization Program — Allegheny West Conference of Seventh Day Adventist (O 1114-2000) .....1351  
 Lexington Avenue, 6305, 6301 and 6215 — Land Reutilization Program — Johnny A. Barnes and Lucille E. Barnes. (O 371-2000) .....1404  
 Lorain Avenue, 4425 — 2020-22 West 44th Street — Land Reutilization Program — Spanish American Committee (O 599-2000) .....1413  
 Meridian Avenue, 8720 — Land Reutilization Program — Curly Mae Jelks (O 1115-2000) .....1353  
 Saranac Road, 15912 — Land Reutilization Program — Sheila Frey (O 373-2000) .....1404  
 Thames Avenue, 14725 — Land Reutilization Program — Greater Bethel African Meth. Epis. Church. (O 368-2000).....1403  
 Varian Avenue, 6410, 6412 — 1224 East 61st Street — 1114 East 68th Street — Land Reutilization Program — St. Clair Superior Neighborhood Development Association (O 1113-2000) .....1350  
 West 52nd Street - Land Reutilization Program - Bridge Housing Corporation (O 1063-2000) .....1383  
 West 54th Street — Land Reutilization Program — Detroit Shoreway Community Development Organization (O 1116-2000).....1354

**Law Department**

2000 TEAM Approach to Violence Against Women Program — grant — apply and accept — Law Department (O 996-2000) .....1382

**Lease Agreement**

Business Traveler Services, Inc. — business service center — operate — Lease By Way of Concession — Cleveland Hopkins International Airport (O 213-2000).....1402  
 Playground improvements — constructing — Paul Revere Elementary School — Benjamin Franklin Elementary School — Denison Elementary School (O 931-2000) .....1381

**Lease by Way of Concession**

American Flyers — flight training facility and related services — Lease By Way of Concession — Cleveland Hopkins International Airport (O 466-2000) .....1405  
 Circadian Knight Corp., dba Top Gun — flight training facility and related services — Lease By Way of Concession — Cleveland Hopkins International Airport (O 467-2000).....1406  
 MetroHealth — leases by way of concession — provide medical services and clinical physician services — Public Health (O 734-2000).....1418  
 Pilot Management, Inc. dba Cleveland AirSports — Lease by Way of Concession — flight training facility and related services — Cleveland Hopkins International Airport (O 465-2000) .....1405  
 Specialty Restaurants — Lease By Way of Concession — vicinity of Cleveland Hopkins International Airport (O 320-2000) .....1373  
 T & G Flying Club, Inc. — Lease By Way of Concession — Burke Lakefront Airport — flight training facility and related services (O 743-2000).....1420  
 Use and occupancy of certain space in the Secondary Hangar — ramp and parking areas adjacent to the premises — Lease By Way of Concession — Air Services of Cleveland, Inc. (O 1103-2000) .....1344

**Leases**

Broadway Avenue, 7654 — lease to Joshua Simon — Parks, Recreation and Properties (O 844-2000).....	1377
Lease space at the National Aeronautics and Space Administration — hangar space for police aircraft — Public Safety (O 1110-2000) .....	1346
Property to construct a transfer station and use of ramp area — lease — United Parcel Service — Cleveland Hopkins International Airport (O 264-2000).....	1403

**Liquor Permits**

Ashbury Avenue, 10509 - withdrawing objection to the renewal of a C1 and C2 Liquor Permit - (Ward 09) (R 1036-2000) .....	1395
Dolloff Road, 5353 - withdrawing objection to the stock transfer of a D1, D2, D3 and D3A - (Ward 13) (R 1029-2000) .....	1393
East 55th Street, 1905 - withdrawing objection to the transfer of ownership and location of a C2 and C2X - (Ward 07) (R 1032-2000) .....	1394
Hough Avenue, 8812 - withdrawing objection to a C2 and C2X - (Ward 07) (R 1033-2000).....	1394
Lorain Avenue 1st Fl. & Bsmt., 11022 - objecting to the transfer of ownership of a D2, D2X, D3 and D6 - (Ward 19) (R 1031-2000) .....	1394
Lorain Avenue, 16800 - objecting to the renewal of a D1, D2, D3 and D3A - (Ward 21) (R 1088-2000) .....	1395
Francis Avenue, 5901 first floor and basement — Withdrawing objection to the renewal — (Ward 12) (R 1089-2000).....	1396
Norwood Rd., 1113-1115 first floor and basement — Withdrawing objection to the transfer of ownership (R 1086-2000) .....	1395
Warner Road, 4464 - withdrawing objection to the renewal of a C1 and C2 Liquor Permit - (Ward 12) (R 1030-2000).....	1393

**Living Wage**

Cleveland Fair Employment Law — new Chapter 189 — Living Wage (O 2009-99-A).....	1357
Living Wage — new Chapter 189 — Codified Ordinance (O 2009-99).....	1357

**Lutheran Metropolitan Ministry Association**

2001 Infant Mortality Reduction (Initiative) Project — grant — Public Health (O 1059-2000) .....	1383
--	------

**Market**

Rental of market stalls — amend Section 133.16 (O 1027-2000) .....	1437
--	------

**Memoranda of Understanding**

Day care center inspections — agreement or memorandum of understanding — State of Ohio — Ohio Association of County Boards of Mental Retardation and Developmental Disabilities (O 843-2000) .....	1430
Social service programs — contracts with various agencies — Community Development — various Directors of City Departments (O 862-2000) .....	1378
Various social service agencies, community development — memorandums of understanding — Community Development (O 748-2000).....	1421

**Metro Health Medical Center**

MetroHealth — leases by way of concession — provide medical services and clinical physician services — Public Health (O 734-2000).....	1418
---	------

**Moral Claims**

Moral Claims — pay — Finance (O 902-2000) .....	1432
---	------

**Motor Vehicle Maintenance Division (MVM)**

Leaking underground storage tanks — emergency cleanup and replacement — Motor Vehicle Maintenance — Public Service (O 924-2000).....	1433
---	------

**Neighborhood Equity Funds**

African-American picnic — Murtis H. Taylor Multi-Service Center — Ward 1, 2, 3, 4, 5, 6, 9, 10, 11, 15, 18, 19 and 20. Neighborhood Equity Funds (O 1140-2000).....	1366
Beautify a vacant lot that is currently a public nuisance — Kamm's Corners Development Corporation — Ward 21 Neighborhood Equity Funds. (O 1077-2000) .....	1439
Building site improvements and recreational equipment for football — Miles Avenue Family YMCA — Ward 2 Neighborhood Equity Funds (O 1143-2000).....	1366

Clean Sweep Vacant Lot Program — Amistad Development Corporation — Ward 4 Neighborhood Equity Funds (O 1134-2000).....1364

Community art programs — Broadway School of Music & the Arts — Ward 13 Neighborhood Equity Funds (O 1131-2000).....1364

Comprehensive market study analysis of the Buckeye Corridor — Buckeye Area Development Corporation — Ward 6 Neighborhood Equity Funds (O 1121-2000).....1361

Computers to enable skills training — purchase — Job Readiness Training Program — Ward 1, 4, 5, 6, 8, 9, 14, 15, 17, 19, 20 Neighborhood Equity Funds (O 1076-2000) .....1439

Crime prevention security and code enforcement services — agreement — Southeast Improvement Association — Ward 2 Neighborhood Equity Funds (O 1085-2000) .....1441

Crime watch personnel and programs for business and residential groups — Old Brooklyn Area — amend the Title and Section 1 of Ordinance No. 187-2000 — Ward 16 Neighborhood Equity Funds (O 1023-2000) .....1437

Crime watch personnel and programs for business and residential groups — amend Section 2 of Ordinance No. 187-2000 — Ward 16 Neighborhood Equity Funds (O 1078-2000).....1440

Crime watch personnel and programs for business and residential groups — Old Brooklyn Area — amend the Title and Section 1 of Ordinance No. 183-2000 — Ward 15 Neighborhood Equity Funds (O 1022-2000) .....1436

East 97th Street, 2245 — demolition of a six unit multi-family building — Fairfax Renaissance Development Corporation — Ward 6 Neighborhood Equity Funds (O 1122-2000) .....1361

Exercise equipment for Riverview Towers — chairs for the Lakeview Community Center — Cuyahoga Metropolitan Housing Authority (CMHA) — Ward 13 Neighborhood Equity Funds (O 1133-2000).....1364

Harvard School Senior Apartments Project — pre-development costs — Slavic Village Development — Ward 12 Neighborhood Equity Funds (O 1083-2000).....1441

Holiday lighting — purchase and installation — Kamm's Corners Development Corporation — Ward 21 Neighborhood Equity Funds (O 1021-2000).....1436

Independent Inner City Youth Football Program — fully equip thirty-five (35) — Cleveland Comanche football program — Ward 16 Neighborhood Equity Funds (O 1123-2000).....1362

Installation of curbs and yard lamps along Hulda Avenue — Buckeye Area Development Corporation — Ward 6 Neighborhood Equity Funds (O 1125-2000).....1362

International conference and youth summit in China — The International Preparatory School — Ward 10 Neighborhood Equity Funds (O 1020-2000).....1436

Lawn maintenance services on vacant properties — Northeast Shores Development Corporation — Ward 11 Neighborhood Equity Funds (O 1138-2000).....1365

Miles Park Carnegie Library — renovation — Ward 2 Neighborhood Equity Funds (O 1144-2000).....1367

National youth sports program — Case Western Reserve University — Ward 6 Neighborhood Equity Funds (O 1015-2000).....1435

Operating expenses — St. Clair Superior Neighborhood Development Association — Ward 13 Neighborhood Equity Funds (O 1132-2000) .....1364

Playground at R.G. Jones School — amend Section 2 of Ordinance No. 611-2000 — Ward 20 Neighborhood Equity Funds (O 1081-2000) .....1440

Promote the sale of certain townhouses — Northeast Shores Development Corporation — Ward 11 Neighborhood Equity Funds (O 1137-2000) .....1365

Summer internship program — Cuyahoga River Remedial Action Plan — Ward 1, 2, 5, 6, 12, 13, 15, 16, 19, 20 and 21. Neighborhood Equity Funds (O 1141-2000).....1366

Waterman Place housing development project — agreement — Slavic Village Development — Ward 12 Neighborhood Equity Funds (O 1084-2000) .....1441

Web based information system to assist first-time home buyers — creation — Ward 6 Neighborhood Equity Funds (O 1014-2000) .....1435

West 58th Street — EcoVillage Townhouse Development — Detroit Shoreway Community Development Organization — Ward 17 Neighborhood Equity Funds (O 1135-2000).....1365

Woodhill Road, 2749 — security windows and heating and cooling system — East End Neighborhood House — Ward 6 Neighborhood Equity Funds (O 1124-2000) .....1362

**Ohio Bureau of Employment Services**

Workforce Investment Act Transition Program — grant — Ohio Bureau of Employment Services POWER\* Ohio (O 946-2000) .....1382

**Ohio Department of Natural Resources**

2001 Recycle Ohio! Program — grant — Ohio Department of Natural Resources — Public Service (O 923-2000) .....1380

Woodland Recreation Center site improvements — Phase II — grant — Ohio Department of Natural Resources Transportation — Parks, Recreation and Properties (O 930-2000).....1381

**Ohio Department of Public Health**

2001 Infant Mortality Reduction (Initiative) Project — grant — Public Health (O 1059-2000).....1383

**Ohio Department of Transportation (ODOT)**

Phase 2 of the 2000 Cleveland Lakefront Bikeway Project — grant — Ohio Department of Transportation — Parks, Recreation and Properties (O 936-2000).....1381

**Old Brooklyn Area**

Crime watch personnel and programs for business and residential groups — amend Section 2 of Ordinance No. 187-2000 — Ward 16 Neighborhood Equity Funds (O 1078-2000) .....1440

**Parking**

Expansion of Lot 3 to provide for additional employee parking — Cleveland Hopkins International Airport (O 1104-2000) .....1344

**Parks**

Ivan Franko bust — transfer the ownership — United Ukrainian Organizations — exchange — Ukrainian busts (O 846-2000).....1430

**Parks, Recreation and Properties Department**

Broadway Avenue and Booth Avenue — sell City-owned property — Patrick L. Montgomery — Purchases and Supplies (O 847-2000) .....1377  
 Broadway Avenue, 7654 — lease to Joshua Simon — Parks, Recreation and Properties (O 844-2000).....1377  
 Cleveland Memorial Gardens — rehabilitating — Parks, Recreation and Properties (O 937-2000) .....1382  
 Dollar Bank — cash donation — Parks, Recreation and Properties (O 938-2000) .....1434  
 Establish an equalized rent structure for all interior tenants — West Side Market — Parks, Recreation and Properties (O 1126-2000) .....1362  
 Exempted Special Events — new Section 133.04 (O 768-2000).....1424  
 Ivan Franko bust — transfer the ownership — United Ukrainian Organizations — exchange — Ukrainian busts (O 846-2000).....1430  
 Phase 2 of the 2000 Cleveland Lakefront Bikeway Project — grant — Ohio Department of Transportation — Parks, Recreation and Properties (O 936-2000).....1381  
 Playground improvements — constructing — Paul Revere Elementary School — Benjamin Franklin Elementary School — Denison Elementary School (O 931-2000) .....1381  
 Project Clean Program — Parks, Recreation and Properties — Community Development Block Grant funds (O 650-2000) .....1416  
 Social service programs — contracts with various agencies — Community Development — various Directors of City Departments (O 862-2000) .....1378  
 Thames Playfield — expansion — transfer property — Community Development — Parks, Recreation and Properties (O 210-2000) .....1401  
 Tubing and other related work at Glenville Recreation Center — Division of Property Management (O 845-2000).....1430  
 West Side Market and East Side Market — public improvement — Parks, Recreation and Properties Department (O 134-2000).....1372  
 Woodland Recreation Center site improvements — Phase II — grant — Ohio Department of Natural Resources Transportation — Parks, Recreation and Properties (O 930-2000).....1381  
 Year XXVI Community Development Block Grant — various public improvements — Community Development, Public Service, Parks, Recreation and Properties, and Public Utilities (O 654-2000) .....1375

**Permits**

American Heart Walk — permit — American Heart Association — (Ward 13) (O 1075-2000) .....1439  
 America's Walk for Diabetes — (WALKTOBERFEST) — permit — American Diabetes Association (O 1016-2000).....1435  
 Clean Air Challenge 2000 - permit - American Lung Association (O 1035-2000) .....1438  
 Cleveland Brown Run — permit — Hermes Race System (O 1018-2000).....1436  
 Cleveland Corporate Challenge — permit — YMCA and Hermes Race System (O 1017-2000).....1435  
 Directional Signs in four (4) locations — permit — Cleveland Clinic Foundation (O 415-2000).....1373  
 Dunham Tavern Museum — four (4) double sided banners — celebrate and identify their 175 years in existence — Public Service (O 926-2000) .....1380  
 East 185th Street Festival and Run — banners — Northeast Shores Development Corporation (O 1080-2000).....1440  
 East 185th Street Festival Parade — permit — Northeast Shores Development Corporation — (Ward 11) (O 1079-2000) .....1440  
 East 9th Street Mile - permit - Hermes Race Systems (O 1019-2000) .....1436  
 Edgehill and Murray Hill Roads — outdoor seasonal patio dining area with tables, chairs, railings and a wooden deck — permit — Public Service (O 922-2000) .....1380  
 Euclid Avenue, 11111 — permit — shuttle bus shelter — Case Western Reserve University's Thwing Student Service Center. (O 1071-2000).....1383  
 Fairview Hospital Parking Facility — right-of-way — construction of a walk, driveway and landscaping (O 729-2000) .....1418  
 Gene Marco Co. LLC, dba Circo/Zibibbo Restaurant/Lounge - permit - outdoor seasonal cafe restaurant with a sidewalk barrier (O 727-2000) .....1417  
 Great Clean Sweep — permit — Public Service — (Ward 3) (O 1082-2000).....1440  
 Million Family March — banners — Muhammad Mosque No. 18 (O 1026-2000).....1437  
 Our Lady of Mt. Carmel Catholic Church West — banner — annual festival (O 1136-2000) .....1365  
 Race for the Cure — permit — Hermes Race Systems (O 1028-2000) .....1438

Race for Wishes — permit — Hermes Race Systems — (Ward 13) (O 1074-2000) .....1439  
 Riverbed Street — apartment building from the second story upward to minimum height of  
 12-feet, 8-inches above the pavement area — permit — Stonebridge Building and  
 Design, Inc. (O 925-2000) .....1380  
 Sagrada Familia Church — Church Festival — banners (O 1024-2000) .....**1437**  
 Seasonal outdoor sidewalk cafe, fencing and other related equipment — West 6th Street  
 — right-of-way — permit — Creative Culinary Enterprises, Inc. (O 1129-2000) .....1363  
 Seasonal outdoor sidewalk cafe, fencing, and other associated equipment — Gene  
 Hickerson's at the Hanna (restaurant) — permit (O 1127-2000) .....1362  
 Seasonal sidewalk cafe, wooden planters, and metal railing enclosures — permit —  
 right-of-way — 1400 and 1406 West 6th Street — Joseph Santusuosso (O 1130-2000) .....1363  
 STAVSERV, Inc. — permit — outdoor seasonal sidewalk cafe, a fencing enclosure and  
 associated equipment (O 712-2000).....**1416**  
 Western Reserve Historical Society — one banner — special event (O 1128-2000) .....1363

**Personnel Department**

City, County, Waste Paper Drivers Union, Local 244. — collective bargaining agreement (O 422-2000)..... 1373  
 Compensation for various classifications — amend Sections 8, 25, 28, 32, and 43 of  
 Ordinance No. 434-2000 (O 1070-2000).....1383  
 Empowerment Zone Labor Force Development Program — implementation — contracts with  
 various agencies — Economic Development and Personnel (O 866-2000) .....1378  
 Temporary Assistance to Needy Families Program — contracts — provide services —  
 Personnel and Human Resources (O 1145-2000).....1367  
 Workforce Investment Act Program — contracts — provide services — Personnel and Human  
 Resources (O 1146-2000) .....1367  
 Workforce Investment Act Transition Program — grant — Ohio Bureau of Employment Services  
 POWER\* Ohio (O 946-2000) .....1382

**Playgrounds**

Playground at R.G. Jones School — amend Section 2 of Ordinance No. 611-2000 — Ward 20  
 Neighborhood Equity Funds (O 1081-2000) .....1440  
 Playground improvements — constructing — Paul Revere Elementary School — Benjamin  
 Franklin Elementary School — Denison Elementary School (O 931-2000) .....1381

**Police Division**

Aviation fuel and hangar space for aircraft — Division of Police (O 738-2000) .....1419  
 Care and feeding of horses — Division of Police (O 737-2000) .....1419  
 Citation forms — Division of Police (O 740-2000).....1420  
 Diversity management training for field training officers and recruit — contract  
 — Greater Cleveland Roundtable — Division of Police (O 1109-2000).....1346  
 Elevators at the Justice Center — 3rd District Police Station — Division of Police (O 834-2000).....1428  
 Furniture and fixtures — purchase — Division of Police (O 838-2000).....1428  
 Hepatitis B vaccine — purchase — Division of Police (O 647-2000).....1415  
 Maintain police aircraft — Division of Police (O 736-2000).....1419  
 Officer Emil Cielec, Lieutenant Michael O'Malley, Lieutenant Edward Lentz and Detective  
 Arssie Taylor — extend the retirement dates — Division of Police (O 735-2000) .....1419  
 Photo lab materials and supplies — Division of Police (O 741-2000).....1420  
 Prisoner meals — Division of Police (O 739-2000) .....1420  
 Section 405-06 — amend Codified Ordinances — impounding and towing fees (O 650-99).....1398  
 Sections 687.01 through 687.17 — enact new sections — Codified Ordinances —  
 registration of bounty hunters (O 2187-96) .....1396  
 Two police aircraft — purchase — Division of Police (O 1108-2000) .....1346

**Port Control Department**

5L/23R (Phase I) — new runway — Port Control (O 552-2000) .....1373  
 800 MHz radio communications equipment and labor and materials — contract — Port Control  
 (O 257-2000).....1402  
 Airport System Revenue Bonds — sale by the City of Cleveland — improving and enlarging  
 the Airport System (O 833-2000).....1376  
 American Flyers — flight training facility and related services — Lease By Way of  
 Concession — Cleveland Hopkins International Airport (O 466-2000) .....1405  
 Business Traveler Services, Inc. — business service center — operate — Lease By Way  
 of Concession — Cleveland Hopkins International Airport (O 213-2000).....1402  
 Circadian Knight Corp., dba Top Gun — flight training facility and related services —  
 Lease By Way of Concession — Cleveland Hopkins International Airport (O 467-2000).....1406  
 Conveyance systems — construction — carry Abrams Creek under new Runway 5L/23R (O 1105-2000).....1344  
 Curbing, aprons, ramps for handicapped — installing and replacing various divisions —  
 Port Control (O 2116-99) .....1399  
 Deicing services and space to house deicing operations — contract — Cleveland Hopkins  
 International Airport (O 469-2000) .....1406  
 Expansion of Lot 3 to provide for additional employee parking — Cleveland Hopkins  
 International Airport (O 1104-2000) .....1344

Green Energy, Inc. and Carl R. Gessel d/b/a Green Energy Company — termination agreement — plugging and abandonment of Tuma No. 1 gas well and pay termination costs — Port Control (O 588-2000) .....1412

Office furniture — purchase — Port Control. (O 412-2000) .....1405

Oilwater separators, sewers, electrical vaults and associated appurtenances — test and disposal of waste materials — Port Control. (O 328-2000).....1403

Pilot Management, Inc. dba Cleveland AirSports — Lease by Way of Concession — flight training facility and related services — Cleveland Hopkins International Airport (O 465-2000) ..... 1405

Professional engineering and surveying services — various airport projects — Director of Port Control (O 908-2000) .....1380

Property to construct a transfer station and use of ramp area — lease — United Parcel Service — Cleveland Hopkins International Airport (O 264-2000) .....1403

Roadway modifications to the baggage/tug road — design — Cleveland Hopkins International Airport (O 2049-99) .....1399

Sound insulation program — implementing Phase II — amend Section 5 of Ordinance No. 469-98 (O 327-2000).....1403

Specialty Restaurants — Lease By Way of Concession — vicinity of Cleveland Hopkins International Airport (O 320-2000) .....1373

T & G Flying Club, Inc. — Lease By Way of Concession — Burke Lakefront Airport — flight training facility and related services (O 743-2000).....1420

Use and occupancy of certain space in the Secondary Hangar — ramp and parking areas adjacent to the premises — Lease By Way of Concession — Air Services of Cleveland, Inc. (O 1103-2000) .....1344

**Prostitution**

Sections 619.23, 619.24 and 619.25 — enact new Sections of Codified Ordinances — declaring vehicles and other property used in commission of drug or prostitution offenses to be a nuisance (O 164-2000-A) .....1373

**Purchases**

Electronic key telephone system — Division of Information Systems Services — Finance Department (O 815-2000) .....1425

Lamps — various divisions of City government (O 811-2000) .....1424

Office supplies — various divisions of City government — Finance Department (O 812-2000) .....1424

Pre-sort mail service - various divisions of City government — Finance Department (O 813-2000) .....1376

Steel plates — various divisions of City government — Finance Department (O 814-2000) .....1425

**Purchases and Supplies Division**

Block A-5 — Cleveland Industrial Park — sell City-owned property — Arrowhead Industries Corp. and Erieview Metal Treating Company — Purchases and Supplies (O 944-2000).....1382

Broadway Avenue and Booth Avenue — sell City-owned property — Patrick L. Montgomery — Purchases and Supplies (O 847-2000) .....1377

**Real Estate**

Property — to be appropriated in Ward 20 — development of a Corporate Office Park — Economic Development Department (O 1123-99) .....1369

Thames Playfield — expansion — transfer property — Community Development — Parks, Recreation and Properties (O 210-2000) .....1401

**Recognition**

Spaan, Barbara (R 1100-2000) .....1343

Tolliver, Callie (R 1101-2000).....1343

**Regional Transit Authority**

Euclid Corridor Transportation Project — design and implementation — General Agreement — Greater Cleveland Regional Transit Authority (O 1102-2000) .....1343

RTA to reduce the fares on buses and rapid transit — Urging (R 1120-2000).....1357

**Resolutions - Miscellaneous**

Americans with Disabilities Act Celebration Day — Declaring July 21, 2000 (R 1149-2000).....1368

Gasoline station operators to offer full service — no added cost to the customer (R 1119-2000) .....1357

Immediately and actively investigate and prepare the City for the imminent deregulation of the electric utility industry — Urging the Mayor and the Administration (R 402-97) .....1393

Opposing passage of HR 1020/S.1271 — transport by railway and highway of high level radioactive waste from other states through the Cleveland area (R 1845-96).....1392

Proposal by the Cleveland New Homes L. P. for the development and construction of affordable housing — Supporting (R 1148-2000) .....1368

Public Safety fireboat — Condemning the Administration's failure to honor its commitment to fully staff (R 1087-2000) .....1395



Recreation and Parks month — Proclaiming July, 2000 (R 1147-2000) .....	1367
Restricting children's access to adult reading, viewing and audio materials on the Internet — Urging the Cleveland Public Library (R 174-97) .....	1392
Rite Aid Pharmacy — East 131st Street and Miles — Urging the Aid Pharmacies to keep — Ward 2 (R 1090-2000).....	1396
RTA to reduce the fares on buses and rapid transit — Urging (R 1120-2000).....	1357
Summer schedule of meetings — Council of the City of Cleveland (R 1034-2000).....	<b>1394</b>
Tires — enact legislation regulating collection and disposal of (R 677-97).....	1393

**Retirement**

Officer Emil Cielec, Lieutenant Michael O'Malley, Lieutenant Edward Lentz and Detective Arssie Taylor — extend the retirement dates — Division of Police (O 735-2000).....	1419
---	------

**Right-of-Way**

Euclid Avenue, 1111 — permit — shuttle bus shelter — Case Western Reserve University's Thwing Student Service Center. (O 1071-2000).....	1383
Fairview Hospital Parking Facility — right-of-way — construction of a walk, driveway and landscaping (O 729-2000) .....	1418
State Road, 4533 — corner of State Road and Cypress Avenue in Ward 16 — amend the Title and Section 1 of Ordinance No. 189-2000 (O 1025-2000) .....	<b>1437</b>

**Safety Department**

1999-2001 Bulletproof Vest Grant — grant — U.S. Department of Justice's Bulletproof Vest Partnership — Public Safety (O 929-2000) .....	1434
2000 - 2001 EMS-EMT Training Program — grant — Ohio Department of Public Safety (O 840-2000).....	1429
Aviation fuel and hangar space for aircraft — Division of Police (O 738-2000) .....	1419
Care and feeding of horses — Division of Police (O 737-2000) .....	1419
Citation forms — Division of Police (O 740-2000).....	1420
Defibrillators — monitors and battery support systems — purchase — Division of Emergency Medical Service (O 839-2000).....	1429
Department of Public Safety buildings — renovating — equipment, furniture, supplies and fixture (O 927-2000) .....	1380
Dictaphone equipment — maintenance contract — Division of Emergency Medical Service — Dictaphone Corporation (O 928-2000).....	1433
Diversity management training for field training officers and recruit — contract — Greater Cleveland Roundtable — Division of Police (O 1109-2000).....	1346
Domestic Preparedness Equipment Support Program — grant — U.S. Department of Justice — Public Safety (O 648-2000) .....	1415
Elevators at the Justice Center — 3rd District Police Station — Division of Police (O 834-2000).....	1428
Furniture and fixtures — purchase — Division of Police (O 838-2000).....	1428
Hepatitis B vaccine — purchase — Division of Police (O 647-2000).....	1415
Intentional abuse of the local 9-1-1 emergency system — new Section 605.07A (O 1783-97) .....	1398
Lease space at the National Aeronautics and Space Administration — hangar space for police aircraft — Public Safety (O 1110-2000) .....	1346
Maintain police aircraft — Division of Police (O 736-2000).....	1419
Officer Emil Cielec, Lieutenant Michael O'Malley, Lieutenant Edward Lentz and Detective Arssie Taylor — extend the retirement dates — Division of Police (O 735-2000).....	1419
Photo lab materials and supplies — Division of Police (O 741-2000).....	1420
Prisoner meals — Division of Police (O 739-2000) .....	1420
Public Safety fireboat — Condemning the Administration's failure to honor its commitment to fully staff (R 1087-2000) .....	1395
Requirement contract purchases — amend Ord. Nos. 2161-99; 2162-99; 2164-99; and 2165-99 — Traffic Engineering and Parking (O 1004-2000) .....	1383
Section 405-06 — amend Codified Ordinances — impounding and towing fees (O 650-99).....	1398
Sections 131.14 and 131.15 repeal Sections of Codified Ordinances — transfer of Division of Traffic Engineering to Department of Public Service; enact new Sections 131.14 and 131.15; amend Sections 131.12, 403.03 and 403.06 (O.1949-98) .....	1384
Sections 619.23, 619.24 and 619.25 — enact new Sections of Codified Ordinances — declaring vehicles and other property used in commission of drug or prostitution offenses to be a nuisance (O 164-2000-A) .....	1373
Sections 687.01 through 687.17 — enact new sections — Codified Ordinances — registration of bounty hunters (O 2187-96).....	1396
Transferring the Division of Correction — new Sections 135.57, 135.58, 135.59, 135.60, 135.61, 135.62, and 135.63 — amend Sections 135.01 and 141.02 — repeal existing Sections 141.06, 141.07, 141.071, 141.072, 141.08, 141.081 and 141.09 (O.1950-98).....	1384
Two police aircraft — purchase — Division of Police (O 1108-2000) .....	1346

**Salaries**

Compensation for various classifications — amend Sections 8, 25, 28, 32, and 43 of Ordinance No. 434-2000 (O 1070-2000).....	1383
---	------

**Service Department**

2001 Recycle Ohio! Program — grant — Ohio Department of Natural Resources — Public Service (O 923-2000) .....	1380
Branch Avenues S.W. — vacate a portion (O 1107-2000) .....	1346

Clean Air Challenge 2000 - permit - American Lung Association (O 1035-2000) .....	1438
Directional Signs in four (4) locations — permit — Cleveland Clinic Foundation (O 415-2000).....	1373
Dunham Tavern Museum — four (4) double sided banners — celebrate and identify their 175 years in existence — Public Service (O 926-2000) .....	1380
East 9th Street Mile - permit - Hermes Race Systems (O 1019-2000) .....	1436
East 110th Street — public improvement — Public Service (O 836-2000) .....	1377
East 185th Street Festival and Run — banners — Northeast Shores Development Corporation (O 1080-2000).....	1440
Edgehill and Murray Hill Roads — outdoor seasonal patio dining area with tables, chairs, railings and a wooden deck — permit — Public Service (O 922-2000) .....	1380
Euclid Avenue, 1111 — permit — shuttle bus shelter — Case Western Reserve University's Thwing Student Service Center. (O 1071-2000).....	1383
Fairview Hospital Parking Facility — right-of-way — construction of a walk, driveway and landscaping (O 729-2000) .....	1418
Gene Marco Co. LLC, dba Circo/Zibibbo Restaurant/Lounge - permit - outdoor seasonal caf% restaurant with a sidewalk barrier (O 727-2000) .....	1417
Great Clean Sweep — permit — Public Service — (Ward 3) (O 1082-2000).....	1440
Leaking underground storage tanks — emergency cleanup and replacement — Motor Vehicle Maintenance — Public Service (O 924-2000).....	1433
Million Family March — banners — Muhammad Mosque No. 18 (O 1026-2000).....	1437
Mueller Court N.W. — vacate a portion (O 522-2000).....	1408
Our Lady of Mt. Carmel Catholic Church West — banner — annual festival (O 1136-2000) .....	1365
Phase IV improvements to the Mill Creek Housing Development Project — Community Development, Public Service and Public Utilities (O 1117-2000).....	1354
Phases II and III the Harvard Avenue — cause payment — Cuyahoga County Commissioners (O 717-2000).....	1417
Postal Court S.W. (Ward 20) — vacate (O 1909-99).....	1371
Public improvement of repairing and constructing sidewalks, driveway aprons, curbing, curb strips, intersections, bridge approaches, utility box and casting adjustments and appurtenances — determine method — Public Service (O 593-2000).....	1413
Requirement contract purchases — amend Ord. Nos. 2161-99; 2162-99; 2164-99; and 2165-99 — Traffic Engineering and Parking (O 1004-2000) .....	1383
Reserve Court N.E. — pavement for ingress and egress, steel posts and security gates — permit — construction — American Cancer Society's Community Resource Center (O 921-2000) .....	1380
Riverbed Street — apartment building from the second story upward to minimum height of 12-feet, 8-inches above the pavement area — permit — Stonebridge Building and Design, Inc. (O 925-2000) .....	1380
Sagrada Familia Church — Church Festival — banners (O 1024-2000) .....	1437
Seasonal outdoor sidewalk cafe, fencing and other related equipment — West 6th Street — right-of-way — permit — Creative Culinary Enterprises, Inc. (O 1129-2000) .....	1363
Seasonal outdoor sidewalk cafe, fencing, and other associated equipment — Gene Hickerson's at the Hanna (restaurant) — permit (O 1127-2000) .....	1362
Seasonal sidewalk cafe, wooden planters, and metal railing enclosures — permit — right-of-way — 1400 and 1406 West 6th Street — Joseph Santusoosso (O 1130-2000) .....	1363
Section 131.03 — amend Codified Ordinances — rates for truck owner drivers — Service Department (O 2279-95).....	1396
Sections 131.14 and 131.15 repeal Sections of Codified Ordinances — transfer of Division of Traffic Engineering to Department of Public Service; enact new Sections 131.14 and 131.15; amend Sections 131.12, 403.03 and 403.06 (O.1949-98) .....	1384
Solid Waste Management Plan — Approving the final draft — Cuyahoga County Solid Waste Management District (O 713-2000) .....	1417
Springdale Avenue and West 188th Street — vacate a portion (O 521-2000) .....	1407
State Road from Brookpark Road to Pearl Road — rehabilitating — Public Service (O 730-2000) .....	1418
STAVSERV, Inc. — permit — outdoor seasonal sidewalk cafe, a fencing enclosure and associated equipment (O 712-2000).....	1416
Superior Avenue — financing of public improvements — Economic Development — Cleveland City School District — payments (O 867-2000).....	1378
West 110th Street — public improvement — Public Service (O 835-2000).....	1377
West 40th Place — rehabilitating — amend the title, Section 1 and Section 2 of Ordinance No. 962-99 (O 598-2000).....	1413
West 61st Street retaining wall — alterations and modifications in Contract No. 54089 — Markie Construction Company, I (O 2167-99) .....	1371
West 68th Street — intention to vacate — (Ward 18) (R 377-2000).....	1393
Western Reserve Historical Society — one banner — special event (O 1128-2000) .....	1363
Year XXVI Community Development Block Grant — various public improvements — Community Development, Public Service, Parks, Recreation and Properties, and Public Utilities (O 654-2000) .....	1375

**Sewers**

Buhrer Avenue sewer — rehabilitating — Public Utilities (O 998-2000) .....	1383
Fairville/West 190th Street area sewer — rehabilitating — Public Utilities (O 999-2000).....	1383
Sewerage service charges within Cleveland — amend Section 543.02 (O 1742-99) .....	1369
Westpark Road sewer — rehabilitating — Public Utilities (O 1000-2000).....	1383

**Signs**

Directional Signs in four (4) locations — permit — Cleveland Clinic Foundation (O 415-2000) .....	1373
---	------

**Slavic Village Association**

Harvard School Senior Apartments Project — pre-development costs — Slavic Village Development — Ward 12 Neighborhood Equity Funds (O 1083-2000).....1441  
 Waterman Place housing development project — agreement — Slavic Village Development — Ward 12 Neighborhood Equity Funds (O 1084-2000) .....1441

**Southeast Improvement Association**

Crime prevention security and code enforcement services — agreement — Southeast Improvement Association — Ward 2 Neighborhood Equity Funds (O 1085-2000) .....1441

**Statement of Work Acceptance**

Exterior Renovations of the Carl B. Stokes Public Utilities Building — Contract No. PI54720A — Public Utilities Department (F 1091-2000).....1343

**Street Vacation**

Branch Avenues S.W. — vacate a portion (O 1107-2000) .....1346  
 Mueller Court N.W. — vacate a portion (O 522-2000).....1408  
 Postal Court S.W. (Ward 20) — vacate (O 1909-99).....1371  
 Springdale Avenue and West 188th Street — vacate a portion (O 521-2000) .....1407  
 West 68th Street — intention to vacate — (Ward 18) (R 377-2000).....1393  
 West 76th Street — vacate a portion (O 519-2000) .....1406

**Tabled Legislation**

Living Wage — new Chapter 189 — Codified Ordinance (O 2009-99).....1357  
 Section 127.42of Codified Ordinances, relating to transfer of Bureau of Vital Statistics to the Division of Assessments and Licenses — Section 141.18 repeal (O 1940-98) ..... **1383-T**  
 Sections 131.14 and 131.15 repeal Sections of Codified Ordinances — transfer of Division of Traffic Engineering to Department of Public Service; enact new Sections 131.14 and 131.15; amend Sections 131.12, 403.03 and 403.06 (O.1949-98) .....1384  
 Transferring the Division of Correction — new Sections 135.57, 135.58, 135.59, 135.60, 135.61, 135.62, and 135.63 — amend Sections 135.01 and 141.02 — repeal existing Sections 141.06, 141.07, 141.071, 141.072, 141.08, 141.081 and 141.09 (O.1950-98).....1384

**Taxicabs**

Penalty for assault upon a taxicab driver — amend Section 621.03 (O 1139-2000).....1365

**Traffic Commissioner**

Sections 131.14 and 131.15 repeal Sections of Codified Ordinances — transfer of Division of Traffic Engineering to Department of Public Service; enact new Sections 131.14 and 131.15; amend Sections 131.12, 403.03 and 403.06 (O.1949-98) .....1384

**Traffic Engineering & Parking Division**

Requirement contract purchases — amend Ord. Nos. 2161-99; 2162-99; 2164-99; and 2165-99 — Traffic Engineering and Parking (O 1004-2000) .....1383  
 Sections 131.14 and 131.15 repeal Sections of Codified Ordinances — transfer of Division of Traffic Engineering to Department of Public Service; enact new Sections 131.14 and 131.15; amend Sections 131.12, 403.03 and 403.06 (O.1949-98) .....1384

**Tree Trimming**

Tree trimming — Cleveland Public Power (O 745-2000).....1421

**Trucks**

Section 131.03 — amend Codified Ordinances — rates for truck owner drivers — Service Department (O 2279-95).....1396

**Unions**

City, County, Waste Paper Drivers Union, Local 244. — collective bargaining agreement (O 422-2000),.....1373

**Utilities Department**

2000 and 2001 annual reports — design, layout, produce and distribute — Public Utilities (O 828-2000).....1427  
 Buhrer Avenue sewer — rehabilitating — Public Utilities (O 998-2000) .....1383  
 Decorative and special lighting — Cleveland Public Power (O 830-2000).....1427  
 East 140th Street — between Interstate 90 and Aspinwall Avenue — lease property — Cleveland Public Power service center (O 816-2000) .....1376  
 Fabricate ring and pinion gears — Division of Water (O 824-2000) .....**1426**

Fairville/West 190th Street area sewer — rehabilitating — Public Utilities (O 999-2000).....	1383
Hauling and disposal of water plant residuals — Division of Water (O 826-2000) .....	1426
Heavy equipment — rental of various pieces — Division of Water (O 829-2000) .....	1427
Homestead rates — additional eligibility — amend Section 535.051 (O 1411-99).....	1398
Idle wood, concrete and metal poles — remove — Cleveland Public Power (O 823-2000).....	1425
Immediately and actively investigate and prepare the City for the imminent deregulation of the electric utility industry — Urging the Mayor and the Administration (R 402-97) .....	1393
Mail inserter machine — Division of Water — Pitney Bowes (O 831-2000).....	1428
Miscellaneous building maintenance services — various divisions — Public Utilities (O 825-2000) .....	1426
Multi-server licenses — Division of Water — ORACLE Service Industries (O 832-2000) .....	1428
Outdoor residential lighting and energy efficient programs — Cleveland Public Power (O 822-2000) .....	1425
Paper products — Divisions of Water and Cleveland Public Power (O 827-2000) .....	1427
Phase II of the Erieside and West 3rd Street Area Pump Station Project — make alterations and modifications in Contract No. 53947 — Division of Water Pollution Control (O 1106-2000) .....	1345
Phase IV improvements to the Mill Creek Housing Development Project — Community Development, Public Service and Public Utilities (O 1117-2000).....	1354
Purchase of electric power and energy — amend Section 129.33 (O 906-2000).....	1433
Replace or repair concrete or asphalt areas — Cleveland Public Power (O 747-2000).....	1375
Sections 535.04, 535.05, 535.51, 535.06, 535.18 and 535.21 — enact new sections relating to rates, rules and regulations for water service — Division of Water (O 1743-99).....	1369
Sewerage service charges within Cleveland — amend Section 543.02 (O 1742-99) .....	1369
Streetlighting bases and pull boxes — Cleveland Public Power (O 746-2000).....	1421
Tree trimming — Cleveland Public Power (O 745-2000).....	1421
Two heating boilers at West 41st Street Station — Cleveland Public Power (O 821-2000) .....	1376
West 40th Place — rehabilitating — amend the title, Section 1 and Section 2 of Ordinance No. 962-99 (O 598-2000).....	1413
Westpark Road sewer — rehabilitating — Public Utilities (O 1000-2000).....	1383
Year XXVI Community Development Block Grant — various public improvements — Community Development, Public Service, Parks, Recreation and Properties, and Public Utilities (O 654-2000) .....	1375

#### Vehicles

Sections 619.23, 619.24 and 619.25 — enact new Sections of Codified Ordinances — declaring vehicles and other property used in commission of drug or prostitution offenses to be a nuisance (O 164-2000-A) .....	1373
--	------

#### Ward 01

African-American picnic — Murtis H. Taylor Multi-Service Center — Ward 1, 2, 3, 4, 5, 6, 9, 10, 11, 15, 18, 19 and 20. Neighborhood Equity Funds (O 1140-2000).....	1366
Computers to enable skills training — purchase — Job Readiness Training Program — Ward 1, 4, 5, 6, 8, 9, 14, 15, 17, 19, 20 Neighborhood Equity Funds (O 1076-2000) .....	1439
Holland, Walter Beck (R 1097-2000) .....	1343
Perry, F.E. Bishop (R 1096-2000) .....	1343
Summer internship program — Cuyahoga River Remedial Action Plan — Ward 1, 2, 5, 6, 12, 13, 15, 16, 19, 20 and 21. Neighborhood Equity Funds (O 1141-2000).....	1366

#### Ward 02

African-American picnic — Murtis H. Taylor Multi-Service Center — Ward 1, 2, 3, 4, 5, 6, 9, 10, 11, 15, 18, 19 and 20. Neighborhood Equity Funds (O 1140-2000).....	1366
Broadway Corridor Business Revitalization District — Establishing (O 554-2000).....	1408
Building site improvements and recreational equipment for football — Miles Avenue Family YMCA — Ward 2 Neighborhood Equity Funds (O 1143-2000).....	1366
Crime prevention security and code enforcement services — agreement — Southeast Improvement Association — Ward 2 Neighborhood Equity Funds (O 1085-2000) .....	1441
Miles Park Carnegie Library — renovation — Ward 2 Neighborhood Equity Funds (O 1144-2000).....	1367
Rite Aid Pharmacy — East 131st Street and Miles — Urging the Aid Pharmacies to keep — Ward 2 (R 1090-2000).....	1396
Summer internship program — Cuyahoga River Remedial Action Plan — Ward 1, 2, 5, 6, 12, 13, 15, 16, 19, 20 and 21. Neighborhood Equity Funds (O 1141-2000).....	1366
Tolliver, Callie (R 1101-2000).....	1343
Tufts, Alice (R 1092-2000).....	1343

#### Ward 03

African-American picnic — Murtis H. Taylor Multi-Service Center — Ward 1, 2, 3, 4, 5, 6, 9, 10, 11, 15, 18, 19 and 20. Neighborhood Equity Funds (O 1140-2000).....	1366
Great Clean Sweep — permit — Public Service — (Ward 3) (O 1082-2000).....	1440
Million Family March — banners — Muhammad Mosque No. 18 (O 1026-2000).....	1437

#### Ward 04

African-American picnic — Murtis H. Taylor Multi-Service Center — Ward 1, 2, 3, 4, 5, 6, 9, 10, 11, 15, 18, 19 and 20. Neighborhood Equity Funds (O 1140-2000).....	1366
Clean Sweep Vacant Lot Program — Amistad Development Corporation — Ward 4 Neighborhood Equity Funds (O 1134-2000).....	1364

Computers to enable skills training — purchase — Job Readiness Training Program — Ward 1, 4, 5, 6, 8, 9, 14, 15, 17, 19, 20 Neighborhood Equity Funds (O 1076-2000) .....	1439
Grand, Tennyson and Buckeye Roads — Land Reutilization Program — Allegheny West Conference of Seventh Day Adventist (O 1114-2000) .....	1351

**Ward 05**

African-American picnic — Murtis H. Taylor Multi-Service Center — Ward 1, 2, 3, 4, 5, 6, 9, 10, 11, 15, 18, 19 and 20. Neighborhood Equity Funds (O 1140-2000) .....	1366
Computers to enable skills training — purchase — Job Readiness Training Program — Ward 1, 4, 5, 6, 8, 9, 14, 15, 17, 19, 20 Neighborhood Equity Funds (O 1076-2000) .....	1439
East 61st and 63rd Streets — Land Reutilization Program — Burten, Bell, Carr Development Corporation (O 940-2000) .....	1382
East 63rd Street — Land Reutilization Program — Burton, Bell, Carr Development Corporation (O 600-2000) .....	1375
Summer internship program — Cuyahoga River Remedial Action Plan — Ward 1, 2, 5, 6, 12, 13, 15, 16, 19, 20 and 21. Neighborhood Equity Funds (O 1141-2000) .....	1366

**Ward 06**

African-American picnic — Murtis H. Taylor Multi-Service Center — Ward 1, 2, 3, 4, 5, 6, 9, 10, 11, 15, 18, 19 and 20. Neighborhood Equity Funds (O 1140-2000) .....	1366
Central Avenue — north side — Land Reutilization Program — Fairfax Renaissance Development Corporation (O 1111-2000) .....	1347
Comprehensive market study analysis of the Buckeye Corridor — Buckeye Area Development Corporation — Ward 6 Neighborhood Equity Funds (O 1121-2000) .....	1361
Computers to enable skills training — purchase — Job Readiness Training Program — Ward 1, 4, 5, 6, 8, 9, 14, 15, 17, 19, 20 Neighborhood Equity Funds (O 1076-2000) .....	1439
Directional Signs in four (4) locations — permit — Cleveland Clinic Foundation (O 415-2000) .....	1373
East 82nd Street — Land Reutilization Program — Fairfax Renaissance Development Corporation (O 1112-2000) .....	1349
East 97th Street, 2245 — demolition of a six unit multi-family building — Fairfax Renaissance Development Corporation — Ward 6 Neighborhood Equity Funds (O 1122-2000) .....	1361
Independent Inner City Youth Football Program — fully equip thirty-five (35) — Cleveland Comanche football program — Ward 16 Neighborhood Equity Funds (O 1123-2000) .....	1362
Installation of curbs and yard lamps along Hulda Avenue — Buckeye Area Development Corporation — Ward 6 Neighborhood Equity Funds (O 1125-2000) .....	1362
Million Family March — banners — Muhammad Mosque No. 18 (O 1026-2000) .....	1437
National youth sports program — Case Western Reserve University — Ward 6 Neighborhood Equity Funds (O 1015-2000) .....	1435
Summer internship program — Cuyahoga River Remedial Action Plan — Ward 1, 2, 5, 6, 12, 13, 15, 16, 19, 20 and 21. Neighborhood Equity Funds (O 1141-2000) .....	1366
Web based information system to assist first-time home buyers — creation — Ward 6 Neighborhood Equity Funds (O 1014-2000) .....	1435
Western Reserve Historical Society — one banner — special event (O 1128-2000) .....	1363
Woodhill Road, 2749 — security windows and heating and cooling system — East End Neighborhood House — Ward 6 Neighborhood Equity Funds (O 1124-2000) .....	1362

**Ward 07**

5510 Whittier Avenue (Ward 7) — Land Reutilization Program — The Eleanor B. Rainey Memorial Institute, Inc. (O 1971-99) .....	1398
East 55th Street, 1905 - withdrawing objection to the transfer of ownership and location of a C2 and C2X - (Ward 07) (R 1032-2000) .....	1394
Lexington Avenue, 6305, 6301 and 6215 — Land Reutilization Program — Johnny A. Barnes and Lucille E. Barnes. (O 371-2000) .....	1404
Meridian Avenue, 8720 — Land Reutilization Program — Curly Mae Jelks (O 1115-2000) .....	1353

**Ward 08**

Computers to enable skills training — purchase — Job Readiness Training Program — Ward 1, 4, 5, 6, 8, 9, 14, 15, 17, 19, 20 Neighborhood Equity Funds (O 1076-2000) .....	1439
St. Clair Avenue, N.E. southerly side — west side of East 93rd Street — change the Use District (O 601-2000) .....	1414
West Side Market and East Side Market — public improvement — Parks, Recreation and Properties Department (O 134-2000) .....	1372

**Ward 09**

Ashbury Avenue, 10509 - withdrawing objection to the renewal of a C1 and C2 Liquor Permit - (Ward 09) (R 1036-2000) .....	1395
African-American picnic — Murtis H. Taylor Multi-Service Center — Ward 1, 2, 3, 4, 5, 6, 9, 10, 11, 15, 18, 19 and 20. Neighborhood Equity Funds (O 1140-2000) .....	1366
Computers to enable skills training — purchase — Job Readiness Training Program — Ward 1, 4, 5, 6, 8, 9, 14, 15, 17, 19, 20 Neighborhood Equity Funds (O 1076-2000) .....	1439
Race for the Cure — permit — Hermes Race Systems (O 1028-2000) .....	1438

**Ward 10**

African-American picnic — Murtis H. Taylor Multi-Service Center — Ward 1, 2, 3, 4, 5, 6, 9, 10, 11, 15, 18, 19 and 20. Neighborhood Equity Funds (O 1140-2000) .....	1366
---	------

East 140th Street — between Interstate 90 and Aspinwall Avenue — lease property — Cleveland Public Power service center (O 816-2000) .....	1376
Gilliam, Jayson W. (R 1094-2000).....	1343
International conference and youth summit in China — The International Preparatory School — Ward 10 Neighborhood Equity Funds (O 1020-2000).....	<b>1436</b>
Thames Avenue, 14725 — Land Reutilization Program — Greater Bethel African Meth. Epis. Church. (O 368-2000).....	1403
Thames Playfield — expansion — transfer property — Community Development — Parks, Recreation and Properties (O 210-2000) .....	1401

**Ward 11**

African-American picnic — Murtis H. Taylor Multi-Service Center — Ward 1, 2, 3, 4, 5, 6, 9, 10, 11, 15, 18, 19 and 20. Neighborhood Equity Funds (O 1140-2000).....	1366
Bornfield, Jack Officer (R 1098-2000) .....	1343
East 185th Street Festival and Run — banners — Northeast Shores Development Corporation (O 1080-2000).....	1440
East 185th Street Festival Parade — permit — Northeast Shores Development Corporation — (Ward 11) (O 1079-2000) .....	1440
Lawn maintenance services on vacant properties — Northeast Shores Development Corporation — Ward 11 Neighborhood Equity Funds (O 1138-2000).....	1365
Promote the sale of certain townhouses — Northeast Shores Development Corporation — Ward 11 Neighborhood Equity Funds (O 1137-2000) .....	1365
Saranac Road, 15912 — Land Reutilization Program — Sheila Frey (O 373-2000).....	1404
Tekancic, Henry A. Lt. (R 1099-2000) .....	1343

**Ward 12**

Broadway Avenue, 7100 — ACH Properties, Inc. — acquisition of real property — Economic Development (O 762-2000).....	1423
Broadway Corridor Business Revitalization District — Establishing (O 554-2000).....	<b>1408</b>
Francis Avenue, 5901 first floor and basement — Withdrawing objection to the renewal — (Ward 12) (R 1089-2000).....	1396
Harvard School Senior Apartments Project — pre-development costs — Slavic Village Development — Ward 12 Neighborhood Equity Funds (O 1083-2000).....	1441
Summer internship program — Cuyahoga River Remedial Action Plan — Ward 1, 2, 5, 6, 12, 13, 15, 16, 19, 20 and 21. Neighborhood Equity Funds (O 1141-2000).....	1366
Warner Road, 4464 - withdrawing objection to the renewal of a C1 and C2 Liquor Permit - (Ward 12) (R 1030-2000).....	<b>1393</b>
Waterman Place housing development — contract with Slavic Village Development Corporation — amend Section 2 of Ordinance No. 1084-2000 (O 1142-2000).....	1366
Waterman Place housing development project — agreement — Slavic Village Development — Ward 12 Neighborhood Equity Funds (O 1084-2000) .....	1441

**Ward 13**

American Heart Walk — permit — American Heart Association — (Ward 13) (O 1075-2000) .....	1439
America's Walk for Diabetes — (WALKTOBERFEST) — permit — American Diabetes Association (O 1016-2000).....	<b>1435</b>
Branch Avenues S.W. — vacate a portion (O 1107-2000) .....	1346
Broadway Corridor Business Revitalization District — Establishing (O 554-2000).....	<b>1408</b>
Buhrer Avenue sewer — rehabilitating — Public Utilities (O 998-2000) .....	1383
Cleveland Brown Run — permit — Hermes Race System (O 1018-2000).....	<b>1436</b>
Cleveland Corporate Challenge — permit — YMCA and Hermes Race System (O 1017-2000) .....	<b>1435</b>
Community art programs — Broadway School of Music & the Arts — Ward 13 Neighborhood Equity Funds (O 1131-2000).....	1364
Dolloff Road, 5353 - withdrawing objection to the stock transfer of a D1, D2, D3 and D3A - (Ward 13) (R 1029-2000) .....	<b>1393</b>
Exercise equipment for Riverview Towers — chairs for the Lakeview Community Center — Cuyahoga Metropolitan Housing Authority (CMHA) — Ward 13 Neighborhood Equity Funds (O 1133-2000).....	1364
Marshall Drug Building historic — W. 9th Street and Lakeside Avenue — contract — Community Development (O 851-2000) .....	1431
Norwood Rd., 1113-1115 first floor and basement — Withdrawing objection to the transfer of ownership (R 1086-2000) .....	1395
Operating expenses — St. Clair Superior Neighborhood Development Association — Ward 13 Neighborhood Equity Funds (O 1132-2000) .....	1364
Race for Wishes — permit — Hermes Race Systems — (Ward 13) (O 1074-2000) .....	1439
Seasonal outdoor sidewalk cafe, fencing and other related equipment — West 6th Street — right-of-way — permit — Creative Culinary Enterprises, Inc. (O 1129-2000) .....	1363
Seasonal outdoor sidewalk cafe, fencing, and other associated equipment — Gene Hickerson's at the Hanna (restaurant) — permit (O 1127-2000) .....	1362
Seasonal sidewalk cafe, wooden planters, and metal railing enclosures — permit — right-of-way — 1400 and 1406 West 6th Street — Joseph Santusuosso (O 1130-2000) .....	1363
Siewiorek, Daniel P. Dr. (R 1095-2000).....	1343
STAVSERV, Inc. — permit — outdoor seasonal sidewalk cafe, a fencing enclosure and associated equipment (O 712-2000).....	<b>1416</b>

Summer internship program — Cuyahoga River Remedial Action Plan — Ward 1, 2, 5, 6, 12,  
 13, 15, 16, 19, 20 and 21. Neighborhood Equity Funds (O 1141-2000)..... 1366  
 Varian Avenue, 4425 — 2020-22 West 44th Street — Land Reutilization Program — Spanish  
 Reutilization Program — St. Clair Superior Neighborhood Development Association (O 1113-2000) ..... 1350

**Ward 14**

Computers to enable skills training — purchase — Job Readiness Training Program — Ward  
 1, 4, 5, 6, 8, 9, 14, 15, 17, 19, 20 Neighborhood Equity Funds (O 1076-2000) ..... **1439**  
 Lorain Avenue, 4425 — 2020-22 West 44th Street — Land Reutilization Program — Spanish  
 American Committee (O 599-2000) ..... 1413  
 West 40th Place — rehabilitating — amend the title, Section 1 and Section 2 of Ordinance  
 No. 962-99 (O 598-2000)..... 1413  
 West Side Market and East Side Market — public improvement — Parks, Recreation and  
 Properties Department (O 134-2000)..... 1372

**Ward 15**

African-American picnic — Murtis H. Taylor Multi-Service Center — Ward 1, 2, 3, 4, 5,  
 6, 9, 10, 11, 15, 18, 19 and 20. Neighborhood Equity Funds (O 1140-2000)..... 1366  
 Computers to enable skills training — purchase — Job Readiness Training Program — Ward  
 1, 4, 5, 6, 8, 9, 14, 15, 17, 19, 20 Neighborhood Equity Funds (O 1076-2000) ..... **1439**  
 Crime watch personnel and programs for business and residential groups — Old Brooklyn  
 Area — amend the Title and Section 1 of Ordinance No. 183-2000 — Ward  
 15 Neighborhood Equity Funds (O 1022-2000) ..... **1436**  
 Memphis Avenue — between West 57 Street and West 56 Street — change the Use and Area  
 Districts (O 528-2000)..... **1408**  
 Spaan, Barbara (R 1100-2000) ..... 1343  
 State Road from Brookpark Road to Pearl Road — rehabilitating — Public Service (O 730-2000) ..... 1418  
 Summer internship program — Cuyahoga River Remedial Action Plan — Ward 1, 2, 5, 6, 12,  
 13, 15, 16, 19, 20 and 21. Neighborhood Equity Funds (O 1141-2000)..... 1366

**Ward 16**

Crime watch personnel and programs for business and residential groups — Old Brooklyn  
 Area — amend the Title and Section 1 of Ordinance No. 187-2000 — Ward  
 16 Neighborhood Equity Funds (O 1023-2000) ..... **1437**  
 Crime watch personnel and programs for business and residential groups — amend Section  
 2 of Ordinance No. 187-2000 — Ward 16 Neighborhood Equity Funds (O 1078-2000)..... 1440  
 State Road from Brookpark Road to Pearl Road — rehabilitating — Public Service (O 730-2000) ..... 1418  
 State Road, 4533 — corner of State Road and Cypress Avenue in Ward 16 — amend the Title  
 and Section 1 of Ordinance No. 189-2000 (O 1025-2000) ..... **1437**  
 Summer internship program — Cuyahoga River Remedial Action Plan — Ward 1, 2, 5, 6, 12,  
 13, 15, 16, 19, 20 and 21. Neighborhood Equity Funds (O 1141-2000)..... 1366

**Ward 17**

Computers to enable skills training — purchase — Job Readiness Training Program — Ward  
 1, 4, 5, 6, 8, 9, 14, 15, 17, 19, 20 Neighborhood Equity Funds (O 1076-2000) ..... **1439**  
 Our Lady of Mt. Carmel Catholic Church West — banner — annual festival (O 1136-2000) ..... 1365  
 West 54th Street — Land Reutilization Program — Detroit Shoreway Community Development  
 Organization (O 1116-2000)..... 1354  
 West 58th Street — EcoVillage Townhouse Development — Detroit Shoreway Community  
 Development Organization — Ward 17 Neighborhood Equity Funds (O 1135-2000) ..... 1365  
 West 76th Street — vacate a portion (O 519-2000) ..... 1406

**Ward 18**

African-American picnic — Murtis H. Taylor Multi-Service Center — Ward 1, 2, 3, 4, 5,  
 6, 9, 10, 11, 15, 18, 19 and 20. Neighborhood Equity Funds (O 1140-2000)..... 1366  
 Clifton Road/West Boulevard Historic Landmark District Extension — Establishing (O 1118-2000)..... 1354  
 Kokoskie, Donald (R 1093-2000) ..... 1343  
 Madison Avenue, 10615 — Enterprise Zone Agreement — Midland Steel Products Holding  
 Company (O 765-2000) ..... 1423  
 Madison Avenue, 10615 — acquisition of machinery and equipment — property improvements  
 — Midland Steel Products Holding Company — contract — Economic Development (O 766-2000) ..... 1424  
 Mueller Court N.W. — vacate a portion (O 522-2000)..... 1408  
 West 68th Street — intention to vacate — (Ward 18) (R 377-2000)..... 1393

**Ward 19**

African-American picnic — Murtis H. Taylor Multi-Service Center — Ward 1, 2, 3, 4, 5,  
 6, 9, 10, 11, 15, 18, 19 and 20. Neighborhood Equity Funds (O 1140-2000)..... 1366  
 Clifton Road/West Boulevard Historic Landmark District Extension — Establishing (O 1118-2000)..... 1354  
 Computers to enable skills training — purchase — Job Readiness Training Program — Ward  
 1, 4, 5, 6, 8, 9, 14, 15, 17, 19, 20 Neighborhood Equity Funds (O 1076-2000) ..... **1439**  
 Summer internship program — Cuyahoga River Remedial Action Plan — Ward 1, 2, 5, 6, 12,  
 13, 15, 16, 19, 20 and 21. Neighborhood Equity Funds (O 1141-2000)..... 1366

**Ward 20**

African-American picnic — Murtis H. Taylor Multi-Service Center — Ward 1, 2, 3, 4, 5, 6, 9, 10, 11, 15, 18, 19 and 20. Neighborhood Equity Funds (O 1140-2000) .....	1366
Computers to enable skills training — purchase — Job Readiness Training Program — Ward 1, 4, 5, 6, 8, 9, 14, 15, 17, 19, 20 Neighborhood Equity Funds (O 1076-2000) .....	<b>1439</b>
Grayton Road, S.W. south of I-480 — change the Use District (O 178-2000) .....	<b>1400</b>
Playground at R.G. Jones School — amend Section 2 of Ordinance No. 611-2000 — Ward 20 Neighborhood Equity Funds (O 1081-2000) .....	1440
Postal Court S.W. (Ward 20) — vacate (O 1909-99).....	1371
Springdale Avenue and West 188th Street — vacate a portion (O 521-2000) .....	1407
Summer internship program — Cuyahoga River Remedial Action Plan — Ward 1, 2, 5, 6, 12, 13, 15, 16, 19, 20 and 21. Neighborhood Equity Funds (O 1141-2000).....	1366

**Ward 21**

Lorain Avenue, 16800 - objecting to the renewal of a D1, D2, D3 and D3A - (Ward 21) (R 1088-2000) .....	1395
.Beautify a vacant lot that is currently a public nuisance — Kamm's Corners Development Corporation — Ward 21 Neighborhood Equity Funds. (O.1077-2000) 1439	
Fairview Hospital Parking Facility — right-of-way — construction of a walk, driveway and landscaping (O 729-2000) .....	1418
Fairville/West 190th Street area sewer — rehabilitating — Public Utilities (O 999-2000).....	1383
Holiday lighting — purchase and installation — Kamm's Corners Development Corporation — Ward 21 Neighborhood Equity Funds (O 1021-2000).....	<b>1436</b>
Summer internship program — Cuyahoga River Remedial Action Plan — Ward 1, 2, 5, 6, 12, 13, 15, 16, 19, 20 and 21. Neighborhood Equity Funds (O 1141-2000).....	1366
Westpark Road sewer — rehabilitating — Public Utilities (O 1000-2000).....	1383

**Water Division**

Fabricate ring and pinion gears — Division of Water (O 824-2000) .....	<b>1426</b>
Hauling and disposal of water plant residuals — Division of Water (O 826-2000) .....	1426
Heavy equipment — rental of various pieces — Division of Water (O 829-2000) .....	1427
Mail inserter machine — Division of Water — Pitney Bowes (O 831-2000).....	1428
Multi-server licenses — Division of Water — ORACLE Service Industries (O 832-2000).....	1428
Paper products — Divisions of Water and Cleveland Public Power (O 827-2000) .....	1427
Sections 535.04, 535.05, 535.51, 535.06, 535.18 and 535.21 — enact new sections relating to rates, rules and regulations for water service — Division of Water (O 1743-99).....	1369

**Water Pollution Control Division**

Phase II of the Erieside and West 3rd Street Area Pump Station Project — make alterations and modifications in Contract No. 53947 — Division of Water Pollution Control (O 1106-2000).....	1345
--	------

**West Side Market**

Establish an equalized rent structure for all interior tenants — West Side Market — Parks, Recreation and Properties (O 1126-2000) .....	1362
West Side Market and East Side Market — public improvement — Parks, Recreation and Properties Department (O 134-2000).....	1372

**Western Reserve Area Agency on Aging**

2000 West Reserve Area Agency on Aging Program — grant — Western Reserve Area Agency on Aging (O 848-2000).....	1431
--	------

**Zoning**

Grayton Road, S.W. south of I-480 — change the Use District (O 178-2000) .....	<b>1400</b>
Memphis Avenue — between West 57 Street and West 56 Street — change the Use and Area Districts (O 528-2000).....	<b>1408</b>
St. Clair Avenue, N.E. southerly side — west side of East 93rd Street — change the Use District (O 601-2000).....	<b>1414</b>