

# The City Record

Official Publication of the City of Cleveland

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

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<b>Mayor</b>	
Michael R. White	
<b>President of Council</b>	
Jay Westbrook	
<b>Clerk of Council</b>	
Cecelia R. Huffman	
<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	Joseph J. Zone
20	Martin J. Sweeney
21	Michael A. Dolan

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# DIRECTORY OF CITY OFFICIALS

## CITY COUNCIL-LEGISLATIVE President of Council-Jay Westbrook

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

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

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

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

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

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

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

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

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

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

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

Parking Facilities - Dennis Donahue, Acting Commissioner, Public Auditorium, E. 6th and Lakeside Ave.  
Park Maintenance and Properties - Richard L. Silva, Acting Commissioner, Public Auditorium - E. 6th & Lakeside.  
Recreation - Michael Cox, Acting 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 - Lisa Thomas, Commissioner, 5th Floor, City Hall.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

# The City Record



OFFICIAL PUBLICATION OF THE CITY OF CLEVELAND

Vol. 86

WEDNESDAY, SEPTEMBER 22, 1999

No. 4476

## CITY COUNCIL

MONDAY, SEPTEMBER 20, 1999

### The City Record

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

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Clerk of Council  
216 City Hall

### PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 1998-2001

#### MONDAY

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

#### MONDAY—Alternating

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

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

#### MONDAY

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

#### TUESDAY

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

#### TUESDAY—Alternating

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

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

#### WEDNESDAY—Alternating

10:00 A.M.—**Aviation & Transportation Committee:** Westbrook, Chairman; Sweeney, Vice Chairman; Cimperman, Dolan, Lewis, Patmon, White.  
10:00 A.M.—**Public Safety Committee:** Coats, Chairman; Zone, Vice Chairman; Gordon, Jackson, Jones, Melena, O'Malley, White, Willis.

### WEDNESDAY—Alternating

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

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

### OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio

Monday, September 20, 1999.

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

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

Also present were Chief of Staff Sheffield-McClain and Directors Carter, Carmody, Konicek, Balraj, Richiuto, Jackson, Hudecek, Patterson, Warren, Dove, Morrison and Acting Directors Whitlow, Sheppard and Alexander

Absent: Mayor White and Directors Guzman and Axelrod.

Pursuant to Ordinance No. 2926-76, the Council Meeting was opened with a prayer offered by Father Michael Franz, Pastor of St. Stephen Catholic Church, located at 1930 West 54th Street in Ward 17. Pledge of Allegiance.

### MOTION

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

### COMMUNICATIONS

**File No. 1643-99.**  
From the Division of Purchases and Supplies re: Emergency Requisition (RE-14920). Received.

**File No. 1644-99.**  
From the Department of Public Service re: Apply/accept grant for State Issue 2 Fund, request for legislation. Received.

### FROM THE DEPARTMENT OF LIQUOR CONTROL

**File No. 1645-99.**  
Re: New Application - 6937588 - Schereese H. Phippen, d.b.a. Pippens Beverage & Corner Store, 907 East 105th Street. (Ward 8). Received.

**File No. 1646-99.**  
Re: Transfer of Ownership Application - 8633438 - Strang Corp., 8905 Lake Avenue and patio. (Ward 7). Received.

### File No. 1647-99.

Re: Transfer of Location Application - 88597840011 - Ernest Thedford, d.b.a. E & T Supermarket, 1509 East 55th Street. (Ward 7). Received.

### STATEMENT OF WORK ACCEPTED

### File No. 1648-99.

From the Department of Parks, Recreation and Properties re: Contract No. 52012, Cleveland Memorial Gardens Site Improvements. Received.

### File No. 1649-99.

From the Department of Parks, Recreation and Properties re: Contract No. 54227, Oman Park Site Improvements. Received.

### File No. 1650-99.

From the Department of Parks, Recreation and Properties re: Contract No. 52421, Park Maintenance Facilities (Humphrey, East 40th, Johnston Pkwy.) Received.

### File No. 1651-99.

From the Department of Public Utilities re: Contract No. 52206A, Triad Engineering & Contracting, completed and accepted November, 30, 1998. Received.

### File No. 1652-99.

From the Department of Public Utilities re: Contract No. 52792A, Markie Construction Co. Inc., completed and accepted January 31, 1999. Received.

### CONDOLENCES RESOLUTIONS

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

**Res. No. 1676-99**—Emmanuel Likos.  
**Res. No. 1677-99**—Rev. Alan Davis.  
**Res. No. 1678-99**—Leonard Hauser.  
**Res. No. 1679-99**—Roscoe Byrd.

### CONGRATULATIONS RESOLUTIONS

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

**Res. No. 1680-99**—Societa' Union & Fratellanza Oratinese.  
**Res. No. 1681-99**—Polish American Congress.  
**Res. No. 1682-99**—Service Corps of Retired Executives.  
**Res. No. 1683-99**—Todd Albert Abens.  
**Res. No. 1684-99**—West Park United Church of Christ.  
**Res. No. 1685-99**—Saint Vitus Post 1655 Catholic War Veterans.  
**Res. No. 1686-99**—The Enterprise Foundation.  
**Res. No. 1687-99**—American Legion Post #2.  
**Res. No. 1688-99**—Helen Karpinski.  
**Res. No. 1689-99**—John Marshall Alumni Association.

**Ord. No. 1653-99.****By Councilman Johnson (by departmental request).****An emergency ordinance to amend Sections 8, 9 and 36 of Ordinance No. 520-99, as amended, relating to compensation for various classifications.**

Whereas, this ordinance constitutes an emergency measure providing for 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 8 of Ordinance No. 520-99, passed March 29, 1999, as amended by Ordinance Nos. 993-99, passed May 24, 1999 and 1278-99, passed July 14, 1999, and Sections 9 and 36 of Ordinance No. 520-99, passed March 29, 1999, are hereby amended to read, respectively, as follows:

Section 8. That salaries in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	<b>Minimum</b>	<b>Maximum</b>
1. Accountant I	\$ 6.36 per hour	\$15.64 per hour
2. Accountant II	\$ 7.06 per hour	\$17.16 per hour
3. Accountant III	\$ 7.96 per hour	\$19.02 per hour
4. Accountant Clerk I	\$ 5.15 per hour	\$12.68 per hour
5. Accountant Clerk II	\$ 5.46 per hour	\$13.69 per hour
6. Activities Therapist	\$ 9.15 per hour	\$12.05 per hour
7. AIDS Support Services Coordinator	\$10.49 per hour	\$13.48 per hour
8. Air Pollution Control Engineer I	\$ 8.43 per hour	\$20.12 per hour
9. Air Pollution Control Engineer II	\$ 8.96 per hour	\$21.20 per hour
10. Air Pollution Control Engineer III	\$ 9.50 per hour	\$22.34 per hour
11. Air Pollution Engineer	\$12.04 per hour	\$15.70 per hour
12. Air Pollution Inspector I	\$10.99 per hour	\$16.18 per hour
13. Air Pollution Inspector II	\$ 7.76 per hour	\$18.05 per hour
14. Air Pollution Technician I	\$ 7.12 per hour	\$17.16 per hour
15. Air Pollution Technician II	\$ 7.53 per hour	\$18.05 per hour
16. Air Pollution Technician III	\$ 8.43 per hour	\$20.12 per hour
17. Airport Information Representative	\$ 9.40 per hour	\$13.14 per hour
18. Airport Operations Agent I	\$13.27 per hour	\$16.25 per hour
19. Airport Operations Agent II	\$16.67 per hour	\$19.13 per hour
20. Airport Safety Man	\$27,695.13	\$34,591.42
21. Architect	\$ 9.73 per hour	\$23.66 per hour
22. Associate Engineer	\$17.31 per hour	\$22.12 per hour
23. Assistant Buyer	\$ 6.71 per hour	\$16.42 per hour
24. Assistant City Planner	\$ 7.12 per hour	\$17.16 per hour
25. Assistant Civil Engineer	\$ 7.12 per hour	\$17.16 per hour
26. Assistant Electrical Engineer	\$ 7.12 per hour	\$17.16 per hour
27. Assistant Mechanical Engineer	\$ 7.12 per hour	\$17.16 per hour
28. Assistant Plan Examiner	\$12.54 per hour	\$18.05 per hour
29. Associate Programmer	\$ 7.55 per hour	\$18.39 per hour
30. Bacteriologist	\$ 7.96 per hour	\$19.02 per hour
31. Bill Collector	\$ 9.40 per hour	\$13.14 per hour
32. Building Inspector	\$12.98 per hour	\$17.45 per hour
33. Camera Room Operator	\$ 6.04 per hour	\$14.94 per hour
34. Caseworker I	\$ 5.73 per hour	\$14.27 per hour
35. Caseworker II	\$ 6.36 per hour	\$15.64 per hour
36. Cashier/Starter	\$ 6.36 per hour	\$15.64 per hour
37. Chemist	\$ 8.90 per hour	\$20.50 per hour
38. Chief Miscellaneous Investigator	\$ 7.53 per hour	\$18.05 per hour
39. Citizens Information Representative	\$ 6.04 per hour	\$14.94 per hour
40. Civil Engineer	\$ 9.50 per hour	\$23.66 per hour
41. Claims Examiner	\$ 7.53 per hour	\$18.05 per hour
42. Clerk Typist	\$ 7.62 per hour	\$ 9.80 per hour
43. Clinical Laboratory Assistant	\$ 6.36 per hour	\$14.94 per hour
44. Clinical Laboratory Technician I	\$ 7.12 per hour	\$17.16 per hour
45. Clinical Laboratory Technician II	\$ 7.37 per hour	\$18.39 per hour
46. Cocaine Treatment Counselor I	\$ 8.56 per hour	\$14.20 per hour
47. Cocaine Intake Specialist	\$ 9.95 per hour	\$12.78 per hour
48. Community Development Code Enforcement Inspector I	\$14.08 per hour	\$19.03 per hour
49. Community Development Code Enforcement Inspector II	\$14.89 per hour	\$20.12 per hour
50. Community Development Code Enforcement Inspector III	\$15.70 per hour	\$21.20 per hour

51.	Community Development Code Enforcement Inspector/Heating I	\$14.08 per hour	\$19.03 per hour
52.	Community Development Code Enforcement Inspector/Heating II	\$14.89 per hour	\$20.12 per hour
53.	Community Development Code Enforcement Inspector/Heating III	\$15.70 per hour	\$21.20 per hour
54.	Community Development Code Enforcement Inspector/Refrigeration I	\$14.08 per hour	\$19.03 per hour
55.	Community Development Code Enforcement Inspector/Refrigeration II	\$14.89 per hour	\$20.12 per hour
56.	Community Development Code Enforcement Inspector/Refrigeration III	\$15.70 per hour	\$21.20 per hour
57.	Community Development Code Enforcement Inspector/Trainee	\$ 9.97 per hour	\$15.35 per hour
58.	Community Development Planner	\$ 9.87 per hour	\$22.75 per hour
59.	Community Health Aide	\$ 5.15 per hour	\$12.68 per hour
60.	Community Relations Representative I	\$ 6.04 per hour	\$14.94 per hour
61.	Community Relations Representative II	\$ 7.53 per hour	\$18.05 per hour
62.	Community Relations Representative III	\$ 9.51 per hour	\$22.34 per hour
63.	Composing Equipment Operator	\$ 6.71 per hour	\$16.42 per hour
64.	Computer Monitor Assistant	\$ 8.43 per hour	\$10.85 per hour
65.	Computer Operator	\$ 7.53 per hour	\$18.05 per hour
66.	Construction Technician	\$12.02 per hour	\$17.31 per hour
67.	Consumer Protection Specialist	\$ 5.73 per hour	\$14.27 per hour
<b>68.</b>	<b>Contract and Monitoring Specialist</b>	<b>\$ 9.12 per hour</b>	<b>\$19.10 per hour</b>
69.	Cook	\$10.68 per hour	\$12.36 per hour
70.	Copy Center Operator	\$ 5.67 per hour	\$13.69 per hour
71.	Cost Construction Estimator	\$ 8.34 per hour	\$17.56 per hour
72.	Customer Service Representative	\$ 9.41 per hour	\$13.67 per hour
73.	Data Control Clerk	\$ 5.24 per hour	\$13.15 per hour
74.	Data Conversion Operator	\$ 9.30 per hour	\$11.91 per hour
75.	Dental Assistant	\$ 5.15 per hour	\$12.42 per hour
76.	Development Officer	\$ 8.96 per hour	\$21.19 per hour
77.	Dietician	\$ 9.08 per hour	\$15.63 per hour
78.	Drug and Alcohol Counselor	\$ 9.05 per hour	\$11.63 per hour
79.	Electrical Engineer	\$ 9.50 per hour	\$23.66 per hour
80.	Electronic Engineer	\$ 9.54 per hour	\$24.08 per hour
81.	Elevator Inspector	\$13.35 per hour	\$17.45 per hour
82.	Engineer	\$22.12 per hour	\$26.93 per hour
83.	Environmental Compliance — Specialist I	\$14.95 per hour	<b>\$17.07 per hour</b>
84.	Environmental Compliance — Specialist II	\$16.35 per hour	<b>\$17.92 per hour</b>
85.	Environmental Compliance — Specialist III	\$17.90 per hour	<b>\$23.33 per hour</b>
86.	Environmental Enforcement — Specialist I	\$14.95 per hour	<b>\$17.52 per hour</b>
87.	Environmental Enforcement — Specialist II	\$16.35 per hour	<b>\$18.71 per hour</b>
88.	Environmental Enforcement — Specialist III	\$17.90 per hour	<b>\$19.65 per hour</b>
89.	Environmental Monitoring — Specialist I	\$13.33 per hour	<b>\$17.64 per hour</b>
90.	Environmental Monitoring — Specialist II	\$14.18 per hour	<b>\$18.52 per hour</b>
91.	Environmental Monitoring — Specialist III	\$15.74 per hour	<b>\$19.45 per hour</b>
92.	Environmental Technician	\$11.99 per hour	\$14.28 per hour
93.	Family Planning Clerk	\$ 7.22 per hour	\$10.96 per hour
94.	Financial Analyst	\$ 7.12 per hour	\$17.16 per hour
95.	Financial Counselor	\$ 7.94 per hour	\$18.05 per hour
96.	Fuel System Technician	\$ 8.96 per hour	\$15.94 per hour
97.	General Health Aide	\$ 5.15 per hour	\$12.68 per hour
98.	General Storekeeper	\$ 7.96 per hour	\$19.02 per hour
99.	Geriatric Outreach Worker	\$ 7.12 per hour	\$17.16 per hour
100.	Head Cook	\$ 5.46 per hour	\$13.67 per hour
101.	Head Storekeeper	\$ 7.11 per hour	\$17.17 per hour
102.	Health Educator I	\$ 6.36 per hour	\$15.64 per hour
103.	Health Educator II	\$ 7.12 per hour	\$17.16 per hour
104.	Heating Inspector	\$13.35 per hour	\$17.45 per hour
105.	HIV Educator	\$ 8.17 per hour	\$ 9.98 per hour
106.	House Connection Inspector	\$11.91 per hour	\$14.59 per hour
107.	Housing Inspector	\$13.69 per hour	\$15.53 per hour
108.	Human Resources Contract Specialist	\$ 9.73 per hour	\$23.65 per hour
109.	Human Resources On-the-Job Training Specialist	\$10.21 per hour	\$20.11 per hour
110.	Human Resources Planner	\$10.74 per hour	\$24.97 per hour
111.	Human Resources Special Projects Coordinator	\$10.21 per hour	\$20.11 per hour

112.	Income Tax Tracer	\$ 6.36 per hour	\$15.64 per hour
113.	Industrial Hygiene Engineer	\$ 9.73 per hour	\$23.65 per hour
114.	Industrial Nuisance Inspector	\$ 6.36 per hour	\$15.64 per hour
115.	Information Control Analyst	\$ 6.81 per hour	\$16.38 per hour
116.	Inspector of Weights and Measures	\$ 5.73 per hour	\$14.27 per hour
117.	Instrument Repairman	\$ 8.21 per hour	\$15.63 per hour
118.	Instrumentation Technician I	\$15.83 per hour	\$16.80 per hour
119.	Instrumentation Technician II	\$17.66 per hour	\$18.51 per hour
120.	Intake Specialist	\$ 5.15 per hour	\$12.68 per hour
121.	Job Retraining Assistant	\$ 7.12 per hour	\$17.16 per hour
122.	Junior Cashier	\$ 5.24 per hour	\$13.14 per hour
123.	Junior Chemist	\$ 5.46 per hour	\$13.69 per hour
124.	Junior City Planner	\$ 6.36 per hour	\$15.64 per hour
125.	Junior Civil Engineer	\$ 6.36 per hour	\$15.64 per hour
126.	Junior Clerk	\$ 9.28 per hour	\$10.96 per hour
127.	Junior Draftsman	\$ 7.92 per hour	\$13.43 per hour
128.	Junior Engineering Aide	\$ 5.46 per hour	\$13.69 per hour
129.	Lab Coordinator	\$16.82 per hour	\$19.91 per hour
130.	Laboratory Assistant	\$ 6.04 per hour	\$14.94 per hour
131.	Laboratory Helper	\$ 5.15 per hour	\$11.80 per hour
132.	Landscape Architect	\$ 9.50 per hour	\$22.34 per hour
133.	Lead Pressman	\$ 8.93 per hour	\$17.40 per hour
134.	Life Guard	\$ 8.50 per hour	\$12.50 per hour
135.	Life Guard Captain	\$10.00 per hour	\$15.50 per hour
136.	Mechanical Engineer	\$ 9.50 per hour	\$23.65 per hour
137.	Messenger	\$ 5.15 per hour	\$11.80 per hour
138.	Meter Reader	\$12.03 per hour	\$14.91 per hour
139.	Minority Business Consultant	\$11.15 per hour	\$26.32 per hour
140.	Miscellaneous Investigator	\$ 5.46 per hour	\$13.69 per hour
141.	Monitoring, Auditing and Evaluation Coordinator	\$13.65 per hour	\$17.42 per hour
142.	Office Machine Operator	\$ 9.28 per hour	\$11.48 per hour
143.	Offset Duplicating Machine Operator	\$ 5.46 per hour	\$13.69 per hour
144.	On The Job Training Specialist	\$12.71 per hour	\$16.83 per hour
145.	Park and Recreation Planner	\$ 9.51 per hour	\$22.34 per hour
146.	Parking Attendant	\$ 6.31 per hour	\$12.68 per hour
147.	Parking Meter Collector	\$ 6.32 per hour	\$12.65 per hour
148.	Parking Meter Serviceman	\$12.78 per hour	\$13.30 per hour
149.	Permit Processing Specialist	\$ 7.00 per hour	\$10.61 per hour
150.	Pharmacist	\$10.74 per hour	\$24.97 per hour
151.	Pharmacodependent Rehabilitation Counselor I	\$ 6.49 per hour	\$12.12 per hour
152.	Pharmacodependent Rehabilitation Counselor II	\$ 7.57 per hour	\$14.32 per hour
153.	Photographer	\$ 9.08 per hour	\$17.16 per hour
154.	Photographic Laboratory Technician	\$ 6.80 per hour	\$14.94 per hour
155.	Photo-Litho Operator	\$ 5.48 per hour	\$13.69 per hour
156.	Physical Director	\$ 8.33 per hour	\$15.43 per hour
157.	Plan Examiner	\$ 7.96 per hour	\$20.42 per hour
158.	Play Director	\$ 5.15 per hour	\$10.81 per hour
159.	Police Radio Technician	\$15.36 per hour	\$16.26 per hour
160.	Pressman	\$ 7.89 per hour	\$16.84 per hour
161.	Preventive Health Counselor	\$13.59 per hour	\$17.46 per hour
162.	Preventive Health Educator	\$ 8.89 per hour	\$11.73 per hour
163.	Principal Cashier	\$ 7.24 per hour	\$18.39 per hour
164.	Principal Clerk	\$10.19 per hour	\$15.46 per hour
165.	Print Shop Helper	\$ 9.95 per hour	\$11.59 per hour
166.	Private Secretary	\$ 6.71 per hour	\$16.42 per hour
167.	Program Analyst	\$16.64 per hour	\$23.79 per hour
168.	Programmer	\$ 8.96 per hour	\$21.20 per hour
169.	Programmer Analyst	\$ 9.73 per hour	\$23.65 per hour
170.	Property Clerk	\$11.37 per hour	\$26.34 per hour
171.	Psychiatric Social Worker	\$12.48 per hour	\$17.11 per hour
172.	Psychologist I	\$10.74 per hour	\$22.76 per hour
173.	Psychologist II	\$12.88 per hour	\$26.84 per hour
174.	Public Health Nursing Aide	\$ 9.97 per hour	\$10.94 per hour
175.	Public Health Sanitarian I	\$11.99 per hour	\$14.61 per hour
176.	Public Health Sanitarian II	\$13.46 per hour	\$16.36 per hour
177.	Public Health Sanitarian III	\$14.53 per hour	\$17.07 per hour
178.	Public Health Sanitarian IV	\$ 8.78 per hour	\$21.19 per hour
179.	Public Information Officer	\$ 7.38 per hour	\$18.05 per hour

180.	Quality Assurance Analyst	\$ 8.96 per hour	\$21.19 per hour
181.	Quality Control Coordinator	\$16.82 per hour	<b>\$19.91</b> per hour
182.	Radio Dispatcher	\$15.25 per hour	\$16.26 per hour
183.	Radio Technician	\$15.36 per hour	\$16.26 per hour
184.	Receptionist	\$ 6.06 per hour	\$12.08 per hour
185.	Records Manager	\$ 9.84 per hour	\$12.67 per hour
186.	Recreation Aide	\$ 5.15 per hour	\$ 8.44 per hour
187.	Recreation Instructor	\$ 5.15 per hour	\$12.68 per hour
188.	Recreation Instructor I	\$ 5.24 per hour	\$13.50 per hour
189.	Recreation Instructor II	\$ 5.46 per hour	\$14.02 per hour
190.	Recreation Instructor III	\$ 6.83 per hour	\$14.84 per hour
191.	Recreation Program Supervisor	\$ 6.83 per hour	\$13.79 per hour
192.	Redevelopment Advisor	\$ 7.96 per hour	\$19.02 per hour
193.	Redevelopment Coordinator	\$ 8.38 per hour	\$21.20 per hour
194.	Refrigeration Inspector	\$13.37 per hour	\$17.45 per hour
195.	Refugee Outreach Worker	\$ 8.40 per hour	\$11.79 per hour
196.	Registered Animal Health Technician	\$ 7.94 per hour	\$12.68 per hour
197.	Rehabilitation Advisor	\$ 6.71 per hour	\$16.42 per hour
198.	<b>Rehabilitation Inspector</b>	<b>\$14.75 per hour</b>	<b>\$19.66 per hour</b>
199.	Sanitarian Aide	\$10.90 per hour	\$12.30 per hour
200.	Secretary	\$ 6.30 per hour	\$13.69 per hour
201.	Secretary to Director of Consumer Affairs	\$ 9.51 per hour	\$22.34 per hour
202.	Senior Assistant Architect	\$ 7.96 per hour	\$19.02 per hour
203.	Senior Assistant City Planner	\$ 7.96 per hour	\$19.02 per hour
204.	Senior Assistant Civil Engineer	\$ 7.96 per hour	\$19.02 per hour
205.	Senior Assistant Electrical Engineer	\$ 7.96 per hour	\$19.02 per hour
206.	Senior Assistant Mechanical Engineer	\$ 7.96 per hour	\$19.02 per hour
207.	Senior Assistant Traffic Engineer	\$ 7.96 per hour	\$19.02 per hour
208.	Senior Bacteriologist	\$ 6.71 per hour	\$16.42 per hour
209.	Senior Cashier	\$ 6.36 per hour	\$15.64 per hour
210.	Senior Chemist	\$ 7.53 per hour	\$18.05 per hour
211.	Senior Clerk	\$ 9.65 per hour	\$12.84 per hour
212.	Senior Computer Operator	\$ 8.96 per hour	\$21.20 per hour
213.	<b>Senior Contract and Monitoring Specialist</b>	<b>\$11.34 per hour</b>	<b>\$22.47 per hour</b>
214.	Senior Data Conversion Operator	\$ 5.73 per hour	\$14.27 per hour
215.	Senior Development Officer	\$12.63 per hour	\$27.81 per hour
216.	Senior Draftsman	\$ 9.05 per hour	\$15.34 per hour
217.	Senior Engineering Draftsman and Photographer	\$ 7.12 per hour	\$17.16 per hour
218.	Senior Information Control Analyst	\$ 7.38 per hour	\$18.05 per hour
219.	Senior Laboratory Technician	\$10.86 per hour	\$13.96 per hour
220.	Senior Landscape Architect	\$ 9.73 per hour	\$23.65 per hour
221.	Senior Site Inspector — Demolition	\$ 8.43 per hour	\$20.11 per hour
222.	Sewer Service Man	\$14.06 per hour	\$14.92 per hour
223.	Site Inspector	\$ 7.53 per hour	\$18.05 per hour
224.	Social Worker for Homeless	\$13.82 per hour	\$17.76 per hour
225.	Starter (Golf)	\$ 5.15 per hour	\$10.49 per hour
226.	S.T.D. Clerk	\$ 7.88 per hour	\$10.14 per hour
227.	Stenographer I	\$ 9.17 per hour	\$11.51 per hour
228.	Stenographer II	\$10.11 per hour	\$12.84 per hour
229.	Stenographer III	\$ 7.37 per hour	\$14.27 per hour
230.	Stock Clerk	\$ 5.46 per hour	\$14.11 per hour
231.	Storekeeper	\$ 6.36 per hour	\$16.07 per hour
232.	Street Obstruction Inspector	\$ 6.04 per hour	\$14.94 per hour
233.	Surveyor	\$ 8.96 per hour	\$21.20 per hour
234.	Tax Auditor I	\$ 7.12 per hour	\$17.16 per hour
235.	Tax Auditor II	\$ 7.96 per hour	\$19.02 per hour
236.	Technical Specialist	\$ 7.53 per hour	\$18.05 per hour
237.	Technical Specifications Writer	\$ 9.08 per hour	\$19.03 per hour
238.	Telephone Operator	\$ 5.24 per hour	\$13.14 per hour
239.	Telephone Supervisor	\$ 5.46 per hour	\$13.69 per hour
240.	Timekeeper	\$ 5.46 per hour	\$13.69 per hour
241.	Traffic Engineer	\$ 9.50 per hour	\$22.34 per hour
242.	Traffic Sign and Marking Technician	\$12.83 per hour	\$13.69 per hour
243.	Typist	\$ 9.30 per hour	\$11.91 per hour
244.	Urban Planning and Development Technician	\$ 5.73 per hour	\$14.27 per hour
245.	Utility Adjuster	\$ 9.98 per hour	\$12.84 per hour
246.	Vector Control Assistant	\$ 8.90 per hour	\$11.43 per hour
247.	Veteran's Counselor	\$ 7.38 per hour	\$15.54 per hour

<b>248.</b>	Water Hydraulic Repairman	\$14.06 per hour	\$14.92 per hour
<b>249.</b>	Water Meter Repairman	\$14.06 per hour	\$14.92 per hour
<b>250.</b>	Water Pipe Repairman	\$12.73 per hour	\$14.92 per hour
<b>251.</b>	Water Serviceman	\$ 9.05 per hour	\$12.73 per hour
<b>252.</b>	Water System Construction Inspector	\$14.70 per hour	\$19.02 per hour

Section 9. That salaries in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

		<b>Minimum</b>	<b>Maximum</b>
1.	Guard	\$ 6.55 per hour	\$11.88 per hour
2.	<b>Correctional Officer</b>	\$12.18 per hour	\$12.63 per hour
3.	Institutional Guard	\$12.18 per hour	\$12.63 per hour

Section 36. That the salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

		<b>Minimum</b>	<b>Maximum</b>
1.	Administrator of Engineering and Planning	\$30,214.95	\$88,843.46
2.	Airport Chief Engineer	30,214.95	88,843.46
3.	Airport Planning Environmental Officer	30,214.95	70,391.35
4.	Air Trade Development Manager	30,214.95	82,009.34
5.	Assistant Director of Human Resources and Economic Development	30,214.95	88,843.46
6.	Budget Administrator	30,214.95	82,009.34
7.	Chief of Personnel Management	30,214.95	82,009.34
8.	Comptroller-Airports	30,214.95	88,843.46
9.	Data Base Analyst	30,214.95	70,391.35
10.	Deputy Commissioner of Building and Housing	30,214.95	82,009.34
11.	Deputy Commissioner of Cleveland Hopkins International Airport	30,214.95	82,009.34
12.	Deputy Commissioner of Parks, Maintenance and Properties	30,214.95	82,009.34
13.	Deputy Commissioner of Water	30,214.95	82,009.34
14.	Deputy Commissioner of Water Pollution Control	30,214.95	82,009.34
15.	Executive Commissioner for Administration of Department of Finance	30,214.95	82,009.34
16.	Executive Commissioner of Parks and Urban Forestry	30,214.95	82,009.34
17.	Field Manager	35,000.00	<b>46,575.00</b>
18.	Hardware Analyst	30,214.95	82,009.34
19.	Labor Relations Manager	30,214.95	88,843.46
20.	Manager of Electric System Operation	30,214.95	82,009.34
21.	Manager of Human Resources Monitoring and Evaluation	30,214.95	82,009.34
22.	Manager of Marketing	30,214.95	82,009.34
23.	Manager of Properties	30,214.95	82,009.34
24.	Manager of Public Service Operations	30,214.95	82,009.34
25.	Manager of Telecommunications	30,214.95	82,009.34
26.	Permit Review Manager	35,000.00	<b>51,750.00</b>
27.	Project Leader/Applications	30,214.95	70,391.35
28.	Software Analyst	30,214.95	70,391.35
29.	Superintendent of Electric Transmission and Distribution	30,214.95	70,391.35
30.	Supervisor of Computer Operations	30,214.95	70,391.35
31.	Supervisor Hardware Evaluation	30,214.95	70,391.35
32.	Telecommunications Analyst	30,214.95	70,391.35
33.	Veterinarian in Charge of Spay and Neuter Clinic	30,214.95	70,391.35

**Section 2.** That existing Section 8 of Ordinance No. 520-99, passed March 29, 1999, as amended by Ordinance Nos. 993-99, passed May 24, 1999 and 1278-99, passed July 14, 1999, and Sections 9 and 36 of Ordinance No. 520-99, passed March 29, 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 Port Control, Finance, Law; Committees on Aviation and Transportation, Finance.



**Ord. No. 1654-99.**  
**By Councilmen Sweeney, Westbrook and Johnson (by departmental request).**

**An emergency ordinance authorizing the Director of Port Control to enter into a Lease By Way of Concession with Sky Chefs, Inc. for operation of a flight kitchen at Cleveland Hopkins International Airport.**

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

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

**Section 1.** That the Director of Port Control is hereby authorized to enter into a Lease By Way of Concession with Sky Chefs, Inc. ("Lessee"), for use and occupancy of Lot 37A consisting of approximately 1.17 acres on which is located a building with approximately 25,000 square feet of gross building area, together with a parking lot and other related improvements and amenities, and commonly known as 5801 South Cargo Road, Cleveland, Ohio 44135 at Cleveland Hopkins International Airport ("Leased Premises"), for use only as a flight kitchen. The term of the Lease shall begin upon execution of a Lease By Way of Concession and end ten (10) years thereafter except that by mutual agreement the parties may extend the term for one (1) additional ten (10) year term. The City may terminate the Lease at any time by giving six (6) months written notice to the Concessionaire that any part of the Leased Premises is required by the City in order to comply with federal, state, or local laws or regulations governing airports or is required for Airport development in accordance with an approved Master Plan. For use of the Leased Premises, Lessee shall pay the City a per annum rent of \$107,250.00 or a percentage fee of ten percent (10%) of gross revenues, whichever is greater.

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

**Section 3.** That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its 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. 1655-99.**  
**By Councilmen Rybka, Jackson Sweeney, Robinson and Johnson (by departmental request).**

**An emergency ordinance giving consent of the City of Cleveland for the construction of Bessemer Avenue Extension Phase I to the State of Ohio; authorizing the Director of Public Service to enter into any agreements relative thereto; determining the method of making the above public improvement; authorizing the Director of Public Service to enter into contract for the making of such improvement; authorizing said director to employ professional design consultants; and authorizing the Commissioner of Purchases and Supplies to acquire for right-of-way purposes such real property as is necessary to make the public improvement.**

Whereas, this ordinance constitutes an emergency measure provid-

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

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

**Section 1.** That it is declared to be in the public interest that the consent of the City of Cleveland is hereby given to the Director of Transportation of the State of Ohio (the "Director of Transportation") to make the following improvements in accordance with plans, specifications and estimates approved by said Director of Transportation: The construction of Bessemer Avenue Extension Phase I (the "Improvement").

**Section 2.** That the City hereby proposes to cooperate with the Director of Transportation in the cost of the Improvement by assuming and contributing the entire cost and expense of the Improvement less the amount of Federal-aid urban "M" funds or other funds set aside by the Director of Transportation and the Northeast Ohio Area-wide Coordinating Agency for the financing of the improvements from funds allocated by the Federal Highway Administration, United States Department of Transportation. The entire cost of preliminary engineering shall be borne by the City of Cleveland.

**Section 3.** That the Director of Public Service is hereby authorized to enter into such agreements as are necessary to complete the planning and construction of the Improvement, which agreements shall contain such terms and conditions as the Director of Law determines shall best protect the public interest.

**Section 4.** That upon completion of the Improvement, the City thereafter will:

a) Keep the affected highway open to traffic at all times;

b) Maintain the Improvement in accordance with the provisions of the statutes relating thereto and make ample financial and other provisions for such maintenance;

c) Maintain the right-of-way and keep it free of obstruction in a manner satisfactory to the Director of Transportation and hold said right-of-way inviolate for public highway purposes and permit no signs, posters, billboards, roadside stands or other private installations within the limits of the right-of-way;

d) Place and maintain all traffic control devices in accordance with the Ohio Manual of Uniform Traffic Control Devices pursuant to the provisions of Section 4511.11 and related sections of the Ohio Revised Code; and

e) Regulate parking by maintaining existing parking restrictions within the limits of the improvement.

**Section 5.** a) That all existing streets and public rights-of-way within the City which are necessary for the Improvement shall be made available therefor.

b) That in the event any additional right-of-way is required for the Improvement, the Director of Public Service will arrange for the acquisition thereof.

c) That arrangements have been or will be made with and agreements obtained from all public utility companies whose lines or structures will be affected by the Improvement, that said companies have agreed to make any and all necessary rearrangements in such manner as to be clear of any con-

struction called for by the plans for the Improvement and that said companies have agreed to make such necessary rearrangements immediately after notification by the City or the State of Ohio.

d) That the City, at its own expense, shall make all rearrangements of water mains, service lines, fire hydrants, valve boxes, sanitary sewers or other City-owned utilities and appurtenances thereto which do not comply with the provisions of ODOT Directive No. 38-A, whether inside or outside the corporate limits of the City, as may be necessary to conform to the Improvement, and that said rearrangements shall be done at such time as requested by the State.

e) That the construction, reconstruction and rearrangement of all utilities shall be done in such a manner as not to interfere unduly with the operations of the contractor or contractors constructing the Improvement, and all backfilling of trenches made necessary by such utility rearrangement shall be performed in accordance with the provisions of the ODOT Construction and Material Specifications and shall be subject to approval by the State.

f) That the City hereby agrees that the State of Ohio shall be and hereby is saved harmless from any and all damages or claims arising from or growing out of the certification or obligations made or agreed to in this section.

g) That stop signs affecting the movement of traffic on any street within the limits of the Improvement shall be removed and no stop signs will be erected on same except at intersections with another through highway where traffic does not warrant the installation of a traffic control signal but where the warrants for a "Four-way Stop" as provided in the aforesaid Manual are met.

h) That no rule or regulation may be enacted restricting the use of the Improvement by any class of vehicle or vehicle load permitted by the Ohio Revised Code to use a public highway. Any existing rule or regulation so restricting road usage is hereby rescinded.

**Section 6.** That the Council of the City hereby requests the State to proceed with the Improvement.

**Section 7.** That this Council hereby authorizes payment to the State for the City's share of the cost of the Improvement.

**Section 8.** That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of constructing the Bessemer Avenue Extension Phase I, for the Division of Engineering and Construction, Department of Public Service, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.

**Section 9.** That the Director of Public Service is hereby authorized to enter into contract for the making of the above public improvement with the lowest responsible bidder after competitive bidding upon a unit basis for the improvement, provided, however, that each separate trade and each distinct component part of said improvement may be treated as a separate improvement, and each, or any combination, of such trades or components may be the subject of a separate contract upon a unit basis.

**Section 10.** That the Director of Public Service is hereby authorized to employ by contract one or more design consultants or one or more firms of design consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to implement the public improvement authorized above.

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

**Section 11.** That notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Commissioner of Purchases and Supplies is hereby authorized to acquire for right-of-way purposes such real property as is necessary to make the Improvement. The consideration to be paid for such property shall not exceed its appraised value.

**Section 12.** That the Director of Public Service is hereby authorized to execute on behalf of the City all documents necessary to acquire such property and to employ and pay all fees for title companies, surveys, escrows, appraiser, and all other costs necessary for the acquisition of such property.

**Section 13.** That the cost of the Improvement, professional services, and property acquisition herein contemplated shall be paid from Fund No. 20 SF 364, Request No. 4304.

**Section 14.** That the Clerk of Council is hereby authorized and directed to transmit to the Director of Transportation three (3) certified copies of this ordinance immediately upon the taking effect thereof, and it shall become the basis for proceeding with the Improvement.

**Section 15.** That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its 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. 1656-99.**

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

**An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the U.S. Department of Justice for the 1999 Local Law Enforcement Block Grant Program; and to enter into contract for the purchase by requirement contract of equipment and supplies needed to implement the program.**

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

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

**Section 1.** That the Director of Public Safety is hereby authorized to apply for and accept a grant in the amount of \$2,000,000, from the U.S. Department of Justice, to conduct the 1999 Local Law Enforcement Block Grant Program, for the purposes set forth in the application and according thereto; that the Director of Public Safety is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the application for said grant.

**Section 2.** That the application for said grant, File No. 1656-99-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

**Section 3.** That the Director of Public Safety is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the necessary items of equipment and supplies needed to implement the program, as described in the application. 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 the grant term may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term. The cost of said contract shall be charged against the fund or funds to which are credited the grant proceeds accepted pursuant to this ordinance 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 this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

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

**Ord. No. 1657-99.**

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

**An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 2190-92 East 100th Street to John Cummings.**

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

Whereas, real property acquired under the City's Land Reutilization Program is acquired, held, administered and disposed by the City of Cleveland through its Department of

Community Development under the terms of Chapter 5722 of the Ohio Revised Code and Section 183.021 of Codified Ordinances of the City of Cleveland, 1976; and

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

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

**Section 1.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 121-16-026, as more fully described in Section 2 below, to John Cummings.

**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. 121-16-026

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being parts of Sublots Nos. 5 and 6 in Thomas H. Sayle Subdivision of part of Original One Hundred Acre Lot No. 409, as shown by the recorded plat in Volume 3 in Maps, Page 50 of Cuyahoga County Records, bounded and described as follows:

Beginning on the Westerly side of East 100th Street, at a point distant Southerly 10 feet as measured along said Westerly side, from the North-easterly corner of Sublot No. 6; thence Northerly along the Westerly side of East 100th Street 50 feet to the Southeasterly corner of a parcel of land conveyed to Eula Lassiter by deed dated July 28, 1949, and recorded in Volume 6842, Page 486 of Cuyahoga County Records; thence Westerly along said Southerly line about 17.6 feet as established by Common Pleas Court, Case No. 608964 of Cuyahoga County Records; thence Southerly about 25 feet as so established; thence Westerly about 33.3 feet as so established; thence Northerly about 25 feet as so established to the Southerly line of land conveyed to Eula Lassiter as aforesaid; thence Westerly along said Southerly line to the Westerly line of Sublot No. 5; thence Southerly along the Westerly lines of Sublots Nos. 5 and 6, 50 feet; thence Easterly about 178.2 feet to the place of beginning 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. 1658-99.**

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

**An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 3902-08 Franklin Boulevard to Mark G. Pokrandt.**

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

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

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

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

**Section 1.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 003-25-063, as more fully described in Section 2 below, to Mark G. Pokrandt.

**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. 003-25-063

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 102 in Taylor Farm Allotment of part of Original Brooklyn Township Lot No. 51, as shown by the recorded plat in Volume 2 of Maps, Page 22 of Cuyahoga County Records and being 66 feet front on the Northerly side of Franklin Boulevard, N.W., and extending back of equal width 154 feet 2-1/4 inches deep on the Easterly line, 152 feet 5-1/2 inches deep on the Westerly line and 66 feet 0-1/4 inches wide in the rear, 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 ordi-

nance 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. 1659-99.**

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

**An emergency ordinance authorizing the Commissioner of Purchases and Supplies to sell City-owned property no longer needed for public use located at the northeast corner of East 105th Street and Euclid Avenue to the Cleveland Clinic Foundation.**

Whereas, the Director of Community Development has requested the sale of City-owned property no longer needed for public use and located at the northeast corner of East 105th Street and Euclid Avenue; and

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

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

**Section 1.** That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, it is hereby found and determined that the following described property is no longer needed for public use:

Permanent Parcel No. 119-20-009

Parcel No. 3

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 7 and 8 in the Partition of the Estate of Job Doan of part of Original One Hundred Acre Lot No. 402, as shown by the plat in the proceeding of the Court of Common Pleas, recorded in Volume 15, Page 284 of Cuyahoga County Common Pleas Court Records, bounded and described as follows:

Beginning at a 5/8" capped iron pin set on the Northerly line of Euclid Avenue, 80 feet in width, at the Southwesterly corner of land conveyed to Beal Auto Service, Inc., by deed dated February 16, 1978 and recorded in Volume 14677, Page 265 of Cuyahoga County Records;

Course No. 1: Thence South 88° 25' 46" West along said Northerly line of Euclid Avenue 166.54 feet to a

drill hole and cross set at the Easterly end of a curved turn-out connecting said Northerly line of Euclid Avenue and the Easterly line of East 105th Street, 80 feet in width, as shown by the Widening Plat of East 105th Street and recorded in Volume 249 of Maps, Page 51 of Cuyahoga County Records;

Course No. 2: Thence Northwesterly along said curved turn-out, being along the arc of a circle deflecting to the right, 32.05 feet to a drill hole found and cross set at a point of tangency in the aforementioned Easterly line of East 105th Street, as widened, said curved line having a radius of 20.00 feet and a chord which bears North 45° 39' 42" West a distance of 28.73 feet;

Course No. 3: Thence North 0° 14' 49" East along said Easterly line of East 105th Street, as widened, 30.10 feet to a point in the Southerly line of land conveyed to the Cleveland Clinic Foundation, Inc., by deed dated February 11, 1985 and recorded in Volume 85-1262, Page 44 of Cuyahoga County Records;

Course No. 4: Thence North 88° 25' 46" East along said Southerly line of land so conveyed to the Cleveland Clinic Foundation, Inc., 187.13 feet to a point in the Westerly line of land conveyed to Beal Auto Service, Inc., as aforementioned;

Course No. 5: Thence South 0° 11' 16" West along said Westerly line of land so conveyed to Beal Auto Service, Inc., 50.74 feet to the place of beginning, containing 9,399 square feet of land (0.2158 acres), according to a survey by Garrett and Associates, Inc., Registered Engineers and Surveyors, made in January, 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 by and at the direction of the Board of Control, the Commissioner of Purchases and Supplies is authorized to sell the above-described property to the Cleveland Clinic Foundation at a price not less than fair market value as determined by the Board of Control.

**Section 3.** That the conveyance shall be made by official deed to be prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain provisions including such restrictive covenants and reversionary interests as may be specified by the Board of Control or Director of Law protecting the parties as their respective interests require and shall specifically contain a provision restricting the use of the property to nonprofit corporation purposes and shall specifically contain a provision against the erection of any advertising signs or billboards except permitted identification signs.

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

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

**Ord. No. 1660-99.**  
**By Councilmen Sweeney, Jackson,**  
**Robinson and Johnson (by depart-**  
**mental request).**

**An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 13113 Gilmore Avenue to Lillian Flores.**

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

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

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

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

**Section 1.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s), 023-14-023, as more fully described in Section 2 below, to Lillian Flores.

**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. 023-14-023

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 2001 in the Ford Realty Company's Liberty Subdivision No. 5 of part of Original Rockport Township, Section No. 10, as shown by the recorded plat in Volume 67 of Maps, Page 34 of Cuyahoga County Records and being 40 feet front on the Southerly side of Gilmore Avenue, S.W. and extending back of equal width, 125 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

**Section 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. 1661-99.**  
**By Councilmen Sweeney, Jackson,**  
**Robinson and Johnson (by depart-**  
**mental request).**

**An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 13218 Thornhope Road to Henry C. Neely and Geraldine Neely.**

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

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

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

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

**Section 1.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s), 023-21-011, as more fully described in Section 2 below, to Henry C. Neely and Geraldine Neely.

**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. 023-21-011

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and bounded and described as follows, to wit: And known as being part of Sublot No. 175 in Scott-Hall-Clark Company's Subdivision No. 2 of part of Original Rockport Township Section No. 1 as shown by the recorded plat in Volume 43 of Maps, Page 23 of Cuyahoga County Records, and bounded and described as follows:

Beginning at the intersection of the Westerly line of said Sublot No. 175 and the Northwesterly line of Thornhope Road, S.W., 40 feet wide; thence Northerly, along the Westerly line of said Sublot No. 175, a distance of 114.69 feet to a point distant Southerly measured along said Westerly line a distance of 107.00

feet from the Southerly line of Puritas Avenue, S.W., 80 feet wide; thence Easterly a distance of 40.61 feet to a point in the Easterly line of said Sublot No. 175 distant Southerly measured along said Easterly line, a distance of 100.00 feet from the Southerly line of Puritas Avenue, S.W., 80 feet wide; thence Southerly along the Easterly line of said Sublot No. 175, a distance of 82.22 feet to the Northwesterly line of Thornhope Road; thence Southwesterly along the Northerly line of Thornhope Road a distance of 56.19 feet to the place of beginning, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

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

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

**Section 5.** That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest.

**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. 1662-99.**  
**By Councilmen Westbrook, Jackson, Robinson and Johnson (by departmental request).**

**An emergency ordinance authorizing the Commissioner of Purchases and Supplies to sell City-owned property no longer needed for public use located at the southeast corner of Willard Avenue and West 93rd Street to Trinity Freewill Baptist Church.**

Whereas, the Director of Community Development has requested the sale of City-owned property no longer needed for public use and located at the southeast corner of Willard Avenue and West 93rd Street; and

Whereas, this ordinance constitutes an emergency measure provid-

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

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

**Section 1.** That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, it is hereby found and determined that the following described property is no longer needed for public use:

Permanent Parcel Numbers  
005-28-059 and 060

**Parcel 1**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being Sublot No. 44 in L.T. and R.F. Denison Allotment of part of Original Brooklyn Township Lots Nos. 13 and 14, as shown by the recorded plat in Volume 13 of Maps, Page 41 of Cuyahoga County Records, be the same more or less, but subject to all legal highways.

**Parcel 2**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being Sublots Nos. 107, 108 and 109 in the Denison Allotment of part of Original Brooklyn Township Lots Nos. 13 and 14 as shown by the recorded Plat in Volume 17 of Maps, Page 13 of Cuyahoga County Records and together forming a parcel of land having a frontage of 116.72 feet on the Southerly side Willard Avenue, N.W., and extending back 130 feet on the Easterly line, 130 feet on the Westerly line and having a rear line of 116.28 feet, as appears by said Plat, be the same more or less, but subject to all legal highways.

**Section 2.** That by and at the direction of the Board of Control, the Commissioner of Purchases and Supplies is authorized to sell the above-described property to the Trinity Freewill Baptist Church at a price not less than fair market value as determined by the Board of Control.

**Section 3.** That the conveyance shall be made by official deed to be prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain provisions including such restrictive covenants and reversionary interests as may be specified by the Board of Control or Director of Law protecting the parties as their respective interests require and shall specifically contain a provision against the erection of any advertising signs or billboards except permitted identification signs.

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

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

**Ord. No. 1663-99.**  
**By Councilmen Willis, Jackson, Robinson and Johnson (by departmental request).**

**An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 10513, 10509 Orville Avenue and 1361-65, 1359 East 105th Street to Christian Unity Baptist Church Incorporated.**

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

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

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

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

**Section 1.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 120-01-096, 120-01-097, 120-01-098, 120-01-099, as more fully described in Section 2 below, to Christian Unity Baptist Church Incorporated.

**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. 120-01-096

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 141 in Ford and Holden's Subdivision of part of Original One Hundred Acre Lot No. 386 as shown by the recorded plat in Volume 4 of Maps, 48 of Cuyahoga County Records and bounded and described as follows:

Beginning on the Northerly line of Orville Street (now Orville Avenue) thence Northerly with parallel with East 105th Street Easterly from the Easterly line of Doan Street (now East 105th Street) thence Northerly parallel with East 105th Street 67 feet thence Easterly parallel with Orville Avenue 40 feet; thence Southerly parallel with East 105th Street 67 feet to the Northerly line of Orville Avenue; thence Westerly along the Northerly line of Orville Avenue 40 feet to the place of beginning, be the same more or less, but subject to all legal highways.

Driveway easement recorded in Volume 998, Page 606 of Cuyahoga County Records.

Subject to Zoning Ordinances, if any.

P. P. No. 120-01-097

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 141 in Ford and Holden's Subdivision of part of Original One Hundred Acre Lot No. 386, as shown by the recorded plat in Volume 4 of

Maps, Page 48 of Cuyahoga County Records and bounded and described as follows:

Beginning in the Northerly line of Orville Avenue, N.E., at a point 105 feet Easterly from the Easterly line of East 105th Street (formerly Doan Street) thence Northerly parallel with the Easterly line of East 105th Street 67 feet to the Northerly line of said Sublot No. 141 thence Westerly along the Northerly line of said Sublot No. 141, 40 feet; thence Southerly parallel with the Easterly line of East 105th Street, 67 feet to the Northerly line of Orville Avenue, N.E., thence Easterly along the Northerly line of Orville Avenue, N.E., 40 feet to the place of beginning, be the same more or less, but subject to all legal highways.

Driveway easement recorded in Volume 998, Page 606 of Cuyahoga County Records.

Subject to Zoning Ordinances, if any.

P. P. No. 120-01-098

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southerly 40 feet of the Westerly 65 feet of Sublot No. 141 in J.H. Wade et al's Re-Subdivision (of part of Ford and Holden's Subdivision of part of) Original One Hundred Acre Lot No. 386 as shown by the recorded plat of said Re-Subdivision in Volume 33 of Maps, Page 18 of Cuyahoga County Records. Said plat has a frontage of 40 feet on the Easterly side of East 105th Street (formerly Doan Street) and extends back between parallel lines, 65 feet as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

P. P. No. 120-01-099

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being a part of Sublot No. 141 in Ford and Holden's Subdivision of a part of Original One Hundred Acre Lot No. 386, as shown by the recorded plat of said Subdivision in Volume 4 of Maps, Page 48 of Cuyahoga County Records, and being also known as a part of Sublot No. 141 in J.H. Wade and others' Re-Subdivision of a part of said Ford and Holden's Subdivision of a part of Original One Hundred Acre Lot No. 386, as shown by the recorded plat of said Re-Subdivision in Volume 33 of Maps, Page 18 of Cuyahoga County Records. Said part of said Sublot No. 141 in said Subdivision and Re-Subdivision in bounded and described as follows:

Beginning in the Easterly line of East 105th Street, at the Northwest corner of said Sublot No. 141; thence Easterly along the Northerly line of Sublot No. 141, 65 feet; thence Southerly parallel with the Easterly line of East 105th Street, 27 feet; thence Westerly parallel with the Northerly line of Sublot No. 141, 65 feet to the Easterly line of East 105th Street; thence Northerly along the Easterly line of East 105th Street, 27 feet to the place of beginning, 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. 1664-99.**

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

**An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 9515 Elizabeth Avenue to Daryl Jerome Hood.**

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

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

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

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

**Section 1.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 136-01-092, as more fully described in Section 2 below, to Daryl Jerome Hood.

**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. 136-01-092

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 47 in a re-survey of Leo W. Sapp's Allotment of part of Original One Hundred Acre Lots Nos. 457 and 458, as shown by the recorded plat in Volume 12 of Maps, Page 25 of Cuyahoga County Records, and being 40.02 feet front on the Northerly side of Elizabeth Avenue, and extending back of equal width 140 feet, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

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

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

**Section 5.** That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest.

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

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

**Ord. No. 1665-99.**

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

**An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 10310 Reno Avenue to Barbara J. Morgan.**

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

Whereas, real property acquired under the City's Land Reutilization Program is acquired, held, administered and disposed by the City of Cleveland through its Department of Community Development under the terms of Chapter 5722 of the Ohio

Revised Code and Section 183.021 of Codified Ordinances of the City of Cleveland, 1976; and

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

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

**Section 1.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 135-18-121, as more fully described in Section 2 below, to Barbara J. Morgan.

**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. 135-18-121

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 15 and the Westerly 3 feet of Sublot No. 16 in the Coe, Brainard and Chene's Allotment of part of Original One Hundred Acre Lot No. 458, as shown by the recorded plat in Volume 7 of Maps, Page 23 of Cuyahoga County Records and together forming a parcel of land 43 feet front on the Southerly side of Reno Avenue, S.E., (formerly Harris Street) and extending back between parallel lines 130 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

**Section 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. 1666-99.**  
**By Councilmen White, Jackson, Robinson and Johnson (by departmental request).**

**An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 8809-11 Walker Avenue to Ronald Ferrari.**

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

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

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

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

**Section 1.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s), 134-06-063, as more fully described in Section 2 below, to Ronald Ferrari.

**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. 134-06-063

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 19 in Mull and Walker's Allotment of part of Original One Hundred Acre Lot No. 464, as shown by the recorded plat in Volume 7 of Maps, Page 24 of Cuyahoga County Records and being 55 feet on the Northwesterly side of Home Street (now known as Walker Avenue, S.E.) and extending back of equal width 100 feet 8 6/10 inches deep, as appears by said plat, be the same more or less, but subject to all legal highways.

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

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

**Section 5.** That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest.

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

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

**Ord. No. 1667-99.**  
**By Councilmen Robinson and Johnson (by departmental request).**  
**An emergency ordinance authorizing the Director of the City Planning Commission to apply for and accept a grant from the Ohio Department of Transportation - Scenic Byways for the 2000 Mill Creek Scenic Byways Program.**

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

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

**Section 1.** That the Director of the City Planning Commission is hereby authorized to apply for and accept a grant in the amount of \$284,500.00, from the Ohio Department of Transportation - Scenic Byways, to conduct the 2000 Mill Creek Scenic Byways Program, for the purposes set forth in the application and according thereto; that the Director of the City Planning Commission is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the program description for said grant.

**Section 2.** That the program description for said grant, File No. 1667-99-A, made a part hereof as if fully rewritten herein, including the obligation of the City of Cleveland to provide cash matching funds in the amount of \$250,000, payable from Fund No. 10 SF 520, is hereby approved in all respects.

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

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

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

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

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

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

Whereas, pursuant to Section 164.03 of the Revised Code, the District One Public Works Integrating Committee has been created to evaluate applications for state financing of capital improvement projects of local subdivisions in Cuyahoga County; and

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

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

**Section 1.** That the Mayor is hereby authorized to apply to the District One Public Works Integrating Committee for state funding of the following infrastructure capital improvement projects:

1. State Road Rehabilitation (from Brookpark Road to Pearl Road);
2. Central Avenue Rehabilitation (from East 22nd Street to East 55th Street);
3. East 110th Street Rehabilitation (from St. Clair Avenue to Dundee Drive);
4. West 110th Street Rehabilitation (from Berea Road to Lorain Avenue); and
5. East 79th Street Rehabilitation (from Chester Avenue to St. Clair Avenue).

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

**Section 3.** That the Mayor is hereby authorized to accept a grant in the approximate amount of \$4,051,840, from the Ohio Public Works Commission, acting by and through its Director, to finance the capital improvement of rehabilitating State Road from Brookpark Road to Pearl Road; that the Mayor is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said

funds are hereby appropriated for the purposes set forth in the application for said grant. That the application, File No. 1668-99-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects, including the obligation of the City of Cleveland to provide cash matching funds in the approximate amount of \$1,012,960, to be paid from the fund or funds to which are credited the proceeds of the sale of general obligation bonds issued for this purpose in 2000.

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

**Section 5.** That the Mayor is hereby authorized to accept a grant in the approximate amount of \$2,360,000, from the Ohio Public Works Commission, acting by and through its Director, to finance the capital improvement of rehabilitating East 110th Street from St. Clair Avenue to Dundee Drive; that the Mayor is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds are hereby appropriated for the purposes set forth in the application for said grant. That the application, placed in the above referenced file, made a part hereof as if fully rewritten herein, is hereby approved in all respects, including the obligation of the City of Cleveland to provide cash matching funds in the approximate amount of \$590,000, to be paid from the fund or funds to which are credited the proceeds of the sale of general obligation bonds issued for this purpose in 2000.

**Section 6.** That the Mayor is hereby authorized to accept a grant in the approximate amount of \$5,291,200, from the Ohio Public Works Commission, acting by and through its Director, to finance the capital improvement of rehabilitating West 110th Street from Berea Road to Lorain Avenue; that the Mayor is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds are hereby appropriated for the purposes set forth in the application for said grant. That the application, placed in the above referenced file, made a part hereof as if fully rewritten herein, is hereby approved in all respects, including

the obligation of the City of Cleveland to provide cash matching funds in the approximate amount of \$1,322,800, to be paid from the fund or funds to which are credited the proceeds of the sale of general obligation bonds issued for this purpose in 2000.

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

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

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

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

**Ord. No. 1669-99.**

**By Councilman Cimperman.**

**An emergency ordinance consenting and approving the issuance of a permit for the Americas Walk For Diabetes (WALKTOBERFEST) on October 3, 1999, sponsored by American Diabetes Association.**

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

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

**Section 1.** That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio, 1976, this Council consents to and approves the holding of the Americas Walk For Diabetes (WALKTOBERFEST), sponsored by American Diabetes Association, on October 3, 1999, starting at Nautica Stage — Boardwalk, turn left on Center Road — cross Riverbed and Merwin Roads, turn left on Carter Road (this becomes Robert Lockwood Road), turn right on Front Street, turn right on West 9th Street, turn left on Lakeside Avenue, turn right on West 6th Street, turn left on Superior Avenue, circle Public Square via Tower City (not into circle), BP Building, Society Bank and the Illuminating Building, turn

right on West 3rd Street, turn left onto Lakeside Avenue, turn right onto West 9th Street, turn onto Front Street, turn left onto Old River Road, turn right onto Center Street, turn right onto Main Street, which leads straight to Nautica Boardwalk/Finish Line, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinance of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

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

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

**Ord. No. 1670-99.**

**By Councilman Patmon.**

**An emergency ordinance consenting and approving the issuance of a permit for the 2nd Annual Glenville Harvest Community Festival on October 23, 1999, sponsored by the Ward 8 Festival Committee.**

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

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

**Section 1.** That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio, 1976, this Council consents to and approves the holding of the 2nd Annual Glenville Harvest Festival, sponsored by the Ward 8 Festival Committee, on October 23, 1999, starting at Lakeview Road (E. 110th Street) and will continue down St. Clair Ave. onto the park on East 88th Street, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinance of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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



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

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

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

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

**Res. No. 1671-99.**

**By Councilman Lewis.**

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

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

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

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

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

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

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

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

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

**Res. No. 1672-99.**

**By Councilman Patmon.**

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

Whereas, Council has been notified by the Director of Liquor Control of an application for the issuance of a C1 Liquor Permit to Permit No. 6937588, Schereese H. Phippen, DBA Pippens Beverage & Corner Store, 907 E. 105th St., Cleveland, Ohio 44108; and

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

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

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

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

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

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

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

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

**Section 1.** That Council does hereby record its objection to the issuance of a C1 Liquor Permit to Permit No. 6937588, Schereese H. Phippen, DBA Pippens Beverage & Corner Store, 907 E. 105th St., Cleveland, Ohio 44108 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

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

**Res. No. 1673-99.**

**By Councilman Robinson.**

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

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

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

Whereas, the applicant does not qualify to be a permit holder and/or has demonstrated that he has 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 C1 Liquor Permit from Permit No. 03695110015, Bagn Inc., DBA Fuel Stop, 3350 E. 116th St., Cleveland, Ohio 44120, to Permit No. 1550346, Cleveland Speedway Inc., DBA Citgo, 3350 E. 116th St., Cleveland, Ohio 44120 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

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

**Res. No. 1674-99.**

**By Councilmen Westbrook and Willis.**

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

Whereas, the City of Cleveland has the authority under the laws

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

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

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

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

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

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

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

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

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

**Section 2.** That the Council of the City of Cleveland rejects newly adopted Ohio Revised Code Sections 4939.01-.04 as unconstitutional and as an unnecessary and unwarranted intrusion into the right and obligation of the Council of the

City of Cleveland to enact legislation to regulate, control and maintain the public right-of-way in the municipal boundaries of the City of Cleveland.

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

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

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

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

**Res. No. 1675-99.**

By Councilman Cintron.

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

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

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

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

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

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

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

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

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

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

**SECOND READING EMERGENCY ORDINANCE PASSED**

**Ord. No. 1431-99.**

By Councilmen White and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Personnel and Human Resources to enter into

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

Approved by Directors of Personnel and Human Resources, Finance, Law; Relieved of Committees on Employment, Affirmative Action and Training, Finance.

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

**SECOND READING EMERGENCY RESOLUTION ADOPTED**

**Res. No. 271-99.**

By Councilman Melena (by request).

An emergency resolution declaring the intention to vacate a portion of West 76th Street.

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

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

**MOTION**

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

The Council adjourned at 8:20 p.m. to meet on Monday, September 27, 1999, at 7:00 p.m.



Clerk of Council

**THE CALENDAR**

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

NONE

**BOARD OF CONTROL**

September 15, 1999

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, September 15, 1999, at 11:00 a.m., with Mayor White presiding.

Present: Mayor White, Director Carter, Acting Director Frank, Directors Konicek, Balraj, Ricchiuto, Whitlow, Acting Director Shepherd, Directors Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.

Absent: None.

Others: Myrna Branche, Commissioner, Purchases and Supplies, Laura A. Williams, Director, Office of Equal Opportunity.

On motion, the following resolutions were adopted.

**Resolution No. 600-99.**

By Director Carmody.

Whereas pursuant to the authority of Ordinance No. 93-99, passed by the Council of the City of Cleveland February 8, 1999, and Board of Control Resolution No. 127-99 adopted March 17, 1999, the City, through its Director of Finance, entered into City Contract No. 54187 with Northeast Ohio Gas Marketing, Inc. to furnish natural gas for the various divisions of City government; and

Whereas, on August 5, 1999, the contractor notified the City that it had merged into FirstEnergy Trading Services, Inc. and effectively requested consent of the City to said merger and assignment of said Contract No. 54187 to FirstEnergy; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that this Board hereby consents to the merger of Northeast Ohio Gas Marketing, Inc. into FirstEnergy Trading Services, Inc. and to the assignment of said City Contract No. 54187 to FirstEnergy.

Be it further resolved that the Director of Finance is hereby authorized to execute all documents and to do all things necessary to acknowledge the merger and assignment consented to above.

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

Nays: None.

Absent: None.

**Resolution No. 601-99.**

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Wesco Distribution, Inc. for an estimated quantity of meters and metering equipment item nos. 1, 2 and 3, for the Division of Cleveland Public Power, Department of Public Utilities, for a period of one (1) year beginning with the date of execution of a contract received on July 8, 1999, pursuant to the authority of Section 129.26 of the Codified Ordinances of Cleveland, Ohio 1976, which on the basis of the estimated quantity would amount to Three Hundred Forty One Thousand and no/100 Dollars, (\$341,000.00), (Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into a requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 0541

which shall be certified against such contract in the sum of Twenty Two Thousand Seven Hundred Forty and no/100 Dollars (\$22,740.00).

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

Yeas: Mayor White, Director Carter, Acting Director Frank, Directors Konicek, Balraj, Ricchiu-

to, Whitlow, Acting Director Shepard, Directors Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.

Absent: None.

**Resolution No. 602-99.**

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of R & R Construction for an estimated quantity of Outdoor Lighting Program (Installation), item nos. 14 thru 28, for the Division of Cleveland Public Power, Department of Public Utilities, for a period of one (1) year beginning with the date of execution of a contract received on August 5, 1999, pursuant to the authority of Ordinance No. 508-98, passed May 18, 1998 on the basis of the estimated quantity would amount to Forty Five Thousand Four Hundred Eighty and no/100 Dollars, (\$45,480.00), (Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into a requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 0656

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

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

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

Nays: None.

Absent: None.

**Resolution No. 603-99.**

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Campbell Electric Company, Inc., for an estimated quantity of Outdoor Lighting Program (Installation), item nos. 3 and 7, for the Division of Cleveland Public Power, Department of Public Utilities, for a period of one (1) year beginning with the date of execution of a contract received on August 5, 1999, pursuant to the authority of Ordinance No. 508-98, passed May 18, 1998 on the basis of the estimated quantity would amount to Nineteen Thousand Nine Hundred Forty One and 50/100 Dollars, (\$19,941.50), (2% - 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into a requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 0658

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

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

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

Nays: None.

Absent: None.

**Resolution No. 604-99.**

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Cascade Lighting, Inc. for an estimated quantity of Outdoor Lighting Program (Installation), item nos. 1 and 5, for the Division of Cleveland Public Power, Department of Public Utilities, for a period of one (1) year beginning with the date of execution of a contract received on August 5, 1999, pursuant to the authority of Ordinance No. 508-98, passed May 18, 1998 on the basis of the estimated quantity would amount to Nineteen Thousand Eight Hundred Six and 50/100 Dollars, (\$19,806.50), (1% - 10 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into a requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 0657

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

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

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

Nays: None.

Absent: None.

**Resolution No. 605-99.**

By Director Konicek.

Be it resolved, by the Board of Control of the City of Cleveland that all bids received on August 5, 1999 for Outdoor Lighting Program, item nos. 2, 4, 6, 8 thru 13, for the Division of Cleveland Public Power, Department of Public Utilities, pursuant to the authority of Ordinance No. 508-98, passed by the Council of the City of Cleveland on May 18, 1998, be and the same are hereby rejected.

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

Nays: None.

Absent: None.

**Resolution No. 606-99.**

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of U.S. Filter Distribution Group for an estimated quantity of service fittings (items 2-6, 8, 14-19, 21, 23-32, 38-44 and 53), for the Division of Water, Department of Public Utilities, for a period of one (1) year beginning with the date of execution of a contract received on the 16th day of July, 1999, pursuant to the authority of Section 129.25 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to One Hundred One Thousand Seven Hundred Fifty Three Dollars and Eight Cents, (\$101,753.08), (Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into a requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

**Requisition No. 14099**

which shall be certified against such contract in the sum of Twenty Thousand Dollars (\$20,000.00).

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

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

Nays: None.  
Absent: None.

**Resolution No. 607-99.**

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Underground Pipe & Valve for an estimated quantity of service fittings (items 10, 13, 20, 22, 46, 47, 49 and 50), for the Division of Water, Department of Public Utilities, for a period of one (1) year beginning with the date of execution of a contract received on the 16th day of July, 1999, pursuant to the authority of Section 129.25 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to One Hundred Thirteen Thousand One Hundred Eighteen Dollars and Fifty Cents, (\$113,118.50) (Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into a requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

**Requisition No. 14100**

which shall be certified against such contract in the sum of Twenty Thousand Dollars (\$20,000.00).

Said requirement contract shall further provide that the Contractor will furnish the remainder of the requirement for such commodities, whether more or less than said esti-

mated quantity, as may be ordered under subsequent requisitions separately certified against said contract.

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

Nays: None.  
Absent: None.

**Resolution No. 608-99.**

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Julian Supply Corporation for an estimated quantity of service fittings (items 1, 9, 51 and 52), for the Division of Water, Department of Public Utilities, for a period of one (1) year beginning with the date of execution of a contract received on the 16th day of July, 1999, pursuant to the authority of Section 129.25 of the Codified Ordinances of Cleveland Ohio, 1976, which on the basis of the estimated quantity would amount to Thirteen Thousand Thirty Two Dollars, (\$13,032.00), (Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into a requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

**Requisition No. 14925**

which shall be certified against such contract in the sum of Two Thousand Dollars (\$2,000.00).

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

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

Nays: None.  
Absent: None.

**Resolution No. 609-99.**

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Hughes Supply, Inc. for an estimated quantity of service fittings (items 7, 11, 12, 33-37, 45 and 48), for the Division of Water, Department of Public Utilities, for a period of one (1) year beginning with the date of execution of a contract received on the 16th day of July, 1999, pursuant to the authority of Section 129.25 of the Codified Ordinances of Cleveland Ohio, 1976, which on the basis of the estimated quantity would amount to Thirty Four Thousand Nine Hundred Fifty One Dollars and Eighty Cents, (\$34,951.80), (Net), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into a requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

**Requisition No. 14926**

which shall be certified against such contract in the sum of Twelve Thousand Dollars (\$12,000.00).

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

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

Nays: None.  
Absent: None.

**Resolution No. 610-99.**

By Director Konicek.

Be it resolved, by the Board of Control of the City of Cleveland that all bids received on December 30, 1999 for labor and materials to repair various air tools for the Division of Water, Department of Public Utilities, pursuant to the authority of Ordinance No. 2017-97, passed by the Council of the City of Cleveland on January 26, 1998, be and the same are hereby rejected.

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

Nays: None.  
Absent: None.

**Resolution No. 611-99.**

By Director Balraj.

Whereas, pursuant to Ordinance No. 929-95, passed by the Cleveland City Council on June 12, 1995, and Board of Control Resolution No. 264-96, adopted April 24, 1996, the City entered into an agreement with O.R. Colan Associates, Inc. ("Consultant" FBE/DBE) to provide professional consulting services for acquisition/relocation services for 94 single residences at Cleveland Hopkins International Airport for the Department of Port Control Contract No. 49852; and,

Whereas, pursuant to Board of Control Resolution No. 750-96, adopted October 23, 1996, the City entered into first amendment to Contract No. 49852 increasing the number of homes to be acquired, and increasing the contract from an amount not to exceed One Million Three Hundred Seventy-Three Thousand Eighty Six and 96/100 (\$1,373,086.96) to an amount not to exceed One Million Eight Hundred Seventy-Seven Thousand Five Hundred Twenty-Four and 29/100 (\$1,877,524.28); and,

Whereas, pursuant to Board of Control Resolution No. 625-97 adopted August 6, 1997, the City entered into a second amendment to Contract No. 49852 increasing the number of homes to be acquired, and increasing the contract from an amount not to exceed One Million Eight Hundred Seventy-Seven Thousand Five Hundred Twenty-Four and 28/100 (\$1,877,524.28) to an amount not to exceed One Million Nine Hundred Eighty-Nine Thousand Nine Hundred Ten and 36/100 (\$1,989,910.36); and

Whereas, pursuant to Board of Control Resolution No. 4-98 adopted January 7, 1998, the City entered into a third amendment to Contract No. 49852 to provide removal and disposal of larger quantities of asbestos containing materials and increasing the contract from an amount not to exceed One Million Nine Hundred Eighty-Nine Thousand Nine Hundred Ten and 36/100 (\$1,989,910.36) to an amount not to exceed Two Million One Hundred Sixty-Six Thousand Nine Hundred Ten and no/100 (\$2,166,910.00); and,

Whereas, pursuant to Board of Control Resolution No. 96-98 adopted February 18, 1998, the City entered into a fourth amendment to Contract No. 49852 to provide removal and disposal of larger quantities of asbestos containing materials and increasing the contract from an amount not to exceed Two Million One Hundred Sixty-Six Thousand Nine Hundred Ten and no/100 Dollars (\$2,166,910.00) to an amount not to exceed Five Million Three Hundred Three Thousand Three Hundred Three and 10/100 Dollars (\$5,303,303.10); and

Whereas, it is necessary to make an addition to the scope of work to provide additional removal and disposal of asbestos containing materials; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that the Director of Port Control is hereby authorized to enter into a fifth amendment to the agreement between the City of Cleveland and O.R. Colon Associates, Inc. ("Consultant"), Contract No. 49852, for an addition to the scope of work based on the Consultant's letter dated April 29, 1999. The amount to be paid for all the services shall be increased from an amount not to exceed Five Million Three Hundred Three Thousand Three Hundred Three and 10/100 Dollars (\$5,303,303.10) to an amount not to exceed Five Million Eight Hundred Three Thousand Three Hundred Three and 10/100 Dollars (\$5,803,303.10).

Be it further resolved, that the Director of Port Control is hereby authorized to complete and execute any documents necessary and appropriate to effect the amendment hereby authorized.

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

Nays: None.  
Absent: None.

#### **Resolution No. 612-99.**

By Director Balraj.

Resolved, by the Board of Control of the City of Cleveland that the bid of Kenny Industrial Services L.L.C. for an estimated quantity of labor and materials to clean and maintain sewer, oil water separators, electrical vaults and associated appurtenances (All Items), for the various divisions of the Department of Port Control, for the period of one (1) year beginning with the date of execution of a contract received on the 26th day of August, 1998, pursuant to the authority of Ordinance No. 468-98, passed May 11, 1998 on the basis of the estimated quantity

would amount to Four Hundred Sixty One Thousand One Hundred Twenty Four and no/100 Dollars, (\$461,124.00), is hereby affirmed and approved as the lowest and best bid, and the Director of Port Control is hereby requested to enter into requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

#### **Requisition No. 08373**

which shall be certified against such contract in the sum of Two Hundred Thousand and no/100 Dollars (\$200,000.00).

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

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

Nays: None.  
Absent: None.

#### **Resolution No. 613-99.**

By Director Guzman.

Whereas, by Resolution No. 578-99, adopted September 1, 1999, pursuant to Ordinance No. 2051-98, passed December 14, 1998, this Board of Control approved the bid of IBM Corporation as the lowest and best for an IBM tape drive, controller and associated cables and software; and

Whereas said Resolution No. 578-99 was incorrectly drafted for a requirement contract; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that Board of Control Resolution No. 578-99, adopted September 1, 1999, affirming and approved the bid of IBM Corporation as the lowest and best for the City's requirements for purchase of IBM tape drive, controller and associated cables and software, for the Division of Police, Department of Public Safety, hereby is rescinded.

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

Nays: None.  
Absent: None.

#### **Resolution No. 614-99.**

By Director Guzman.

Resolved by the Board of Control of the City of Cleveland that the bid of IBM Corporation, for an IBM tape drive, controller and associated cables and software, for the Division of Police, Department of Public Safety, received on August 6, 1999, pursuant to Ordinance No. 2051-98, passed on December 14, 1998, which on the basis of the order quantity would amount to Seventeen Thousand, Eight Hundred Twenty and no/100 Dollars (\$17,820.00), is hereby affirmed and approved as the lowest and best bid, and the Direc-

tor of Public Safety is hereby requested to enter into a contract for such items.

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

Nays: None.  
Absent: None.

#### **Resolution No. 615-99.**

By Director Guzman.

Whereas, by Resolution No. 502-99, adopted July 28, 1999, pursuant to Ordinance No. 1954-98, passed December 14, 1998, this Board of Control approved the bid of Laser Technology Inc., as the lowest and best bid for the purchase of laser speed measuring devices; and

Whereas, in said Resolution No. 502-99, the contract amount was incorrectly stated as Seventeen Thousand, One Hundred Seventy-Five and 00/100 Dollars (\$17,175.00); now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that Board of Control Resolution No. 502-99, adopted July 28, 1999, affirming and approved the bid of Laser Technology Inc., as the lowest and best for the purchase of laser speed measuring devices (all items), for the Division of Police, Department of Public Safety, hereby is amended by changing the contract amount to "Twenty Thousand, Four Hundred Seventy and 00/100 Dollars (\$20,470.00)."

Be it further resolved that all other provisions of said Resolution No. 502-99 not expressly amended hereby shall remain in full force and effect.

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

Nays: None.  
Absent: None.

#### **Resolution No. 616-99.**

By Director Hudecek.

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

Whereas, City has acquired Permanent Parcel Nos. 111-22-136, 111-22-137 and 111-22-138 under said Land Reutilization Program; and

Whereas, Ordinance No. 1129-99 passed July 14, 1999, authorized the sale of said parcels for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Northeastern Neighborhood Development Corporation has proposed to the City to purchase and develop said parcels; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 1129-99 passed July 14, 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 Northeastern Neighborhood Development Corporation for the sale and development of Permanent Parcel Nos. 111-22-136, 111-22-137 and

111-22-138, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcels shall be \$300.00, which amount is hereby determined to be not less than the fair market value of said parcels for uses in accordance with the Land Reutilization Program.

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

Nays: None.

Absent: None.

**Resolution No. 617-99.**

By Director Hudecek.

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

Whereas, City has acquired Permanent Parcel Nos. 104-19-100 and 104-19-101 under said Land Reutilization Program; and

Whereas, Ordinance No. 1444-99 passed August 11, 1999, authorized the sale of said parcels for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Joni Janine Johnson has proposed to the City to purchase and develop said parcels; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 1444-99 passed August 11, 1999, by the Cleveland City Council, the Mayor is hereby authorized to execute an official deed for and on behalf of the City of Cleveland with Joni Janine Johnson for the sale and development of Permanent Parcel Nos. 104-19-100 and 104-19-101, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

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

Nays: None.

Absent: None.

**Resolution No. 618-99.**

By Director Hudecek.

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

Whereas, City has acquired Permanent Parcel No. 118-03-090 under said Land Reutilization Program; and

Whereas, Ordinance No. 1451-99 passed August 11, 1999, authorized the sale of said parcel for a consid-

eration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Leodis C. Matthews 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. 1451-99 passed August 11, 1999, by the Cleveland City Council, the Mayor is hereby authorized to execute an official deed for and on behalf of the City of Cleveland with Leodis C. Matthews for the sale and development of Permanent Parcel No. 118-03-090, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcel shall be \$100.00, which amount is hereby determined to be not less than the fair market value of said parcel for uses in accordance with the Land Reutilization Program.

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

Nays: None.

Absent: None.

**Resolution No. 619-99.**

By Director Hudecek.

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

Whereas, City has acquired Permanent Parcel Nos. 106-19-021 and 106-19-022 under said Land Reutilization Program; and

Whereas, Ordinance No. 1459-99 passed August 11, 1999, authorized the sale of said parcels for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Eaton N. Jones and Keesha M. Jones have proposed to the City to purchase and develop said parcels; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 1459-99 passed August 11, 1999, by the Cleveland City Council, the Mayor is hereby authorized to execute an official deed for and on behalf of the City of Cleveland with Eaton N. Jones and Keesha M. Jones for the sale and development of Permanent Parcel Nos. 106-19-021 and 106-19-022, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcels shall be \$1.00 (each), which amount is hereby determined to be not less than the fair market value of said parcels for uses in accordance with the Land Reutilization Program.

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

Nays: None.

Absent: None.

**Resolution No. 620-99.**

By Director Hudecek.

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

Whereas, City has acquired Permanent Parcel Nos. 106-14-093 and 106-14-094 under said Land Reutilization Program; and

Whereas, Ordinance No. 1450-99 passed August 11, 1999, authorized the sale of said parcels for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Keith Benford and Sylvia Benford have proposed to the City to purchase and develop said parcels; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 1450-99 passed August 11, 1999, by the Cleveland City Council, the Mayor is hereby authorized to execute an official deed for and on behalf of the City of Cleveland with Keith Benford and Sylvia Benford for the sale and development of Permanent Parcel Nos. 106-14-093 and 106-14-094, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

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

Nays: None.

Absent: None.

**Resolution No. 621-99.**

By Director Hudecek.

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

Whereas, City has acquired Permanent Parcel Nos. 119-05-058 and 119-05-059 under said Land Reutilization Program; and

Whereas, Ordinance No. 1453-99 passed August 11, 1999, authorized the sale of said parcels for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Bobbie Laster and Geraldine Laster have proposed to the City to purchase and develop said parcels; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 1453-99 passed August 11, 1999, by the Cleveland City Council, the Mayor is hereby authorized to execute an official deed for and on behalf of the City of Cleveland with Bobbie Laster and Geraldine Laster for the sale and development of Permanent Parcel Nos. 119-05-058 and 119-05-059, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

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

Nays: None.

Absent: None.

#### **Resolution No. 622-99.**

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 Nos. 007-09-111 and 007-09-112 located at 2205 and 2211 West 30th Street in Ward 14; 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, Jose A. Nieves and Irma Cintron, abutting/adjacent landowners, have proposed to the City to purchase and develop said parcels; and

Whereas, the following conditions exist:

1. The member of Council from Ward 14 has consented to the proposed sale;

2. The parcels are either less than 4,800 square feet or less than 40 feet frontage;

3. The proposed purchasers of said parcels 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 Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland, with Jose A. Nieves and Irma Cintron for the sale and development of Permanent Parcel Nos. 007-09-111 and 007-09-112 located at 2205 and 2211 West 30th 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 parcels shall be \$1.00 (each), which amount is hereby determined to be not less than the Fair Market Value of said parcels for uses in accordance with said Program.

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

Nays: None.

Absent: None.

#### **Resolution No. 623-99.**

By Director Hudecek.

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

Whereas, under said Program, the City has acquired Permanent Parcel No. 004-27-005 located at 2061 West 15th Street in Ward 13; and

Whereas, Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976 authorizes the Commissioner of Purchases and Supplies, when directed by the Director of Community Development and when certain specified conditions have been met, to sell Land Reutilization Program parcels to adjacent or abutting landowners; and

Whereas, 1501 Companies Ltd., abutting/adjacent landowner, has proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 13 has consented to the proposed sale;

2. The parcel is either less than 4,800 square feet or less than 40 feet frontage;

3. The proposed purchaser of said parcel is neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland, with 1501 Companies Ltd. for the sale and development of Permanent Parcel No. 004-27-005 located at 2061 West 15th 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 \$400.00, 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, Director Carter, Acting Director Frank, Directors Konicek, Balraj, Ricchiuto, Whitlow, Acting Director Shepard, Directors Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.

Absent: None.

#### **Resolution No. 624-99.**

By Director Ricchiuto.

Be it resolved by the Board of Control of the City of Cleveland that pursuant to authority of Ordinance No. 366-99, passed by the Council of the City of Cleveland May 24, 1999, the firm of Adache-Ciuni-Lynn Associates Inc. ("Consultant") is hereby selected upon the recommendation of the Director of Public Service, determined after a full and complete canvas by the Director of Public Service as the engineering consultant to be employed by contract for the purpose of supplementing the regularly employed staff of several Departments of the City in order to provide engineering services for the Rehabilitation and/or reconstruction

of the Woodland Avenue Bridge over Norfolk Southern Corporation and Greater Cleveland Regional Transit Authority railroad tracks, referred to as City Bridge No. 4:035M.

Be it further resolved that the Director of Public Service hereby is authorized to enter into contract with said Consultant, based upon its proposal dated September 23, 1998 provided that compensation to be paid shall not exceed \$205,243.61 which contract shall be prepared by the Director of Law and shall contain such other provisions, as the Director of Law deems necessary to protect and benefit the public interest.

Be it resolved by the Board of Control of the City of Cleveland that the employment of the following subconsultants by Adache-Ciuni-Lynn Associates Incorporated, for the aforesaid public improvement is hereby approved:

Dalia Engineering  
6025 Royalton Road  
North Royalton, Ohio 44133  
(MBE - 30%)

L.V. Surveying Inc.  
11528 Royalton Road  
North Royalton, Ohio 44133  
(FBE - 8%)

Solar Testing Laboratories, Inc.  
5399 Lancaster Road  
Brooklyn Heights, Ohio 44131  
(17.87%)

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

Nays: None.

Absent: None.

JEFFREY B. MARKS,  
Secretary

## **CIVIL SERVICE NOTICES**

### **General Information**

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

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

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

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

ANNE BLOOMBERG,  
President

**SCHEDULE OF THE BOARD  
OF ZONING APPEALS**

**MONDAY, OCTOBER 4, 1999**

**9:30 A.M.**

**Calendar No. 99-225:** 2343 West 6th Street (Ward 13)

Donna Joy, owner, appeals to install approximately 70 linear feet of 6' high wrought iron fencing to the front and south westerly side of a 33' x 75' parcel located in a Two-Family District on the northerly side of West 6th Street at 2343 West 6th Street, said installation being contrary to the Yards and Courts Regulations where the proposed height of fencing is 6' and the maximum height of fencing allowed in the setback area is 4'-6" as stated in Section 357.13(b)(3) of the Codified Ordinances.

**Calendar No. 99-226:** 2351 West 6th Street (Ward 13)

Donna Joy, owner, appeals to install approximately 33 linear feet of 6' high wrought iron fencing to the front of a 33' x 75' parcel located in a Two-Family District on the northerly side of West 6th Street at 2351 West 6th Street; said installation being contrary to the Yards and Courts Regulations where the proposed height of fencing is 6' and the maximum height of fencing allowed in the setback area is 4'-6" as stated in Section 357.13(b)(3) of the Codified Ordinances.

**Calendar No. 99-227:** 2357 West 6th Street (Ward 13)

Donna Joy, owner, appeals to install approximately 70 linear feet of 6' high wrought iron fencing to the front and southeasterly side of a 33' x 75' parcel located in a Two-Family District on the northerly side of West 6th Street at 2357 West 6th Street, said installation being contrary to the Residential District Regulations of Section 37.23(a)(6) where the maximum height of fencing allowed at the side yard is 2' and 6' is proposed and contrary to the Yards and Courts Regulations where the proposed height of fencing is 6' and the maximum height of fencing allowed in the setback area is 4'-6" as stated in Section 357.13(b)(3) of the Codified Ordinances.

**Calendar No. 99-241:** 19600 South Waterloo Road (Ward 11)

James Kasper, owner, appeals to expand an existing approximate 120' x 50' two-story nonconforming adult cabaret building situated on an approximate 82' x 468' rectangular parcel located in a Local Retail District on the south side of South Waterloo Road at 19600 South Waterloo Road; said expansion being contrary to the Business District Regulations of Section 343.01 where adult entertainment use is not permitted in a Local Retail District and contrary to the Specific Uses Regulated Requirements of Section 347.07(C)(1) where an adult entertainment use is not permitted within 1000' of a residence district and the proposed use is within 400' of a residence district to the northwest, and Section 347.07(C)(3) where no adult entertainment use shall be established on a lot or with-

in 1000' of a lot containing another adult use; and the proposed expansion of the nonconforming adult cabaret building is within 300' of an existing adult video store at 19121 Neff Road; and where the proposed use is within 400' of Neff Park to the northwest and no adult entertainment use shall be established within 1000' of a lot containing a public park as stated in Section 3347.07(C)(5) of the Codified Ordinances.

**Calendar No. 99-242:** 11212 Miles Avenue (Ward 2)

Phyllis Scott, owner, appeals to change the use of an existing 45' x 44' two-story masonry building into a Child Care Center located on a 115' x 135' lot situated in a Two-Family District at 11212 Miles Avenue; said change of use being subject to review and approval of the Board of Zoning appeals as required by Sections 337.02 and 337.03 of the Codified Ordinances.

**Calendar No. 99-243:** Lot Split Appeal Southwest Corner of Bailey Avenue @ West 41st Street (Ward 14)

New Village Corporation, owner, appeals from the refusal under authority of Section 355.04 to approve a lot split and consolidation at southwest corner of West 42nd Street and Bailey Avenue located in a Two-Family District; said refusal being by Randall DeVaul, Commissioner of Engineering and Construction, and Hunter Morrison, Director, City Planning Commission, by authority of Section 355.04 of the Codified Ordinances.

**Calendar No. 99-244:** Lot Split Appeal West 42nd Place @ Orchard Avenue (Ward 14)

New Village Corporation, owner, appeals from the refusal under authority of Section 355.04 to approve a lot split and consolidation at the northwest corner of West 42nd Place and Orchard Avenue located in a Two-Family District; said refusal being by Randall DeVaul, Commissioner of Engineering and Construction, and Hunter Morrison, Director, City Planning Commission, by authority of Section 355.04 of the Codified Ordinances.

**Calendar No. 99-245:** 3840 Lee Road (Ward 1)

Kinsman Congregation, owner c/o Paul Jenkins, agent, appeal to install 270 linear feet of chain link fencing, 5'-10" high to the front of a 130' x 220' parcel situated on the west side of Lee Road and located in a Local Retail Business District at 3840 Lee Road; said installation being contrary to the Yards and Courts Regulations where the proposed height of fencing is 5'-10" and the maximum height of fencing allowed is 4'-6" as stated in Section 357.13(b)(3) of the Codified Ordinances.

**Calendar No. 99-246:** 13616 Bennington Avenue (Ward 20)

Mary Prince, owner, appeals to construct a 16' x 10' deck to the front of an existing 30' x 25' single family dwelling unit situated on a 40' x 114' parcel located in a Single-Family District on the north side of Bennington Avenue at 13616 Ben-

nington Avenue; said construction being contrary to the Yards and Courts Regulations where the proposed projection of the front porch is 10' and the allowable projection is 6' as stated in Section 357.13(b)(4) of the Codified Ordinances.

**Calendar No. 99-247:** Appeal of Leonard Bey

Leonard Bey, appeals under Section 76-6 of the Charter of the City of Cleveland and Section 403.09 of the Codified Ordinances from the revocation of a license to operate a taxicab by Robert J. Schneider, Commissioner of Assessments and Licenses, upon the recommendation of Henry Guzman, Director of Public Safety.

EUGENE CRANFORD, JR.,  
Secretary

**REPORT OF THE BOARD  
OF ZONING APPEALS**

**MONDAY, SEPTEMBER 20, 1999**

At the meeting of the Board of Zoning Appeals on Monday, September 20, 1999, the following appeals were heard by the Board:

The following appeals were **Approved:**

**Calendar No. 99-233:** 3333 Eddy Road  
Christina Barhams, owner, appealed to enclose an existing 25' x 8' front porch of an existing 25' x 40' two dwelling house in a B-Two-Family District.

**Calendar No. 99-235:** 1031 East 105th Street  
Cleveland Church of Christ, owner, appealed to construct a 200' x 175' two-story masonry church building on a 251' x 200' parcel in a Local Retail Business District.

The following appeals were **Denied:**

**Calendar No. 99-230:** Appeal of Eric Hensal  
Eric Hensal, appealed from being cited for parking in an area not intended for accessory off-street parking located at 3611 Riverside Avenue.

**Calendar No. 99-231:** Appeal of Rudy Zupan  
Rudy Zupan, appealed from being cited for parking in the driveway and lawn areas at the location of 9400 Clifton Boulevard.

The following appeals were **Withdrawn:**

**Calendar No. 99-234:** 3307 Regent Road  
Henry Gates, owner, appealed to erect 80 linear feet of 6' high chain link fencing to the front portion of a 40' x 180' parcel in a Two-Family District.

**Calendar No. 99-162:** 3237-3239 Scranton Road  
Hector Colon, Sr., owner, appealed to change the use of a one-story masonry service station into an auto repair garage and storage facility in a Multi-Family District.



The following appeal was **Postponed**:

**Calendar No. 99-232:** Appeal of Mendy Holloway and Abdullah Mualem postponed to October 11, 1999.

**On Monday, September 20, 1999, in Executive Session:**

The following appeals were heard on Monday, September 13, 1999, and said decisions were approved and adopted by the Board on September 20, 1999:

The following appeals were **Approved**:

**Calendar No. 99-217:** 3426 West 50th Street

Ronald Hardin, owner, appealed to construct an 18'-4" x 8' one-story kitchen and bathroom addition to an existing 18'-4" x 27'-8" residence in a Two-Family District.

**Calendar No. 99-220:** 3852 West 41st Street

Thomas J. Keating, owner, appealed to install approximately 100 linear feet of 4' high chain link fencing to the north and south side of a 40' x 100' parcel in a Two-Family District.

**Calendar No. 99-221:** 3627 Payne Avenue

Dino Konstantinou, owner, appealed to use a 35' x 86' two-story, wood frame storage building in a Local Retail District for storage of hot dog vendor carts and related supplies.

**Calendar No. 99-224:** 3910 Carnegie Avenue

Charles C. Comella, Trustee, owner, appealed to install approximately 60 linear feet of 8' high chain link fencing to the south-westerly side of a 147' x 345' parcel; partial approval subject to input from City Council rep for storage of building construction material within opaque fenced area; appeal to create exterior storage for dismantling of inoperable entertainment machines withdrawn by appellant.

**Calendar No. 99-189:** 15721 Waterloo Road

Northeast Shores Development Corporation and Victoria Smith, d.b.a. Little Hands and Feet, tenant, appealed to change the use of an existing one and two-story bowling alley building into office space and a Child Care Center in a Local Retail District.

**Calendar No. 99-191:** Appeal of Slavic Village Development Corporation

Slavic Village Development Corporation, owners, appealed under Section 355.04 from the refusal to approve a splitting and consolidation of several lots at Finney Avenue with East 81st and 82nd Streets.

**Calendar No. 99-204:** 811 Jefferson Avenue, a.k.a. 807 Jefferson Avenue

Urban Housing Ltd. Partnership, owner c/o Doug Perkowski, agent, appealed to construct a 44'-8" x 93'-4" two-story masonry office building on a 66' x 150' parcel in a General Retail District.

At the meeting of The Board of Appeals on Monday, September 20, 1999, the following appeal was heard by the Board.

The following appeal was **Denied**:

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

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

EUGENE CRANFORD, JR.,  
Secretary

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

Re: Report of the Meeting of  
September 15, 1999

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-99-99.

RE: Appeal of Century Plating, Inc., Owner of the Property located on the premises known as 18006 South Waterloo from a NOTICE OF VIOLATION/FIRE CODE of the Chief of the Division of Fire dated April 21, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

Docket A-99-99 has been POSTPONED; to be rescheduled for September 19, 1999.

\* \* \*

#### Docket A-107-99.

RE: Appeal of GMS Management Co., Inc., Owner of the Two Story Masonry Property located on the premises known as 2720 Van Aken Boulevard from a NOTICE OF VIOLATION/ELECTRICAL/GENERAL MAINTENANCE/PLUMBING dated May 5, 1999, 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 and to REMAND the property at 2720 Van Aken Boulevard to the Division of Building and Housing for supervision and further action. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Williams.

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

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#### Docket A-121-99.

RE: Appeal of Louis Fodor & Mark Heller, Owners of the Three Story Masonry Property/Four Stores & 16 Dwelling Units located on the premises known as 5403-09 Detroit Avenue (a.k.a. 1406 West 54th Street) from a 30 DAY CONDEMNATION ORDER/MAIN STRUCTURE /VACATE ORDER/CONDEMNATION ORDER I-6/ELECTRICAL/HVAC/RESIDENTIAL/MAINTENANCE of the Commissioner of the Division of Building and Housing dated May 27, 1999, 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 modify, the Commissioner's 30 DAY CONDEMNATION ORDER/MAIN STRUCTURE/VACATE ORDER/CONDEMNATION ORDER I-6/ELECTRICAL/HVAC/RESIDENTIAL MAINTENANCE and LETTER OF INTENTION TO DEMOLISH by granting the Appellant ninety (90) days in which to either obtain permits and abate the violations, or to sell the property is to remain boarded and secured and the grounds debris free during that period of time. Upon passage of this motion, this matter shall be REMANDED at this time to the Commissioner of the Division of Building and Housing for supervision and any required further action. All other provisions of the 30 DAY CONDEMNATION ORDER/MAIN STRUCTURE/VACATE ORDER/CONDEMNATION ORDER I-6/ELECTRICAL/HVAC/RESIDENTIAL MAINTENANCE and LETTER OF INTENTION TO DEMOLISH not modified by this decision shall remain in full force and effect, including the provisions that the City may abate the nuisance conditions of the premises by means of demolition if abatement of the violations is not completed by December 29, 1999. Motion so in order. Motioned by Mr. Sullivan and seconded by Mr. Saunders.

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

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#### Docket A-124-99.

RE: Appeal of WFI, Inc., Owner of the Eight Story Brick Commercial Property located on the premises known as 1900 Euclid Avenue from a NOTICE OF VIOLATIONS/GENERAL MAINTENANCE/ELECTRICAL/PLUMBING of the Commissioner of the Division of Building and Housing dated May 27, 1999, 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 require that all tenants above the second floor be relocated within thirty (30) days; to require the Appellant to abate the hazardous, life-threatening fire violations from the second floor down within thirty (30) days; to grant the Appellant a four (4) month "Extension Of Time" in which to either sell the property or to obtain permits and begin abatement of the violations, and to require the Appellant to submit a progress report in sixty (60) days to the Board; the property is REMANDED at this time to the Division of Building and Housing for supervision and further action. Motion so in order. Motioned by Mr. Williams and seconded by Mr. Saunders.

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

**Docket A-125-99.**

RE: Appeal of WFI, Inc., Owner of the Eight Story Brick Commercial Property located on the premises known as 1846-1908 Euclid Avenue from a NOTICE OF VIOLATION/ELEVATOR CODE of the Commissioner of the Division of Building and Housing dated May 28, 1999, 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 require the Appellant to repair items 1, 3 and 10 of the Violation Notice dated May 28, 1999 to the satisfaction of the City within thirty (30) days; the property is REMANDED at this time to the Division of Building and Housing for supervision and further action. Motion so in order. Motioned by Mr. Sullivan and seconded by Mr. Williams.

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

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**Docket A-133-99.**

RE: Appeal of Hank Holloway, Owner of the Three Dwelling Unit/One Store and Two & One/half Story Multi-Family Frame Property located on the premises known as 3625 East 78th Street from a VACATE FORTHWITH/CONDEMNATION ORDER/EXTERIOR MAINTENANCE/ELECTRICAL CONDEMNATION I-6/HVAC of the Commissioner of the Division of Building and Housing dated June 3, 1999, 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 modify the Commissioner's VACATE FORTHWITH/CONDEMNATION ORDER/EXTERIOR MAINTENANCE/ELECTRICAL CONDEMNATION I-6/HVAC and LETTER OF INTENTION TO DEMOLISH by requiring the Appellant to remove the graffiti on the property, and to board and secure the property from casual entry, clean the grounds of debris around the property, within fourteen (14) days; and to grant the Appellant two (2) months in which to obtain permits and abate the violations; the property must remain boarded and secured and the grounds debris free during that period of time. Upon passage of this motion, this matter shall be REMANDED at this time to the Commissioner of the Division of Building and Housing for supervision and any required further action. All other provisions of the VACATE FORTHWITH/CONDEMNATION ORDER/EXTERIOR MAINTENANCE/ELECTRICAL CONDEMNATION I-6/HVAC and LETTER OF INTENTION TO DEMOLISH not modified by this decision shall remain in full force and effect, including the provisions that the City may abate the nuisance conditions of the premises by means of demolition if abatement of the violations is not completed by November 29, 1999. Motion so in order. Motioned by Mr. Sullivan and seconded by Mr. Williams.

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

**Docket A-135-99.**

RE: Appeal of Maingate, Inc., Owner of the Fourteen (14) Dwelling Units/Two Story Masonry Property located on the premises known as 4971 Woodland Avenue from a CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated June 10, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

Docket A-135-99 has been POSTPONED; to be rescheduled for September 29, 1999.

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**Docket A-136-99.**

RE: Appeal of Richard Allen Paul, Owner of the Store Front/Three (3) Two Dwelling Units/Two Story Brick Frame Property located on the premises known as 816-22 East 125th Street from a NOTICE OF VIOLATION/RESIDENTIAL MAINTENANCE of the Commissioner of the Division of Fire dated May 13, 1999, 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" in which to abate the violations, 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. Sullivan and seconded by Mr. Saunders.

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

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**Docket A-137-99.**

RE: Appeal of James Walker Jr., Owner of the Four (4) Dwelling Units/Two & One/half Story Frame Property located on the premises known as 3450 Baldwin Road from a CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated June 10, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

Docket A-137-99 has been POSTPONED; to be rescheduled for September 29, 1999.

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**Docket A-140-99.**

RE: Appeal of Paul S. Gibbons, Owner of the Four Dwelling Unit/Three Story Masonry Property located on the premises known as 5201-07 Lorain Avenue from a NOTICE OF VIOLATIONS/GENERAL MAINTENANCE of the Commissioner of the Division of Building and Housing dated June 30, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

Docket A-140-99 has been POSTPONED; to be rescheduled for September 29, 1999.

\* \* \*

**Docket A-141-99.**

RE: Appeal of Rupert Smith, Owner of the Four Dwelling Unit/Two Story Brick Property located on the premises known as

9323 Mt. Auburn Avenue, from a 30 DAY VACATE/CONDEMNATION ORDER/GARAGE/EXTERIOR MAINTENANCE of the Commissioner of the Division of Building and Housing dated June 28, 1999, 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 modify the Commissioner's 30 DAY VACATE/CONDEMNATION ORDER/GARAGE/EXTERIOR MAINTENANCE and LETTER OF INTENTION TO DEMOLISH by granting the Appellant a one (1) month "Extension Of Time" in which to either dispose of the property or to obtain permits and abate the violations; the property must remain boarded and secured and the grounds debris free during that period of time. Upon passage of this motion, this matter shall be REMANDED at this time to the Commissioner of the Division of Building and Housing for supervision and any required further action. All other provisions of the 30 DAY VACATE/CONDEMNATION ORDER/GARAGE/EXTERIOR MAINTENANCE and LETTER OF INTENTION TO DEMOLISH not modified by this decision shall remain in full force and effect, including the provisions that the City may abate the nuisance conditions of the premises by means of demolition if abatement of the violations is not completed by October 29, 1999. Motion so in order. Motioned by Mr. Sullivan and seconded by Mr. Saunders.

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

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**Docket A-142-99.**

RE: Appeal of Ray Perry, Owner of the Three (3) Dwelling Unit/Two (2) Story Wood Frame Property located on the premises known as 1210 East 79th Street from a 30 DAY CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated June 4, 1999, 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 modify the Commissioner's 30 DAY CONDEMNATION ORDER and LETTER OF INTENTION TO DEMOLISH by granting the Appellant three (3) months in which to abate all the violations on the property; the property must remain boarded and secured and the grounds debris free during that period of time. Upon passage of this motion, this matter shall be REMANDED at this time to the Commissioner of the Division of Building and Housing for supervision and any required further action. All other provisions of the 30 DAY CONDEMNATION ORDER and LETTER OF INTENTION TO DEMOLISH not modified by this decision shall remain in full force and effect, including the provisions that the City may abate the nuisance conditions of the premises by means of demolition if abatement of the violations is not completed by December 29, 1999. Motion so in order. Motioned by Mr. Sullivan and seconded by Mr. Saunders.

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

**Docket A-149-99.**

RE: Appeal of New Sardis Primitive Baptist Church, Owner of the Commercial Masonry Property located on the premises known as 3474 East 147th Street from a NOTICE OF VIOLATION/ELEVATOR CODE of the Commissioner of the Division of Building and Housing dated August 18, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to grant the variance and permit the LULA elevator to be installed with a travel distance of 27' in lieu of the required 25' travel distance. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Sullivan.

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

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**Docket A-205-99.**

RE: Appeal of Richard Maron/MRN Company, Owner of the Holiday Inn Express/National City Bank Building located on the premises known as 629 Euclid Avenue from a verbal requirement of the Cleveland Fire Department to extend the sprinkler system from the hotel into the historic communal lobby, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

No action.

\* \* \*

**Docket A-210-99.**

RE: Appeal of Victory Properties, Inc./Mental Health Services, Owner of the Property located on the premises known as 1701 Payne Avenue from an ADJUDICATION ORDER (proposed partial change of use from B to R-1, transient dormitory for men) of the Commissioner of the Division of Building and Housing dated July 30, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to grant the variance to OBBC Table 2902.1 (seven showers minimum required to accommodate 50 people in use group: R-2 dormitory area), noting the agreement with the Cosgrove Center to provide and make available shower facilities for these fifty (50) transient men. Motion so in order. Motioned by Mr. Williams and seconded by Mr. Sullivan.

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

\* \* \*

**Docket A-220-99.**

RE: Appeal of James Jackson, Owner of the Property located on the premises known as 3868 Carnegie Avenue from an ADJUDICATION ORDER (change of use from offices to daycare) of the Commissioner of the Division of Building and Housing dated September 13, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

No action, noting that the drawings were revised (9/18/99) and that there is no violation at this time.

**EXTENSION OF TIME:****Docket A-179-98.**

IMC Mortgage Company/Decision One Mortgage Co. - 1117-19 Lakeview Road:

A motion is in order at this time to grant the Appellant a six (6) month "Extension Of Time" in which to obtain permits and abate the violations, the property must remain boarded and secured and the grounds debris free during that period of time; 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. Sullivan and seconded by Mr. Williams.

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

\* \* \*

**Docket A-40-99.**

Geneva Turner - 12609 Emery Avenue:

A motion is in order at this time to grant the Appellant a two (2) month "Extension Of Time" in which to complete the sale of 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. Sullivan and seconded by Mr. Williams.

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

\* \* \*

**APPROVAL OF RESOLUTIONS:**

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

L-24-99—Thomas N. Eichele.

L-32-99—Joseph B. Jenko.

L-33-99—Michael Myers.

A-36-99—Fred Finley.

A-110-99—Daniel J. Ryan.

A-123-99—Ruthelia Tucker and Leandra Tucker.

A-132-99—Ruth Elaine Jamison.

A-138-99—Linda G. Bluhm.

A-139-99—Gary Oliver.

A-211-99—Kamcor Realty Company.

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

\* \* \*

**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 respectively, subject to the Codified Ordinances of the City of Cleveland and Ohio Basic Building Code (OBBC):

September 1, 1999

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

JOSEPH F. DENK,  
CHAIRMAN

**PUBLIC NOTICE**

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

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

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

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

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

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

**Ord. No. 270-99.**

By Councilman Westbrook.

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

**Ord. No. 594-99.**

By Councilman Coats.

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

**Ord. No. 898-99.**

By Councilman Cimperman.

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

**Ord. No. 1093-99.**

By Councilman Dolan.

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

**Ord. No. 1130-99.**

By Councilman Cintron.

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

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

ODELIA V. ROBINSON,  
Chairman  
Committee on City Planning

September 22, 1999 and September 29, 1999

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

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

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

187.10 Negotiated contracts; Notice required in Advertisement for Bids.

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

**WEDNESDAY, SEPTEMBER 29, 1999**

**Disposal of Debris at Landfills**, for the Divisions of Water, Water Pollution Control and Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 946-99, passed by the Council of the City of Cleveland, June 14, 1999.

A **MANDATORY PRE-BID MEETING** WILL BE HELD ON WEDNESDAY, SEPTEMBER 22, 1999, 10:00 A.M. AT THE PUBLIC UTILITIES BUILDING, 4TH FLOOR ATRIUM CONFERENCE ROOM, 1201 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

**Two (2) Aerial Ladders**, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 1058-99, passed by the Council of the City of Cleveland, June 14, 1999.

**Pen-Based Computer Network Infrastructure**, for the Department of Public Safety, as authorized by Ordinance No. 1954-98, passed by the Council of the City of Cleveland, December 22, 1998.

September 15, 1999 and September 22, 1999

**FRIDAY, OCTOBER 1, 1999**

**Dry Cell Batteries**, for the Various Divisions of City Government, Department of Finance, as autho-

rized by Ordinance No. 704-99, passed by the Council of the City of Cleveland, June 7, 1999.

September 22, 1999 and September 29, 1999

**FRIDAY, OCTOBER 8, 1999**

**Janitorial Supplies**, 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.

September 22, 1999 and September 29, 1999

**FRIDAY, OCTOBER 8, 1999**

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

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

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

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

September 22, 1999 and September 29, 1999

**FRIDAY, OCTOBER 15, 1999**

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

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

September 22, 1999 and September 29, 1999

**ADOPTED RESOLUTIONS AND ORDINANCES**

**Res. No. 1583-99.**

**By Councilman Cintron.**

**An emergency resolution objecting to the issuance of a C1 Liquor Permit to 4810 Bridge Ave.**

Whereas, Council has been notified by the Director of Liquor Control of an application for the issuance of a C1 Liquor Permit to Permit No. 3632975, Katherine D. Harrison, DBA W. 48th St., Marathon, 4810 Bridge Ave., 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 issuance of a C1 Liquor Permit to Permit No. 3632975, Katherine D. Harrison, DBAW. 48th St. Marathon, 4810 Bridge Ave., 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.

Adopted September 13, 1999.

Effective September 20, 1999.

**Res. No. 1584-99.**

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

**An emergency resolution urging SuperTrapp and DCM, subsidiaries of Dreison Industries to comply with the order of the NLRB and to act in accordance with applicable laws in its dealings with its employees and UNITE.**

Whereas, the Council of the City of Cleveland recognizes that a healthy work environment characterized by mutual respect among co-workers and management is essen-

tial for businesses to operate properly and for employees to work to their fullest potential; and

Whereas, Council has, by passage of numerous resolutions, recognized the right of employees to seek safe, fair and productive working conditions and to be paid equitably for their hard work; and

Whereas, Council recognizes the right of workers to organize free from interference, intimidation and retribution; and

Whereas, approximately 250 workers at the SuperTrapp, and DCM, subsidiaries of Dreison Industries, voted to be represented by the UNITE union and that such election was upheld by the National Labor Relations Board; and

Whereas, SuperTrapp and DCM have failed to comply with the NLRB order and have acted adversely to workers active with the union; and

Whereas, workers, frustrated by the lack of management's recognition of UNITE, have walked off the job; and

Whereas, the City of Cleveland has granted tax abatements to Dreison Industries; now, therefore,

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

**Section 1.** That the Council of the City of Cleveland urges SuperTrapp and DCM, subsidiaries of Dreison Industries, to comply with the order of the NLRB and to act in accordance with applicable laws in its dealings with its employees and UNITE.

**Section 2.** That the Council requests that the Administration review the situation with Dreison Industries and that the tax abatement be suspended until SuperTrapp and DCM comply with the NLRB order.

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

Adopted September 13, 1999.

Effective September 20, 1999.

**Res. No. 1585-99.**

**By Councilman Coats.**

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

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

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

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

Whereas, the provisions of the Voting Rights Act were extended in

1970, 1975 and 1982 and are now scheduled to expire in 2007, if not further extended; and

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

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

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

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

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

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

Adopted September 13, 1999.

Awaiting the approval or disapproval of the Mayor.

**Res. No. 1586-99.**

**By Councilman Coats.**

**An emergency resolution urging the Senate and the President of the United States to enact the African Growth and Opportunity Act, S. 1387, creating a new trade and investment policy for sub-Saharan Africa.**

Whereas, stable trade relations between nations provide economic, political and social benefits for the residents of both countries; and

Whereas, this Council of the City of Cleveland believes that it is in the mutual interest of the United States and sub-Saharan Africa to encourage and promote the economic growth of sub-Saharan Africa through the creation of trade and investment policies; and

Whereas, the United States Senate is currently considering the African Growth and Opportunity Act, S. 1387, that would support economic self-reliance of sub-Saharan countries that are committed to accountable government, economic reform and the eradication of poverty; and

Whereas, the enactment of this act would introduce U.S. businesses and investors to the immense trade and investment opportunities throughout sub-Saharan Africa and provide African businesses with increased access to technology, management expertise and financial resources; now, therefore,

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

**Section 1.** That the Council of the City of Cleveland urges the Senate and the President of United States to enact S. 1387, the African Growth

and Opportunity Act, to encourage and promote an increased trade and investment relationship between the United States and sub-Saharan Africa.

**Section 2.** That the Clerk of Council is hereby requested to transmit a copy of this resolution to President Clinton and Senators George Voinovich and Mike DeWine.

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

Adopted September 13, 1999.

Effective September 20, 1999.

**Res. No. 1587-99.**

**By Councilman Jackson.**

**An emergency resolution urging the U. S. Congress to investigate HUD's handling of Longwood and Rainbow Apartments; and demanding that HUD meet its agreement and promise to the tenants of Longwood and Rainbow Apartments by not displacing them with Section 8 vouchers; that HUD bring in new owners to maintain the properties; and that HUD help develop and find a long range plan for the renovation of both properties.**

Whereas, Longwood Apartments is the home of over 800 families and Rainbow Apartments is the home of over 400 families; and

Whereas, the families in Longwood and Rainbow Apartments are poor families; and

Whereas, there is a great demand for housing opportunities such as that provided by Longwood and Rainbow Apartments; and

Whereas, both properties are Housing and Urban Development (HUD) subsidized properties; and

Whereas, HUD is required to ensure safe, sanitary and decent housing when subsidizing housing; and

Whereas, the condition of Longwood and Rainbow Apartments has been below housing quality standards (HQS) for many years; and

Whereas, HUD knew that both properties were below housing quality standards, but nevertheless continued to pay management fees and subsidies to the owners of Longwood and Rainbow Apartments; and

Whereas, both properties are owned by the same company; and

Whereas, local advocates and tenants of Longwood and Rainbow Apartments have for years complained to HUD about substandard conditions existing at both properties; and

Whereas, HUD had full knowledge of the substandard conditions while continuing to pay management fees and subsidies; and

Whereas, when the tenants of Longwood and Rainbow Apartments held a news conference in 1997 and exposed to the general public the substandard living conditions, and the City of Cleveland sighted both properties with a total of 8,000 code violations, then and only then, did HUD question the owners; and

Whereas, HUD's solution was to foreclose on Longwood and Rainbow Apartments and give over 1,200 families Section 8 vouchers; and

Whereas, tenants, advocates and

government officials such as former Congressman Louis Stokes, Mayor Michael White and the entire Cleveland City Council opposed HUD's proposed solution; and

Whereas, Resolution No. 1705-98 was passed unanimously by Cleveland City Council outlining its objections to HUD's plan; and

Whereas, HUD subsequently agreed not to use Section 8 vouchers and not to foreclose on Longwood and Rainbow Apartments; and

Whereas, HUD further agreed to require the owner to sell its interest in both properties; and

Whereas, Fannie Mae, as a limited partner at Longwood, removed its operating partner and replaced them with the Finch Group; and

Whereas, this new partnership was approved by HUD; and

Whereas, HUD agreed with the Finch Group that the mortgage at Longwood would not be paid and that the mortgage portion of the subsidy would go toward emergency repairs and correcting the code violations; and

Whereas, HUD also agreed the Finch Group would develop a long range plan for the complete renovation of Longwood Apartments; and

Whereas, HUD participated in developing the long range plan; and

Whereas, HUD agreed to pay for the implementation of the long range plan with financial assistance from the owners and state and local governments; and

Whereas, before the agreed upon process is completed, HUD now wants to renege on its agreement by declaring a default, to foreclose on Longwood, to give over 800 families Section 8 vouchers, and to demolish Longwood; and

Whereas, HUD again has broken its promise to tenants, advocated and government officials; and

Whereas, HUD has a written agreement with the owners of Rainbow Apartments to sell its interest in Rainbow; and

Whereas, HUD agreed to give the owners of Rainbow Apartments \$1.6 million for selling its interest; and

Whereas, HUD gave the owners at least two extensions on the agreement but no sale has taken place; and

Whereas, HUD continues to pay the owners of Rainbow Apartments management fees and subsidies; and

Whereas, there is no work on the grounds, common areas, and apartments by the owners; and

Whereas, the tenants at Rainbow Apartments have given notice to the owners of a rent strike if maintenance issues are not addressed; and

Whereas, HUD has full knowledge of the conditions and the proposed rent strike, but continues to give the owners managements fees and subsidies; and

Whereas, HUD treats the owner of Rainbow, who is the former owner at Longwood, in a way that continues to make it profitable for them to maintain substandard housing, while at the same time, threatening the loss of homes for over 800 families at Longwood through foreclosure; and

Whereas, the Council of the City of Cleveland is deeply concerned about HUD's practices at Longwood and Rainbow Apartments and requests that there be an investigation of HUD's practices at these properties; now, therefore,

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

**Section 1.** That the Council of the City of Cleveland is deeply concerned about HUD's practices at Longwood and Rainbow Apartments and asks that there be a congressional investigation into HUD's handling of both properties, and that such investigation be done promptly.

**Section 2.** That HUD keep its promise not to use Section 8 vouchers to displace families and residents from Longwood and Rainbow Apartments.

**Section 3.** That HUD find suitable owners for both Longwood and Rainbow Apartments, and that HUD act quickly to identify such owners.

**Section 4.** That HUD ensures that the short term emergency repair work be done immediately.

**Section 5.** That HUD work with the new owners to develop and institute a long range plan for the complete renovation of Longwood and Rainbow Apartments.

**Section 6.** That the Clerk of Council is hereby requested to transmit a copy of this resolution to the following: President Clinton; Andrew Cuomo, U.S. Secretary of the Department of Housing and Urban Development; Dennis Hastert, Speaker of the House; Congresswoman Stephanie Tubbs Jones; Congressman Dennis Kucinich; Senator Michael DeWine and Senator George Voinovich.

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

Adopted September 13, 1999.

Effective September 20, 1999.

**Res. No. 1588-99.**

**By Councilman Jones.**

**An emergency resolution withdrawing objection to the transfer of ownership of a D2, D2X, D3, D3A and D6 Liquor Permit to 14731 Miles Ave. & Patio, and repealing Res. No. 749-99, objecting to said transfer of ownership.**

Whereas, this Council objected to the transfer of ownership of a D2, D2X, D3, D3A and D6 Liquor Permit to 14731 Miles Ave. & Patio, by Res. No. 749-99, adopted April 26, 1999; and

Whereas, this Council wishes to withdraw its objection to the above transfer of ownership and consents to said transfer of ownership; and

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

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

**Section 1.** That objection to the transfer of ownership of a D2, D2X, D3, D3A and D6 Liquor Permit to 14731 Miles Ave. & Patio, be and the same is hereby withdrawn and Res. No. 749-99, 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 September 13, 1999.

Effective September 20, 1999.

**Res. No. 1589-99.**

**By Councilman O'Malley.**

**An emergency resolution objecting to the issuance of a C1 Liquor Permit to 1616 Brookpark Rd.**

Whereas, Council has been notified by the Director of Liquor Control of an application for the issuance of a C1 Liquor Permit to Permit No. 08983562987, BP Exploration & Oil Inc., DBABP Site 2987, 1616 Brookpark Rd., Cleveland, Ohio 44109; and

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

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

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

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

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

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

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

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

**Section 1.** That Council does hereby record its objection to the issuance of a C1 Liquor Permit to Permit No. 08983562987, BP Exploration & Oil Inc., DBABP Site 2987, 1616 Brookpark Rd., Cleveland, Ohio 44109, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

hearing be held in Cleveland, Cuyahoga County.

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

Adopted September 13, 1999.  
Effective September 20, 1999.

**Res. No. 1590-99.**

**By Councilman Robinson.**

**An emergency resolution withdrawing objection to the issuance of a C1 and C2 Liquor Permit to 12408 Union Avenue, and repealing Res. No. 1472-99, objecting to said issuance.**

Whereas, this Council objected to the issuance of a C1 and C2 Liquor Permit to 12408 Union Avenue, by Res. No. 1472-99, adopted August 11, 1999; and

Whereas, this Council wishes to withdraw its objection to the above issuance and consents to said issuance; and

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

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

**Section 1.** That Council does hereby record its objection to the issuance of a C1 and C2 Liquor Permit to 12408 Union Avenue, be and the same is hereby withdrawn and Res. No. 1472-99, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate issuance thereof.

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

Adopted September 13, 1999.  
Effective September 20, 1999.

**Res. No. 1591-99.**

**By Councilman Rybka.**

**An emergency resolution objecting to the transfer of ownership of a C2 and C2X Liquor Permit to 7527 Union 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. 4524605, Kawthar Co., DBA Union Supermarket, 7527 Union Avenue, Cleveland, Ohio 44105, to Permit No. 5597519, Marwha Corp., DBA Union Supermarket, 7527 Union Avenue, Cleveland, Ohio 44105; 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 C2 and C2X Liquor Permit from Permit No. 4524605, Kawthar Co., DBA Union Supermarket, 7527 Union Avenue, Cleveland, Ohio 44105, to Permit No. 5597519, Marwha Corp., DBA Union Supermarket, 7527 Union Avenue, Cleveland, Ohio 44105, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted September 13, 1999.  
Effective September 20, 1999.

**Res. No. 1592-99.**

**By Councilman White.**

**An emergency resolution objecting to the issuance of a C1 Liquor Permit to 12312 Rexford Ave.**

Whereas, Council has been notified by the Director of Liquor Control of an application for the issuance of a C1 Liquor Permit to Permit No. 7643272, STD Family Mart, DBA STD Family Mart, 12312 Rexford Ave., Cleveland, Ohio 44105; and

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

Whereas, the applicant does not qualify to be a permit holder and/or has demonstrated that he has operated his liquor business in disregard

of the laws, regulations or local ordinances of this state or any other state; and

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

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

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

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

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

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

**Section 1.** That Council does hereby record its objection to the issuance of a C1 Liquor Permit to Permit No. 7643272, STDFamily Mart, DBA STDFamily Mart, 12312 Rexford Ave., Cleveland, Ohio 44105, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted September 13, 1999.  
Effective September 20, 1999.

**Res. No. 1593-99.**

**By Councilman Westbrook.**

**An emergency resolution withdrawing objection to the renewal of a D1, D2, D3 and D3A Liquor Permit to 9401-03 Denison Ave., 1st Fl. & Bsmt., and repealing Res. No. 1495-98, objecting to said renewal.**

Whereas, this Council objected to the renewal of a D1, D2, D3 and D3A Liquor Permit to 9401-03 Denison Ave., 1st Fl. & Bsmt., by Res. No. 1495-98, adopted August 19, 1998; 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 and D3A Liquor Permit to 9401-03 Denison Ave., 1st Fl. & Bsmt., be and the same is hereby withdrawn and Res. No. 1495-98, 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 September 13, 1999.  
Effective September 20, 1999.

**Res. No. 1594-99.**

**By Councilman Westbrook.**

**An emergency resolution withdrawing objection to the transfer of ownership of a D1, D2, D3 and D6 Liquor Permit to 8701 Madison Ave., 1st Fl. & Bsmt., and repealing Res. No. 1053-99, objecting to said transfer of ownership.**

Whereas, this Council objected to the transfer of ownership of a D1, D2, D3 and D6 Liquor Permit to 8701 Madison Ave., 1st Fl. & Bsmt., by Res. No. 1053-99, adopted June 7, 1999; and

Whereas, this Council wishes to withdraw its objection to the above transfer of ownership and consents to said transfer of ownership; and

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

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

**Section 1.** That objection to the transfer of ownership of a D1, D2, D3 and D6 Liquor Permit to 8701 Madison Ave., 1st Fl. & Bsmt., be and the same is hereby withdrawn and Res. No. 1053-99, 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 September 13, 1999.  
Effective September 20, 1999.

**Res. No. 1595-99.**

**By Councilman Zone.**

**An emergency resolution encouraging Cleveland's EMS and area hospitals to develop, publicize and adhere to strict guidelines for transporting stroke victims to designated stroke treatment centers.**

Whereas, according to the Health Systems Agency of North Central Ohio, strokes are the third highest cause of death regionally, following heart disease and cancer; and

Whereas, from 1992 through 1996, residents of Cuyahoga County experienced a death rate due to stroke of 27.3 per 100,000 population, with a higher rate of 39.2 deaths experienced by African Americans; and

Whereas, residents of the City of Cleveland died from a stroke at a rate of 33.5 per 100,000 population in 1996; and

Whereas, many of these deaths could be eliminated and the medical complications arising from strokes could be eliminated with use of a clot dissolving drug called tissue plasminogen activator (TPA), and associated neurological treatment; and

Whereas, since TPA must be administered within three hours of the onset of symptoms to provide benefit to the patient, it is imperative for EMS and medical services providers to act quickly; and

Whereas, in 1997, the National Institutes of Health proposed the following guidelines for sites that seek to care for acute stroke patients: 1) The patient must be seen within 10 minutes of arrival; 2) Cranial CT scanning should be started within 25 minutes; 3) Interpretation of the CT scan by an individual trained in images associated with acute stroke has to be done within 45 minutes; and 4) Intravenous TPA, if appropriate, should be administered within 60 minutes of arrival; and

Whereas, this Council of the City of Cleveland is greatly concerned with the health, safety and welfare of Cleveland residents; and

Whereas, the Council encourages Cleveland's EMS and area hospitals to develop, publicize and adhere to strict guidelines for transporting stroke victims to designated stroke treatment centers that meet the criteria set forth by the National Institutes of Health; now, therefore,

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

**Section 1.** That the Council of the City of Cleveland believes that all residents of the City of Cleveland are entitled to receive quality medical health care and encourages the City's Division of Emergency Medical Services to work with area hospitals to develop, publicize and adhere to a policy of transporting stroke victims to facilities that use TPA and associated neurological treatment in accordance with the guidelines of the National Institutes of Health. EMS is urged to solicit health care plans from area hospitals and to review the performance of those plans to ensure that residents suffering strokes are receiving the best care possible.

**Section 2.** That the Clerk of Council is hereby requested to transmit a copy of this resolution to the following: Mayor Michael White; Bruce Shade, Commissioner of Emergency Medical Services; and Nancy Roth, Executive Director of HSNCO.

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

Adopted September 13, 1999.  
Effective September 20, 1999.

**Ord. No. 1423-99.**

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

**An emergency ordinance to change the name of Cleveland Business Park Drive to "Cleveland Parkway S.W."**

Whereas, this ordinance constitutes an emergency measure providing for 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 name of that portion of Cleveland Business Park Drive, (width varies) extending Easterly from the Easterly line of Rocky River Drive (width varies) to its Easterly terminus, is changed to "Cleveland Parkway S.W."

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

Passed September 13, 1999.  
Effective September 20, 1999.

**Ord. No. 1574-99.**

**By Councilman Westbrook.**

**An emergency ordinance to repeal Ordinance No. 1348-99, passed July 14, 1999, relating to a First Amendment to the Lease By Way of Concession between the City and IMG Motorsports-Cleveland, Inc., City Contract No. 53213.**

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

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

**Section 1.** That Ordinance No. 1348-99, passed July 14, 1999, is hereby repealed.

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

Passed September 13, 1999.  
Effective September 20, 1999.

**Ord. No. 1575-99.**

**By Councilman Britt.**

**An emergency ordinance consenting and approving the issuance of a permit for the Juno Jog on October 2, 1999, sponsored by the Health Museum and HMS Sports.**

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

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

**Section 1.** That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio, 1976, this Council consents to and approves the holding of the Juno Jog sponsored by the Health Museum and HMS Sports on October 2, 1999, beginning at the Health Museum left on E. 90th St., left on Chester, left on E. 89th St., right on Cedar, left on 87th St., left on Quincy, left



on E. 89th St., right on Cedar, left on E. 93rd St., left on Carnegie, right on E. 82nd, right on Chester Pkwy, right on E. 83rd St., left on Beacon Place, left on E. 84th St., right on Chester, right on E. 89th to finish, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police or safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

Passed September 13, 1999.  
Effective September 20, 1999.

**Ord. No. 1576-99.**

**By Councilman Cimperman.**

**An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the Tremont West Development Corporation to stretch two banners; one at Clark Avenue and another north of Howard Avenue on utility poles (by separate permission) for the period of September 20, 1999 through September 27, 1999, inclusive, publicizing the Tremont Arts and Cultural Festival.**

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

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

**Section 1.** That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio 1976, the Director of Public Service is hereby authorized and directed to issue a permit to the Tremont West Development Corporation, 2190 Professor Street, Cleveland, Ohio 44113, to install, maintain and remove two (2) banners on Cleveland Public Power utility poles (by separate permission), at the following locations and pole numbers; Pole #AOM-58-79, the 1st pole north of Clark Avenue (east) Pole #AOM-58-78, the 1st pole north of Clark Avenue (west), Pole #HOM-1-30, the 1st pole north of Howard Avenue (west) and Pole #HOM-1-11, opposite the 1st pole north of Howard Avenue (east), for the period of September 20, 1999 to September 27, 1999, inclusive, publicizing the Tremont Arts and Cultural Festival; 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 banners, and said banners shall be removed promptly upon the expiration of said permit.

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

Passed September 13, 1999.  
Effective September 20, 1999.

**Ord. No. 1577-99.**

**By Councilman Cimperman.**

**An emergency ordinance consenting and approving the issuance of a permit for the American Heart Walk on September 19, 1999, sponsored by Caritas Healthcare Partnership.**

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

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

**Section 1.** That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio, 1976, this Council consents to and approves the holding of the American Heart Walk sponsored by the Caritas Healthcare Partnership on September 19, 1999, beginning with the 3.5 mile walk starting at E. 9th St., make a right at "Rock and Roll Hall of Fame" onto Erieside Avenue, continue on Erieside until it becomes W. 3rd, continue on W. 3rd St. to St. Clair, make a right at St. Clair and go past W. 6th St. and W. 9th St. to W. 10th, make a right at W. 10th St. and continue to Front Ave., make a left at Front Ave. and continue to Old River Rd., make a left at Old River Rd. and continue to St. Clair, make a left at St. Clair and continue briefly to W. 10th, make a right at W. 10th and continue to West Huron, make a left at West Huron and continue uphill to W. 9th St., make a left at W. 9th and continue to Lakeside Ave., make a right at Lakeside Ave. and continue past W. 6th, W. 3rd until reaching E. 9th St., make a left at E. 9th and continue to end by "Rock and Roll Hall of Fame" and the 6 mile walk is as follows; begin on E. 9th St., make a right at "Rock and Roll Hall of Fame" onto Erieside Ave., continue on Erieside until it becomes W. 3rd, continue on W. 3rd St. to St. Clair and make a right onto St. Clair, continue on St. Clair past W. 6th and W. 9th St. W. 10th and make right onto W. 10th St., continue on W. 10th to Front Avenue and make left onto Front Ave., continue on Front Ave. to Old River Rd. and make a left onto Old River Rd., continue on Old River Rd. until it ends. Make a right and continue past James Street traveling in a semi-circle until arriving at Canal Rd. Make a right onto Canal Rd., continue on Canal Road past Columbus Rd. until it becomes Center Street, continue on Center St., across the Bridge, until Main Ave. Make a left onto Main Ave., continue on Main Ave. to W. 25th St. Make a left onto W. 25th, continue on W. 25th St. to Superior make a left at Superior onto Detroit/Superior Bridge, continue across Detroit/Superior Bridge and continue on Superior past W. 10th, W. 9th and W. 6th St. until Public Square and make a right at Public Square by the Renaissance Hotel, continue

around Public Square, making a left where Euclid Avenue intersects with Public Square, passing in front of the B.P. Building, continue around Public Square to Superior make a right onto Superior, continue on Superior to E. 9th St. and make a left onto E. 9th St., continue on E. 9th St. past Rockwell, St. Clair and Lakeside until you arrive back at the "Rock and Roll Hall of Fame", 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 or safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

Passed September 13, 1999.  
Effective September 20, 1999.

**Ord. No. 1578-99.**

**By Councilman Cimperman.**

**An emergency ordinance consenting and approving the issuance of a permit for the 22nd Annual Walk-a-Thon 1999 on October 9, 1999 sponsored by Catholic Charities Services Corp.**

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

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

**Section 1.** That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio, 1976, this Council consents to and approves the holding of the 22nd Annual Walk-a-Thon 1999 sponsored by Catholic Charities Services Corp., on October 9, 1999, leaving OLA/St. Joseph Center Parking lot at Kenilworth, head (east) on Kenilworth to W. 11th St., turn right, circle Lincoln Park 2 times, return to W. 11th/Kenilworth intersection, turn left onto W. 11th St. walk to University Road, turn right on University Road walk to W. 10th St., turn right onto W. 10th St. walk to stop sign, veer left onto Professor Ave. (stay on right side of St.), walk to Jefferson, turn right onto Jefferson walk to Starkweather (cross W. 14th St. to west side of W. 14th), turn left on West 14th St. walk (south) to Clark Ave., turn right onto Clark Ave. & walk across bridge (over highway) to Scranton Rd., turn right onto Scranton Rd. walk to Kenilworth, turn right onto Kenilworth, return to OLA/St. Joseph Center (on your left on other side of highway overpass), 5K WALKERS STOP HERE!, 10K walkers continue walking on Kenilworth to W. 11th St., turn left onto W. 11th St. walk to Abby Rd., turn left onto Abbey Rd. (cross street to north side of Abbey), cross Abbey Ave. Bridge to West 20th Street (enjoy the view of

downtown!), cross street to south side of Abbey Ave., turn left and return across the Abbey Ave. bridge (enjoy the view of the industrial side of the flats!), walk to West 11th Street, turn left to University Rd., walk to West 10th Street, turn right onto West 10th Street walk to Literary (right side of street), turn right onto Literary walk to Kenilworth (veer left & cross street), turn right onto Kenilworth, return to OLA/St. Joseph Center, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinance of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

Passed September 13, 1999.  
Effective September 20, 1999.

**Ord. No. 1579-99.**

**By Councilman Cimperman.**

**An emergency ordinance consenting to and approving the issuance of a permit for the Turkey Trot Race on November 27, 1999, sponsored by Hermes Race Systems.**

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

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

**Section 1.** That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio, 1976, this Council consents to and approves the holding of the Turkey Trot Race, sponsored by Hermes Race Systems, on November 27, 1999, beginning with a 1 mile fun walk starting inside Burke Lakefront Airport Driveway, exits the entrance driveway and proceeds eastbound on the North Marginal to just before the curve and turns around to go westbound on the North Marginal where it re-enters where it came out. The 5K run steps off from airport driveway and leaves through the entrance drive proceeding westbound on the North Marginal down Erieside around the stadium, southbound on W. 3rd Rd. to Lakeside, westbound on Lakeside down under the bridge to W. 9th where it turns onto Front Street and goes to W. 10th, turning southbound to St. Clair, runners turn up the St. Clair hill and proceed eastbound on St. Clair to W. 3rd where they turn northbound onto W. 3rd and go to Lakeside where they turn eastbound and go down Lakeside to E. 9th, runners turn northbound onto E. 9th, staying in the west curb lane and go to the exit ramp of 90 where they go down the exit ramp (curb lane-coned off) and wrap around the Amtrack Sta-

tion and then proceed eastbound on to the South Marginal. At E. 26th, they cross over the freeway and then proceed westbound onto the North Marginal where they finish inside the Airport, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police or safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

Passed September 13, 1999.  
Effective September 20, 1999.

**Ord. No. 1580-99.**

**By Councilman O'Malley.**

**An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to St. Leo the Great Church to stretch a banner across Broadview Rd. at 4940 Broadview Road for the period of October 1, 1999 to November 1, 1999, inclusive, publicizing their Oktoberfest.**

Whereas, this ordinance constitutes an emergency measure providing for 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 St. Leo the Great to install, maintain and remove a banner across Broadview Road at 4940 Broadview Road for the period from October 1, 1999 to November 1, 1999, 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 September 13, 1999.  
Effective September 20, 1999.

**Ord. No. 1581-99.**

**By Councilmen Patmon and Willis.**

**An emergency ordinance consenting and approving the issuance of a permit for the Race For the Cure on September 26, 1999, sponsored by Hermes Race Systems.**

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

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

**Section 1.** That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio, 1976, this Council consents to and approves the holding of the Race For the Cure, sponsored by Hermes Race Systems, on September 26, 1999, beginning on East Blvd at Wade Oval, proceeding on East Blvd. northbound to Superior Ave., across Superior down to Martin Luther King Blvd., south on Martin Luther King Blvd. back to Wade Oval to the finish, provided that the applicant sponsors 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 or safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

Passed September 13, 1999.  
Effective September 20, 1999.

**Ord. No. 1582-99.**

**By Councilmen Robinson, Britt and Willis.**

**An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the 11th Congressional District Caucus for the New Millennium to stretch two banners; one at Stokes Blvd. and another at Kinsman Ave. on utility poles (by separate permission) for the period of August 23, 1999 through September 10, 1999, inclusive, publicizing this special event.**

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

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

**Section 1.** That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio 1976, the Director of Public Service is hereby authorized and directed to issue a permit to 11th Congressional District Caucus for the New Millennium, 3645 Warrensville Center Road, Shaker Heights, Ohio 44122, to install, maintain and remove two (2) banners on Cleveland Public Power utility poles (by separate permission), at the follow-

ing locations and pole numbers; Pole #88329 (W) and Pole #88330 (E) at Stokes Boulevard and Cedar Road; and, Pole #C30-2 (S) and C30-30 (N) at Kinsman Avenue and East 113th Street, for the period of August 23, 1999 to September 10, 1999, inclusive, publicizing their special event; 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 banners, and said banners shall be removed promptly upon the expiration of said permit.

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

Passed September 13, 1999.

Effective September 20, 1999.

**Ord. No. 1596-99.**

**By Councilmen Gordon and O'Malley.**

**An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Senior Citizen Resources for assistance with the Memphis-Fulton Shopping Center location.**

Whereas, this ordinance constitutes an emergency measure providing for 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 Senior Citizen Resources to provide financial assistance to aid in the maintenance and operation of the Memphis-Fulton Shopping Center location.

**Section 2.** That the costs of said contract shall be in an amount not to exceed Twenty-Nine Thousand One Hundred Forty Dollars (\$29,140.00), with Twenty Thousand Dollars (\$20,000.00) to be paid from Ward 15, Fund No. 10 SF 166, and Nineteen Thousand One Hundred Forty Dollars (\$19,140.00) to be paid from Ward 16, 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 September 13, 1999.

Effective September 20, 1999.

**Ord. No. 1597-99.**

**By Councilman Melena.**

**An emergency ordinance authorizing the Director of Community Development to enter into an agreement(s) with Detroit Shoreway Development Corporation to renovate the following sites in Ward 17: 6515 Detroit Avenue; 6516 Detroit Avenue; and 6421 Detroit Avenue.**

Whereas, this ordinance constitutes an emergency measure providing for 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(s) with Detroit Shoreway Development Corporation to renovate the following sites in Ward 17: 6515 Detroit Avenue (renovation of former adult bookstore so that it can be offered for a neighborhood retail use); 6516 Detroit Avenue (renovation of Gordon Square Arcade basement for office use); and 6421 Detroit Avenue (renovation of site so that it may become a multi-use property).

**Section 2.** That the costs of said contract(s), for all projects, to be paid from this funding source shall be in an amount not to exceed One Hundred Fifty Thousand Dollars (\$150,000.00) and shall be paid from Fund No. 10 SF 166.

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

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

Passed September 13, 1999.

Effective September 20, 1999.

**Ord. No. 1598-99.**

**By Councilman Jackson.**

**An emergency ordinance authorizing certain persons to engage in peddling in Ward 5. (Gregory C. Simmons).**

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

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

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

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

**Section 1.** That this Council consents, as required by Section 675.07 of the Codified Ordinances, to allow each person named below to engage in peddling in the public rights of way of Ward 5: Gregory C. Simmons on the N.W. corner of East 93rd Street and Union Avenue.

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

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

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

Passed September 13, 1999.

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

**Ord. No. 1599-99.**

**By Councilman Jackson.**

**An emergency ordinance authorizing certain persons to engage in peddling in Ward 5. (Kevin D. Small).**

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

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

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

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

**Section 1.** That this Council consents, as required by Section 675.07 of the Codified Ordinances, to allow each person named below to engage in peddling in the public rights of way of Ward 5: Kevin D. Small at East 93rd Street and Kinsman Road.

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

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

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

Passed September 13, 1999.

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

**COUNCIL COMMITTEE MEETINGS**

**Wednesday, September 22, 1999**

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

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Bold figures—Final Publication; D—Defeated; R—Reprint; T—Tabled; V—Vetoed;  
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