

# The City Record

Official Publication of the City of Cleveland

April the Nineteenth, 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

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# DIRECTORY OF CITY OFFICIALS

## CITY COUNCIL—LEGISLATIVE

President of Council—Michael D. Polensek

Ward	Name	Residence	
1	Joseph T. Jones	15601 Lotus Drive	44128
2	Robert J. White	3760 East 126th Street	44105
3	Odelia V. Robinson	3448 East 123rd Street	44120
4	Kenneth L. Johnson	2948 Hampton Road	44120
5	Frank G. Jackson	2327 East 38th Street	44115
6	Patricia J. Britt	12402 Britton Drive	44120
7	Fannie M. Lewis	7416 Star Avenue	44103
8	William W. Patmon	867 East Boulevard	44108
9	Craig E. Willis	11906 Beulah Avenue	44106
10	Roosevelt Coats	1775 Cliffview Road	44112
11	Michael D. Polensek	17855 Brian Avenue	44119
12	Edward W. Rybka	6832 Indiana Avenue	44105
13	Joe Cimperman	3053 West 12th Street	44113
14	Nelson Cintron, Jr.	3032 Vega Avenue	44113
15	Merle R. Gordon	1700 Denison Avenue	44109
16	Michael C. O'Malley	6710 Brookside Drive	44144
17	Timothy J. Melena	6110 West Clinton Avenue	44102
18	Jay Westbrook	10513 Clifton Boulevard	44102
19	Dona Brady	1272 West Boulevard	44102
20	Martin J. Sweeney	3632 West 133rd Street	44111
21	Michael A. Dolan	16519 West Park Road	44111

Clerk of Council – Ruby F. Moss, 216 City Hall, 664-2840.  
First Assistant Clerk – Sandra Franklin.

**MAYOR – Michael R. White**  
Judith Zimomra, Chief of Staff  
Diane Downing, Senior Executive Assistant for Health and Human Services  
Barry Withers, Executive Assistant for Administration  
Kenneth Silliman, Executive Assistant for Development  
Reuben Sheperd, Executive Assistant for Services  
Nina Turner, Executive Assistant for Legislative Affairs  
Sharon Sobol Jordan, Interim 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 Brooks, Director, Room 104;**  
Frank Badalamenti, Manager, Internal Audit  
**DIVISIONS – Accounts – Gayle Goodwin Smith, Commissioner, Room 19**  
City Treasury – Algeron Walker, Treasurer, Room 115  
**Assessments and Licenses – Robert J. Schneider, Commissioner, Room 122**  
Purchases and Supplies – Myrana Branche, Commissioner, Room 128  
Printing and Reproduction – James D. Smith, Commissioner, 1735 Lakeside Avenue  
Taxation – Nassim Lynch, Tax Administrator, 1701 Lakeside Avenue  
Financial Reporting and Control – Robert Dolan, Controller, Room 18  
Information Systems Services – Joyce Thomas, Acting Commissioner, 1404 E. 9th St.

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

**DEPT. OF PORT CONTROL – 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 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 – Susan E. Axelrod, Director, Room 122**

**COMMUNITY RELATIONS BOARD – Room 11, Dennis D. Dove, Director; Mayor Michael R. White, Chairman Ex-Officio; Mary Adele Springman, Vice-Chairman; Council President Michael D. Polensek, Councilman Edward W. Rybka, 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 Martin L. Carmody, Jr., 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 Martin L. Carmody, Jr.; 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
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, APRIL 19, 2000

No. 4506

## CITY COUNCIL

MONDAY, APRIL 17, 2000

The City Record  
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City of Cleveland  
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**RUBY F. MOSS**  
Clerk of Council  
216 City Hall

### PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 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, April 17, 2000.

The meeting of the Council was called to order, The President, Michael D. Polensek, in the Chair.  
Councilmen present: Brady, Cimperman, Cintron, Coats, Dolan, Jackson, Johnson, Jones, Lewis, Melena, O'Malley, Patmon, Polensek, Robinson, Rybka, Sweeney, Westbrook, White and Willis.

Also present were Mayor White and Directors Brooks, Konicek, Ricchiuto, Whitlow, Jackson, Hudecek, Warren, Patterson, Alexander, Dove and Acting Directors Carr, Langhenry, Balraj, Palinkas and Brown.  
Absent: Directors Carter, Sheffield-McClain, Guzman and Morrison.

Pursuant to Ordinance No. 2976-76 the Council Meeting was opened with a prayer offered by Dr. Rosa Clements of Werner United Methodist Church, located at 2542 Martin Luther King, Jr. Drive in Ward 6. Pledge of Allegiance.

#### MOTION

On the motion of Councilman White, the Clerk was instructed to correct the journal of the March 20, 2000, meeting of the Council (City Record Volume 87 at page 560) to reflect that Councilman Johnson was excused from the meeting. Seconded by Councilman Dolan. On the motion of Councilman White, the reading of the minutes of the last meeting was dispensed with and the journal approved. Seconded by Councilman Dolan.

#### COMMUNICATION

**File No. 567-2000.**  
Affidavit relating to pay telephones from Councilman Dona Brady (Ward 19). Received.

#### FROM DEPARTMENT OF LIQUOR CONTROL

**File No. 568-2000.**  
Re: Transfer of Ownership and Location Application - 3834839 - Hilarities Comedy Club LTD, d.b.a. Hilarities, 2031-2039 East Fourth Street. (Ward 13). Received.

**File No. 569-2000.**  
Re: Transfer of Ownership and Location Application - 03397640010 - Awad Food Mart, Inc., d.b.a. Dairy Mart #4453, 5346 Dolloff Road. (Ward 13). Received.

**File No. 570-2000.**  
Re: Transfer of Ownership Application - 6700191 - Park CFM, Inc., d.b.a. Convenient Food Mart, 15428 Lake Shore Blvd. (Ward 11). Received.

#### PLATS

**File No. 571-2000.**  
Dedication for Fernshaw & Riveredge Avenue cul-de-sacs/Fairview General Hospital. (Ward 21). Received.

#### COMMUNICATIONS

**File No. 572-2000.**

April 11, 2000

The Honorable Michael D. Polensek  
Cleveland City Council  
601 Lakeside Avenue  
Cleveland, Ohio 44114

Dear Council President Polensek:

I am pleased to recommend Reverend Bruce Goode for reappointment to the Community Relations Board. This term will commence immediately upon the approval of Council and will expire on March 31, 2004.

I believe his background, experience and dedication to our city will enable him to be an effective Board member.

Thank you for your consideration.

Sincerely,  
MICHAEL R. WHITE  
Mayor

Received. Referred to Committee on Mayor's Appointments.

**File No. 573-2000.**

April 11, 2000

The Honorable Michael D. Polensek  
Cleveland City Council  
601 Lakeside Avenue  
Cleveland, Ohio 44114

Dear Council President Polensek:

I am pleased to recommend Ms. Evangeline Hardaway for reappointment to the Community Relations Board. This term will commence immediately upon the approval of Council and will expire on March 31, 2004.

I believe her background, experience and dedication to our city will enable her to be an effective Board member.

Thank you for your consideration.

Sincerely,  
MICHAEL R. WHITE  
Mayor

Received. Referred to Committee on Mayor's Appointments.

**File No. 574-2000.**

April 11, 2000

The Honorable Michael D. Polensek  
Cleveland City Council  
601 Lakeside Avenue  
Cleveland, Ohio 44114

Dear Council President Polensek:

I am pleased to recommend Mr. Emmett Saunders for reappointment to the Community Relations Board. This term will commence immediately upon the approval of Council and will expire on March 31, 2004.

I believe his background, experience and dedication to our city will enable him to be an effective Board member.

Thank you for your consideration.

Sincerely,  
MICHAEL R. WHITE  
Mayor

Received. Referred to Committee on Mayor's Appointments.

**CONDOLENCE RESOLUTIONS**

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

- Res. No. 575-2000**—Marcia Danette Walker Robinson.
- Res. No. 576-2000**—Jesse Harvey.
- Res. No. 577-2000**—Charles Arthur Jackson.
- Res. No. 578-2000**—Charles D. Ross.
- Res. No. 579-2000**—George Pierse.

**CONGRATULATION RESOLUTIONS**

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

- Res. No. 580-2000**—Sardis Missionary Baptist Church.
- Res. No. 581-2000**—Annie Bell Jackson.
- Res. No. 582-2000**—Florine Lockhart.
- Res. No. 583-2000**—Bishop David Blount.
- Res. No. 584-2000**—Detective Von Crossland.

**RECOGNITION RESOLUTIONS**

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

- Res. No. 585-2000**—Applewood Centers, Inc.
- Res. No. 586-2000**—Kevin G. Gunn.
- Res. No. 587-2000**—Rev. Kennedy Godbold.

**FIRST READING EMERGENCY ORDINANCES REFERRED**

**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 Fund Nos. 60 SF 001, 60 SF 105, 60 SF 106, and from any funds or sub-funds to which any federal grants or federal PFC authorization for the above improvement and the proceeds from the sale of any airport revenue bonds issued, including the sale of 1997 GARBS, issued for a purpose which includes the within agreement are credited, 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.

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

**Ord. No. 589-2000.**

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

**An emergency ordinance authorizing the purchase by contract of one uninterrupted power supply unit and associated appurtenances necessary to protect Sun computer equipment, for the Division of Taxation, Department of Finance.**

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 contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: one (1) uninterrupted power supply unit and associated appurtenances necessary to protect Sun computer equipment, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Taxation, Department of Finance.

**Section 2.** That the cost of said contract hereby authorized shall be paid from Fund No. 81 SF 001, Request No. 15384.

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

Referred to Directors of Finance, Law; Committee on Finance.

**Ord. No. 590-2000.**

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

**An emergency ordinance authorizing the Director of Public Utilities to employ one or more computer programmers to provide professional services relating to the water billing system and to perform other services relating 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 the Director of Public Utilities is hereby authorized to employ by contract one or more computer programmers or one or more firms of computer programmers 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 provide professional services relating to the water billing system and to perform other services relating thereto. 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 No. 52 SF 001, Request No. 18754.

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

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

**Ord. No. 591-2000.**

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

**An emergency ordinance authorizing the purchase by contract of not to exceed four bronze impellers, one pattern, not to exceed eight impeller rings and not to exceed eight case rings, for the Division of Water, Department of Public Utilities.**

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

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

**Section 1.** That the Director of Public Utilities is hereby authorized to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: not to exceed four bronze impellers, one pattern, not to exceed eight impeller rings and not to exceed eight case rings, 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 the cost of said contract hereby authorized shall be paid from Fund No. 52 SF 001, Request No. 18756.

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

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

**Ord. No. 592-2000.**  
By Councilman Cimperman (by request).

**An emergency ordinance authorizing the Director of Public Service to issue a permit to Tower City Riverview, Inc. to encroach into the right-of-way of Central Avenue for ingress and egress access to a parking lot at this site.**

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 Tower City Riverview, Inc., (a subsidiary of Forest City Enterprises,) Terminal Tower, 50 Public Square, Suite 1250, Cleveland, Ohio 44113-2204, its successors and assigns, for the construction, use and maintenance of the proposed expansion and ingress and egress access to a parking lot at said site, Tower City Riverview, Inc., which abuts and will encroach into the public right-of-way of Central Avenue east of West 3rd Street and west of the Baltimore and Ohio Railroad tracks at the following locations described herein:

**LEGAL DESCRIPTION/  
TOWER CITY RIVERVIEW, INC./  
CENTRAL AVENUE**

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

All that portion of Central Avenue S.W. (66.00 feet wide) extending easterly from the most easterly line of the West 3rd Street Ramp (so called), to the westerly line of the Baltimore and Ohio Railroad tracks right-of-way.

**Section 2.** That said parking lot ingress and egress access will be placed within the public right-of-way as aforesaid in Section 1, and will be constructed in accordance

with plans and specification approved by the Commissioner of Engineering and Construction. That all other required permits, including a Building Permit, shall be obtained before said parking lot access is constructed.

**Section 3.** That the permit herein authorized shall be prepared by 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.

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

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

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

**Ord. No. 594-2000.**  
By Councilmen Sweeney, Cintron and Patmon (by departmental request).

**An emergency ordinance to amend Section 7 of Ordinance No. 1786-97, passed September 22, 1997, as amended by Ordinance No. 506-99, passed June 14, 1999, relating to the rehabilitation of Grayton Road access and spine road leading to Cleveland Business Park Phase II.**

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 7 of Ordinance No. 1786-97, passed September 22, 1997, as amended by Ordinance No. 506-99, passed June 14, 1999, is hereby amended to read as follows:

**Section 7.** That the costs of the improvement, services and property acquisition herein contemplated shall be paid from Fund Nos. 20 SF 302, 20 SF 312, 20 SF 322, 20 SF 334, 20 SF 342, **20 SF 364**, 52 SF 223 and 52 SF 225, Request No. 21959.

**Section 2.** That existing Section 7 of Ordinance No. 1786-97, passed September 22, 1997, as amended by Ordinance No. 506-99, passed June 14, 1999, is hereby repealed.

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

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

**Ord. No. 595-2000.**  
By Councilmen Lewis, White, Coats and Patmon (by departmental request).

**An emergency ordinance to amend Sections 125.01 and 173.23 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended, respectively, by Ordinance No. 2372-93, passed March 14, 1994, and Ordinance No. 1660-64, passed September 28, 1964, relating to the Law Director's powers and duties and the prosecuting attorney and staff from Cuyahoga County.**

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

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

**Section 1.** That Sections 125.01 and 173.23 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended, respectively, by Ordinance No. 2372-

93, passed March 14, 1994, and Ordinance No. 1660-64, passed September 28, 1964, are hereby amended to read as follows:

**Section 125.01 Director's Powers and Duties**

(a) The work of the Department of Law shall be distributed between a civil branch and a criminal branch. The Director of Law shall supervise and control the Department. He may appoint such number of assistant directors of law as he deems necessary for the proper conduct of the work of the civil branch, **three** of whom he may designate as Chief Counsel, **Chief Trial Counsel and Chief Corporate Counsel**, and not to exceed eight of whom he may designate as Chief Assistant Director of Law.

(b) The Director shall be the Prosecuting Attorney of the Municipal Court, pursuant to the provisions of Charter Section 84. He may also designate not more than **twenty** assistant prosecutors. Two of such assistant prosecutors shall be known, respectively, as Chief Assistant Prosecutor and First Assistant Prosecutor.

(c) The Director is hereby authorized to employ such number of clerks, stenographers and persons in other classifications as he may deem necessary.

**Section 173.23 Prosecuting Attorney and Staff from Cuyahoga County**

Pursuant to **Section 1901.34 of the Revised Code**, the Director of Law as the Prosecuting Attorney of the Municipal Court, and the Chief Assistant Prosecutor, the First Assistant and each Assistant Prosecutor of the Court may accept compensation from the Treasury of Cuyahoga County in an amount **fixed by the Board of County Commissioners**.

**Section 2.** That existing Sections 125.01 and 173.23 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended, respectively, by Ordinance No. 2372-93, passed March 14, 1994, and Ordinance No. 1660-64, passed September 28, 1964, 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.

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

**Ord. No. 596-2000.**

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

**An emergency ordinance authorizing the Directors of Parks, Recreation and Properties and Finance to enter into contract with the Cleveland Board of Education to conduct recreational, cultural and extracurricular programs for the benefit of school children during the 2000-2001 school year.**

Whereas, pursuant to Ordinance No. 1025-A-95, passed June 28, 1995, tax revenues from levying the parking facility tax and increases in the

motor vehicle lessor tax and the admissions tax can be used to fund recreational, cultural and extracurricular programs within the Cleveland School system; and

Whereas, the Joint Board established by Ordinance No. 1025-A-95 has recommended that a portion of the tax proceeds be used to fund a number of recreational, cultural and extracurricular programs for City school children during the 2000-2001 school year, including dance, drama, instrumental, vocal, cheerleading, aquatic, sports and academic enrichment programs; 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 Directors of Parks, Recreation and Properties and Finance are hereby authorized to enter into contract with the Board of Education of the Cleveland City School District to conduct various recreational, cultural and extracurricular programs for the benefit of City school children, in accordance with the program description contained in File No. 596-2000-A, for an amount not to exceed \$2,000,000, payable from the fund or funds to which are credited the proceeds of the taxes levied pursuant to Ordinance No. 1025-A-95, passed June 28, 1995, under such terms and conditions as are acceptable 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.

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

**Ord. No. 597-2000.**

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

**An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Section 127.49 thereof, relating to Cleveland City School District agreements for recreational, cultural and extracurricular 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 Codified Ordinances of Cleveland, Ohio, 1976, are hereby supplemented by enacting new Section 127.49 thereof, to read as follows:

**Section 127.49 Cleveland City School District Agreements for Recreational, Cultural and Extracurricular Programs**

That the Directors of Parks, Recreation and Properties and Finance are hereby authorized to enter into contract with the Board of Education of the Cleveland City School District to conduct various recreational, cultural and extracurricular programs for the benefit of City school children during each

school year. Each annual agreement shall not exceed \$2,000,000 and shall be paid using tax revenues received from levying the parking facility tax and from increases in the motor vehicle lessor tax and the admission tax pursuant to Ordinance No. 1025-A-95, passed June 28, 1995.

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

**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.

Referred to Directors of Community Development, Public Utilities, Public Service, Finance, Law; Committees on Community and Economic Development, Public Utilities, Public Service, Finance.

**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 Southwesterly 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.

**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. 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.**

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 Ordina-

nances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No.(s) 118-29-021 and 118-29-029, as more fully described in Section 2 below, to Burton, Bell, Carr 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. 118-29-021

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 108 of the W.S. and M.W. Chamberlain's Subdivision of a part of Original One Hundred Acre Lots Nos. 334 and 335, as shown by the recorded plat of said Subdivision in Volume 3 of Maps, Page 28 of Cuyahoga County Records, be the same legal highways.

Subject to Zoning Ordinances, if any.

P. P. No. 118-29-029

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 116 in William S. and Mary W. Chamberlain's Subdivision 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. Said Sublot No. 116 has a frontage of 40 feet on the Westerly side of East 63rd Street (formerly Richland Avenue) and extends back between parallel lines, 160 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.

**FIRST READING  
ORDINANCE REFERRED**

**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.

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

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

**Ord. No. 602-2000.**

**By Councilman Cimperman.**

**An emergency ordinance consenting and approving the issuance of a permit for the American Lung Associations Multi-Event Affair (12.5 mile, 25 mile and 50 mile bike ride and a 5K run or walk) on 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 Ordinance, of Cleveland, Ohio 1976, this Council consents to and approves the holding of the American Lung Associations Multi-Event Affair (12.5 mile, 25 mile and 50 mile bike ride and a 5K run or walk, on Sunday, June 18, 2000, with the Clean Air Challenge Run starting on Driveway in front of airport lobby and Horn Blowers Restaurant, (Spot — at crosswalk sign by Horn Blowers, in line with black light pole), Note — runners will run with the direction of road traffic on most the course), 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 at 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 W. 3rd St., turn right/west on to West Lakeside Ave. to West 9th St., turn right/north on to West 9th St. to Front St., turn left/west on to Front St. to West 10th St. to West 10th St./West St. Clair "Hill", (Note — West 10th Street 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 "Hill" on to West St. Clair, stay on St. Clair going east to West 3rd St., turn left/north on to West 3rd St. to stop sign at S.W. corner of Browns Stadium, turn right/east at stop sign on to North Coast Stadium Drive to Erieside, stay on Erieside heading east on to North Marginal Dr., stay on North Marginal to first (west entrance/exit) driveway of Burke Lakefront Airport, turn left on to driveway to finish line, Finish on Driveway near airport lobby and Horn Blowers, 22 feet behind/east of start spot (Start line), this includes a short course prevention factor of 15 ft., (3.1 - 7ft. behind start line), Mile 1 — on Erieside/West 3rd St. in line and across from Fire Hydrant at West Third Street RTA Station, Mile 2 — at St. Clair & West 6th St. intersection, in middle of east painted crosswalk, Mile 3 — on North Marginal in line with west corner of U.S.S. Cod driveway entrance, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

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

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

**Ord. No. 603-2000.**

**By Councilman Cintron.**

**An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to Blessed Sacrament Church to stretch banners across Fulton Road for the period from May 18, 2000 to June 14, 2000, inclusive, publicizing their Summer Carnival.**

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 Blessed Sacrament Church to install, maintain and remove banners on Fulton Road at the second pole south of Storer Avenue (E pole type steel), for the period from May 18, 2000 to June 14, 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 on 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 19. Nays 0. Read second time. Read third time in full. Passed. Yeas 19. Nays 0.

**Ord. No. 604-2000.**

**By Councilman Cintron.**

**An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to St. Ignatius Committee to stretch banners across Lorain Avenue between W. 29th and W. 30th St., for a period from April 19, 2000 to May 19, 2000, inclusive, publicizing the 3rd Annual Ohio City Career Fair.**

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 St. Ignatius Committee to install, maintain and remove banners across Lorain Avenue between W. 29th and W. 30th St., for a period from April 19, 2000 to May 19, 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.

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

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

**Ord. No. 605-2000.**

**By Councilman Gordon.**

**An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Old Brooklyn Community Development Corporation for the development of a Ward 15 Comprehensive Urban Development Plan through the use of 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 Director of Community Development is authorized to enter into an agreement with Old Brooklyn Community Development Corporation for the development of a Ward 15 Comprehensive Urban Development Plan.

**Section 2.** That the costs 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 19. Nays 0. Read second time. Read third time in full. Passed. Yeas 19. Nays 0.

**Ord. No. 606-2000.**

**By Councilman Johnson.**

**An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Buckeye Area Development Corporation for assistance with the construction and sale of several market rate, scattered site housing development homes 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 Buckeye Area Development Corporation for assistance with the construction and sale of several market rate, scattered site housing development homes.

**Section 2.** That the costs 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 19. Nays 0. Read second time. Read third time in full. Passed. Yeas 19. Nays 0.

**Ord. No. 607-2000.**

**By Councilman Patmon.**

**An emergency ordinance appropriating funds to the Neighborhood Equity Fund for various neighborhood public improvements and purposes; and renaming the Workers' Compensation Neighborhood Capital Fund.**

Whereas, pursuant to Ordinance No. 1999-A-98, the Council of the City of Cleveland established the Workers' Compensation Neighborhood Capital Fund, Fund No. 10 SF 166, for the betterment of the neighborhoods of the City of Cleveland in accordance with the purposes enumerated in the ordinance; and

Whereas, pursuant to Ordinance No. 147-2000, passed by the Council of the City of Cleveland on March 31, 2000, Council allocated \$10,500,000.00 to be used for the Neighborhood Equity Fund to finance projects that benefit the neighborhoods and residents of the City of Cleveland, and

Whereas, the Council of the City of Cleveland desires to appropriate the funds earmarked for the Neighborhood Equity Fund to Fund No. 10 SF 166 and to change the name of that fund to the "Neighborhood Equity Fund;" 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 Council of the City of Cleveland hereby changes the name of the Workers' Compensation Neighborhood Capital Fund to the Neighborhood Equity Fund, Fund No. 10 SF 166.

**Section 2.** That the sum of Ten Million Five Hundred Thousand Dollars (\$10,500,000.00) is hereby appropriated from the General Fund as set forth in the year 2000 appropriation ordinance, and shall be placed in Fund No. 10 SF 166 in addition to the funds currently existing in that fund; the moneys in such fund shall be used for the purposes enumerated in Ordinance No. 1999-A-98; and shall be placed in equal amounts in twenty-one (21) departmental assignments, one to correspond to each ward. Any expenditure that is to be made from this fund shall require written authorization from the member of Council in whose ward the project is located.

**Section 3.** That the moneys in Fund No. 10 SF 166 shall be invested prudently by the Director of Finance, with the interest generated by the fund, or an amount equivalent to the interest generated, to be allocated annually to Fund No. 10 SF 166 by the Director of Finance.

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

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

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

**Ord. No. 608-2000.**

**By Councilman Polensek.**

**An emergency ordinance authorizing the Clerk of Council to extend the term of the contract with Legal News Publishing Company for a period not to exceed four months.**

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

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

**Section 1.** That the Clerk of Council is hereby authorized to extend the term of the current contract with Legal News Publishing Company for a period not to exceed four months; provided, however, that all other terms thereof shall remain the same.

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

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

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

**Ord. No. 609-2000.****By Councilman Polensek.**

**An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Northeast Shores Development Corp for a second mortgage program in conjunction with the Water's Edge Development project 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 Corp for a second mortgage program in conjunction with the Water's Edge Development project.

**Section 2.** That the costs of said contract shall be in an amount not to exceed \$25,000 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 19. Nays 0. Read second time. Read third time in full. Passed. Yeas 19. Nays 0.

**Ord. No. 610-2000.****By Councilman Sweeney.**

**An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Bellaire-Puritas Development Corporation for their Creek Improvement Program designed to address critical elements that impact proper functioning of the creek 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 the Director of Community Development is authorized to enter into an agreement with Bellaire-Puritas Development Corporation for their Creek Improvement Program designed to address critical elements that impact proper functioning of the creek.

**Section 2.** That the costs 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 19. Nays 0. Read second time. Read third time in full. Passed. Yeas 19. Nays 0.

**Ord. No. 611-2000.****By Councilman Sweeney.**

**An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Parkworks, Inc. for 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 the Director of Community Development is authorized to enter into an agreement with Parkworks, Inc. for the design and construction of a playground at R.G. Jones School.

**Section 2.** That the costs of said contract shall be in an amount not to exceed \$55,000 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 19. Nays 0. Read second time. Read third time in full. Passed. Yeas 19. Nays 0.

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

**Res. No. 612-2000.****By Councilmen Coats, Johnson, Cintron, Britt, Brady, Robinson, Willis and Rybka.**

**An emergency resolution urging the United Nations and the United States federal government to provide food and assistance to the citizens of the eastern and central**

**African nations who are suffering from starvation.**

Whereas, a severe drought has plagued many nations in Africa, causing a widespread famine throughout east and central Africa; and

Whereas, the United Nations has warned that as many as 16 million people in at least 10 countries in Africa are at risk of starvation; and

Whereas, in Gode, Ethiopia, children have been dying at a rate of over one dozen a day since February; and

Whereas, this Council of the City of Cleveland is deeply concerned about the well-being of our African brothers and sisters; 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 urges the United Nations and the United States federal government to immediately provide food and all other means of assistance to the citizens of the eastern and central African nations who are suffering from starvation.

**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 19. Nays 0. Read second time. Read third time in full. Adopted. Yeas 19. Nays 0.

**Res. No. 613-2000.****By Councilman O'Malley.**

**An emergency resolution objecting to the transfer of ownership of a D2, D2X, D3 and D3A Liquor Permit to 4995-97 Denison 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 D3A Liquor Permit from Permit No. 42683440005, Jeg Lounge Bar Inc., 4995-97 Denison Avenue, 1st Fl. & Bsmt., Cleveland, Ohio 44102 to Permit No. 1667755, Compact Bar Inc., 4995-97 Denison Avenue, 1st Fl. & Bsmt., Cleveland, Ohio 44102; 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 D3A Liquor Permit from Permit No. 42683440005, Jeg Lounge Bar Inc., 4995-97 Denison Avenue, 1st Fl. & Bsmt., Cleveland, Ohio 44102 to Permit No. 1667755, Compact Bar Inc., 4995-97 Denison Avenue, 1st Fl. & Bsmt., Cleveland, Ohio 44102 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

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

**Res. No. 614-2000.**

**By Councilman Rybka.**

**An emergency resolution objecting to the transfer of ownership of a D5 Liquor Permit to 6224 Broadway Avenue.**

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a D5 Liquor Permit from Permit No. 4134363, George M. Ina, DBA Tramend Club, 6224 Broadway Avenue, Cleveland, Ohio

44127, to Permit No. 9170555, Uptown Office Inc., DBA Tramend Lounge, 6224 Broadway Ave., Cleveland, Ohio 44127; 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 D5 Liquor Permit from Permit No. 4134363, George M. Ina, DBA Tramend Club, 6224 Broadway Avenue, Cleveland, Ohio 44127, to Permit No. 9170555, Uptown Office Inc., DBA Tramend Lounge, 6224 Broadway Ave., Cleveland, Ohio 44127 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

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

**Res. No. 615-2000.**

**By Councilmen Rybka and White.**  
**An emergency resolution supporting the Mill Creek project and urging NOACA to fund such project.**

Whereas, Mill Creek Falls are the largest water falls located in Cuyahoga County; and,

Whereas, Mill Creek Falls, located in the Broadway Community of the City of Cleveland, has suffered from pollution and years of neglect; and

Whereas, there is a proposal to connect Mill Creek Falls into the Towpath Trail, a bike/hike trail along the Ohio & Erie Canal Reservation that goes into the Cuyahoga Valley National Park; and

Whereas, the proposal would extend the current bike/hike trail to the Mill Creek Falls, providing access to the trail for residents of Garfield Heights, the Warner-Turney neighborhoods, and the Miles Avenue and Broadway Avenue neighborhoods; and

Whereas, the City of Cleveland has demonstrated its support for this project by previously budgeting \$200,000.00 from the agreement with Norfolk-Southern Railroad, approved by Cleveland City Council in 1999, and pledging to commit \$50,500 in road resurfacing dollars to this project; and

Whereas, the NOACA District has not expended all possible Enhancement Project Dollars and this project will be ready for construction in January, 2001; and

Whereas, the Council of the City of Cleveland is strongly supportive of the Mill Creek project and the positive impact it will have on the development of our neighborhoods; and

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

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

**Section 1.** That this Council of the City of Cleveland is strongly supportive of the Mill Creek project and urges that NOACA grant funding for this important economic development initiative to benefit the neighborhoods of the City of Cleveland.

**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 19. Nays 0. Read second time. Read third time in full. Adopted. Yeas 19. Nays 0.

## SECOND READING EMERGENCY ORDINANCES

**Ord. No. 324-99.**

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

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Section 133.34 thereof, relating to greenhouse fees.

Approved by Directors of Parks, Recreation and Properties, Finance, Law; Relieved of Committee on Legislation; Recommended by Committees on Public Parks, Property and Recreation, Finance; when amended as follows:

1. In Section 1, strike all of the text of Section 133.34 and insert in lieu thereof the following:

**"Section 133.34 Greenhouse Fees**

**(a) The Director of Parks, Recreation and Properties shall assess and collect fees for the use of the City Greenhouse in accordance with the following schedule for City Residents:**

<b>(1) Photo shoots (a maximum of 4 hours)</b>	<b>\$ 50.00</b>
<b>(2) Wedding ceremonies and photo shoots (a maximum of 4 hours)</b>	<b>\$100.00</b>

**(b) The Director of Parks, Recreation and Properties shall assess and collect fees for the use of the City Greenhouse in accordance with the following schedule for non-City Residents:**

<b>(1) Photo shoots (a minimum of 2 hours)</b>	<b>\$ 40.00 per hour</b>
<b>(2) Wedding ceremonies and photo shoots</b>	<b>\$ 40.00 per hour plus rental of chairs".</b>

2. Insert new Section 2 to read as follows:

**"Section 2. That the information on Greenhouse permit fees provided to the Committee on Public Parks, Property and Recreation by the Director of Parks, Recreation and Properties shall be contained in File No. 342-99-A and maintained by the Clerk of Council."**

3. Renumber existing Section 2 to new "Section 3".

Amendments agreed to.

**Ord. No. 2160-99.**

By Councilman Cintron (by request).

An emergency ordinance authorizing the Director of Public Service to issue a permit to 2888 Detroit LLC to encroach into the right-of-way of West 29th Street and Vermont Avenue with a parking lot, security fencing, and safety gates.

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. In Section 1, at the legal description, line 6, strike "Southerly line" and insert in lieu thereof "Northerly line"; and in line 12, strike "Westerly line" and insert in lieu thereof "Easterly line".

Amendment agreed to.

**Ord. No. 2178-99.**

By Councilman Britt.

An emergency ordinance designating Euclid Avenue Church of God as a Cleveland Landmark.

Approved by Directors of City Planning Commission, Law; Recommended by Committee on City Planning.

**Ord. No. 253-2000.**

By Councilman Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of paper and envelopes, for the Division of Printing and Reproduction, Department of Finance.

Approved by Directors of Finance, Law; Committee on Finance.

**Ord. No. 254-2000.**

By Councilman Patmon (by departmental request).

An emergency ordinance authorizing the purchase by contract of one ECRM image setter package, for the Division of Printing and Reproduction, Department of Finance.

Approved by Directors of Finance, Law; Recommended by Committee

on Finance; when amended as follows:

1. In Section 2, line 2, after "shall" insert "not exceed \$36,500 and shall". Amendment agreed to.

**Ord. No. 258-2000.**

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 U.S. Airways for the use of Bay 3 of the Primary Hangar at Cleveland Hopkins International Airport and for ramp area adjacent to the premises.

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

1. In the title, line 7, between "for" and "ramp"; in Section 1, line 7, between "of" and "ramp"; and in line 11, between "the" and "ramp" insert "preferential use".

2. Insert new Section 3 to read as follows:

**"Section 3. That the Lease authorized herein shall not be amended or extended without City Council authorization."**

3. Renumber existing Section 3 to new "Section 4".

Amendments agreed to.

**Ord. No. 265-2000.**

By Councilmen Cintron and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of rebuilt or remanufactured automatic Allison transmissions, including installation if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service, for a period not to exceed two years.

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

1. In the title, strike lines 9 and 10 in their entirety and insert in lieu thereof the following: "Service".

2. In Section 1, line 4 and line 13, strike "two years" and insert in lieu thereof "one year".

3. In Section 2, line 7, after "Finance." insert "All expenditures under the contract authorized herein shall not exceed ten percent (10%) over the amount purchased during the immediately preceding year."

Amendments agreed to.

**Ord. No. 266-2000.**

By Councilmen Cintron and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to repair or replace the fuel dispensing pumps and systems necessary for fuel operations, fuel tankers, hydraulic lifts, oil and grease dispensing equipment, stationary air compressor, and for emergency cleanup and replacement of leaking underground storage tanks and systems, for the Division of Motor Vehicle Maintenance, Department of Public Service, for a period not to exceed two years.

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

1. In the title, line 10, strike ", and for emergency cleanup and replacement of leaking underground storage tanks and systems,".

2. In the title, strike lines 15 and 16 in their entirety and insert in lieu thereof the following: "Public Service."

3. In Section 1, line 8, 9 and 10, strike "and for emergency clean up and replacement of leaking underground storage tanks and systems,".

4. In Section 1, line 4 and line 17, strike "two years" and insert in lieu thereof "one year".

5. In Section 2, line 7, after "Finance." insert "All expenditures under the contract authorized here-

in shall not exceed ten percent (10%) over the amount purchased during the preceding equivalent term.”.

Amendments agreed to.

**Ord. No. 270-2000.**

By Councilmen Cintron and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of Chevrolet-GMC passenger car, police car, van, and truck parts, including labor to install if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service, for a period not to exceed two years.

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

1. In the title, strike lines 9 and 10 in their entirety and insert in lieu thereof the following: “Service”.

2. In Section 1, line 4 and 13, strike “two years” and insert in lieu thereof “one year”.

3. In Section 2, line 7, after “Finance,” insert “All expenditures under the contract authorized herein shall not exceed ten percent (10%) over the amount purchased during the immediately preceding year.”.

Amendments agreed to.

**Ord. No. 272-2000.**

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

An emergency ordinance authorizing the Directors of Public Safety and Parks, Recreation and Properties to enter into a property adoption agreement with the Cleveland Fire Fighters' Memorial Fund for the construction and maintenance of the Cleveland Fire Fighters' Memorial.

Approved by Directors of Public Safety, Parks, Recreation and Properties, City Planning Commission, Finance, Law; Relieved of Committee on Public Safety, Public Parks, Property, and Recreation, Recommended by Committees on City Planning, Finance; when amended as follows:

1. In Section 1, strike the legal description in its entirety and insert in lieu thereof the following:

**“PARCEL PROPOSED TO BE LEASED BY CLEVELAND FIREFIGHTERS MEMORIAL FUND**  
Situating in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being a part of Original Two Acre Lot Nos. 16, 17 and 18, together forming a parcel of land, bounded and described as follows:

Beginning at the Easterly end of a curved turn-out connecting the Northeastly line of Relocated Erieside Avenue N.E., 70 feet in width, and the Northwestly line thereof;

**Course No. 1:**

Thence Northwestly along said curved turnout, being along the arc of a circle deflecting to the right, 62.69 feet to a point of tangency in said Northwestly line of Relocated Erieside Avenue N.E., said curved line having a radius of 40.00 feet and a chord which bears North 79°-02'-42" West a distance of 56.47 feet;

**Course No. 2:**

Thence North 34°-08'-55" West along said Northwestly line of Relocated Erieside Avenue N.E.,

161.28 feet to a point on a curved line of the Southeasterly line of an existing exit drive of the Science Center Museum;

**Course No. 3:**

Thence Northeasterly along the arc of a circle deflecting to the right, 7.67 feet to a point of in the original Northerly curved line of Erieside Avenue N.E., said curved line having a radius of 25.00 feet and a chord which bears North 27°-12'-55" East a distance of 7.64 feet;

**Course No. 4:**

Thence Southerly along the original Northerly curved line of Erieside Avenue N.E., along the arc of a circle deflecting to the left, 355.55 feet to a point of tangency in the Northwesterly line of said Original Erieside Avenue N.E., said curved line having a radius of 265.00 feet and a chord which bears South 85°-30'-17" East a distance of 329.48 feet;

**Course No. 5:**

Thence South 56°-03'-30" West along said Northwestly line of Relocated Erieside Avenue N.E., 224.19 feet to the place of beginning, containing 14,461 square feet of land (0.3320 acres), as compiled from record data by Garrett and Associates, Inc., Registered Engineers and Surveyors, in March, 1999, be the same more or less, but subject to all legal highways.

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

Amendment agreed to.

**Ord. No. 322-2000.**

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 network administration, including software assistance and required materials for Cisco computer products.

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

1. Strike Section 2 in its entirety and insert in lieu thereof the following:

“Section 2. That the contract authorized herein shall be for a term of one (1) year or less and shall not be amended or extended without City Council authorization.

Section 3. That the costs of the contract authorized herein shall not exceed \$20,000.00 and shall be paid from Fund No. 60 SF 001, Request No. 8262.”.

2. Renumber existing Section 3 to new “Section 4”.

Amendments agreed to.

**Ord. No. 323-2000.**

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 client and server administration, including software, maintenance and support of MicroSoft computer products.

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

1. Strike Section 2 in its entirety and insert in lieu thereof the following:

“Section 2. That the contract authorized herein shall be for a term of one (1) year or less and shall not be amended or extended without City Council authorization.

Section 3. That the costs of the contract authorized herein shall not exceed \$40,000.00 and shall be paid from Fund No. 60 SF 001, Request No. 8260.”.

2. Renumber existing Section 3 to new “Section 4”.

Amendments agreed to.

**Ord. No. 324-2000.**

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 programming, materials, software development and design for existing and new computer applications.

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

1. Strike Section 2 in its entirety and insert in lieu thereof the following:

“Section 2. That the contract authorized herein shall be for a term of one (1) year or less and shall not be amended or extended without City Council authorization.

Section 3. That the costs of the contract authorized herein shall not exceed \$40,000.00 and shall be paid from Fund No. 60 SF 001, Request No. 8258.”.

2. Renumber existing Section 3 to new “Section 4”.

Amendments agreed to.

**Ord. No. 325-2000.**

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 web site development and implementation, including software and other required materials.

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

1. Strike Section 2 in its entirety and insert in lieu thereof the following:

“Section 2. That the contract authorized herein shall be for a term of one (1) year or less and shall not be amended or extended without City Council authorization.

Section 3. That the costs of the contract authorized herein shall not exceed \$15,000.00 and shall be paid from Fund No. 60 SF 001, Request No. 8263.”.

2. Renumber existing Section 3 to new “Section 4”.

Amendments agreed to.

**Ord. No. 326-2000.**

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 support services, installations, upgrades, programming administration, including software and materials required for Oracle computer products.

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

1. Strike Section 2 in its entirety and insert in lieu thereof the following:

**"Section 2. That the contract authorized herein shall be for a term of one (1) year or less and shall not be amended or extended without City Council authorization.**

**Section 3. That the costs of the contract authorized herein shall not exceed \$25,000.00 and shall be paid from Fund No. 60 SF 001, Request No. 8261."**

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

Amendments agreed to.

**Ord. No. 329-2000.**

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 maintenance and administrative services for telephone equipment.

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

1. Strike Section 2 in its entirety and insert in lieu thereof the following:

**"Section 2. That the contract authorized herein shall be for a term of one (1) year or less and shall not be amended or extended without City Council authorization.**

**Section 3. That the costs of the contract authorized herein shall not exceed \$15,000.00 and shall be paid from Fund No. 60 SF 001, Request No. 8264."**

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

Amendments agreed to.

**Ord. No. 330-2000.**

By Councilmen Dolan and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by contract of one trash compactor, for the Division of Cleveland Hopkins International Airport, Department of Port Control.

Approved by Directors of Port Control, Finance, Law; Recommended by Committees on Aviation and Transportation, Finance.

**Ord. No. 366-2000.**

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

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to clean the West Side Market, for the Division of Convention Center and Stadium, Department of Parks, Recreation and Properties, for a period not to exceed three years.

Approved by Directors of Parks, Recreation and Properties, Finance, Law; Recommended by Committees on Public Parks, Property, and Recreation, Finance; when amended as follows:

1. In the title, line 9, in Section 1, line 5, and in Section 1, line 13, strike "three" and insert in lieu thereof "two".

2. In Section 2, line 7, after "Finance" insert the following: **"All expenditures under the contract authorized herein shall not exceed \$320,000.00."**

Amendments agreed to.

**Ord. No. 475-2000.**

By Councilmen Patmon and Rybka (by departmental request).

An emergency ordinance authorizing the Director of Parks, Recre-

ation and Properties to apply for and accept a grant from the 2000 Urban Parks and Recreation Recovery Program for the rehabilitation of Flora Park.

Approved by Directors of Parks, Recreation and Properties, Finance, Law; Recommended by Committees on Public Parks, Property and Recreation, Finance.

**Ord. No. 476-2000.**

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 Environmental Protection Agency for financial assistance for the operation of the Division of Environment; and authorizing said Director to enter into contracts for the purchase of service and equipment necessary to implement the program.

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

1. Insert new Section 4 to read as follows:

**"Section 4. That the chairperson of the Public Health Committee shall be copied on all memorandum and correspondence between the Department of Public Health and the Ohio Environmental Protection Agency."**

2. Renumber existing Section 4 to new "Section 5".

Amendments agreed to.

**Ord. No. 523-2000.**

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 Federal Child Lead Poison Prevention Program.

Approved by Directors of Health and Human Services, Finance, Law; Recommended by Committees on Public Health, Finance; when amended as follows:

1. In Section 1, lines 8, 9, and 10, strike "and that said funds be and they hereby are appropriated for the purposes set forth in the application for said grant." and insert in lieu thereof the following: **"and that said grant funds shall not be expended until first authorized by ordinance or resolution of this Council."**

Amendment agreed to.

**Ord. No. 524-2000.**

By Councilmen Rybka and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by contract of labor and materials necessary to remove and replace tube bundles for not to exceed two Bell & Gossett heat exchangers, for the Division of Convention Center and Stadium, Department of Parks, Recreation and Properties.

Approved by Directors of Parks, Recreation and Properties, Finance, Law; Recommended by Committees on Public Parks, Finance.

**Ord. No. 525-2000.**

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 Department of Human Services for the Temporary Assistance to Needy

Families Program; and authorizing said Director to enter into contracts necessary to implement the grant.

Approved by Directors of Personnel and Human Resources, Finance, Law; Recommended by Committees on Employment, Affirmative Action and Training, Finance; when amended as follows:

1. In the title, strike lines 8, 9 and 10 in their entirety and insert in lieu thereof **"Program."**

2. Strike Section 2 in its entirety and renumber existing Section 3 and 4 respectively, to new **"Section 2"** and **"Section 3"**.

Amendments agreed to.

**Ord. No. 526-2000.**

By Councilmen White and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Personnel and Human Resources to accept additional allocations from the State of Ohio Bureau of Employment Services Power OHIO under Titles II and III of the Job Training Partnership Act and the Governor's Reserve Grant; and to enter into an amendment to Contract No. 55656 with the United Labor Agency for additional services.

Approved by Directors of Personnel and Human Resources, Finance, Law; Recommended by Committees on Employment, Affirmative Action and Training, Finance; when amended as follows:

1. In Section 1, line 5, strike "\$312,267" and insert in lieu thereof **"\$76,000"**; and in lines 7 and 11, strike "552-99-A" and insert in lieu thereof **"522-99-A"**.

Amendments agreed to.

**SECOND READING  
ORDINANCES**

**Ord. No. 63-2000.**

By Councilman Polensek.  
An ordinance establishing the East St. Clair Business Revitalization District (BRD) (Map Change No. 2002, Sheet No. 7)

Approved by Directors of City Planning Commission, Law; Committee on City Planning.

**Ord. No. 109-2000.**

By Councilmen Melena and Westbrook.

An ordinance establishing the Clifton Road / West Boulevard Historic Landmark District. (Map Change No. 2003, Sheet No. 1)

Approved by Directors of City Planning Commission, Law; Committee on City Planning.

**Ord. No. 139-2000.**

By Councilman Gordon.  
An ordinance establishing the Old Brooklyn Business Revitalization District (BRD) (Map Change No. 2005, Sheet No. 2)

Approved by Directors of City Planning Commission, Law; Committee on City Planning.

**SECOND READING  
EMERGENCY RESOLUTION**

**Res. No. 276-2000.**

By Councilman Coats.  
An emergency resolution urging the President and United States Secretary of Transportation Rodney Slater to take the necessary actions to permit United Parcel Service to conduct cargo business in China.

Approved by Director of Law; Committee on Finance.

**SECOND READING EMERGENCY ORDINANCES PASSED**

**Ord. No. 1748-99.**

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

An emergency ordinance determining the method of making the public improvement of constructing, rehabilitating, renovating, replacing or otherwise improving certain City-owned parks, recreation facilities, and the Rockefeller Park Public Greenhouse, including site improvements and appurtenances; authorizing the Director of Parks, Recreation and Properties to enter into contract for the making of such improvement; authorizing said director to proceed with said improvement by the direct employment of the necessary labor for areas not otherwise improved; to employ one or more architectural, landscape architectural or engineering firms and other consultants necessary to provide professional services relating to such improvements; and authorizing the purchase by contract of furniture and equipment necessary for the improvement for the Divisions of Recreation and Research, Planning and Development, Department of Parks, Recreation and Properties.

Approved by Directors of Parks, Recreation and Properties, City Planning Commission, Finance, Law; Relieved of Committee on City Planning; Recommended by Committees on Public Parks, Property and Recreation, Finance; when amended as follows:

1. In the title, strike lines 14, 15, 16 and 17 in their entirety and insert in lieu thereof the following: **"the necessary labor; and authorizing the purchase by contract of"**.

2. Insert new Section 1 to read as follows:

**"Section 1. The public improvements authorized in all of the sections herein shall include improvements to the following City-owned parks and recreation facilities total expenditures not to exceed the amount authorized herein:**

Halloran Park for flooring	\$15,000.00
Cudell Recreation Center for wiring	12,000.00
Cudell Recreation Center for locker rooms	6,000.00
Clark Recreation Center for interior windows	10,000.00
Clark Recreation Center for gutters	10,000.00
Rockefeller Park Phase VI	268,000.00
Rockefeller Park Greenhouse	175,000.00
Parks in the 11 Odd Wards	2,750,000.00
Kovacic, Glenville, Sterling, Central Cory, Lonnie Burten, Clark and Zone Recreation Centers for pool steps	12,000.00
Thurgood Marshall Recreation Center and Sterling Recreation Center for new lockers	50,000.00
Lonnie Burten Recreation Center for lobby furniture	15,000.00
Hough Multipurpose Center for replacement of 2 HVAC Units	78,000.00
Gunning Park Recreation Center Phase II Improvements	118,000.00".

3. Renumber existing Section 1 to new **"Section 1a."**

4. In Section 2, line 9, strike "Upon request of said Director, the" and insert in lieu thereof **"The"**; and at the end after "improvements." Insert **"A copy of such schedule shall be provided to the Clerk of Council and the Chairman of the Committee on Public Parks, Property and Recreation."**

5. In Section 3, line 7, after "there-to" insert **"as authorized in Section 1."**

6. In Section 5, lines 4, 5, and 6, strike "which were not otherwise improved by the public improvement contracts authorized above."

7. Strike Sections 7 and 8 in their entirety and renumber existing Sections 9 and 10, respectively, as new **"Section 7"** and **"Section 8"**.

8. Insert new Section 9 to read as follows:

**"Section 9. That no improvements are to be made to Carrie Cain Playground until the Councilman from Ward 7 approves of the improvements in writing."**

9. In existing Section 10, line 2, strike "professional services".

10. Renumber existing Section 11 to new **"Section 10"**.

Amendments agreed to. The rules were suspended. Yeas 19. Nays 0. Read third time in full. Passed. Yeas 19. 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. 2068-99.**

By Councilman Dolan.

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting Section 185.45 thereof, relating to alterations or modifications in contracts.

Contents noted by Director of Finance; Approved by Director of Law; Recommended by Committees on Legislation, Finance; when amended as follows:

1. In Section 1, line 6, between "contracts" and the comma insert **"wherein the alteration or modification requires the payment of ten thousand dollars (\$10,000.00) or more by the City of Cleveland and/or wherein the alteration or modification affects a right of the City to receive funds or property having a value of ten thousand dollars (\$10,000.00) or more"**; in line 12, strike "public improvement,"; and in line 13, between "Cleveland" and the period insert **", excluding public improvement agreements"**.

Amendment agreed to. The rules were suspended. Yeas 19. Nays 0. Read third time in full. Passed. Yeas 19. 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. 104-2000.**

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

An emergency ordinance determining the method of making the public improvement of replacing pavement at Halloran Park skating rink; demolishing the Luke Easter Tennis Shelter; replacing fencing at various swimming pools, authorizing the Director of Parks, Recreation and Properties to enter into contract for the making of such improvement; authorizing the purchase by contract of vehicles; and

authorizing said director to enter into contracts without competitive bidding with Saf-Dek and Childsafe to replace and renovate safety surfaces at playgrounds and other safety surfaces, for the Department of Parks, Recreation and Properties.

Approved by Directors of Parks, Recreation and Properties, City Planning Commission, Finance, Law; Relieved of Committee on City Planning; Recommended by Committees on Public Parks, Property, and Recreation, Finance; when amended as follows:

1. In the title, lines 3, 4, 5 and 6 strike "replacing pavement at Halloran Park skating rink; demolishing the Luke Easter Tennis Shelter;" and insert in lieu thereof **"replacing and renovating various portions of Halloran Park skating rink, including but not limited to, replacing pavement;"**.

2. In Section 1, strike lines 3 and 4 in their entirety and insert in lieu thereof the following: **"public improvement of replacing and renovating various portions of Halloran Park skating rink, including but not limited to, replacing pavement for the"**.

3. In Section 2, line 3, after "improvement" insert **"consistent with Section 1 above"**; in line 9, strike "Upon request of said Director the" and insert in lieu thereof **"The"**, and at the end, after "improvement." Insert **"A copy of such schedule shall be forwarded to the Clerk of Council and the Chairman of the Committee on Public Parks, Property & Recreation."**

4. Insert new Section 3 to read as follows:

**"Section 3. That all expenditures under the contract authorized pursuant to Sections 1 and 2 of this ordinance for the public improvement of replacing and renovating various portions of Halloran Park skating rink, including but not limited to, replacing pavement shall not exceed \$272,000.00, of which a maximum of \$175,000 shall be for pavement and sewer, a maximum of \$45,000 shall be for netting, \$40,000 shall be for the purchase and installation of acrylic sheets above the dashboards surrounding the rink and \$12,000 shall be for a contingency for the netting and acrylic shields."**

5. Renumber existing Sections 3 and 4 to new **"Section 4"** and **"Section 5"**.

6. In existing Section 4, line 3, after "improvement" insert **"consistent with Section 4 above."**

7. Insert new Section 6 to read as follows:

**"Section 6. That all expenditures under the contract authorized pursuant to Section 4 of this ordinance for the public improvement of replacing fencing at various swimming pools shall not exceed \$133,000.00."**

8. Renumber existing Section 5 to new **"Section 7"**.

9. Insert new Section 8 to read as follows:

**"Section 8. That all expenditures under the contract authorized pursuant to Section 7 of this ordinance shall not exceed \$350,000.00."**

10. Renumber existing Sections 6 and 7, to new **"Section 9"** and **"Section 10"**.

11. Insert new Section 11 to read as follows:

**"Section 11. That all expenditures under the contract authorized pursuant to Sections 9 and 10 of this ordinance shall not exceed \$145,000.00."**

12. Renumber existing Section 8 to new "Section 12".

13. Insert new Sections 13 and 14 to read, respectively, as follows:

**"Section 13. That the Director of Parks, Recreation and Properties is hereby authorized to demolish the Luke Easter Tennis Shelter. Such demolition shall be paid from the City demolition fund and shall be completed within thirty (30) days of passage of this ordinance.**

**Section 14. That all public improvement contracts entered into pursuant to this ordinance shall be executed no later than ninety (90) days after passage of this ordinance and all work authorized herein shall be completed no later than November 1, 2000. However, all netting authorized by this ordinance for Halloran Park shall be substantially installed within thirty (30) days after passage of this ordinance. Furthermore, the Director of Parks, Recreation and Properties shall provide a written report by the 1st of each month detailing the status of each public improvement project authorized herein."**

14. Renumber existing Section 9 to new "Section 15".

Amendments agreed to.

The rules were suspended. Yeas 19. Nays 0. Read third time in full. Passed. Yeas 19. 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. 217-2000.**

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 7307-11 Lexington Avenue to Beverly Butler.

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

**Ord. No. 259-2000.**

By Councilmen Dolan and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to repair, replace or modify flooring, for the Division of Cleveland Hopkins International Airport, Department of Port Control, for a period not to exceed two years.

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

1. Strike the title in its entirety and insert in lieu thereof the following: **"Determining the method of making the public improvement of making emergency repairs, replacements or modifications to flooring for the Division of Cleveland Hopkins International Airport and authorizing the Director of Port Control to enter into one or more requirement contracts for the making of said improvement for the period not to exceed two years"**.

2. Strike Section 1 in its entirety and insert in lieu thereof new Sections 1 and 2 to read, respectively, as follows:

**"Section 1. That pursuant to Section 167 of the Charter, it is hereby**

**determined to make the public improvement of making emergency repairs, replacements or modifications to flooring for the Division of Cleveland Hopkins International Airport, by one or more public improvement requirement contracts duly let to the lowest responsible bidder after competitive bidding.**

**Section 2. That the Director of Port Control is hereby authorized to enter into a written requirement contract with the lowest responsible bidder after advertising for all such work estimated to be done during the two-year term of the contract, upon a unit basis."**

3. Renumber existing Section 2 to new "Section 3".

4. Insert new Sections 4 and 5 to read, respectively as follows:

**"Section 4. That expenditures under the contract authorized herein shall not exceed \$50,000.**

**Section 5. That the Department of Port Control shall conduct an audit of the flooring at Cleveland Hopkins International Airport and prepare a report detailing the areas requiring repair, replacement, or modification. Such report shall be provided to the President of Council, the Chairman of the Aviation and Transportation Committee, and the Chairman of the Finance Committee no later than August 31, 2000."**

5. Renumber existing Section 3 as new "Section 6".

Amendments agreed to.

The rules were suspended. Yeas 19. Nays 0. Read third time in full. Passed. Yeas 19. 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. 260-2000.**

By Councilmen Dolan and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to repair, replace or modify roofs, for the Division of Cleveland Hopkins International Airport, Department of Port Control, for a period not to exceed two years.

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

1. Strike the title in its entirety and insert in lieu thereof the following: **"Determining the method of making the public improvement of making emergency repairs, replacements or modifications to roofs for the Division of Cleveland Hopkins International Airport and authorizing the Director of Port Control to enter into one or more requirement contracts for the making of said improvement for the period not to exceed two years"**.

2. Strike Section 1 in its entirety and insert in lieu thereof new Sections 1 and 2 to read, respectively, as follows:

**"Section 1. That pursuant to Section 167 of the Charter, it is hereby determined to make the public improvement of making emergency repairs, replacements or modifications to roofs for the Division of Cleveland Hopkins International Airport, by one or more public improvement requirement contracts duly let to the lowest responsible bidder after competitive bidding.**

**Section 2. That the Director of Port Control is hereby authorized to enter into a written requirement contract with the lowest responsible**

**bidder after advertising for all such work estimated to be done during the two-year term of the contract, upon a unit basis."**

3. Renumber existing Section 2 to new "Section 3".

4. Insert new Sections 4 and 5 to read, respectively as follows:

**"Section 4. That expenditures under the contract authorized herein shall not exceed \$40,000.**

**Section 5. That the Department of Port Control shall conduct an audit of the roofs at Cleveland Hopkins International Airport and prepare a report detailing the areas requiring repair, replacement, or modification. Such report shall be provided to the President of Council, the Chairman of the Aviation and Transportation Committee, and the Chairman of the Finance Committee no later than August 31, 2000."**

5. Renumber existing Section 3 as new "Section 6".

Amendments agreed to.

The rules were suspended. Yeas 19. Nays 0. Read third time in full. Passed. Yeas 19. 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. 261-2000.**

By Councilmen Dolan and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of paint and paint supplies, for the various divisions of the Department of Port Control, for a period not to exceed two years.

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

1. Insert new Section 3 to read as follows:

**"Section 3. That the expenditures under the contract authorized herein shall not exceed \$50,000.00."**

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

Amendments agreed to.

The rules were suspended. Yeas 19. Nays 0. Read third time in full. Passed. Yeas 19. 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. 262-2000.**

By Councilmen Dolan and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to maintain, repair or replace rolling overhead doors, for various divisions of the Department of Port Control, for a period not to exceed two years.

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

1. In the title, line 5, and in Section 1, line 5, after "replace" insert **"existing"**.

2. In Section 2, line 7, after **"Finance."** insert **"All expenditures under the contract authorized herein shall not exceed ten percent (10%) over the amount purchased during the preceding equivalent term."**

Amendments agreed to.

The rules were suspended. Yeas 19. Nays 0. Read third time in full. Passed. Yeas 19. 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. 263-2000.**

By Councilmen Dolan and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Port Control to apply for and accept State of Ohio and Federal grant funds.

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

1. In Section 1, strike the last three lines and insert in lieu thereof the following: **"The Director of Port Control shall notify the Council President, the Chairman of the Aviation and Transportation Committee and the Chairman of the Finance Committee within five (5) days of application for a grant pursuant to this ordinance. Such notification shall specify the nature of the grant, the scope of the grant, and the intended application of the grant funds. Upon acceptance of any grant application authorized herein, the Director of Port Control shall notify the Council President, the Chairman of the Aviation and Transportation Committee, and the Chairman of the Finance Committee within five (5) days of acceptance."**

2. In Section 3, line 2, strike "2002" and insert in lieu thereof "2001".

3. Insert new Section 3 to read as follows:

**"Section 3. That the Director of Port Control shall prepare an annual report detailing grant applications that were submitted to the FAA and the State of Ohio pursuant to the authority of this ordinance, grant applications that were accepted pursuant to the authority of this ordinance, and the expenditure of grant funds pursuant to the authority of this ordinance. Such report shall be provided to the President of Council, the Chairman of the Aviation and Transportation Committee, and the Chairman of the Finance Committee."**

4. Renumber existing Section 3 and Section 4, respectively, to new "Section 4" and "Section 5".

Amendments agreed to.

The rules were suspended. Yeas 19. Nays 0. Read third time in full. Passed. Yeas 19. 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. 315-2000.**

By Councilman Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of first aid equipment and supplies, for the various divisions of City government.

Approved by Directors of Finance, Law; Recommended by Committee on Finance; when amended as follows:

1. In Section 2, line 7, after "Finance," insert **"All expenditures under the contract authorized herein shall not exceed ten percent (10%) over the amount purchased during the preceding equivalent term."**

Amendment agreed to.

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

In compliance with Section 33 of the Charter, a copy of the legisla-

tion was furnished to each member of Council before final passage.

**Ord. No. 316-2000.**

By Councilman Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to refill, repair and replace fire extinguishers, for the various divisions of City government, for a period not to exceed two years.

Approved by Directors of Finance, Law; Recommended by Committee on Finance; when amended as follows:

1. In Section 2, line 7, after "Finance," insert **"All expenditures under the contract authorized herein shall not exceed ten percent (10%) over the amount purchased during the preceding equivalent term."**

Amendment agreed to.

The rules were suspended. Yeas 19. Nays 0. Read third time in full. Passed. Yeas 19. 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. 317-2000.**

By Councilman Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of landscape material, grass seed, mulch and topsoil, for the various divisions of City government.

Approved by Directors of Finance, Law; Recommended by Committee on Finance; when amended as follows:

1. In Section 2, line 7, after "Finance," insert **"All expenditures under the contract authorized herein shall not exceed ten percent (10%) over the amount purchased during the preceding equivalent term."**

Amendment agreed to.

The rules were suspended. Yeas 19. Nays 0. Read third time in full. Passed. Yeas 19. 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. 318-2000.**

By Councilman Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of lumber, for the various divisions of City government.

Approved by Directors of Finance, Law; Recommended by Committee on Finance; when amended as follows:

1. In Section 2, line 7, after "Finance," insert **"All expenditures under the contract authorized herein shall not exceed ten percent (10%) over the amount purchased during the preceding equivalent term."**

Amendment agreed to.

The rules were suspended. Yeas 19. Nays 0. Read third time in full. Passed. Yeas 19. 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. 319-2000.**

By Councilman Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of microfiche services, for the various divisions of City gov-

ernment, for a period not to exceed two years.

Approved by Directors of Finance, Law; Recommended by Committee on Finance; when amended as follows:

1. In Section 2, line 7, after "Finance," insert **"All expenditures under the contract authorized herein shall not exceed ten percent (10%) over the amount purchased during the preceding equivalent term."**

Amendment agreed to.

The rules were suspended. Yeas 19. Nays 0. Read third time in full. Passed. Yeas 19. 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. 362-2000.**

By Councilman Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of computer and related hardware equipment, for the various divisions of City government, for a period not to exceed two years.

Approved by Directors of Finance, Law; Recommended by Committee on Finance; when amended as follows:

1. In Section 2, line 7, after "Finance," insert **"All expenditures under the contract authorized herein shall not exceed ten percent (10%) over the amount purchased during the preceding equivalent term."**

Amendment agreed to.

The rules were suspended. Yeas 19. Nays 0. Read third time in full. Passed. Yeas 19. 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. 363-2000.**

By Councilman Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of unarmed uniformed security guard services, for the various divisions of City government, for a period not to exceed two years.

Approved by Directors of Finance, Law; Recommended by Committee on Finance; when amended as follows:

1. In Section 2, line 7, after "Finance," insert **"All expenditures under the contract authorized herein shall not exceed ten percent (10%) over the amount purchased during the preceding equivalent term."**

Amendment agreed to.

The rules were suspended. Yeas 19. Nays 0. Read third time in full. Passed. Yeas 19. 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. 364-2000.**

By Councilmen Dolan and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of deicing chemicals, for the various divisions of the Department of Port Control for a period not to exceed two years.

Approved by Directors of Finance, Law; Recommended by Committee on Finance; when amended as follows:

1. In Section 2, line 7, after "Finance." insert **"All expenditures under the contract authorized here-in shall not exceed ten percent (10%) over the amount purchased during the preceding equivalent term."**

Amendment agreed to.

The rules were suspended. Yeas 19. Nays 0. Read third time in full. Passed. Yeas 19. 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. 370-2000.**

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 1817, 1811-15, 1805 East 86th Street to Milton Allen and Crystal Allen.

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

**Ord. No. 472-2000.**

By Councilman Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to install overhead doors, for the various divisions of City government, for a period not to exceed two years.

Approved by Directors of Finance, Law; Recommended by Committee on Finance; when amended as follows:

1. In Section 2, line 7, after "Finance." insert **"All expenditures under the contract authorized here-in shall not exceed ten percent (10%) over the amount purchased during the preceding equivalent term."**

Amendment agreed to.

The rules were suspended. Yeas 19. Nays 0. Read third time in full. Passed. Yeas 19. 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. 473-2000.**

By Councilman Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of car washing services, for the various divisions of City government, for a period not to exceed two years.

Approved by Directors of Finance, Law; Recommended by Committee on Finance; when amended as follows:

1. In Section 2, line 7, after "Finance." insert **"All expenditures under the contract authorized here-in shall not exceed ten percent (10%) over the amount purchased during the preceding equivalent term."**

Amendment agreed to.

The rules were suspended. Yeas 19. Nays 0. Read third time in full. Passed. Yeas 19. 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. 474-2000.**

By Councilman Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of Toro mower parts, for the various divisions of City government, for a period not to exceed two years.

Approved by Directors of Finance, Law; Recommended by Committee on Finance; when amended as follows:

1. In Section 2, line 7, after "Finance." insert **"All expenditures under the contract authorized here-in shall not exceed ten percent (10%) over the amount purchased during the preceding equivalent term."**

Amendment agreed to.

The rules were suspended. Yeas 19. Nays 0. Read third time in full. Passed. Yeas 19. 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. 477-2000.**

By Councilmen White and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Personnel and Human Resources to enter into contract with the Cleveland Municipal School District to provide services under Title II of the Job Training Partnership Act.

Approved by Directors of Directors of Personnel and Human Resources, Finance, Law; Recommended by Committees on Employment, Affirmative Action and Training, Finance; when amended as follows:

1. In Section 1, at the end, add the following: **"All seniors in the Cleveland Public Schools who are in need of one credit to graduate shall be eligible to participate in the program funded by this contract."**

2. Insert new Section 3 to read as follows:

**"Section 3. That, prior to summer recess, the Director of Personnel and Human Resources shall return to the Employment, Affirmative Action and Training Committee with a report detailing the results of the program and provide a budget analysis. Also, at the conclusion of the contract authorized above, the Director of Personnel and Human Resources shall submit a written report to the Chairman of the Finance committee of Council evaluating the successes and failures of the program funded by the contract authorized above."**

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

Amendments agreed to.

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

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

Those voting nay: Councilman Cintron.

Absent: Councilmen Britt and Gordon.

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. 527-2000.**

By Councilmen Cimperman and Lewis (by departmental request).

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Section 341.07, thereof, relating to pedestrian retail area restrictions.

Approved by Directors of City Planning, Law; Relieved of Committee on Legislation; Recommended by Committee on City Planning; when amended as follows:

1. Strike the whereas clause in its entirety and insert in lieu thereof the following:

**"Whereas, this ordinance constitutes an emergency measure providing for the immediate preservation of the public peace, property, health and safety in that Cleveland's older downtown buildings are in immediate demand for conversion and use as telecommunications switching terminals by intensely competitive telecommunications equipment company; the impact of the above-referenced intense competition could be numerous permit applications within the next several weeks for use of first floor space in Cleveland's downtown retail districts for the placement of telecommunications switching equipment; the placement of telecommunications switching equipment on first floor spaces in Cleveland's downtown retail districts would significantly harm those retail districts because this use does not generate pedestrian traffic, which is essential to a vital urban retail district; additionally, the placement of telecommunications switching equipment on first floor spaces in Cleveland's downtown retail district could decrease the safety of that district by lessening pedestrian traffic and surveillance opportunities; now therefore,"**

2. In Section 1, at division (c) of Section 341.07, at the end, add the following new sentence: **"The Planning Commission shall also consider for designation as a pedestrian-oriented shopping street any block that is designated for retail use in the adopted general plan for the development and improvement of the City, regardless of the current uses located on that block."**

3. In Section 1, at division (g), line 1, strike "Upper Floor Uses." and insert in lieu thereof **"Facade and Window Treatment,"**; in line 3, strike "provisions" and insert in lieu thereof **"provisions"**, in line 5, after "ensure that" insert **"the entire"**.

4. In Section 1, after division (h) of Section 341.07, at the end, add the following new subdivision:

**"(i) For any use subject to the regulations of this section, no exhaust vents shall be placed along the designated pedestrian-oriented shopping street on the first floor, second floor or in the sidewalk area. Furthermore, any emergency generator for such use shall be powered by natural gas, as opposed to diesel power, or by other means that minimize fumes and smoke."**

5. In Section 1, at Section 341.07, reletter existing subdivision "(i)" as new subdivision "(j)".

Amendments agreed to.

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

**SECOND READING  
ORDINANCE PASSED**

**Ord. No. 480-2000.**

By Councilman Cimperman.  
An ordinance to change the Use and Area Districts of lands on both sides of Glass Avenue, N.E. between Norwood Road and East 64 Street and the southeasterly side of Glass Avenue, N.E. between East 61 Street and Norwood Avenue, N.E. (Map Change No. 2016, Sheet No. 4)

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

1. In the title, line 1, after "An" insert "Emergency".
2. Insert the following whereas clause to read as follows:

"Whereas, this ordinance constitutes an emergency measure providing for the immediate preservation of the public peace, property, health or safety in that the proposed change in use is necessary to secure the character of the property, eliminate the potential of unlawful activity and other quality of life issues and to remove a potential danger to the surrounding neighborhood; now, therefore".

3. In Section 1, line 9, after "N.E." insert the following:

"To its intersection with the northeasterly line of Sublot No. 21 in the J.F. Kilfoyl Allotment as recorded in Volume 16, Page 12 of the Cuyahoga County Map Records; thence southeasterly along said northeasterly line of said Sublot No. 21 to its intersection with the northwesterly line of Sublot No. 25 in J.F. Kilfoyl Allotment; thence northeasterly along said northwesterly line of said Sublot No. 25".

4. Strike Section 5 in its entirety and insert in lieu thereof the following:

"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."

Amendments agreed to.  
The rules were suspended. Yeas 19. Nays 0. Read third time in full. Passed. Yeas 19. 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.

**THIRD READING EMERGENCY  
ORDINANCES PASSED**

**Ord. No. 2057-A-99 (as substitute for Ordinance No. 2057-99).**

By Mayor White and Councilman Polensek.

An emergency ordinance to amend Section 621.03 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1713-96, passed September 16, 1996, relating to assault.

Read third time. Passed. Yeas 19. Nays 0.

**Ord. No. 255-2000.**

By Councilman Patmon (by departmental request).

An emergency ordinance authorizing the Director of Finance to enter into contract without competitive bidding with Oracle Corporation for the purchase of technical support and software licenses for Oracle computer products, for the Department of Finance.

Read third time. Passed. Yeas 19. Nays 0.

**Ord. No. 271-2000.**

By Councilmen Cintron and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of automobile and truck spring parts, including labor to install if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service, for a period not to exceed one year with a one-year option to renew.

Read third time. Passed. Yeas 19. Nays 0.

**THIRD READING EMERGENCY  
RESOLUTION ADOPTED**

**Res. No. 1333-98.**

By Councilman Coats.

An emergency resolution urging the adoption of laws prohibiting the sale of alcohol near schools and churches.

Read third time. Adopted. Yeas 19. Nays 0.

**MOTION**

By Councilman White and seconded by Councilman Dolan and unanimously carried that the absence of Councilman Patricia J. Britt and Councilman Merle R. Gordon, be and is hereby authorized.

The Council adjourned at 9:20 p.m. to meet on Monday, May 1, 2000, at 7:00 p.m. in the Council Chambers.



Clerk of Council

**THE CALENDAR**

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

**ORDINANCES**

**Ord. No. 324-99.**

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

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Section 133.34 thereof, relating to greenhouse 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 the Codified Ordinances of Cleveland, Ohio, 1976, are hereby supplemented by enacting new Section 133.34 thereof, to read respectively, as follows:

**Section 133.34 Greenhouse Fees**

(a) The Director of Parks, Recreation and Properties shall assess and collect fees for the use of the City Greenhouse in accordance with the following schedule for City Residents:

- |  |          |
|--|----------|
| (1) Photo shoots (a maximum of 4 hours)                        | \$ 50.00 |
| (2) Wedding ceremonies and photo shoots (a maximum of 4 hours) | \$100.00 |

(b) The Director of Parks, Recreation and Properties shall assess and collect fees for the use of the City Greenhouse in accordance with the following schedule for non-City Residents:

- |   |   |
|---|---|
| (1) Photo shoots (a minimum of 2 hours) | \$ 40.00 per hour                         |
| (2) Wedding ceremonies and photo shoots | \$ 40.00 per hour plus rental of chairs". |

**Section 2.** That the information on Greenhouse permit fees provided to the Committee on Public Parks, Property and Recreation by the Director of Parks, Recreation and Properties shall be contained in File No. 342-99-A and maintained by the Clerk of Council.

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

**Ord. No. 2160-99.**

By Councilman Cintron (by request).

An emergency ordinance authorizing the Director of Public Service to issue a permit to 2888 Detroit LLC to encroach into the right-of-way of West 29th Street and Vermont Avenue with a parking lot, security fencing, and safety gates.

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 2888 Detroit LLC, 22348 Professor Avenue, P.O. Box 91644, Cleveland, Ohio 44101-3644, its successors and assigns, for the construction, use and maintenance of a parking lot, and security fencing with special City of Cleveland Fire Department approved safety gates, which will encroach into the public right-of-way of West 29th Street and Vermont Avenue N.W. at the locations described as follows:

**PROPOSED ENCROACHMENT  
AREA/VERMONT AVENUE &  
WEST 29TH STREET**

Situated in the City of Cleveland, County of Cuyahoga and the State of Ohio and known as being all that portion of West 29th Street (66.00 feet wide) extending Northerly from the Northerly line of Detroit Avenue N.W. (width varies) as widened to the **Northerly line** of Vermont Avenue N.W. (width varies).

**AND**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being all that portion of Vermont Avenue N.W. (width varies) extending Easterly from the Easterly line of West 29th Street (66.00 feet wide) to the Northerly prolongation of the **Easterly line** of the property conveyed to 2888 Detroit LLC by deed recorded in Volume 98-09990, Page 1 of Cuyahoga County Deed Records, and being also known as Permanent Parcel Number 003-14-027.

**Section 2.** That said parking lot, security fencing, and gates, 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. And, that all other required permits, including a building permit shall be obtained before said parking lot, security fencing and gates are 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.

**Ord. No. 2178-99.**

By Councilman Britt.

An emergency ordinance designating Euclid Avenue Church of God as a Cleveland Landmark.

**Ord. No. 63-2000.**

By Councilman Polensek.

An ordinance establishing the East St. Clair Business Revitalization District (BRD) (Map Change No. 2002, Sheet No. 7)

**Ord. No. 109-2000.**

By Councilmen Melena and Westbrook.

An ordinance establishing the Clifton Road / West Boulevard Historic Landmark District. (Map Change No. 2003, Sheet No. 1)

**Ord. No. 139-2000.**

By Councilman Gordon.

An ordinance establishing the Old Brooklyn Business Revitalization District (BRD) (Map Change No. 2005, Sheet No. 2)

**Ord. No. 253-2000.**

By Councilman Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of paper and envelopes, for the Division of Printing and Reproduction, Department of Finance.

**Ord. No. 254-2000.**

By Councilman Patmon (by departmental request).

An emergency ordinance authorizing the purchase by contract of one ECRM image setter package, for the Division of Printing and Reproduction, Department of Finance.

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 contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: one (1) ECRM image setter package, to be purchased by the Commissioner of Purchases and Supplies for a gross price for the Division of Printing and Reproduction, Department of Finance.

**Section 2.** That the cost of said contract hereby authorized shall **not to exceed \$36,500 and shall be paid from Fund No. 70-301, Request No. 15336.**

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

**Ord. No. 258-2000.**

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 U.S. Airways for the use of Bay 3 of the Primary Hangar at Cleveland Hopkins International Airport and for preferential use 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 the Director of Port Control ("Director") is hereby authorized to enter into a Lease By Way of Concession ("Lease") with U.S. Airways ("Lessee") for approximately 27,300 square feet of space known as Bay 3 of the Primary Hangar (the "Premises") at Cleveland Hopkins International Airport for use as an aircraft maintenance facility and approximately 32,760 square feet of **preferential use** ramp area adjacent to the Premises. The term of said Lease shall be for three (3) years, with a City-option to renew for an additional three (3) years. The rent for the Premises shall be \$5.50 per square foot, the rent for the **preferential use** ramp area shall be \$0.40 per square foot. The City shall issue credits against rent, in an amount not to exceed \$360,000, for improvements made to the Premises, provided such improvements are first approved by the Director, in writing.

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

**Section 3.** That the Lease authorized herein shall not be amended or extended without City Council authorization.

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

**Ord. No. 265-2000.**

By Councilmen Cintron and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of rebuilt or remanufactured automatic Allison transmissions, including installation if necessary, 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** of the necessary items of rebuilt or remanufactured automatic Allison transmissions, including installation if necessary, 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 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 peri-

od 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 ten percent (10%) over the amount purchased during the immediately preceding year.** (RL 17521)

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

**Ord. No. 266-2000.**

By Councilmen Cintron and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to repair or replace the fuel dispensing pumps and systems necessary for fuel operations, fuel tankers, hydraulic lifts, oil and grease dispensing equipment, stationary air compressor 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 to repair or replace the fuel dispensing pumps and systems necessary for fuel operations, fuel tankers, hydraulic lifts, oil and grease dispensing equipment, and stationary air compressor, 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 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 **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.** 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 ten percent (10%) over the amount purchased during the preceding equivalent term.** (RL 17522)

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

**Ord. No. 270-2000.**

By Councilmen Cintron and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of Chevrolet-GMC passenger car, police car, van, and truck parts, including labor to install if necessary, 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** of the necessary items of Chevrolet-GMC passenger car, police car, van and truck parts, including labor to install if necessary, 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 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 **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 ten percent (10%) over the amount purchased during the immediately preceding year.** (RL 17519)

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

from and after the earliest period allowed by law.

**Ord. No. 272-2000.**

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

An emergency ordinance authorizing the Directors of Public Safety and Parks, Recreation and Properties to enter into a property adoption agreement with the Cleveland Fire Fighters' Memorial Fund for the construction and maintenance of the Cleveland Fire Fighters' Memorial.

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 and Section 133.24 of the Codified Ordinances of Cleveland, Ohio, 1976, the Directors of Public Safety and Parks, Recreation and Properties are hereby authorized to enter into a property adoption agreement with the Cleveland Fire Fighters' Memorial Fund for the construction and maintenance of the Cleveland Fire Fighters' Memorial, on an area of the North Coast Harbor described as follows:

**PARCEL PROPOSED TO BE LEASED BY CLEVELAND FIREFIGHTERS MEMORIAL FUND**  
Situating in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being a part of **Original Two Acre Lot Nos. 16, 17 and 18, together forming a parcel of land, bounded and described as follows:**

**Beginning at the Easterly end of a curved turn-out connecting the Northeasterly line of Relocated Erieside Avenue N.E., 70 feet in width, and the Northwesterly line thereof;**

**Course No. 1:**

**Thence Northwesterly along said curved turnout, being along the arc of a circle deflecting to the right, 62.69 feet to a point of tangency in said Northwesterly line of Relocated Erieside Avenue N.E., said curved line having a radius of 40.00 feet and a chord which bears North 79°-02'-42" West a distance of 56.47 feet;**

**Course No. 2:**

**Thence North 34°-08'-55" West along said Northwesterly line of Relocated Erieside Avenue N.E., 161.28 feet to a point on a curved line of the Southeasterly line of an existing exit drive of the Science Center Museum;**

**Course No. 3:**

**Thence Northeasterly along the arc of a circle deflecting to the right, 7.67 feet to a point of the original Northerly curved line of Erieside Avenue N.E., said curved line having a radius of 25.00 feet and a chord which bears North 27°-12'-55" East a distance of 7.64 feet;**

**Course No. 4:**

**Thence Southerly along the original Northerly curved line of Erieside Avenue N.E., along the arc of a circle deflecting to the left, 355.55 feet to a point of tangency in the Northwesterly line of said Original Erieside Avenue N.E., said curved line having a radius of 265.00 feet**

and a chord which bears South 85°-30'-17" East a distance of 329.48 feet;

**Course No. 5:**

Thence South 56°-03'-30" West along said Northwesterly line of Relocated Erieside Avenue N.E., 224.19 feet to the place of beginning, containing 14,461 square feet of land (0.3320 acres), as compiled from record data by Garrett and Associates, Inc., Registered Engineers and Surveyors, in March, 1999, be the same more or less, but subject to all legal highways.

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

**Section 2.** That this property adoption shall not be construed as a conveyance of any right, title, or interest in public property, but is the grant of a privilege revocable at the will of the Council.

**Section 3.** That the Director of Parks, Recreation and Properties is authorized to accept the gift of any improvements to the adopted property constructed by the Cleveland Fire Fighters' Memorial Fund.

**Section 4.** That the property adoption agreement hereby authorized shall be prepared by the Director of Law and shall contain such additional terms and conditions as said Director deems necessary to protect and benefit the public interest.

**Section 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.

**Ord. No. 322-2000.**

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 network administration, including software assistance and required materials for Cisco computer products.

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 computer consultants or one or more firms of computer 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 network administration, including software assistance and required materials for Cisco computer products.

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 autho-

riized 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 the contract authorized herein shall be for a term of one (1) year or less and shall not be amended or extended without City Council authorization.

**Section 3.** That the costs of the contract authorized herein shall not exceed \$20,000.00 and shall be paid from Fund No. 60 SF 001, Request No. 8262.

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

**Ord. No. 323-2000.**

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 client and server administration, including software, maintenance and support of MicroSoft computer products.

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 computer consultants or one or more firms of computer 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 provide client and server administration, including software; maintenance and support of MicroSoft computer products.

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 the contract authorized herein shall be for a term of one (1) year or less and shall not be amended or extended without City Council authorization.

**Section 3.** That the costs of the contract authorized herein shall not exceed \$40,000.00 and shall be paid from Fund No. 60 SF 001, Request No. 8260.

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

**Ord. No. 324-2000.**

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 programming, materials, software development and design for existing and new computer applications.

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 computer consultants or one or more firms of computer 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 for programming, materials, software development and design for existing and new computer applications.

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 the contract authorized herein shall be for a term of one (1) year or less and shall not be amended or extended without City Council authorization.

**Section 3.** That the costs of the contract authorized herein shall not exceed \$40,000.00 and shall be paid from Fund No. 60 SF 001, Request No. 8258.

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

**Ord. No. 325-2000.**

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 web site development and implementation, including software and other required materials.

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 web site developers or one or more firms of web site developers for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional ser-

vices necessary to web site development and implementation, including software and other required materials.

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 the contract authorized herein shall be for a term of one (1) year or less and shall not be amended or extended without City Council authorization.**

**Section 3. That the costs of the contract authorized herein shall not exceed \$15,000.00 and shall be paid from Fund No. 60 SF 001, Request No. 8263.**

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

**Ord. No. 326-2000.**

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 support services, installations, upgrades, programming administration, including software and materials required for Oracle computer products.

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 firms of computer 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 support services, installations, upgrades, programming administration, including software and materials required for Oracle computer products.

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 the contract authorized herein shall be for a term of one (1) year or less and shall not be amended or extended without City Council authorization.**

**Section 3. That the costs of the contract authorized herein shall not exceed \$25,000.00 and shall be paid from Fund No. 60 SF 001, Request No. 8261.**

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

**Ord. No. 329-2000.**

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 maintenance and administrative services for telephone 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 Port Control is hereby authorized to employ by contract one or more telecommunication consultants or one or more firms of telecommunication 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 provide maintenance and administrative services for telephone equipment.

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 the contract authorized herein shall be for a term of one (1) year or less and shall not be amended or extended without City Council authorization.**

**Section 3. That the costs of the contract authorized herein shall not exceed \$15,000.00 and shall be paid from Fund No. 60 SF 001, Request No. 8264.**

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

**Ord. No. 330-2000.**

By Councilmen Dolan and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by contract of one trash compactor, for the Division of Cleveland Hopkins International Airport, Department of Port Control.

**Ord. No. 366-2000.**

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

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to clean the West Side Market, for the Division of Convention Center and Stadium, Department of Parks, Recreation and Properties, 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 Parks, Recreation and Properties is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two years of the necessary items of labor and materials necessary to clean the West Side Market, 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 Convention Center and Stadium, Department of Parks, Recreation and Properties. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than 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 \$320,000.00.** (RL 134)

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

**Ord. No. 475-2000.**

By Councilmen Patmon and Rybka (by departmental request).

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to apply for and accept a grant from the 2000 Urban Parks and Recreation Recovery Program for the rehabilitation of Flora Park.

**Ord. No. 476-2000.**

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 Environmental Protection Agency for financial assistance for the operation of the Division of Environment; and authorizing said Director to enter into contracts for the purchase of service and equipment 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 Health is hereby authorized to apply for and accept a grant in the approximate amount of \$2,053,271 from the Ohio Environmental Protection Agency for financial assistance for the operation of the Division of Environment in accordance with the purposes set forth in the respective application; that the Director of Public Health is hereby authorized to file all papers and execute all documents necessary to apply for and receive the funds under said grants; and that said funds be appropriated for the purposes set forth in the application for said grants.

**Section 2.** That the application for said grant, File No. 476-2000-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects, including the obligation of the City of Cleveland to provide in cash matching funds in the sum of \$392,993, from the Division of Environment's General Fund budget in order to receive the grant from the U.S. Environmental Protection Agency.

**Section 3.** That the Director of Public Health is hereby authorized to enter into contracts for the purchase of equipment and services necessary to implement the Program, and that said contracts are payable from the fund or funds to which are credited the grant proceeds accepted pursuant to this ordinance.

**Section 4. That the chairperson of the Public Health Committee shall be copied on all memorandum and correspondence between the Department of Public Health and the Ohio Environmental Protection Agency.**

**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.

**Ord. No. 523-2000.**

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 Federal Child Lead Poison Prevention Program.

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

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

**Section 1.** That the Director of Public Health is hereby authorized to apply for and accept a grant in the amount of \$312,000, from the Ohio Department of Health, to conduct the 2000-2001 Federal Child Lead Poison Prevention Program, for the purposes set forth in the application and according thereto; that the Director of Public Health is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; **and that said grant funds shall not be expended until first authorized by ordinance or resolution of this Council.**

**Section 2.** That the application for said grant, File No. 523-2000-A, made a part hereof as if fully rewritten herein, including the obligation to devote program income from first and third party billings, estimated at \$95,645, 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.

**Ord. No. 524-2000.**

By Councilmen Rybka and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by contract of labor and materials necessary to remove and replace tube bundles for not to exceed two Bell & Gossett heat exchangers, for the Division of Convention Center and Stadium, Department of Parks, Recreation and Properties.

**Ord. No. 525-2000.**

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 Department of Human Services for the Temporary Assistance to Needy Families 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 Personnel and Human Resources is hereby authorized to apply for and accept a grant in the amount of \$8,391,886, from the Ohio Department of Human Services, to conduct the Temporary Assistance to Needy Families Program, for the purposes set forth in the application and according thereto; that the Director of Personnel and Human Resources 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. 525-2000-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.

**Ord. No. 526-2000.**

By Councilmen White and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Personnel and Human Resources to accept additional allocations from the State of Ohio Bureau of Employment Services Power OHIO under Titles II and III of the Job Training Partnership Act and the Governor's Reserve Grant; and to enter into an amendment to Contract No. 55656 with the United Labor Agency for additional services.

Whereas, pursuant to Ordinance No. 522-99, passed March 29, 1999, this Council authorized the Director of Personnel and Human Resources to accept allocations of grants from the State of Ohio Bureau of Employment Services under Title II and III of the Job Training Partnership Act and to appropriate such funds to provide for administration of the JTPA program; and

Whereas, additional allocations have become available to the City of Cleveland from the State of Ohio Bureau of Employment Services which will provide additional services under the grant accepted by Ordinance No. 522-99; 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 accept additional allocations from the State of Ohio Bureau of Employment Services Power OHIO under Titles II and III of the Job Training Partnership Act and the Governor's Reserve Grant in an aggregate amount of **\$76,000**, for the purposes set forth in the application contained in File No. **522-99-A** and according thereto. That the Director of Personnel and Human Resources is hereby authorized to file all papers and execute all documents necessary to receive the funds authorized above; and that said additional allocations are hereby appropriated for the purposes set forth in File No. **522-99-A**.

**Section 2.** That the Director of Personnel and Human Resources is hereby authorized to enter into an amendment to Contract No. 55656 with United Labor Agency to provide for additional services under this agreement, and shall increase the amount of the contract by \$77,988.00. Said increase shall be paid from Fund Nos. 15 SF 093 and 15 SF 200.

**Section 3.** That this amendment to Contract to 55656 shall be prepared and approved by the Director of law and shall contain such provisions as he deems necessary to protect the public interest.

**Section 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.



**RESOLUTION****Res. No. 276-2000.**

By Councilman Coats.  
An emergency resolution urging the President and United States Secretary of Transportation Rodney Slater to take the necessary actions to permit United Parcel Service to conduct cargo business in China.

**BOARD OF CONTROL**

April 12, 2000

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, April 12, 2000, at 11:00 a.m. with Mayor White presiding.

Present: Mayor White, Acting Director Carr, Director Brooks, Acting Directors Sundheimer, Balraj, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.  
Absent: None.

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

On motion, the following resolutions were adopted.

**Resolution No. 225-00.**

By Director Brooks.

Whereas, pursuant to the authority of Ordinance No. 1744-97 and 521-99, passed by the Council of the City of Cleveland on October 29, 1997 and March 29, 1999, respectively and Board of Control Resolution No. 319-99, adopted on May 26, 1999, and No. 464-99, adopted on July 31, 1999, the City, through its Director of Finance entered into Contract No. 54376 with Maximation LLC and a First Amendment thereto for the purpose of providing PC and Network services; and;

Whereas, the City has determined to extend the term to obtain NT Network support for three additional months; and

Whereas, Maximation has proposed by its December 13, 1999 amendment to its proposal to perform such additional services; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland, that the Director of Finance is hereby authorized to enter into a second amendment to the Agreement between the City of Cleveland and Maximation LLC, Contract No. 54376, upon the basis of its December 13, 1999 proposal for additional NT Network support for three months. The amount to be paid for all services shall be increased by not to exceed Twenty Eight Thousand Six Hundred Dollars (\$28,600.00) to a total contract amount not to exceed Three Hundred Seventy Eight Thousand Six Hundred Dollars (\$378,600.00).

Be it further resolved that the Director of Finance is hereby authorized to execute all documents and do all things necessary to effectuate the second amendment authorized hereby.

Yeas: Mayor White, Acting Director Carr, Director Brooks, Acting Directors Sundheimer, Balraj, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.  
Absent: None.

**Resolution No. 226-00.**

By Director Brooks.

Resolved, by the Board of Control of the City of Cleveland that the bid of Connie Graham Entps., d.b.a. Aires Distribution for an estimated quantity of Janitorial Supplies (items 14-22 and 23-108) for the Division of various divisions in the City of Cleveland, Department of Finance, for the period of two (2) years beginning with the date of execution of a contract received on November 12th, 1999, pursuant to the authority of Ordinance No. 710-99, passed May 17th, 1999, which on the basis of the estimated quantity would amount to Two Hundred Twenty-Four Thousand Three Hundred Seventy-Three and 09/100 Dollars, (\$224,373.09), (Net), is hereby affirmed and approved as the lowest and best bid, and the Director of Finance is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No.	
18710 (Div. of Water)	\$12,000.00
15139 (Property Management)	\$20,000.00

which shall be certified against such contract in the sum of Thirty Two Thousand and 00/100 Dollars (\$32,000.00).

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

Yeas: Mayor White, Acting Director Carr, Director Brooks, Acting Directors Sundheimer, Balraj, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.  
Absent: None.

**Resolution No. 227-00.**

By Director Brooks.

Resolved by the Board of Control of the City of Cleveland that all bids received on November 12, 1999 for Janitorial Supplies, items 1, 2, 3 and 4-13, for the Division of various divisions in the City of Cleveland, Department of Finance, pursuant to the authority of Ordinance No. 710-99, passed by the Council of the City of Cleveland on May 17, 1999, be and the same are hereby rejected.

Yeas: Mayor White, Acting Director Carr, Director Brooks, Acting Directors Sundheimer, Balraj, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.  
Absent: None.

**Resolution No. 228-00.**

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Varian, Inc. for the following: atomic absorption spectrometer and accessories (all items) for the Division of Water, Department of Public Utilities, received on the 8th day of March, 2000, pursuant to the authority of Section 129.28 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of order quantities would amount to Forty Nine Thousand Five Hundred Thirty Nine Dollars (\$49,539.00) (Net

30 Days), is hereby approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into contract for such items.

Yeas: Mayor White, Director Brooks, Acting Directors Sundheimer, Balraj, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.  
Absent: Acting Director Carr.

**Resolution No. 229-00.**

By Director Ricchiuto.

Resolved by the Board of Control of the City of Cleveland that all bids received on March 8, 2000 for the processing of recyclable materials (Contract E.W.-Recycling), for the Division of Waste Collection and Disposal, Department of Public Service, pursuant to the authority of Ordinance No. 1124-99 passed by the Council of the City of Cleveland on October 4, 1999, be and the same are hereby rejected.

Yeas: Mayor White, Director Brooks, Acting Directors Sundheimer, Balraj, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.  
Absent: Acting Director Carr.

**Resolution No. 230-00.**

By Director Jackson.

Resolved, by the Board of Control of the City of Cleveland that the bid of Duellman Electric Company for an estimated quantity of electrical supplies (all items) minimum discount 44% plus supplemental discounts as bid for the Division of Property Management, Department of Parks, Recreation & Properties, for the period of three (3) years beginning with the date of execution of a contract received on March 9, 2000, pursuant to the authority of Ordinance No. 1120-99, passed October 25, 1999, which on the basis of the estimated quantity would amount to Four Hundred Ten Thousand and 00/100ths Dollars, (\$410,000.00), (1% - 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Parks, Recreation & Properties 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. 21917 which shall be certified against such contract in the sum of Twenty-Five Thousand and 00/100ths 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: Mayor White, Director Brooks, Acting Directors Sundheimer, Balraj, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.  
Absent: Acting Director Carr.

**Resolution No. 231-00.**

By Director Jackson.

Resolved by the Board of Control of the City of Cleveland that all bids

received on March 1, 2000 for Commercial Electric Water Heaters for the Division of Convention Center and Stadium, Department of Parks, Recreation & Properties, pursuant to the authority of Ordinance No. 761-98, passed by the Council of the City of Cleveland on May 18, 1998, be and the same are hereby rejected.

Yeas: Mayor White, Director Brooks, Acting Directors Sundheimer, Balraj, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.

Absent: Acting Director Carr.

**Resolution No. 232-00.**

By Director Jackson.

Be it resolved by the Board of Control of the City of Cleveland, that the bid of Simplex Time Recorder Co. for the public improvement of Upgrade Life Safety System and relocate Command Center for the Division of Cleveland Convention Center, Department of Parks, Recreation & Properties, received on February 24, 2000 pursuant to the authority of Ordinance No. 855-97 and 761-98, passed June 16, 1997 and May 18, 1998, for a gross price for the improvement in the aggregate amount of Twenty Thousand Two Hundred Fifty One and 00/100th Dollars (\$20,251.00), is hereby affirmed and approved as the lowest responsible bid; and the Director of Parks, Recreation & Properties is hereby authorized to enter into contract for said improvement with said bidder.

Yeas: Mayor White, Director Brooks, Acting Directors Sundheimer, Balraj, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.

Absent: Acting Director Carr.

**Resolution No. 233-00.**

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. 016-16-032 located at 3404 West 58th Street in Ward 17; 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, Nancy Colon, 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 17 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 Ordinance of Cleveland, Ohio 1976, the Commissioner of Pur-

chases 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 Nancy Colon for the sale and development of Permanent Parcel No. 016-16-032 located at 3404 West 58th Street, 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: Mayor White, Acting Director Carr, Director Brooks, Acting Directors Sundheimer, Balraj, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.

Absent: None.

**Resolution No. 234-00.**

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. 111-06-117 located at 419-21 East 118th Street in Ward 9; 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, Geraldine Clark, 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 9 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 Ordinance 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 Geraldine Clark for the sale and development of Permanent Parcel No. 111-06-117 located at 419-21 East 118th Street, 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: Mayor White, Acting Director Carr, Director Brooks, Acting Directors Sundheimer, Balraj, Direc-

tors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.

Absent: None.

**Resolution No. 235-00.**

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. 109-04-033 located at 10401-03 Parkgate 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, Willie Mae Driffin, 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 Ordinance 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 Willie Mae Driffin for the sale and development of Permanent Parcel No. 109-04-033 located at 10401-03 Parkgate 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: Mayor White, Acting Director Carr, Director Brooks, Acting Directors Sundheimer, Balraj, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.

Absent: None.

**Resolution No. 236-00.**

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. 121-17-083 located at 2289 East 95th Street in Ward 6; and

Whereas, Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976 authorizes the Commis-

sioner 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, Mattie Cobbins and Simon Cobbins, Jr., abutting/adjacent landowners, have proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 6 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 purchasers of said parcel are 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 Ordinance 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 Mattie Cobbins and Simon Cobbins, Jr. for the sale and development of Permanent Parcel No. 121-17-083 located at 2289 East 95th Street, 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: Mayor White, Acting Director Carr, Director Brooks, Acting Directors Sundheimer, Balraj, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.  
Absent: None.

**Resolution No. 237-00.**  
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. 115-06-026 under said Land Reutilization Program; and

Whereas, Ordinance No. 1843-99 passed December 13, 1999, authorized the sale of said parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Edna B. Franklin 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. 1843-99 passed December 13, 1999, by the Cleveland City Council, the Mayor is hereby authorized to execute an official deed for and on behalf of the City of Cleveland with Edna B. Franklin for the sale and development of Permanent Parcel No. 115-06-026, 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 \$400.00, 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: Mayor White, Acting Director Carr, Director Brooks, Acting Directors Sundheimer, Balraj, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.  
Absent: None.

**Resolution No. 238-00.**  
By Director Jackson.

Resolved by the Board of Control of the City of Cleveland that the bid of Pinkney-Perry Insurance Agency for the following: Property Insurance for the Cleveland Browns Football Stadium for the Department of Parks, Recreation & Properties, received on the 31st day of March, 2000, pursuant to the authority of Ordinance No. 303-96, passed March 8, 1996, which on the basis of order quantity would amount to \$75,600.00, is hereby approved as the lowest and best bid, and the Director of Parks, Recreation & Properties is hereby requested to enter into contract for such items.

Yeas: Mayor White, Director Brooks, Acting Directors Sundheimer, Balraj, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.  
Absent: Acting Director Carr.

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, MAY 1, 2000**

**9:30 A.M.**

**Calendar No. 00-73:** 5512 Memphis Avenue (Ward 15)

Ken Wayne, owner, appeals to change the use of an existing two-story 2 dwelling unit house into a karate studio, all situated on an approximate 52' x 125' corner parcel located in a Local Retail District on the northeast corner of West 56th Street and Memphis Avenue at 5512 Memphis Avenue; said change of use being contrary to the Business District Regulations of Section 343.01 where a karate studio is not permitted in a Local Retail District but first permitted in a General Retail District and Section 343.18 where the driveway shall not be less than 15' from the property line and contrary to the Off-Street Parking and Loading Requirements of Section 349.07(a), (b) and (c), where all access and maintenance driveways and maneuvering areas shall be properly graded for drainage and wheel and bumper guards are required and the maximum width of a driveway shall be 30', and Section 349.03 where 20 parking spaces are required and 4 are provided, and Section 349.05 where the location of the proposed parking is within the required 10' setback area, and contrary to the Landscaping and Screening Requirements of Section 352.09, where an 8' width heavy landscaped transition strip is required and where a 6' width medium landscaped frontage strip is required as stated in Section 352.10 of the Codified Ordinances.

**Calendar No. 00-74:** 1898 West 45th Street (Ward 14)

David L. Gelzer, owner, appeals under the authority of Section 329.02(c) and Section 367.09, where the appellant has the right to appeal to the Board of Zoning Appeals, and Section 327.99(a) where the appellant is subject to prosecution and penalties, and the Charter of the City of Cleveland from the issuance of a Violation Notice on February 28, 2000 by the Commissioner of the Division of Building and Housing, Department of Community Development, where the appellant at the property of 1898 West 45th Street has been cited for violating the Off-Street Parking and Loading Requirements of Section 349.07(a) where all access and maintenance driveways and maneuvering areas shall be properly graded for drainage and where parking spaces are to be surfaced with concrete asphaltic concrete, asphalt or similar surfacing material and for violating the Yards and Courts Requirements where parking of motor vehicles in the setback area is prohibited as stated in Section 357.14 of the Codified Ordinances.

**Calendar No. 00-75:** 5301-5307 Broadway Avenue (Ward 13)

Donald Bram, owner, and Leland S. Freedman, attorney, appeal to use an existing 40' x 145' lot with an existing 12' x 46' trailer situated on

the lot as a used auto sales lot, all located in a General Retail Business District at 5301-5307 Broadway Avenue; said use being contrary to the Business District Regulations of Section 343.11(b) where all vehicles, advertising matter and structures must be kept back of a structurally sound barrier at least 18' high and located on or behind the required setback building line and Broadway Avenue has a 13' setback; and contrary to the Special Uses Regulated Requirements of Section 347.11(b) where used car lots in a General Retail District must be hard surfaced with asphalt, Portland cement, brick, paving block or other dustless hard surfaced impervious, all-weathered material, and Section 347.11(c) where used car sales lots must be graded for proper drainage into city storm sewage and contrary to the Off-Street Parking and Loading Requirements of Section 349.04(f) where used car lots must provide 25% of the gross lot area for customer parking and Section 349.07(a) where customer parking must be graded for proper drainage within the lot and properly striped and contain bumper guards as stated in Section 349.07(b) of the Codified Ordinances.

**Calendar No. 00-76:** 2188 West 6th Street (Ward 13)

Tremont Ridge Phase I Limited Partnership, owner, appeals to construct a 20' x 40' three-story, 2 family dwelling house on a 25' x 100' vacant lot located in a B-Multi-Family District at 2199 West 6th Street; said construction being contrary to the Lot Area Requirements of Section 255.05 where 4,800 sq. ft. is required and 2,500 sq. ft. is proposed, and contrary to the Yards and Courts Requirements of Section 357.04 where a 15' front yard setback is required and 10' is proposed, and Section 357.09 where a 3' minimum and 10' aggregate interior side yard is required and a 1'-6" minimum and 5' aggregate interior side yard is proposed, and a building in a Residence District shall not be erected less than 10' from a main building on an adjoining lot as stated in Section 357.09 of the Codified Ordinances.

**Calendar No. 00-77:** 308 Central Viaduct (Ward 13)

Norfolk and Southern Corporation, owners, and Gateway Economic Development Corporation, tenant, appeal to establish use as an 819 space parking lot on an irregular shaped acreage parcel on the south side of Central Viaduct and located in a General Industry District at 308 Central Viaduct; said parking facility being contrary to the Off-Street Parking and Loading Requirements of Section 349.07 where all access and maintenance driveways and maneuvering areas shall be properly graded for drainage and a gravel lot with no drainage is proposed, and contrary to the Landscaping and Screening Requirements of Section 352.10 where a 0' landscaped frontage strip is proposed and a 4' landscaped frontage strip is required as stated in Section 352.10 of the Codified Ordinances.

EUGENE CRANFORD, JR.,  
Secretary

## REPORT OF THE BOARD OF ZONING APPEALS

MONDAY, APRIL 17, 2000

At the meeting of the Board of Zoning Appeals on Monday, April 17, 2000, the following appeals were heard by the Board:

The following appeal was **Approved:**

**Calendar No. 00-65:** 10501 Euclid Avenue  
Cleveland Clinic Foundation, owner, and the American Cancer Society, tenant, appealed to construct a two-story office building on a parcel located in a Local Retail Business District.

The following appeal was **Denied:**

**Calendar No. 00-47:** 10019 Cliff Drive  
Andrew William Gallagher, owner, appealed from the revocation of a building permit for construction of a garage and renovation of an existing 2 1/2-story one family dwelling unit.

The following appeals were **Postponed:**

**Calendar No. 00-67:** 4211 Franklin Boulevard postponed to May 1, 2000.

**Calendar No. 00-68:** 4305 Franklin Boulevard postponed to May 1, 2000.

**Calendar No. 00-37:** 3138 West 16th Street postponed to May 1, 2000.

**Calendar No. 00-43:** 2259 West 11th Street postponed to May 15, 2000.

The following appeal was **Dismissed:**

**Calendar No. 00-66:** 12701 Kadel Avenue  
Kyle Buford, owner, appealed to attach a 24' long antenna to the side of a one-story garage for a height of 39' above grade in a Two-Family District.

**On Monday, April 17, 2000, in Executive Session:**

The following appeals were heard on Monday, April 10, 2000 and said decisions were approved and adopted by the Board on April 17, 2000.

The following appeals were **Approved:**

**Calendar No. 00-20:** 4841 Broadway Avenue  
Cuyahoga County, owner, appealed to construct a three-story Day Care and Work Training Center building on a "T" shaped parcel located in split zoning for a General Retail and Two Family District.

**Calendar No. 00-50:** 1260 West 4th Street  
Magnate Development Corporation appealed to change the use of an existing six-story printing building to a store, residence units, office and assembly use in a Limited Retail District.

The following appeal was **Denied:**  
None

EUGENE CRANFORD, JR.,  
Secretary

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

Re: Report of the Meeting of  
April 12, 2000

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

\* \* \*

### Docket A-62-99.

RE: Appeal of David N. Bortz c/o Lextech Industries, Owner of the Property located on the premises known as 6800 Union Avenue from a NOTICE OF VIOLATION/FIRE CODE of the Chief of the Division of Fire dated March 15, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code. (OBBC)

No action this date, the docket will be rescheduled when the Board is notified to rehear the case from the Division of Building and Housing.

\* \* \*

### Docket A-244-99.

RE: Appeal of William E. Hawkins II & Nancy K. Hawkins, Owners of the Property located on the premises known as 3804 St. Clair Avenue from a NOTICE OF VIOLATION/FIRE CODE of the Chief of the Division of Fire dated October 17, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

Docket A-244-99 has been POSTPONED; to be rescheduled for May 10, 2000.

\* \* \*

### Docket L-8-00.

RE: Appeal of James W. Lang, appeals from a LETTER OF DENIAL FOR RENEWAL OF ELECTRICAL CONTRACTOR LICENSE of the Commissioner of the Division of Assessments & Licenses dated March 15, 2000, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to permit Mr. Lang to renew his ELECTRICAL CONTRACTOR LICENSE without retaking the test and without payment of the late filing fees. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Williams. Yeas: Messrs. Denk, Saunders, Williams. Nays: None. Absent: Messrs. Bowes, Sullivan.

\* \* \*

### Docket A-22-00.

RE: Appeal of Diontae Pippens, Owner of the Residential Property located on the premises known as 11410-12 Miles Avenue from a LIMITATION ON THE PERMIT of the Commissioner of the Division of Building and Housing dated Janu-

ary 11, 2000, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant a four (4) month "Extension Of Time" on the Permit in which to complete abatement of the violations on the property; the property is REMANDED at this time to the Division of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Williams and seconded by Mr. Saunders.

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

\* \* \*

**Docket A-24-00.**

RE: Appeal of Harry Butler, Owner of the One Family Two & One-half Story Frame Residential Property located on the premises known as 1049 East 78th Street, from a 72 HR. FIRE CONDEMNATION ORDER/MS of the Commissioner of the Division of Building and Housing dated January 10, 2000, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

Docket A-24-00 has been WITHDRAWN at the request of the Appellant April 11, 2000.

\* \* \*

**Docket A-25-00.**

RE: Appeal of Mustafa Taye, Owner of the Four (4) Stores One (1) Story Masonry Property located on the premises known as 14619-27 Woodworth Road from a NOTICE OF VIOLATION/COMMERCIAL MAINTENANCE of the Commissioner of the Division of Building and Housing dated January 14, 2000, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

Docket A-25-00 has been POSTPONED; to be rescheduled for April 26, 2000.

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**Docket A-26-00.**

RE: Appeal of Howard R. Searcy Jr., Owner of the One Family Two & One-half Story Frame Residential Property located on the premises known as 1866 Lakeview Road from a 30 DAY CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated February 11, 2000, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to DENY the Appellant's appeal request for an extension of time and to REMAND the property at 1866 Lakeview Road to the Division of Building and Housing for further action. Motion so in order. Motioned by Mr. Williams and seconded by Mr. Saunders.

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

**Docket A-42-00.**

RE: Appeal of White Elephant, Inc., Owner of the Industrial Warehouse Property located on the premises known as 3300 West 65th Street appeals from an ADJUDICATION ORDER of the Commissioner of the Division of Building and Housing dated February 16, 2000, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

No action this date; Docket A-42-00 has been POSTPONED; to be rescheduled for April 26, 2000.

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**Docket A-44-00.**

RE: Appeal of Emil Rosul (Advanced Fluids Inc.), Owner of the Property located on the premises known as 18129 Roseland Avenue from an ADJUDICATION ORDER #2 (OAC 4101:2-1-19 (A)(C)(D) & (E)(2)(3)(5)) of the Commissioner of the Division of Building and Housing dated March 2, 2000, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to permit the building to be used in the manner proposed, and to grant the variance to (Item 1-Per OAC 4101:2-1-19(A)(C)(D) & (E)(2)(3)(5)) the fire rated requirements of the east and north walls, noting that open land and a railroad exists generally in those areas, and does not create a hazardous condition; and to grant the variance to (Item 2 OBBC Section 417 and 418) to allow the existing dikes to remain as indicated, noting the concurrence of the Division of Fire. Motion so in order. Motioned by Mr. Williams and seconded by Mr. Saunders.

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

\* \* \*

**Docket A-46-00.**

RE: Appeal of Case Western Reserve University, Owner of the CWRU Science Center located on the premises known as 2074 Adelbert Road appeals from an ADJUDICATION ORDER (OBBC 1014.11/Interior stairway enclosures) of the Commissioner of the Division of Building and Housing dated February 23, 2000, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

Docket A-46-00 has been POSTPONED; to be rescheduled for April 26, 2000.

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**Dockets A-48-00 To A-56-00.**

RE: Appeal of Zaremba Cleveland Communities Inc., Owners of the One Dwelling Unit Brick/Frame Residential Property located on the premises known as 1954-72 East 82nd Street from a NOTICE OF VIOLATION/NO PERMIT/NO INSPECTION of the Commissioner of the Division of Building and Housing dated March 27, 2000, requiring com-

pliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to require the Appellant to extend a five (5) year warranty on the storm systems in question, with the builder notifying the residence of those homes via certified letter with a copy of those letters to be submitted to the Board of Building Standards and Building Appeals; and to require that a formal hearing be scheduled before the Board in eighteen (18) months (October 2001) to resolve any issues at that time and subsequent hearings to be called as necessary. Motion so in order. Motioned by Mr. Williams and seconded by Mr. Denk.

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

\* \* \*

**APPROVAL OF RESOLUTIONS:**

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

- L-5-00—Matthew Samar.
  - A-2-00—Paul & Cesare Noce.
  - A-34-00—Dean Murad.
  - A-36-00—Cuyahoga County of Ohio/Court House.
  - A-38-00—Gary Burnett.
  - A-43-00—The Salvation Army.
  - A-47-00—Applewood Centers, Inc.
- Yeas: Messrs. Denk, Saunders, Sullivan (via telephone). Nays: None. Not Voting: Mr. Williams. Absent: Mr. Bowes.

\* \* \*

**APPROVAL OF MINUTES:**

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

March 29, 2000

Yeas: Messrs. Denk, Saunders, Sullivan (via telephone). Nays: None. Not Voting: Mr. Williams. Absent: Mr. Bowes.

\* \* \*

JOSEPH F. DENK,  
CHAIRMAN

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**PUBLIC NOTICE**

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NONE

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**NOTICE OF PUBLIC HEARING**

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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."

**THURSDAY, APRIL 27, 2000**

**Residential Sound Insulation Program (RSIP) 2000 — Group C-00 General Construction Contract**, for the Department of Port Control, as authorized by Ordinance No. 468-98, passed by the Council of the City of Cleveland.

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

A **MANDATORY** PRE-BID MEETING WILL BE HELD ON THURSDAY, APRIL 20, 2000, 12:00 NOON, LOCAL TIME, IN THE 2ND FLOOR MAIN CONFERENCE ROOM, ADMINISTRATION OFFICE, IN CLEVELAND HOPKINS PASSENGER TERMINAL BUILDING.

**Residential Sound Insulation Program (RSIP) 2000 — Group D-00, HVAC/Electrical Construction Contract**, for the Department of Port Control, as authorized by Ordinance No. 468-98, passed by the Council of the City of Cleveland.

A DEPOSIT OF ONE HUNDRED DOLLARS (\$100.00) CERTIFIED CHECK OR MONEY ORDER WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS. THE DEPOSIT WILL BE

REFUNDED IF THE PLANS AND SPECIFICATIONS ARE RETURNED IN GOOD CONDITION WITHIN FIFTEEN (15) DAYS AFTER THE BID OPENING DATE.

A **MANDATORY** PRE-BID MEETING WILL BE HELD ON THURSDAY, APRIL 20, 2000, 12:00 NOON, LOCAL TIME, IN THE 2ND FLOOR MAIN CONFERENCE ROOM, ADMINISTRATION OFFICE, IN CLEVELAND HOPKINS PASSENGER TERMINAL BUILDING.

**Interior Improvements at Various Health Centers**, for the Department of Public Health, as authorized by Ordinance No. 1964-99, passed by the Council of the City of Cleveland.

A DEPOSIT OF FIFTY DOLLARS (\$50.00) CERTIFIED CHECK OR MONEY ORDER WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS. THE DEPOSIT WILL BE REFUNDED IF THE PLANS AND SPECIFICATIONS ARE RETURNED IN GOOD CONDITION WITHIN FIFTEEN (15) DAYS AFTER THE BID OPENING DATE.

A PRE-BID MEETING WILL BE HELD ON THURSDAY, APRIL 20, 2000, 2:00 P.M. AT McCAFFERTY HEALTH CENTER, 4242 LORAIN AVENUE, CLEVELAND, OHIO.

April 12, 2000 and April 19, 2000

**FRIDAY, APRIL 28, 2000**

**Building Maintenance Equipment**, for the Department of Parks, Recreation and Properties, as authorized by Ordinance No. 761-98, passed by the Council of the City of Cleveland, May 18, 1998.

April 12, 2000 and April 19, 2000

**WEDNESDAY, MAY 3, 2000**

**Reflective Sheeting and Channel Sign Posts**, for the Division of Traffic Engineering and Parking, Department of Public Service, as authorized by Ordinance No. 2164-99, passed by the Council of the City of Cleveland, February 14, 2000.

**Traffic Sign Blanks**, for the Division of Traffic Engineering and Parking, Department of Public Service, as authorized by Ordinance Nos. 2162-99 and 2164-99, passed by the Council of the City of Cleveland, February 14, 2000.

**Traffic Paint**, for the Division of Traffic Engineering and Parking, Department of Public Service, as authorized by Ordinance No. 2161-99, passed by the Council of the City of Cleveland, February 14, 2000.

**Pool Chemicals**, for the Division of Recreation, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 171-2000.

**Rental of Golf Carts**, for the Division of Recreation, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 105-2000.

**Food, Beverages and Paper Products for Camp Forbes**, for the Division of Recreation, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 211-2000.

April 19, 2000 and April 26, 2000

**THURSDAY, MAY 4, 2000**

**Residential Sound Insulation Program (RSIP) 2000 — Group E-00 General Construction Contract**, for the Department of Port Control, as authorized by Ordinance No. 468-98, passed by the Council of the City of Cleveland.

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

A **MANDATORY** PRE-BID MEETING WILL BE HELD ON THURSDAY, APRIL 27, 2000, 3:00 P.M., LOCAL TIME, IN THE 2ND FLOOR MAIN CONFERENCE ROOM, ADMINISTRATION OFFICE, IN CLEVELAND HOPKINS PASSENGER TERMINAL BUILDING.

April 19, 2000 and April 26, 2000

**FRIDAY, MAY 5, 2000**

**FLIR Systems for Helicopters**, 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.

**Commercial Electric Water Heaters**, for the Department of Parks, Recreation and Properties, as authorized by Ordinance No. 761-98, passed by the Council of the City of Cleveland, May 18, 1998.

April 19, 2000 and April 26, 2000

**THURSDAY, MAY 11, 2000**

**Janitorial Supplies (Group A)**, for the Various Divisions of City Government, Department of Finance, as authorized by Ordinance No. 710-99, passed by the Council of the City of Cleveland, May 17, 1999.

April 19, 2000 and April 26, 2000

**THURSDAY, MAY 18, 2000**

**Labor and Materials to Maintain and Replace Interior Plants**, for Various Divisions of Port Control, as authorized by Ordinance No. 576-99, passed by the Council of the City of Cleveland.

A PRE-BID MEETING WILL BE HELD ON WEDNESDAY, MAY 11, 2000, 1:00 P.M. IN THE CONFERENCE ROOM LOCATED ON THE SECOND FLOOR ADMINISTRATION OFFICES, TERMINAL BUILDING, CLEVELAND HOPKINS INTERNATIONAL AIRPORT, 5300 RIVERSIDE DRIVE, CLEVELAND, OHIO 44135.

**Labor and Materials Necessary to Install Airfield Security Equipment**, for the Department of Port Control, as authorized by Ordinance No. 2149-96, passed by the Council of the City of Cleveland.

April 19, 2000 and April 26, 2000

**ADOPTED RESOLUTIONS  
AND ORDINANCES**

**Res. No. 825-97.**

**By Councilman Lewis.**

**An emergency resolution urging Governor Taft, the State Auditor, the Board of County Commissioners and the County Auditor to audit the tax payments of gas and oil well operators and collect delinquent taxes for the benefit of the Cleveland public schools.**

Whereas, Ohio law classifies oil and natural gas as real property subject to real property taxes; and

Whereas, state law requires Ohio counties to compile a list annually of oil and gas wells throughout the state; and

Whereas, the only oil and gas wells in county records are those reported by the operators of the wells; and

Whereas, a similar honor system is used to assess the proper taxes to be paid since the data used to compile the taxes is supplied by the suppliers and not audited by the county or state; and

Whereas, it is estimated that only a fraction of the returns are being filed by the well operators and only a fraction of the tax due is being paid; and

Whereas, there is little initiative for counties to trace delinquent producers since about 80% of the money collected would go to public schools, not the county; and

Whereas, strict enforcement of the tax laws with respect to oil and gas wells in Cuyahoga County could be a badly needed source of revenue for the Cleveland school system; and

Whereas, this ordinance constitutes an emergency measure providing for the immediate preservation of the public peace, property, health or safety in that all potential sources of revenue to benefit the Cleveland public schools must be explored; now, therefore,

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

**Section 1.** That this Council urges Governor Taft, the State Auditor, the Board of County Commissioners and the County Auditor to audit the tax payments of gas and oil well operators and collect delinquent taxes for the benefit of public school systems, including the Cleveland public schools.

**Section 2.** That the Clerk of Council is hereby directed to transmit copies of this resolution to Governor Taft, the State Auditor, the Board of County Commissioners and the County Auditor.

**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 April 10, 2000.

Effective April 17, 2000, without the signature of the Mayor.

**Res. No. 424-2000.**

**By Councilman Lewis.**

**An emergency resolution requesting that Betty Montgomery, Ohio Attorney General, investigate the rash of hospital closures and proposed closures in the City of Cleveland to determine whether any violation of state law has occurred.**

Whereas, this Council is greatly concerned about the level of care provided to the residents of the City of Cleveland by the hospitals located within our City; and

Whereas, it has been recently reported in the Plain Dealer that several hospitals within our City are failing to provide accessible health care to the indigent and working poor residents of our City; and

Whereas, the charters to operate hospitals are granted by the State of Ohio and, as such, are governed by the leaders of our state; and

Whereas, The Cleveland Clinic Foundation has demonstrated a lack of concern and failure to provide accessible health care for many of the residents of Cleveland; and

Whereas, this Council requests that Betty Montgomery, Ohio Attorney General, investigate the rash of hospital closures and proposed closures in the City of Cleveland to determine whether any violation of state law has occurred; and

Whereas, this Council also requests that Attorney General Montgomery review the charter of The Cleveland Clinic Foundation to determine whether it has fulfilled its mission and duties thereunder, and if warranted, to begin procedures to revoke their charter to operate; now, therefore,

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

**Section 1.** That this Council of the City of Cleveland requests that Betty Montgomery, Ohio Attorney General, investigate the rash of hospital closures and proposed closures in the City of Cleveland to determine whether any violation of state law has occurred and to review the charter of The Cleveland Clinic Foundation to determine whether it has fulfilled its mission and duties thereunder, and if warranted, to begin procedures to revoke their charter to operate.

**Section 2.** That the Clerk is hereby requested to forward a copy of this Resolution to Betty Montgomery, Attorney General of the State 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 April 10, 2000.

Effective April 17, 2000, without the signature of the Mayor.

**Res. No. 561-2000.**

**By Councilman Polensek.**

**An emergency resolution withdrawing objection to the transfer of location of a D1 and D2 Liquor Permit to 568 East 185th Street, and repealing Res. No. 195-2000 objecting to said transfer of location.**

Whereas, this Council objected to the transfer of location of a D1 and

D2 Liquor Permit to 568 East 185 Street by Res. No. 195-2000 adopted by Council on February 7, 2000; and

Whereas, this Council wishes to withdraw its objection to the above transfer of location and consents to said transfer of location based upon and pursuant to a cooperation agreement signed March 22, 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 D1 and C2 Liquor Permit to 568 East 185th Street, be and the same is hereby withdrawn and Res. No. 195-2000, 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 April 10, 2000.

Effective April 17, 2000.

**Res. No. 562-2000.**

**By Councilman Polensek.**

**An emergency resolution withdrawing objection to the transfer of ownership of a D5 Liquor Permit to 768 East 200th Street, 1st Fl. & Bsmt., and repealing Res. No. 1869-99 objecting to said transfer of ownership.**

Whereas, this Council objected to the transfer of ownership of a D5 Liquor Permit to 768 East 200 Street, 1st Fl. & Bsmt. by Res. No. 1869-99, adopted by Council on October 18, 1999; 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 cooperation agreement signed March 22nd, 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 ownership of a D5 Liquor Permit to 768 East 200th Street, 1st Fl. & Bsmt., be and the same is hereby withdrawn and Res. No. 1869-99, 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 April 10, 2000.  
Effective April 17, 2000.

**Res. No. 563-2000.**

**By Councilman Cintron.**

**An emergency resolution supporting Catholic Charities Facilities Corporation in its effort to develop a housing complex for the elderly on West 33rd Street.**

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

Whereas, a special need has been identified for affordable housing designed specifically for the elderly; and

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

Whereas, the Catholic Charities Facilities Corporation has proposed a 44 unit apartment development located on West 33rd Street between St. Rocco Court and Roehl Avenue; and

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

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

**Section 1.** That the Council of the City of Cleveland is supportive of the efforts of Catholic Charities Facilities Corporation to develop a 44 unit apartment complex on West 33rd Street between St. Rocco Court and Roehl Avenue to provide affordable housing for our senior citizens and that this Council applauds the efforts of Catholic Charities Facilities Corporation to provide housing for the elderly in our neighborhoods.

**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 April 10, 2000.  
Effective April 17, 2000.

**Res. No. 564-2000.**

**By Councilman Patmon.**

**An emergency resolution objection to the transfer of ownership of a C2 and C2X Liquor Permit to 7300 St. Clair Avenue.**

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a C2 and C2X Liquor Permit from Permit No. 27394500070, First National Supermarkets Inc., DBA Tops, 7300 St. Clair Avenue, Cleveland, Ohio 44103, to Permit No. 89958620035, Tops Inc., DBA Tops, 7300 St. Clair Avenue, Cleveland, Ohio 44103; 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 permit holder and/or has demonstrated that he has operated his liquor business in disregard of the laws, regulations or local ordinances of this state or any other state; and

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

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

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

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

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

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

**Section 1.** That Council does hereby record its objection to the transfer of ownership of a C2 and C2X Liquor Permit from Permit No. 27394500070, First National Supermarkets Inc., DBA Tops, 7300 St. Clair Avenue, Cleveland, Ohio 44103, to Permit No. 89958620035, Tops Inc., DBA Tops, 7300 St. Clair Avenue, Cleveland, Ohio 44103 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted April 10, 2000.  
Effective April 17, 2000.

**Res. No. 565-2000.**

**By Councilman Sweeney.**

**An emergency resolution supporting Catholic Charities Facilities Corporation in its effort to develop a housing complex for the elderly on Bennington Avenue.**

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

Whereas, a special need has been identified for affordable housing designed specifically for the elderly; and

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

Whereas, the Catholic Charities Facilities Corporation has proposed a 44 unit apartment development located on Bennington Avenue between West 130th and West 127th Streets; and

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

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

**Section 1.** That the Council of the City of Cleveland is supportive of the efforts of Catholic Charities Facilities Corporation to develop a 44 unit apartment complex on Bennington Avenue between West 130th and West 127th Streets to provide affordable housing for our senior citizens and that this Council applauds the efforts of Catholic Charities Facilities Corporation to provide housing for the elderly in our neighborhoods.

**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 April 10, 2000.  
Effective April 17, 2000.

**Res. No. 566-2000.**

**By Councilman Westbrook.**

**An emergency resolution withdrawing objection to the renewal of a D1, D2, D3, D3A and D6 Liquor Permit to 11213-15 Detroit Avenue, 1st Fl., Bsmt. & Patio, and repealing Res. No. 1479-99 objecting to said renewal.**

Whereas, this Council objected to the renewal of a D1, D2, D3, D3A and D6 Liquor Permit to 11213-15 Detroit Avenue, 1st Fl., Bsmt. & Patio, by Res. No. 1479-99 adopted by Council August 11, 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 D1, D2, D3, D3A and D6 Liquor Permit to 11213-15 Detroit Avenue, 1st Fl., Bsmt. & Patio, be and the same is hereby withdrawn and Res. No. 1479-99, 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 April 10, 2000.  
Effective April 17, 2000.



**Ord. No. 1960-99.**  
**By Councilmen Cintron and Pat-**  
**mon (by departmental request).**

**An emergency ordinance to amend Section 7 of Ordinance No. 1642-97, passed November 24, 1997, relating to the public improvement of rehabilitating Carter Road, Columbus Road, Center Street, West 3rd Street, Willow Avenue and Eagle Avenue lift bridges, and professional services 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 Section 7 of Ordinance No. 1642-97, passed November 24, 1997, is hereby amended to read as follows:

**Section 2.** That the costs of the improvement, services and property acquisition herein contemplated shall be paid from Fund No. 20 SF 302, 20 SF 312, 20 SF 322, 20 SF 334, 20 SF 342, 20 SF 353 and 20 SF 364, Request No. 21954.

**Section 2.** That Section 7 of Ordinance No. 1642-97, passed November 24, 1997, 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 April 10, 2000.  
 Effective April 17, 2000.

**Ord. No. 2120-99.**  
**By Councilmen Rybka and Pat-**  
**mon (by departmental request).**

**An emergency ordinance authorizing the Directors of Parks, Recreation and Properties and Finance to enter into contract with the Cleveland Board of Education to conduct recreational, cultural and extracurricular programs for the benefit of school children during the 1999-2000 school year.**

Whereas, pursuant to Ordinance No. 1025-A-95, passed June 28, 1995, tax revenues from levying the parking facility tax and increases in the motor vehicle lessor tax and the admissions tax can be used to fund recreational, cultural and extracurricular programs within the Cleveland School system; and

Whereas, the Joint Board established by Ordinance No. 1025-A-95 has recommended that a portion of the tax proceeds be used to fund a number of recreational, cultural and extracurricular programs for City school children during the 1999-2000 school year, including dance, drama, instrumental, vocal, cheerleading, aquatic, sports and academic enrichment programs; 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 Directors of Parks, Recreation and Properties and Finance are hereby authorized to enter into contract with the Board of Education of the Cleveland

City School District to conduct various recreational, cultural and extracurricular programs for the benefit of City school children, in accordance with the program description contained in File No. 2120-99-A, for an amount not to exceed \$2,000,000, payable from the fund or funds to which are credited the proceeds of the taxes levied pursuant to Ordinance No. 1025-A-95, passed June 28, 1995, under such terms and conditions as are acceptable to the Director of Law. The contract authorized by this ordinance shall require that the Board of Education of the Cleveland City School District: (1) report to this Council at least quarterly as to what expenditures are made with the funds provided under this ordinance, with a detailed itemization of whether the expenditures are for recreational, cultural, extracurricular or other purposes; and (2) report to the Council President and Chairman of the Finance Committee at the end of each school year to identify any funds that have been provided by this Council for this program that remain unspent at the end of the school year. In addition to the other reporting requirements, the Board of Education shall, within two weeks of passage of this ordinance, submit a report to the Council President and Chairman of the Finance Committee, identifying all funds that have been provided by this Council for this program in years 1995 to present that have not yet been spent. The Joint Board created by Section 7 of Ordinance No. 1025-A-95 and which is to oversee the recreational, cultural and extracurricular activities funded by this ordinance, shall meet at least four times a year, following public notice of such meetings.

**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 April 10, 2000.  
 Effective April 17, 2000.

**Ord. No. 105-2000.**  
**By Councilmen Rybka and Pat-**  
**mon (by departmental request).**

**An emergency ordinance authorizing the Director of Parks, Recreation and Properties to solicit written proposals for the rental of golf carts for the Highland and Seneca golf courses, for the Department of Parks, Recreation and Properties.**

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

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

**Section 1.** That the Director of Parks, Recreation and Properties is hereby authorized to solicit written requests for proposal in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one, two, three and five years for the necessary items of the rental of golf carts for Highland and Seneca

golf courses in the approximate amount as purchased during the preceding term, to be procured by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Recreation, Department of Parks, Recreation and Properties. Alternate bids for a period less than one 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 upon receipt of the responses to the request for proposal, the Director of Parks, Recreation and Properties shall provide each member of the Committee on Public Parks, Property and Recreation with a copy of each response to the request for proposal. The award of such requirement contract shall be by ordinance of the City Council.

**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 April 10, 2000.

Effective April 17, 2000, without the signature of the Mayor.

**Ord. No. 136-2000.**  
**By Councilmen Rybka and Pat-**  
**mon (by departmental request).**

**An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter into an agreement with the Ohio Department of Transportation in order to control vegetative growth along portions of I-90 from the East 185th Street interchange to the East 22nd Street interchange by mowing.**

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

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

**Section 1.** That the Director of Parks, Recreation and Properties is hereby authorized to enter into an agreement with the Ohio Department of Transportation in order to control vegetative growth along portions of Interstate I-90 from the East 185th Street interchange to the East 22nd Street interchange of mowing. The agreement shall provide that the Ohio Department of Transportation will pay Cleveland for performing the services described herein \$140,000 for the Year 2000, with two one-year options to renew at the same rate. The agreement shall be prepared by the Director of Law and shall contain such additional terms and conditions as are necessary to protect 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 April 10, 2000.  
 Effective April 17, 2000.

**Ord. No. 165-2000.**

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 Cuyahoga County Board of Health for the 2000 Cuyahoga County Health Promotion 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 Director of Public Health is hereby authorized to apply for and accept a grant in the approximate amount of \$57,750, and any other funds as they become available during the grant term, from the Cuyahoga County Board of Health, to conduct the 2000 Cuyahoga County Health Promotion Project, for the purposes set forth in the application and according thereto; that the Director of Public Health is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the application for said grant.

**Section 2.** That the application for said grant, File No. 165-2000-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 April 10, 2000.  
Effective April 17, 2000.

**Ord. No. 168-2000.**

By Councilmen Rybka and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter into contract with City Year to perform community service work and to collaborate with various non-profit agencies.

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

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

**Section 1.** That the Director of Parks, Recreation and Properties is hereby authorized to enter into contract with City Year to perform community service work and to collaborate with non-profit agencies, in an amount not to exceed \$100,000.00, payable from Fund No. 01-700404-638000, Request No. 19017.

**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 April 10, 2000.  
Effective April 17, 2000.

**Ord. No. 169-2000.**

By Councilmen Rybka and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter into contract with the Cleveland Municipal Football Association to conduct a City-wide football 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 Parks, Recreation and Properties is hereby authorized to enter into contract with the Cleveland Municipal Football Association to conduct a City-wide football program, in an amount not to exceed \$65,000, payable from Fund No. 01-700404-638000, Request No. 19020. At the conclusion of the football program authorized by this ordinance, the Director of Parks, Recreation and Properties shall report to the Chairman of the Public Parks, Property and Recreation Committee, Chairman of the Finance Committee and President of Council concerning the expenditures made on the program.

**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 April 10, 2000.  
Effective April 17, 2000.

**Ord. No. 170-2000.**

By Councilmen Rybka and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter into a contract with the National Junior Tennis League of Cleveland to provide a summer tennis 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 Parks, Recreation and Properties is hereby authorized to enter into a contract during June through August, 2000, with the National Junior Tennis League of Cleveland to provide youth tennis services.

**Section 2.** That the cost of such contract shall not exceed \$35,000 and shall be paid from Fund No. 01-700402-638000, Request No. 19019.

**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 April 10, 2000.  
Effective April 17, 2000.

**Ord. No. 171-2000.**

By Councilmen Rybka and Patmon (by departmental request).

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

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

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

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

**Section 2.** That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 19021)

**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 April 10, 2000.  
Effective April 17, 2000.

**Ord. No. 173-2000.**

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

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter into a fifteenth amendment to Lease Agreement No. 35620 to extend the term of the existing Lease Agreement for the rental of Broadway YMCA facilities at 11300 Miles Avenue; and to allow the City to utilize the Broadway YMCA gymnasium for a youth basketball program.

Whereas, pursuant to Ordinance No. 1759-85, passed June 24, 1985, the Director of Parks, Recreation and Properties entered into Lease Agreement No. 35620 with the Young Men's Christian Association for the rental of the Broadway YMCA facilities located at 11300 Miles Avenue for the purpose of providing recreational facilities and activities for the City's youth; and

Whereas, pursuant to Ordinance No. 1165-86, passed June 16, 1986, Ordinance No. 1255-87, passed June 8, 1987, Ordinance No. 1052-88, passed June 6, 1988, Ordinance No. 1037-89, passed September 11, 1989, Ordinance No. 1112-90, passed June 18, 1990, Ordinance No. 1368-91, passed June 17, 1991, Ordinance No. 1657-92, passed November 9, 1992, Ordinance No. 1309-93, passed June 14, 1993, Ordinance No. 373-94, passed April 18, 1994, Ordinance No. 260-95, passed March 27, 1995, Ordinance No. 490-96, passed May 6, 1996, Ordinance No. 813-97, passed June 7, 1997, Ordinance No. 511-98, passed April 6, 1998, and Ordinance No. 660-99, passed April 19, 1999, this Council authorized modifications to the Lease Agreement; and

Whereas, the City wishes to further modify said Agreement; and

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

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

**Section 1.** That the Director of Parks, Recreation and Properties is hereby authorized to enter into a fifteenth amendment to Lease Agreement No. 35620 with the Young Men's Christian Association ("YMCA") for the continued rental of the Broadway YMCA facilities located at 11300 Miles Avenue, Cleveland, Ohio 44105 for the purpose of providing recreational facilities and activities for the City's youth and the continued utilization of the Broadway YMCA gymnasium for a youth basketball program.

**Section 2.** That said fifteenth amendment shall extend the term of the agreement for one year to December 31, 2000, and in consideration for the extension of the term, the City shall pay the YMCA an additional rental of \$55,000, for a total rental for the term, as extended, of \$840,000. Said extension shall be paid from Fund No. 01-700404-638000, Request No. 19015.

**Section 3.** That said fifteenth amendment shall be prepared and approved by the Director of Law and shall contain such provisions as the Director of Law shall deem necessary to protect 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 April 10, 2000.  
Effective April 17, 2000.

**Ord. No. 174-2000.**  
**By Councilmen Polensek, Rybka, and Patmon (by departmental request).**  
**An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter into contract with Salvation Army, for administering and facilitating recreational services in Ward 11, for the Department of Parks, Recreation and Properties.**

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

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

**Section 1.** That the Director of Parks, Recreation and Properties is hereby authorized to enter into contract with Salvation Army (Temple Corps), 17625 Groveswood Avenue, Cleveland, Ohio, or its designee, for professional services necessary to administer and facilitate recreational services in the Collinwood Community in Ward 11, in the total sum of \$55,000, payable from Fund No. 01-700402-638000, Request No. 19018, for the Department of Parks, Recreation and Properties.

**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 April 10, 2000.  
Effective April 17, 2000.

**Ord. No. 211-2000.**  
**By Councilmen Rybka 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 Education for the 2000 Summer Food Program; authorizing the purchase by requirement contract of breakfasts, lunches and snacks for said Program and for food, food products, beverages, condiments and paper products needed for a food service operation to be served at Camp George L. Forbes as part of said Program, and for the Division of Recreation, Department of Parks, Recreation and Properties; and authorizing said Director to contract with various non-profit organizations for the implementation of said 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 Parks, Recreation and Properties is hereby authorized to apply for and accept a grant in the amount of \$250,000.00, from the Ohio Department of Education, to conduct the 2000 Summer Food Program for the purposes set forth in the program description and according thereto; that the Director of Parks, Recreation and Properties is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant, and that said funds be and they hereby are appropriated for the purposes set forth in the program description for said grant.

**Section 2.** That the program description for said grant, File No. 211-2000-A, made a part hereof as if fully rewritten herein is hereby approved in all respects.

**Section 3.** That the Director of Parks, Recreation and Properties is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of three months (June, July and August, 2000) for the breakfast, lunch and snack program to be served at nineteen City recreation centers and various non-profit agencies and such other agencies or

recreation facilities as determined by the Director, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Recreation, Department of Parks, Recreation and Properties. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine.

**Section 4.** 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 19022)

**Section 5.** That provided the agencies meet the eligibility requirements of the Ohio Department of Education, the Director of Parks, Recreation and Properties is hereby authorized to make written contracts with the following agencies and such additional agencies as determined by said Director for implementation of the 2000 Summer Food Program:

Emile deSauze  
Salvation Army  
Second Calvary  
St. Paul AME

Broken Pieces Fellowship Church  
Christian Family Outreach  
Second New Hope Christian Academy

**Section 6.** That the cost of said contract hereby authorized shall be paid from the funds or funds to which are credited the proceeds of the grant accepted pursuant to Section 1 of this ordinance, Request No. 19022.

**Section 7.** That the Director of Parks, Recreation and Properties is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of various natural foods, food products, beverages, condiments and paper products as set forth in detail on file in the Office of the Division of Purchases and Supplies and attached to Request No. 19023, to be served as part of the meal program at Camp George L. Forbes, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Recreation, Department of Parks, Recreation and Properties. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine.

**Section 8.** 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 19023)

**Section 9.** That, notwithstanding the provisions of Section 181.24 of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, bidders for the contracts authorized by this ordinance shall be required to submit a bid bond in the amount of five percent of the amount of the

bid, as required by United States Treasury Circular 570.

**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 April 10, 2000.  
Effective April 17, 2000.

**Ord. No. 212-2000.**

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

**An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter into contract with Boston Mills Ski Resort to provide youth ski lessons for the 2001 ski season, for the Division of Recreation, Department of Parks, Recreation and Properties.**

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

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

**Section 1.** That the Director of Parks, Recreation and Properties is hereby authorized to enter into contract with Boston Mills Ski Resort to provide youth ski lessons for the 2001 ski season, in the total sum of \$23,000, payable from Fund No. 01-700401-638000, Request No. 19025.

**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 April 10, 2000.  
Effective April 17, 2000.

**Ord. No. 252-2000.**

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

**An emergency ordinance authorizing the Director of Finance to enter into a requirement contract without competitive bidding with East Ohio Gas Company for the purchase of natural gas transportation services, and authorizing the purchase by requirement contract of natural gas, 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 it is hereby determined that natural gas transportation services are non-competitive and cannot be secured from any source other than the East Ohio Gas Company. Therefore, the Director of Finance is hereby authorized to make a written requirement contract with said East Ohio Gas Company for a period of one year, for natural gas transportation services, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of City government.

**Section 2.** 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 purchase of natural gas to be transported by the East Ohio Gas Company 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 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 3.** That the cost of said contracts shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchases thereunder, which purchases, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contracts duly certified by the Director of Finance. (RL 1449).

**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 April 10, 2000.  
Effective April 17, 2000.

**Ord. No. 372-2000.**

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

**An emergency ordinance authorizing the Director of Community Development to apply and accept a grant from the State of Ohio Department of Development to conduct the State Home Weatherization Assistance Program and to enter into contract with various organizations, individual landlords, tenants and contractors for the purpose of providing weatherization assistance to low income City residents through the State Home Weatherization Assistance 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 Community Development is hereby authorized to apply for and accept a grant in the amount of \$2,538,339.00 from the State of Ohio Department of Development, to conduct the State Home Weatherization Assistance Program and 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 Director of Community Development is authorized to enter into contract with

individual landlords, tenants, contractors and various non-profit organizations for the provision of weatherization assistance to low-income City residents through the State Home Weatherization Assistance Program. If the City and/or a participating non-profit agency is aware of a complaint from a City resident receiving weatherization assistance through the State Home Weatherization Assistance Program, the City and/or the non-profit agency shall notify the appropriate councilperson of such complaint.

**Section 3.** That Wards 7 and 9 shall only be served by Lutheran Housing Network Corporation and the Cleveland Housing Network for the provision of weatherization assistance through the State Home Weatherization Assistance Program.

**Section 4.** That the cost of said contracts shall not exceed, in the aggregate, \$2,538,339.00 and shall be paid from Fund Nos. 13 SF 891, 13 SF 892 and 13 SF 893.

**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 April 10, 2000.  
Effective April 17, 2000.

**Ord. No. 410-2000.**

**By Mayor White.**

**An emergency ordinance authorizing the Director of Public Safety and Public Service to cause payment of the City's share to the State of Ohio for the cost of the Lee Lorain Buckeye neighborhoods signalization project.**

Whereas, in Ordinance No. 1099-94, passed June 13, 1994, this Council gave consent to the Director of Transportation, State of Ohio, for the cost of the Lee Lorain Buckeye neighborhoods signalization project; and

Whereas, this Council authorized the City to cooperate with the State of Ohio in the cost of the above-referenced improvement; and

Whereas, the City's share of the cost of said improvement is currently estimated to be \$420,000.00; 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 State of Ohio of the City's share of the cost of the Lee Lorain Buckeye neighborhoods signalization project, from Fund No. 20 SF 364, Request No. 4326.

**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 April 10, 2000.  
Effective April 11, 2000.

**Ord. No. 518-2000.**  
**By Councilmen Coats, Polensek, Cintron, Cimperman and Patmon (by departmental request).**

**An emergency ordinance to amend Section 1 of Ordinance No. 175-99, passed March 15, 1999 relating to the acquisition of property located on East 152nd Street, for the purpose of widening the public right-of-way.**

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 1 of Ordinance No. 175-99, passed March 15, 1999 is hereby amended to read as follows:

Section 1. That notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Commissioner of Purchases and Supplies is hereby authorized to acquire title to the property described below from Conrail Corp., a.k.a. Consolidated Rail Corporation for the public purpose of widening the public right-of-way at East 152nd Street between Darwin Avenue and South Waterloo Road, the following described property at no cost to the City of Cleveland:

**0.0628 Acres Parcel**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Original Euclid Township Tract No. 16 and bounded and described as follows:

Commencing on the Easterly line of East 152nd Street, 60 feet wide, at its intersection with the Easterly prolongation of the Northerly right-of-way line of Darwin Avenue, 50 feet wide, said point being the Northwesterly corner of land conveyed to Consolidated Rail Corporation by Deed recorded in Volume 97-08546, Page 23 of Cuyahoga County Records, as shown on Plat Volume 292, Page 87;

Thence North 89° 27' 00" East a distance of 42.00 feet to a point;

Thence South 00° 33' 00" East a distance of 65.02 feet to a point and the Principal Place of beginning of land herein described;

Thence South 00° 33' 00" East a distance of 8.80 feet to a point;

Thence 37.23 feet along the arc of a curve deflecting to the left, having a radius of 51.00 feet and a chord distance of 36.41 feet that bears South 40° 53' 37" West to a point of compound curvature;

Thence 54.30 feet along the arc of a curve deflecting to the left, having a radius of 171.00 feet and a chord distance of 54.07 feet that bears South 10° 52' 58" West to a point of tangency;

Thence South 01° 51' 25" West a distance of 4.34 feet to a point;

Thence North 00° 33' 00" West a distance of 144.55 feet to a point;

Thence South 89° 27' 00" West a distance of 7.00 feet to a point;

Thence North 00° 33' 00" West a distance of 238.00 feet to a point;

Thence North 89° 28' 42" East a distance of 42.00 feet to the place of beginning and containing 0.0628 acres, more or less and subject to all legal highways.

Said 0.0628 acre being part of Original Permanent Parcel 116-04-001.

**0.0627 Acre Parcel**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Original Euclid Township Tract No. 16 and bounded and described as follows:

Beginning on the Easterly line of East 152nd Street, 60 feet wide, at its intersection with the Easterly prolongation of the Northerly right-of-way line of Darwin Avenue, 50 feet wide, said point being the Northwesterly corner of land conveyed to Consolidated Rail Corporation by Deed recorded in Volume 97-08546, Page 23 of Cuyahoga County Records, as shown on Plat Volume 292, Page 87;

Thence North 89° 27' 00" East a distance of 42.00 feet to a point;

Thence South 00° 33' 00" East a distance of 65.02 feet to a point;

Thence South 89° 28' 42" West a distance of 42.00 feet to a point;

Thence North 00° 33' 00" West a distance of 65.00 feet to the place of beginning and containing 0.0627 acres more or less and subject to all legal highways. Said 0.0627 acres being part of Original Permanent Parcel 116-04-002.

**Section 2.** That existing Section 1 of Ordinance No. 175-99, passed March 15, 1999 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 April 10, 2000.

Effective April 17, 2000.

**Ord. No. 555-2000.**

**By Councilman Polensek.**  
**An emergency ordinance authorizing the Clerk of Council to enter into various agreements for the improvement, renovation or modification of the offices of Cleveland City Council.**

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

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

**Section 1.** That the Clerk of Council is hereby authorized to employ by contract or contracts one or more engineers; architects; telecommunications; security and other consultants in order to provide professional services necessary for the improvement, renovation or modification to the offices of Cleveland City Council. The selection of said consultant or consultants for such services shall be made by the Clerk of Council from a list of qualified consultants available for such employment as may be determined after a full and complete canvass for the purpose of compiling such a list. The compensation to be paid for such services shall be fixed by the President of Council.

**Section 2.** That the Clerk of Council is hereby authorized to enter into an agreement with SecurityLink from Ameritech to provide for the design, installation and maintenance of access control and other security measures for the offices of Cleveland City Council.

**Section 3.** That the cost of any expenditures authorized by this ordinance shall be paid from Fund No. 01 SF 001.

**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 April 10, 2000.

Effective April 17, 2000, without the signature of the Mayor.

**Ord. No. 556-2000.**

**By Councilman Cimperman.**  
**An emergency ordinance consenting and approving the issuance of a permit for a Walk for Youth, on Saturday, June 3, 2000, sponsored by the Neighborhood Centers 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 a the Walk for Youth, sponsored by the Neighborhood Centers Association, on Saturday, June 3, 2000, beginning at the CSU Convocation Center, East 18th and Prospect Avenue, proceed up Prospect Avenue to Huron Road, veer to the left on Huron Road and take Huron to W. 9th Street, turn right on W. 9th Street and then right onto St. Clair Avenue, take St. Clair Avenue to W. 6th Street and turn right, take W. 6th St. to Lakeside Avenue and turn right, take Lakeside Avenue to E. 6th Street, and turn right, take E. 6th Street to Rockwell and turn right, then Rockwell to Ontario and turn left, then a left onto Euclid Avenue, take Euclid Avenue to E. 18th Street, turn right on E. 18th Street and conclude at E. 18th Street and Prospect Avenue — The convocation Center, 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 April 10, 2000.

Effective April 17, 2000.

**Ord. No. 557-2000.**

**By Councilman Cimperman.**  
**An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to CVS-Cleveland Marathon to stretch two banners one at 1737 Euclid Avenue & at Euclid Ave. & E. 22nd St. using utility poles (by separate permission) for the period of April 27, 2000 to May 1, 2000, inclusive for the CVS Marathon and 10K Races Start and Finish lines.**

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 CVS-Cleveland Marathon, 29525 Chagrin Blvd. #316, Pepper Pike, Ohio 44122, to install, maintain and remove two banners to be stretched on Cleveland Public Power utility poles, (by separate permission) for the Start and Finish Marker Banners for the CVS-Cleveland Marathon and 10K Races, for the period of April 27, 2000 to May 1, 2000 inclusive, on the following address and pole numbers: 1737 Euclid Avenue, No Pole Number and NE 1056 (for Start Banner of Races); and Euclid and East 22nd Street, Alternate Pole Numbers B65-21 and BO-21-13, pole west of East 22nd Street, (for Finish Line of Races) and which banner shall be approved by the Director of Public Service in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said 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 April 10, 2000.  
Effective April 17, 2000.

**Ord. No. 558-2000.**

**By Councilman O'Malley.**

**An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to Our Lady of Good Counsel to stretch banners at 4427 Pearl Road, for the period from May 23, 2000 to June 26, 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 Our Lady of Good Counsel to install, maintain and remove banners at 4427 Pearl Road publicizing the Church Festival, for the period from May 23, 2000 to June 26, 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 April 10, 2000.  
Effective April 17, 2000.

**Ord. No. 559-2000.**

**By Councilman Patmon.**

**An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to Cory United Methodist Church to stretch two banners at East 105th Street and Drexel Avenue using utility poles (by separate permission) for the period of April 25, 2000 to May 25, 2000, inclusive publicizing the Welcoming of the General Conference 2000.**

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 Cory United Methodist Church, 1117 East 105th Street, Cleveland, Ohio 44108, to install, maintain and remove two banners to be stretched on Cleveland Public Power utility poles, (by separate permission) for the Welcoming of the General Conference 2000, for the period of April 25, 2000 to May 25, 2000 inclusive, on the following address and pole numbers: East 105th Street — 2nd Pole South of Drexel (E), NE2-30-13; and 1st Pole South of Drexel (E), NE2-30-14 and which banners 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 April 10, 2000.  
Effective April 17, 2000.

**Ord. No. 560-2000.**

**By Councilman Sweeney.**

**An emergency ordinance authorizing the Director of Community Development to enter an agreement with Bellaire-Puritas Development Corporation for a 50/50 Home Repair Program designed to fill the gap between a variety of agency and City programs for small home repairs 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 the Director of Community Development is authorized to enter into an agreement with Bellaire-Puritas Development Corporation for a 50/50 Home Repair Program designed to fill the gap between a variety of agency and City programs for small home repairs through the use of Ward 20 Neighborhood Equity Funds.

**Section 2.** That the costs 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 April 10, 2000.  
Effective April 17, 2000.

**COUNCIL COMMITTEE MEETINGS**

**Monday, April 17, 2000**

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

**Public Service Committee: 11:00 a.m.**— Present: Cintron, Chairman; Sweeney, Vice Chairman; Britt, Coats, Johnson, Melena, O'Malley, Westbrook, Willis.

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

**Tuesday, April 18, 2000**

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

**Legislation Committee: 1:30 p.m.**— Present: Lewis, Chairman; Jones, Vice Chairman; Brady, Coats, Westbrook. Excused: Gordon, Johnson.

**Wednesday, April 19, 2000**

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

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