

# The City Record

Official Publication of the City of Cleveland


June the Seventh, Two Thousand

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

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# DIRECTORY OF CITY OFFICIALS

## CITY COUNCIL—LEGISLATIVE

President of Council—Michael D. Polensek

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

### MAYOR - Michael R. White

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

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

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

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

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

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

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

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

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

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

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

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

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 Fire - Kevin G. Gerrity, Chief, 1645 Superior Avenue  
 Traffic Engineering & Parking - Lt. Richard Petrencsik, Commissioner, 4150 East 49th Street, Building #1  
 Dog Pound - John Baird, Chief Dog Warden, 2690 W. 7th Street  
 Emergency Medical Service - Edward Eckart, Commissioner, 1708 South Pointe Drive

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

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 Property Management - Tom Nagle, Commissioner, East 49th & Harvard

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

CLEVELAND LANDMARKS COMMISSION - Room 519 - Richard Schanfarber, Chairman; Paul Volpe, Vice Chairman; Paul Burik, James Gibans, Sandra Morgan, Hunter Morrison, Theodore Sande, Galen Schuerlein, Randall Shorr, Councilman Joseph Cimperman, Councilman Timothy J. Melena, Robert Keiser, Executive Secretary.

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

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

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

# The City Record



OFFICIAL PUBLICATION OF THE CITY OF CLEVELAND

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WEDNESDAY, JUNE 7, 2000

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## CITY COUNCIL

MONDAY, JUNE 5, 2000

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216 City Hall

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

#### MONDAY

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

#### MONDAY—Alternating

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

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

#### MONDAY

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

#### TUESDAY

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

#### TUESDAY—Alternating

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

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

#### WEDNESDAY—Alternating

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

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

#### WEDNESDAY—Alternating

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

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

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

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

### OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio

Monday, June 5, 2000.

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

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

Also present were Mayor White and Directors Brooks, Konicek, Richiuto, Whitlow, Jackson, Hudecek, Patterson, Warren, Alexander, Dove, Morrison and Acting Directors Langhenry, Szabo and Williams.

Absent: Directors Carter, Sheffield-McClain and Guzman.

Pursuant to Ordinance No. 2976-76 the Council Meeting was opened with a prayer offered by Rev. C.J. Matthews, Pastor of Mt. Sina Baptist Church, located at 7510 Woodland Avenue in Ward 5. Pledge of Allegiance.

#### MOTION

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

#### FROM DEPARTMENT OF LIQUOR CONTROL

##### File No. 964-2000.

Re: Transfer of Ownership Application - 69615160005 - Playhouse Square Foundation, first floor, balcony and lobby, 2067 East 14th Street. (Ward 13). Received.

##### File No. 965-2000.

Re: Transfer of Ownership Application - 4373550 - William N. Jones d.b.a. Corner Canteen, 11022 Lorain Avenue, first floor and basement. (Ward 19). Received.

##### File No. 966-2000.

Re: Stock Transfer Application - 9164985 - University Club of Cleveland, Inc. Charter 1040515, patio and sports center, 3813 Euclid Avenue. (Ward 5). Received.

#### STATEMENT OF WORK ACCEPTED

##### File No. 967-2000.

From the Department of Parks, Recreation and Properties re: Contract No. 55548, Clark Recreation Center Site Improvements. Received.

##### File No. 968-2000.

From the Department of Parks, Recreation and Properties re: Contract No. 54515, Moreland Boulevard Medians Site Improvements. Received.

#### CONDOLENCE RESOLUTIONS

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

**Res. No. 969-2000**—Salvatore Zucharo.

**Res. No. 970-2000**—Lewis Anderson.

**Res. No. 971-2000**—Beverly Lois Simpson.

**Res. No. 972-2000**—Jeremiah P. Fuller.

**Res. No. 973-2000**—A.B. Rowser.

**Res. No. 974-2000**—Russell T. Adrine.

#### CONGRATULATION RESOLUTIONS

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

**Res. No. 975-2000**—Louis D. Rivera.

**Res. No. 976-2000**—Lewis J. Hawthorne.

**Res. No. 977-2000**—Mark Gibbons.

**Res. No. 978-2000**—Myrtle Wiggins.

**Res. No. 979-2000**—Dr. Robin Hedgemann.

**Res. No. 980-2000**—R. Nathaniel Dett Choir of Cleveland School of the Arts.

**Res. No. 981-2000**—Bernice Beaver.

**Res. No. 982-2000**—Sadaqa Calhoun.

**Res. No. 983-2000**—Ralph J. Perk, Jr.

**Res. No. 984-2000**—Officer Marilyn G. Thomas.

**Res. No. 985-2000**—Commander Parker Adrine, Sr.

**Res. No. 986-2000**—Anita Isler.

**Res. No. 987-2000**—Michael A. Bors.

#### RECOGNITION RESOLUTIONS

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

**Res. No. 988-2000**—Sr. Margret Schuler.

**Res. No. 989-2000**—Sr. Michelle Heck.

**Res. No. 990-2000**—Sr. Betty Hennis.  
**Res. No. 991-2000**—Detective Barbara Jackson.

**Res. No. 992-2000**—Officer Millard Thomas, Sr.

**Res. No. 993-2000**—Troy Lee James.

**Res. No. 994-2000**—Terry Ali.

**FIRST READING EMERGENCY ORDINANCES REFERRED**

**Ord. No. 164-A-2000 (As substitute for Ordinance No. 164-2000).**

**By Mayor White and Councilmen Polensek, Patmon, Melena and Britf. An emergency ordinance to enact Sections 619.23, 619.24 and 619.25 of the Codified Ordinances of Cleveland, Ohio, 1976, relating to declaring vehicles used in the commission of drug or prostitution offenses to be nuisances, and declaring other property to be nuisances, and providing for the abatement of the same.**

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

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

**Section 1.** That the Codified Ordinances of Cleveland, Ohio, 1976, are hereby supplemented by enacting new Sections 619.23, 619.24 and 619.25 thereof to read, respectively, as follows:

**Section 619.23 Use of a Vehicle to Solicit a Person to Engage in Prostitution or a Drug Offense Prohibited**

(a) No person, while operating a vehicle, or while a passenger in or on a vehicle, shall solicit another to engage such other person in sexual activity for hire.

(b) No person, while operating a vehicle or while a passenger in or on a vehicle, shall stop, attempt to stop, beckon to, attempt to beckon to, or entice any person to approach or enter the vehicle with intent to entice the other person to engage in sexual activity for hire contrary to Section 619.09 of the Codified Ordinances.

(c) No person, while operating a vehicle, or while a passenger in or on a vehicle, shall knowingly obtain, possess, or use a controlled substance contrary to Section 607.03.

(d) No person, while operating a vehicle or while a passenger in or on a vehicle, shall stop, attempt to stop, beckon to, attempt to beckon to, or entice any person to approach or enter the vehicle with intent to entice the other person to engage in any drug abuse offense contrary to Chapter 607 of the Codified Ordinances.

(e) Any vehicle that has been used on two (2) occasions in the commission of one or any combination of the offenses defined in divisions (a), (b), (c) or (d) of this section, for which convictions have been entered in the court's journal, without regard to the ownership of the property and without regard to whether the same person(s) were convicted of both offenses, is hereby declared to be a nuisance, and its contents, if any, are also hereby declared to be a nuisance. Any vehicle that constitutes a nuisance under this division and its contents may be abated as provided in Section 619.25.

(f) Whoever violates divisions (a), (b), (c) or (d) of this Section is guilty of a misdemeanor of the first degree. The sentencing court shall sentence the offender to a mandatory term of imprisonment of not less than three (3) days on the first offense, not less than ten (10) days on the second offense, and not less than thirty (30) days on the third or any subsequent offense, and may sentence the offender to a longer term of imprisonment. In addition, the sentencing court may impose a fine not exceeding one thousand dollars (\$1,000.00).

**Section 619.24 Nuisance Property Declared**

(a) Any vehicle, boat, aircraft, building or place that has been used on two (2) occasions in the commission of one or any combination of the following offenses, for which convictions have been entered in the court's journal, without regard to the ownership of the property and without regard to whether the same person(s) were convicted of both offenses, is hereby declared to be a nuisance:

Pertaining to prostitution

- (1) Procuring, Section 619.08
- (2) Soliciting, Section 619.09
- (3) Prostitution, Section 619.10
- (4) Use of a Vehicle to Solicit a Person to Engage in Prostitution or a Drug Offense Prohibited, Section 619.23

Pertaining to drugs

- (5) Drug Abuse: Controlled Substance Possession or Use, Section 607.03
- (6) Possessing Drug Abuse Instruments, Section 607.04
- (7) Permitting Drug Abuse, Section 607.05
- (8) Possession, Manufacture and Sale of Drug Paraphernalia, Section 607.17

Pertaining to liquor

- (9) Permit Required, Section 617.05

Pertaining to gambling

- (10) Gambling, Section 611.02
- (11) Operating a Gambling House, Section 611.03
- (12) Public Gaming, Section 611.04
- (b) Any building, vehicle, boat, aircraft, or place that constitutes a nuisance as defined in division (a) and all of the contents of the same, if any, may be abated as provided in Section 619.25.

**Section 619.25 Action to Abate Nuisances**

(a) Nature of action. The Director of Law may file an action in rem to abate any nuisance as defined by Section 619.24. The standard of proof shall be by a preponderance of the evidence. This action may be brought as a separate action or concurrently with any other action available at law or in equity to enjoin and/or abate the nuisance including, without limitation, an action authorized by Chapter 3767 of the Revised Code or other actions authorized by these Codified Ordinances.

(b) Notice and opportunity to be heard. Prior to the issuance of an order under this section, a reasonably diligent search shall be conducted of the public records that relate to the property that is the subject of an abatement action to

identify the owner, lienholder, and any other person with an ownership interest in the property. Such persons shall be sent notice by certified mail, return receipt requested, or shall be personally served, and shall be granted an opportunity to be heard by the court.

(c) Innocent owners or lienholders. No abatement order shall be issued pursuant to this section if an owner or lienholder or other person with an ownership interest in the property that is the subject of an abatement action establishes to the court, by a preponderance of evidence after filing a motion with the court, that the owner, lienholder or other person neither knew nor should have known after a reasonable inquiry that the property would be used, or likely would be used or involved in the commission of a criminal offense, and further that the owner, lienholder or other person with an ownership interest in the property did not expressly or impliedly consent to the use or involvement of the property in the violation, and that the lien or ownership interest was perfected pursuant to law prior to the existence of the nuisance.

(d) Family hardship. A family or household member of the person who is the owner of property used to maintain a nuisance may file a motion with the court having jurisdiction over the action to abate a nuisance claiming that the order of abatement and sale of the property will create an undue hardship on the family or household member. If the court determines by a preponderance of the evidence that an undue hardship would be caused to a family or household member filing the motion, and if the court further finds that the moving party has not in any previous case benefited from a finding of family hardship relative to the property at issue, no order of abatement shall issue. As used in this section, "family or household member" means the spouse, brother, sister or child of the person who is the owner of property used to maintain a nuisance.

(e) Order of Abatement. If the existence of a nuisance is established, an order of abatement as described in this division shall be entered as a part of the judgment in the case.

If the property involved in the abatement action is a building or other place, it shall be ordered closed and kept closed for a period of one (1) year, unless sooner released by the court. The contents and fixtures of such a building or other place shall be given to an agency identified by the Director of Law, which may be a battered women's shelter or similar agency, if the agency desires to have it, or if it does not, the same shall be sold at public auction or as otherwise directed by the court, and the proceeds shall be distributed as provided in division (g) of this section.

If the property involved in the abatement action is a vehicle, boat or aircraft, the same shall be given to a battered women's shelter or similar agency identified by the Director of Law, if the agency desires to have it, or if it does not, the same sold at public auction or as otherwise directed by the court, and the proceeds shall be distrib-

uted as provided in division (g) of this section.

The court may order any person in charge of personalty that is subject to sale under this division to present the same at a time and place directed by the court for the purpose of conducting its sale. In addition, the court may authorize any law enforcement agency to seize such personalty.

In identifying an agency to receive the property or the proceeds from the sale of the property as provided in this section, the Director of Law shall confer with the council member representing the community in which the criminal activity that gave rise to the nuisance occurred, and where possible, the agency selected will be one that serves that community.

(f) Use of closed building. Any person who uses a building or place ordered closed in accordance with division (e) of this section, with knowledge that such building or place has been ordered closed, shall be guilty of a misdemeanor of the fourth degree.

(g) Sale of property, costs and liens. Upon the sale of any furniture, fixtures, contents, vehicle, boat or aircraft as provided in this section, the person executing the order of the court shall, after deducting the expenses of keeping such property and costs of such sale, pay all liens according to their priorities which may be established by intervention or otherwise at the hearing or in other proceedings brought for the purpose as being bona fide and as having been created without the lienholder having any notice that such property was being used or was to be used for the maintenance of a nuisance as herein defined, and shall pay the balance to a battered women's shelter or similar agency identified by the Director of Law.

**Section 2.** That it is hereby declared that giving property that is forfeited pursuant to Codified Ordinance Sections 619.23, 619.24 and 619.25 as enacted by this ordinance, or the proceeds from a sale of such property after payment of liens and expenses, to a battered women's shelter or similar agency, constitutes a public purpose.

**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 the after the earliest period allowed by law.

Without objection, substitute ordinance agreed to, Ordinance No. 164-2000 laid on the Table.

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

**Ord. No. 995-2000.**

**By Mayor White.**

**An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976 by enacting new Section 443.051 of the Codified Ordinances of Cleveland, Ohio, 1976, to require the installation of protective shields or a surveillance system in taxicabs and to amend Section 621.03 thereof to increase the penalty for assault upon a taxicab driver.**

Whereas, this ordinance constitutes an emergency measure provid-

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

Whereas, the Center for Disease Control (CDC) in Atlanta has reported the findings of the National Institute for Occupational Safety and Health (NIOSH) concerning high risk workplaces and occupations, issued in May 1995 as NIOSH Publication No. 93-109; and

Whereas, the NIOSH found that the occupation with the highest rate of occupational homicide for the years 1980 through 1989 was taxicab driver/chauffeur, with a rate 21 times the national average; and

Whereas, among the measures suggested by the CDC and NIOSH for reducing occupational homicides is the use of bullet-proof barriers or enclosures, or the use of surveillance cameras; and

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

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

**Section 1.** That the Codified Ordinances of Cleveland, Ohio, 1976 are hereby supplemented by enacting new Section 443.051 to read as follows:

**443.051 Safety Partitions or Surveillance Cameras for Taxicabs**

(a) From and after the licensing period commencing December 1, 2000, each taxicab shall be equipped with either of the following:

(1) A safety partition meeting the requirements of division (b) to completely separate the driver from the passenger section of the taxicab, and power windows and door locks that can be operated by the driver; or

(2) A surveillance camera or cameras meeting the requirements of division (c).

The Commissioner shall inspect each taxicab for compliance with these requirements as part of the vehicle inspections conducted pursuant to Section 443.05.

(b) All safety partitions installed in taxicabs shall meet the following design standards, and such additional requirements as may be established by regulation:

(1) The partition shall be constructed of a bullet-resistant material.

(2) The partition shall be designed to prevent a person in the passenger compartment from reaching the driver.

(3) The partition shall be designed to afford the driver safe rearview vision.

(4) The design of the partition shall allow for ventilation and heat to the passenger compartment of the vehicle.

(5) The partition shall be designed to enable the driver collect payment without leaving the vehicle, by use of a change slot, sliding partition, or similar means.

(6) The partition shall not contain any sharp edges or sharp points that may injure the driver or passengers.

(c) All surveillance cameras installed in taxicabs shall be suitable in design and placement to record the actions of the driver and passengers and, without limiting the scope of this requirement, suitable in design and placement to record

acts or attempted acts of violence or criminal conduct. The camera(s) shall meet such additional requirements as may be established by regulation.

(d) Each owner or independent operator shall submit its design proposal for safety partitions or surveillance cameras prior to the installation of the same, or if partitions or cameras were installed prior to the effective date of this ordinance, then the owner or independent operator shall instead submit a detailed description of that equipment to the Commissioner within thirty days of the effective date of this ordinance. No partitions or surveillance cameras, whether or not installed prior to the effective date of this ordinance, shall be permitted from and after the licensing period commencing December 1, 2000 unless the Commissioner determines that they are in compliance with all requirements of this section.

(e) No taxicab company, association or independent operator shall increase its drivers' lease rates for the cost of compliance with this section. Any increase in drivers' expenses that may otherwise be allowable under Section 443.261 may not be implemented unless the taxicab company, association or independent operator first certifies to the Commissioner by affidavit that the costs of compliance with this section will not be borne by the taxicab drivers. The Commissioner may require the taxicab company, association or independent operator to produce books and records to demonstrate compliance with this division.

(f) The Commissioner of Licenses and Assessments is hereby authorized to issue such rules and regulations, not inconsistent with the provisions of this chapter, as the Commissioner deems necessary to carry out the provisions of this section. Such rules and regulations shall become effective ten (10) days after their publication in the City Record.

**Section 2.** That Section 623.03 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 2057-A-99, passed April 17, 2000, is hereby amended to read as follows:

**621.03 Assault**

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

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

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

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

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

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

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

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

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

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

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

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

**Section 3.** That existing Section 621.03 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 2057-A-99, passed April 17, 2000, is hereby repealed.

**Section 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 the after the earliest period allowed by law.

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

**Ord. No. 996-2000.**  
**By Councilmen Polensek and Patmon (by departmental request).**

**An emergency ordinance authorizing the Director of Law to apply for and accept a grant from the State of Ohio, Department of Education, for the 2000 TEAM Approach to Violence Against Women Program.**

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

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

**Section 1.** That the Director of Law is hereby authorized to apply for and accept a grant in the amount of \$200,000, from the State of Ohio, Department of Education, to conduct the 2000 TEAM Approach to Violence Against Women Program, for the purposes set forth in the summary and according thereto; that the Director of Law is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the summary for said grant.

**Section 2.** That the summary for said grant, File No. 996-2000-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

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

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

**Ord. No. 997-2000.**  
**By Councilmen Patmon and Polensek.**

**An emergency ordinance to amend Section 177.10 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 2886-87, passed December 21, 1987 relating to bond expenses, services and legal opinions.**

Whereas, this ordinance constitutes an emergency measure providing for 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 177.10 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 2886-87, passed December 21, 1987 is hereby amended to read as follows:

**Section 177.10 Expenses, Services and Legal Opinion**

(a) The cost of advertising the sale of the cost of printing and signing of bonds and notes of the City and of an official statement and related documents, and the cost of the approving opinion herein provided for and the cost of such professional reports as the Director of Finance may deem necessary for the sale of the bonds or notes shall be paid from the proceeds of such bonds or notes, unless the payment of such costs is otherwise provided for. **Within sixty (60) days of the closing of bonds and notes, an itemized list of all costs, both paid and owing, shall be provided by the Director of Finance to the President of Council.**

(b) The Director of Finance shall have authority to procure the printing of bonds and notes of the City and of an official statement and related documents **without** competitive bidding, when in the judgment of the Board of Control, it is in the best interests of the City that such requirement be waived.

(c) **Following approval by City Council,** the Director of Finance shall procure the services of financial advisors, **underwriters,** and the preparation of professional reports, including but not limited to accounting, engineering, and **all** other professional reports, as he may deem necessary or desirable for the sale of the bonds or other obligations.

(d) When bonds or other obligations of the City are to be sold, the Director of Law shall, **upon approval of City Council,** procure an opinion as to the validity of such bonds or other obligations from an attorney accustomed to passing upon such questions, for the use and benefit of the City and of any bidder on or purchaser of such bonds or notes.

(e) The provisions of this section apply to all bonds and notes of the City, including those issued under Sections 3, 10, and 11 of Article XVIII of the Ohio Constitution and other bonds or notes payable solely from earnings or revenues of a project or activity and for the payment of which the full faith and credit of the City are not pledged.

**Section 2.** That existing Section 177.10 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 2886-87, passed December 21, 1987, is hereby repealed.

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

Referred to Directors of Finance, Law; Committees on Legislation, Finance.

**Ord. No. 998-2000.**  
**By Councilmen Cimperman, Citron, O'Malley and Patmon (by departmental request).**

**An emergency ordinance determining the method of making the public improvement of rehabilitating the Buhner Avenue sewer, and authorizing the Director of Public Utilities to enter into contract for the making of such improvement.**

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

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

**Section 1.** That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of rehabilitating the Buhner Avenue sewer, for the Division of Water Pollution Control, Department of Public Utilities, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.

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

**Section 3.** That the cost of said improvement hereby authorized shall be paid from Fund No. 54 SF 001, Request No. 22337.

**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 Utilities, City Planning Commission, Finance, Law; Committees on Public Utilities, City Planning, Finance.

**Ord. No. 999-2000.**

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

**An emergency ordinance determining the method of making the public improvement of rehabilitating the Fairville/West 190th Street area sewer, and authorizing the Director of Public Utilities to enter into contract for the making of such improvement.**

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

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

**Section 1.** That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of rehabilitating the Fairville/West 190th Street area sewer, for the Division of Water Pollution Control, Department of Public Utilities, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.

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

**Section 3.** That the cost of said improvement hereby authorized shall be paid from Fund No. 54 SF 001, Request No. 22336.

**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 Utilities, City Planning Commission, Finance, Law; Committees on Public Utilities, City Planning, Finance.

**Ord. No. 1000-2000.**

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

**An emergency ordinance determining the method of making the public improvement of rehabilitating the Westpark Road sewer, and authorizing the Director of Public Utilities to enter into contract for the making of such improvement.**

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

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

**Section 1.** That, pursuant to Section 167 of the Charter of the City

of Cleveland, it is hereby determined to make the public improvement of rehabilitating the Westpark Road sewer between Rocky River Drive and Lydian Avenue, for the Division of Water Pollution Control, Department of Public Utilities, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.

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

**Section 3.** That the cost of said improvement hereby authorized shall be paid from Fund No. 54 SF 001, Request No. 22333.

**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 Utilities, City Planning Commission, Finance, Law; Committees on Public Utilities, City Planning, Finance.

**Ord. No. 1001-2000.**

**By Mayor White.**

**An emergency ordinance determining the method of making the public improvement of constructing or rehabilitating the apron around existing Concourse "C" at Cleveland Hopkins International Airport; and authorizing the Director of Port Control to enter into contract for the making of such improvement.**

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

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

**Section 1.** That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of constructing or rehabilitating the apron around existing Concourse "C", for the Division of Cleveland Hopkins International Airport, Department of Port Control, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.

**Section 2.** That the Director of Port Control is hereby authorized to enter into contract for the making of the above public improvement with the lowest responsible bidder after competitive bidding upon a unit basis for the improvement provided however, that each

separate trade and each distinct component part of said improvement may be treated as a separate improvement, and each, or any combination, of such trades or components may be the subject of a separate contract upon a unit basis.

**Section 3.** That the cost of said improvement hereby authorized shall be paid from Fund Nos. 60 SF 001, 60 SF 104, 60 SF 105, 60 SF 106, and from any funds or subfunds to which are credited any federal grants or federal PFC authorization, for the above project and the proceeds from the sale of any airport revenue bonds issued for a purpose which includes the above project, Request No. 8282.

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

**Ord. No. 1002-2000.**

**By Mayor White.**

**An emergency ordinance authorizing the Director of Port Control to enter into various agreements with mitigation partners for wetlands and streams course preservation and restoration as required to obtain federal and state permits and approval for airport expansion.**

Whereas, this ordinance constitutes an emergency measure providing for 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 authorized to enter into various agreements with mitigation partners for wetlands and streams course preservation and restoration as required to obtain federal and state permits and approval for airport expansion.

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

**Section 3.** That the cost of these agreements authorized herein shall be paid from Fund No. 60 SF 106, Request No. 8290.

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

**Ord. No. 1003-2000.****By Mayor White.**

**An emergency ordinance authorizing the Director of Port Control to enter into a Lease By Way of Concession with Cleveland National Air Show, Inc., for use of certain property and facilities at Burke Lakefront Airport to conduct an air show and related events.**

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

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

**Section 1.** That the Director of Port Control ("Director") is hereby authorized to enter into a Lease By Way of Concession ("Lease") with Cleveland National Air Show, Inc. ("Lessee") for use of portions of the airfield and facilities (the "Premises") as designated by the Director, at Burke Lakefront Airport (the "Airport") to conduct an air show and related events. In addition, Lessee shall also lease approximately 481.58 square feet of office space in Room 137B of the Terminal Building at the Airport to administer the air show.

**Section 2.** That the Lease authorized in Section 1 above shall have a term of five (5) years. Lessee shall pay as rent for the use of the Premises \$19,000 per year for the term of the Lease. Additionally, Lessee shall pay as rent for use of the office space \$12.00 per square foot per year. Lessee shall pay the cost of all services provided by the City which are directly related to the air show. The Lease shall provide that, if total costs to Lessee derived from rent, office rent and payment for City services exceed \$90,000 in any given year of the term, Lessee may terminate the Lease prior to the end of the term, provided that Lessee gives written notice of such termination to the Director of Port Control, the President of City Council and the Chairman of the Aviation and Transportation Committee, six (6) months prior to the date of the next year's event, or within thirty (30) days of receiving notice of the final costs for the preceding year, whichever is earlier.

**Section 3.** That the Lease authorized herein shall be prepared by the Director of Law and include such terms and conditions as said Director deems necessary to protect and benefit the public interest.

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

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

**Ord. No. 1004-2000.****By Councilmen Cintron and Patmon (by departmental request).**

**An emergency ordinance to amend the title and Section 1 of Ordinance No. 2161-99, 2162-99, 2164-99 and 2165-99, passed February 14, 2000, relating to various requirement contract purchases for the Division of Traffic Engineering and Parking.**

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

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

**Section 1.** That the title and Section 1 of Ordinance No. 2161-99, passed February 14, 2000, is hereby amended to read as follows:

An emergency ordinance authorizing the purchase by requirement contract of traffic paint, for the Division of Traffic Engineering and Parking, Department of Public Safety.

Section 1. That the Director of Public Safety is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of traffic paint in the approximate amount as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Traffic Engineering and Parking, Department of Public Safety. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

**Section 2.** That the title and Section 1 of Ordinance No. 2162-99, passed February 14, 2000, is hereby amended to read as follows:

An emergency ordinance authorizing the purchase by requirement contract of refurbished aluminum sign blanks, for the Division of Traffic Engineering and Parking, Department of Public Safety.

Section 1. That the Director of Public Safety is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of refurbished aluminum sign blanks in the approximate amount as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Traffic Engineering and Parking, Department of Public Safety. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

**Section 3.** That the title and Section 1 of Ordinance No. 2164-99, passed February 14, 2000, is hereby amended to read as follows:

An emergency ordinance authorizing the purchase by requirement contract of aluminum signs, for the Division of Traffic Engineering and Parking, Department of Public Safety.

Section 1. That the Director of Public Safety is hereby authorized

to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of aluminum signs in the approximate amount as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Traffic Engineering and Parking, Department of Public Safety. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

**Section 4.** That the title and Section 1 of Ordinance No. 2165-99, passed February 14, 2000, is hereby amended to read as follows:

An emergency ordinance authorizing the purchase by requirement contract of various electronic traffic signal equipment, for the Division of Traffic Engineering and Parking, Department of Public Safety.

Section 1. That the Director of Public Safety is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of various traffic signal equipment in the approximate amount as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Traffic Engineering and Parking, Department of Public Safety. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

**Section 5.** That the title and Section 1 of Ordinance Nos. 2161-99, 2162-99, 2164-99 and 2165-99, passed February 14, 2000, are hereby repealed.

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

**Ord. No. 1005-2000.****By Councilmen Polensek and Patmon (by departmental request).**

**An emergency ordinance authorizing the purchase by requirement contract of various types of safety equipment, for the various divisions of the Department of Public Safety.**



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

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

**Section 1.** That the Director of Public Safety is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of various types of safety equipment as set forth in detail on the attachment to Request No. 15238 on file in the office of the Division of Purchases and Supplies in the approximate amount as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of the Department of Public Safety. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

**Section 2.** That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 15238)

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

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

**Ord. No. 1006-2000.**  
By Councilmen Cintron, Rybka, Cimperman and Patmon (by departmental request).

**An emergency ordinance to appropriate property for the public purpose of expanding Greenwood Park.**

Whereas, the Council of the City of Cleveland, by Resolution No. 1013-2000, adopted \_\_\_\_\_, declared the necessity and intention of appropriating the fee simple property interests herein described for the public purpose of expanding Greenwood Park; and

Whereas, notice of the adoption of such Resolution has been served upon the persons in possession or having an interest in such property; 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 for the public purpose of expanding Greenwood Park, the following described fee simple interests be and the same hereby are appropriated:

**PERMANENT PARCEL NO. 007-06-060**  
Situating in the City of Cleveland, County of Cuyahoga, State of Ohio and known as being part of Sublot No. 1 and part of Sublot No. 58 in Jonah P. Hill's Allotment of part of Original Brooklyn Township Lot No. 53, as shown by the recorded plat in Volume 8 of Maps, Page 16 of Cuyahoga County Records, and bounded and described as follows:

Beginning on the Easterly line of West 40th Street, at a point distant Northerly 24.5 ft. from its intersection with the most Southerly line of said Sublot No. 58; thence Northerly 0.5 ft. along the said Easterly line of West 40th Street, to an inner-corner of said Sublot No. 58; thence Westerly 20 ft. along the Southerly line of said Sublot No. 58, which is also the Northerly line of West 40th Street, to the Southwesterly corner of said Sublot No. 58; thence Northerly 25 feet along the Easterly line of West 40th Street, to the Northwesterly corner of said Sublot No. 58; thence Easterly along the Northerly line of said Sublot No. 58 and along the Northerly line of said Sublot No. 1, to a point distant Westerly 80 ft. from its intersection with the Westerly line of West 38th Street; thence Southerly parallel with the said Westerly line of West 38th Street, to a point distant Northerly 24.5 ft. at right angles form the Southerly line of said Sublot No.1; thence Westerly parallel with the Southerly line of said Sublot No.1, to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

Parcel No.: 007-06-083

Exhibit "A"

Situating in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Sublot No. 2 in J. P. Hill's Allotment of part of Original Brooklyn Township Lot No. 53, as shown by the recorded plat in Volume 8 of Maps, Page 16 of Cuyahoga County Records, bounded and described as follows:

Beginning at the intersection of Northerly line of Bailey Avenue, S.W., with the Westerly line of West 38th Street, (formerly Mechanics Street); thence Northerly along the Westerly line of West 38th Street, 50 feet 1 inch to the Northerly line of Sublot No. 2; thence Westerly along the Northerly line of Sublot No. 2, 79 feet 2.5 inches to the Northeastly corner of land conveyed to Frank Bede and Ethel Bede by Deed dated June 11, 1943, and recorded in Volume 5609, Page 284 of Cuyahoga County Records; thence Southerly along the Easterly line of land so conveyed to Frank Bede and Ethel Bede about 50.04 feet to the Southeastly corner thereof; thence Easterly along the Southerly line of Sublot No. 2, which is also the Northerly line of Bailey Avenue S.W., 82 feet to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

Parcel No.: 007-06-084

Situating in the City of Cleveland, County of Cuyahoga and State of

Ohio and known as being the Easterly 80 feet of Sublot No. 1 in Jonah P. Hill's Allotment of part of Original Brooklyn Township Lot No. 53 as shown by the recorded plat in Volume 8 of Maps, Page 16 of Cuyahoga County Records and being 50 feet 1 inch front on the Westerly side of West 38th Street (formerly Mechanics Street), and extending back of equal width 80 feet, as appears by said plat be the same more or less, but subject to all legal highways.

Parcel No. 007-06-101

Situating in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Sublot No. 1 and part of Sublot No. 58 in Jonah P. Hill's Subdivision of part of Original Brooklyn Township Lot No. 53, as shown by the recorded plat in volume 8 of Maps, Page 16 of Cuyahoga County Records and bounded and described as follows:

Beginning on the Easterly line of West 40th Street at a point distant, Northerly 24.5 feet from its intersection with the most Southerly line of said Sublot No. 58, thence Southerly 24.50 feet along the said Easterly line of West 40th Street to its intersection with the most Southerly line of said Sublot No. 58; thence Easterly along the most Southerly line of said Sublot No. 58, and along the Southerly line of said Sublot No. 1 to a point distant Westerly 80 feet form is intersection with the Westerly line of West 38th Street; thence Northerly parallel with the said Westerly line of West 38th Street; to a point distant Northerly 24.5 feet at right angles form the Southerly line of said Sublot No. 1; thence Westerly parallel with the Southerly line of said Sublot No. 1 to the place of beginning, be the same more or less, but subject to all legal highways.

**Section 2.** That the Director of Law is hereby directed to apply to a court of competent jurisdiction to have a jury impaneled to make inquiry into and assess the compensation to be paid for the fee simple interests hereinbefore described.

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

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

**Ord. No. 1007-2000.**  
By Councilmen Rybka, Cimperman and Patmon (by departmental request).

**An emergency ordinance authorizing the Commissioner of Purchases and Supplies to sell City-owned property no longer needed for public use located at 6564-6566 Broadway Avenue to Jennifer Hajj.**

Whereas, the Director of Parks, Recreation and Properties has requested the sale of City-owned property no longer needed for public use and located at 6564-6566 Broadway 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. 132-02-017  
6564-6566 Broadway Avenue

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being a part of Original One Hundred Acre Lot No. 318, bounded and described as follows:

Commencing in the center line of Broadway, S.E., at a point 150 feet distant Easterly from where the Easterly line of the lot heretofore conveyed for school purposes intersects said center line of Broadway, S.E.;

Thence Southerly on a line parallel with the Easterly line of said school lot 230 feet to a stake;

Thence Easterly 50 feet on a line parallel with the center line of Broadway, S.E., to a stake;

Thence Northerly 230 feet on a line so drawn as to strike the center line of Broadway, S.E., at a point 50 feet Easterly on said center line of Broadway, S.E., at a point 50 feet Easterly on said center line from the place of beginning;

Thence Westerly on said center line of Broadway, S.E., 50 feet to the place of beginning, being 50 feet front on Broadway, S.E., be the same more or less, but subject to all legal highways.

**Section 2.** That by and in the direction of the Board of Control, the Commissioner of Purchases and Supplies is authorized to sell the above described property to Jennifer Hajj at a price not less than fair market value as determined by the Board of Control, taking into account such restrictive covenants and reversionary interests as are deemed necessary or appropriate.

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

**Ord. No. 1008-2000.**  
**By Councilmen Jackson, Melena, Cimperman and Patmon (by departmental request).**

**An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 3606 Prospect Avenue and 2061 East 36th Street to Abraham Realty, Inc.**

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

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

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

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

**Section 1.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 103-16-042 and 103-16-043, as more fully described in Section 2 below, to Abraham Realty, Inc.

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

P. P. No. 103-16-042

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Northerly 148.50 feet of Sublot No. 165 and in H.P. Weddell's Subdivision of part of Original Ten Acre Lots Nos. 64, 65 and 66, as shown by the recorded plat in Volume 4 of Maps, Page 24 of Cuyahoga County Records and being 50 feet front on the Southerly side of Prospect Avenue, S.E. (formerly Prospect Street) and extending back of equal width 148.50 feet along the Easterly line of East 36th Street (formerly Hayward Street) 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

P. P. No. 103-16-043

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southerly 21.50 feet of the Northerly 170 feet of Sublot No. 165 in H.P. Weddell's Subdivision of part of Original Ten Acre Lots Nos. 64, 65 and 66, as shown by the recorded plat in Volume 4 of Maps, Page 24 of Cuyahoga County Records. Said part of Sublot No. 165 has a frontage of 21.50 feet on the Easterly side of East 36th Street, and extends back of equal width 50 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to an easement to Cleveland Trust Company, its successors and assigns, for delivery and maintenance purposes over and across

and upon that portion of the above described premises which is described as follows: Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southerly 2 feet of the Northerly 150.50 feet of Sublot No. 165 in H.P. Weddell's Subdivision of part of Original Ten Acre Lots Nos. 64, 65 and 66, as shown by the recorded plat in Volume 4 of Maps, Page 24 of Cuyahoga County Records. Said part of Sublot No. 165 has a frontage of 2 feet on the Easterly side of East 36th Street, and extends back of equal width 50 feet, be the same more or less, but subject to all legal highways.

And, situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southerly 2 feet of the Northerly 148.50 feet of Sublot No. 165 in H.P. Weddell's Subdivision of part of Original Ten Acre Lots Nos. 64, 65 and 66 as shown by the recorded plat in Volume 4 of Maps, Page 24 of Cuyahoga County Records. Said part of Sublot No. 165 has a frontage of 2 feet on the Easterly side of East 36th Street and extends back of equal width 50 feet, be the same more or less, but subject to all legal highways.

Further subject to the easements set forth in the deed recorded in Volume 4923, Page 127 of Cuyahoga County Records.

Subject to all zoning ordinances, if any.

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

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

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

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

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

**Ord. No. 1009-2000.**  
**By Councilmen Jackson, Melena, Cimperman and Patmon (by departmental request).**

**An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on East 73rd Street to Cleveland Housing Network, Incorporated or designee.**

Whereas, the City of Cleveland adopted and implemented procedures under Chapter 5722 of the Ohio Revised Code to facilitate reutilization of nonproductive lands situated within the City of Cleveland; and

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

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

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

**Section 1.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 118-24-092 as more fully described in Section 2 below, to Cleveland Housing Network, Incorporated or designee.

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

P. P. No. 118-24-092

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 14 in Harriet C. Sterlings' Subdivision of part of Original One Hundred Acre Lot No. 336, as shown by the recorded plat in Volume 5 of Maps, Page 60 of Cuyahoga County Records, and being 40 feet front on the Easterly side of East 73rd Street and extending back of equal width 143.58 feet deep on the Northerly line, 143.54 feet deep on the Southerly line and 40 feet wide in the rear, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

**Section 3.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 118-24-093 as more fully described in Section 4 below, to Cleveland Housing Network, Incorporated or designee.

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

P. P. No. 118-24-093

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 15 in H.C. Sterlings' Allotment of a part of Original One Hundred Acre Lot No. 336, being 40 feet front on the East side of East 73rd Street (formerly known as Brenton Street) 143 feet and 6-1/2 inches deep on the North line, and 143 feet 6-1/8 inches on the Southerly line as per plat of said Allotment recorded in Volume 5 of Maps, Page 60 of Cuyahoga

County Records, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

**Section 5.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 118-24-094 as more fully described in Section 6 below, to Cleveland Housing Network, Incorporated or designee.

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

P. P. No. 118-24-094

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 16 in Harriet C. Sterling's Allotment of part of Original One Hundred Acre Lot No. 336 as shown by the recorded plat in Volume 5 of Maps, Page 60 of Cuyahoga County Records, and being 40 feet front on the Easterly side of East 73rd Street (formerly Brenton Street) and extending back 143 feet 6-1/8 inches on the Northerly line, 143 feet 5-3/4 inches on the Southerly line and having a rear line of 40 feet as appears by said plat, be the same more or less, but subject to all legal highways.

**Section 7.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 118-24-095 as more fully described in Section 8 below, to Cleveland Housing Network, Incorporated or designee.

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

P. P. No. 118-24-095

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 17 in H.C. Sterling's Allotment of part of Original One Hundred Acre Lot No. 336, as shown by the recorded plat in Volume 5 of Maps, Page 60 of Cuyahoga County Records, and being 40 feet front on the Easterly line of East 73rd Street and being 143 feet 5-3/8 inches on the Southerly line, 143'-5-3/4" on the Northerly line and having a rear line of 40 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

**Section 9.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel Nos. 118-24-098 as more fully described in Section 10 below, to Cleveland Housing Network, Incorporated or designee.

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

P. P. No. 118-24-098

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and further known as Sublot No. 20 in H.C. Sterling's Subdivision of a part of Original One Hundred Acre Lot No. 336, as shown by the recorded plat of said Subdivision in Volume 5 of Maps, Page 60 of Cuya-

hoga County Records and being 40 feet front on the Easterly line of East 73rd Street and extending back of equal width, 143.37 feet deep on the Northerly line and 143.34 feet deep on the Southerly line, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

**Section 11.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 118-24-099 as more fully described in Section 12 below, to Cleveland Housing Network, Incorporated or designee.

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

P. P. No. 118-24-099

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being all of Sublot No. 21 in the Sterling Subdivision of part of Original One Hundred Acre Lot No. 336 as shown by the recorded plat in Volume 5 of Maps, Page 60 of Cuyahoga County Records and being 40 feet front on the Easterly side of East 73rd Street, and extending back of equal width, 143.34 feet deep on the Northerly line and 143.31 feet deep on the Southerly line, be the same more or less, but subject to all legal highways.

**Section 13.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 118-24-109 as more fully described in Section 14 below, to Cleveland Housing Network, Incorporated or designee.

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

P. P. No. 118-24-109

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 31 in H.C. Sterling's Subdivision of part of Original One Hundred Acre Lot No. 336, as shown by the recorded plat in Volume 5 of Maps, Page 60 of Cuyahoga County Records, and being 40 feet front on the Easterly side of East 73rd Street (formerly Branton Street), and extending back 143 feet on the Northerly line, 142 feet 11-3/4 inches on the Southerly line and having a rear line of 40 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

**Section 15.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 118-24-111 as more fully described in Section 16 below, to Cleveland Housing Network, Incorporated or designee.

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

P. P. No. 118-24-111

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

108 in Harriet C. Sterling's Subdivision of a part of Original One Hundred Acre Lot No. 336, as shown by the recorded plat in Volume 5 of Maps, Page 60 of Cuyahoga County Records and being 40.67 feet front on the Westerly side of East 73rd Street, 132 feet deep on the Northerly line, about 133 feet deep on the irregular South line, which is also the Northerly line of East 72nd Place and being 37.12 feet wide in the rear, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

**Section 17.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 118-24-112 as more fully described in Section 18 below, to Cleveland Housing Network, Incorporated or designee.

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

P. P. No. 118-24-112

Situated in the City of Cleveland County of Cuyahoga and State of Ohio, and known as being Sublot No. 107 in Harriet C. Sterling's Re-Subdivision of part of Original One Hundred Acre Lot No. 336, as shown by the recorded plat in Volume 5 of Maps, Page 60 of Cuyahoga County Records and being 40 feet front on the Westerly side of East 73rd Street (formerly Brenton Street) and extending back of equal width 132 feet deep on the Easterly line of an alley in the rear, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

**Section 19.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 118-24-113 as more fully described in Section 20 below, to Cleveland Housing Network, Incorporated or designee.

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

P. P. No. 118-24-113

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 106 in Harriette C. Sterling's Allotment of part of Original One Hundred Acre Lot No. 336, as shown by the recorded plat in Volume 5 of Maps, Page 60 of Cuyahoga County Records and being 40 feet front on the Westerly side of East 73rd Street (formerly Brenton Street) and extending back of equal width 132 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

**Section 21.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 118-24-115 as more fully described in Section 22 below, to Cleveland Housing Network, Incorporated or designee.

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

P. P. No. 118-24-115

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 104 in H.C. Sterling's Allotment of part of Original One Hundred Acre Lot No. 336 as shown by the recorded plat in Volume 5 of Maps, Page 60 of Cuyahoga County Records and being 40 feet front on the Westerly side of East 73rd Street and extending back of equal width, 132 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

**Section 23.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 118-24-116 as more fully described in Section 24 below, to Cleveland Housing Network, Incorporated or designee.

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

P. P. No. 118-24-116

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 103 in H.C. Sterling's Allotment of part of Original One Hundred Acre Lot No. 336, as shown by the recorded plat in Volume 5 of Maps, Page 60 of Cuyahoga County Records, and being 40 feet front on the Westerly side of East 73rd Street and extending back of equal width, 132 feet deep, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

**Section 25.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 118-24-118 as more fully described in Section 26 below, to Cleveland Housing Network, Incorporated or designee.

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

P. P. No. 118-24-118

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 101 in H.C. Sterling's Allotment of part of Original One Hundred Acre Lot No. 336 as shown by the recorded plat in Volume 5 of Maps, Page 60, and being 40 feet front on the Westerly side of East 73rd Street and extending back of equal width, 132 feet deep, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

**Section 27.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 118-24-119 as more fully described in Section 28 below, to Cleveland Housing Network, Incorporated or designee.

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

P. P. No. 118-24-119

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 100 in Harriette C. Sterling's Allot-

ment of part of Original One Hundred Acre Lot No. 336 as shown by the recorded plat in Volume 5 of a, Page 60 of Cuyahoga County Records and being 40 feet front on the Westerly side of East 73rd Street (formerly Branton Street) and extending back between parallel lines, 132 feet to an alley 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 29.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 118-24-120 as more fully described in Section 30 below, to Cleveland Housing Network, Incorporated or designee.

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

P. P. No. 118-24-120

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 99 in H.C. Sterling's Allotment of Original One Hundred Acre Lot No. 336 as shown by the recorded plat in Volume 5 of Maps, Page 60 of Cuyahoga County Records, and being 40 feet front on the Westerly side of East 73rd Street, and extending back of equal width 132 feet deep, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

**Section 31.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 118-24-121 as more fully described in Section 32 below, to Cleveland Housing Network, Incorporated or designee.

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

P. P. No. 118-24-121

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 98 in H.C. Sterling Subdivision of part of Original One Hundred Acre Lot No. 336 as shown by the recorded plat in Volume 5 of Maps, Page 60 of Cuyahoga County Records and being 40 feet front on the Westerly side of Branton Street (now known as East 73rd Street) and extending back of equal width 132 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 33.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 118-25-012 as more fully described in Section 34 below, to Cleveland Housing Network, Incorporated or designee.

**Section 34.** That the real property to be sold pursuant to Section 33 of this Ordinance is more fully described as follows:

P. P. No. 118-25-012

Situated in the City of Cleveland, County of Cuyahoga and State of

Ohio, and known as being Sublot No. 80 in Harriet C. Sterling's Cottage Neighborhood Allotment of part of Original One Hundred Acre Lot No. 336, as shown by the recorded plat of said Allotment in Volume 5 of Maps, Page 60 of Cuyahoga County Records. Said Sublot No. 80 has a frontage of 39 feet, 8-1/2 inches on the Westerly side of East 73rd Street, and extends back 126 feet, 4 inches on the Northerly line, 132 feet on the Southerly line, and has a broken rear line of 43 feet, 4 inches, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

**Section 35.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 118-25-013 as more fully described in Section 36 below, to Cleveland Housing Network, Incorporated or designee.

**Section 36.** That the real property to be sold pursuant to Section 35 of this Ordinance is more fully described as follows:

P. P. No. 118-25-013

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 81 in H.C. Sterling's Allotment of part of Original One Hundred Acre Lot No. 336 as shown by the recorded plat in Volume 5 of Maps, Page 60 of Cuyahoga County Records. Said Sublot No. 81 has a frontage of 40 feet on the Westerly side of East 73rd Street (formerly Brenton Street) and extends between parallel lines 132 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

**Section 37.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 118-25-021 as more fully described in Section 38 below, to Cleveland Housing Network, Incorporated or designee.

**Section 38.** That the real property to be sold pursuant to Section 37 of this Ordinance is more fully described as follows:

P. P. No. 118-25-021

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 12 in H.C. Sterling's Allotment of part of Original One Hundred Acre Lot No. 336 as shown by the recorded plat in Volume 5 of Maps, Page 60 of Cuyahoga County Records and being 40 feet front on the Easterly side of East 73rd Street, as appears by said plat, be the same more or less, but subject to all legal highways.

**Section 39.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 118-25-023 as more fully described in Section 40 below, to Cleveland Housing Network, Incorporated or designee.

**Section 40.** That the real property to be sold pursuant to Section 39 of this Ordinance is more fully described as follows:

P. P. No. 118-25-023

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 10 in H.C. Sterling's Allotment of part of Original One Hundred Acre Lot No. 336, as shown by the recorded plat in Volume 5 of Maps, Page 60 of Cuyahoga County Records, and being 40 feet front on the Easterly side of East 73rd Street (formerly Brenton Street) and extending back 143 feet and 8-1/8 inches deep on the Southerly line, 143 feet and 8-1/2 inches deep on the Northerly line, and being 40 feet wide in the rear, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

**Section 41.** 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 42.** 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 43.** That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest including such restrictive covenants and reversionary interests as may be specified by the Board of Control, the Director of Community Development or the Director of Law.

**Section 44.** That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its 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. 1010-2000.**  
**By Councilmen Willis, Melena, Cimperman and Patmon (by departmental request).**

**An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on Superior Avenue to Refreshing Spring Baptist Ministries Church.**

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

Whereas, real property acquired under the City's Land Reutilization

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

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

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

**Section 1.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 109-24-020 and 109-24-021, as more fully described in Section 2 below, to Refreshing Spring Baptist Ministries Church.

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

P. P. No. 109-24-020

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 2 and the Easterly 5-18/100 feet front and rear of Sublot No. 1 in A.J. Marsh's Subdivision of part of Original One Hundred Acre Lot Nos. 379 and 387, as shown by the recorded plat of said allotment in Volume 21 of Maps, Page 3 of Cuyahoga County Records, and being 40-18/100 feet front on the Northerly side of Superior Avenue, N.E., and extending back of equal width 120 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

Easement contained in the instrument dated February 12, 1907 and recorded in Volume 1050, Page 274 of Cuyahoga County Records affecting premises described in Schedule A.

Recital of Easement contained in the instrument dated May 5, 1976 and recorded in Volume 14242, Page 621 of Cuyahoga County Records affecting premises described in Schedule A.

Subject to Zoning Ordinances, if any.

P. P. No. 109-24-021

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 1 in A.J. Marsh's Subdivision of part of Original One Hundred Acre Lot Nos. 379 and 387, as shown by the recorded plat in Volume 21 of Maps, Page 3 of Cuyahoga County Records and bounded and described as follows:

Being on the Northerly side of Superior Avenue, N.E., (formerly Superior Street) at the Southwesterly corner of said Sublot No. 1; thence Easterly along the Northerly line of Superior Avenue, N.E., 38 feet to the Southwesterly corner of land conveyed by Carrie Baisch single to Frederick W. Warlow by deed dated February 12, 1907 and recorded in Volume 1050 Page 274 of Cuyahoga County Records; thence Northerly along the Westerly line of land so conveyed to said Frederick W. Warlow 120 feet to the Northerly line of said Sublot; thence Westerly along the Northerly line of said Sublot, 38 feet to the Northwesterly corner of said Sublot; thence Southerly along the Westerly

ly line of said Sublot, 120 feet to the place of beginning.

Sublot to a common driveway recorded in Volume 4658 Page 483 of Cuyahoga County Records.

Subject to zoning ordinances, if any

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

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

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

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

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

**Ord. No. 1011-2000.**

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

**An emergency ordinance authorizing the Director of Economic Development to enter into an Enterprise Zone Agreement with Howard Bradley and HLB Properties Limited to provide for a ten year abatement for certain tangible personal property and real estate taxes as an incentive to construct a new building on the southeast corner of East 93rd Street and St. Clair Avenue for Bradley Construction Company's world headquarters in the Cleveland Area Enterprise Zone.**

Whereas, pursuant to Ordinance No. 948-95, passed June 19, 1995, this Council designated an area which is in the City of Cleveland and described in File No. 948-95-A, as the Cleveland Area Enterprise Zone (the "Zone") pursuant to Chapter 5709 of the Ohio Revised Code; and

Whereas, in August, 1995, the Director of Development of the State of Ohio determined that the Zone contains the characteristics set forth in Section 5709.61(A) of the Revised Code and certified said area as an "Urban Jobs and Enterprise Zone" pursuant to Chapter 5709 of the Revised Code; and

Whereas, Howard Bradley and HLB Properties Limited (the "Enterprise") has proposed to construct a new building on the southeast corner of East 93rd Street and St. Clair Avenue for Bradley Construction Company's world headquarters in the Cleveland Area Enterprise Zone; and

Whereas, the Enterprise has certified to the City that, but for abatement of personal property and real estate taxes the Enterprise would be at a competitive disadvantage by operating at this location; and

Whereas, this ordinance constitutes an emergency measure in that the same provides for the immediate preservation of the public peace, safety, property, and welfare and for the further reason that its enactment is a necessary prerequisite to providing immediate assistance to create and preserve job opportunities and advance and promote commercial and economic development in the City of Cleveland, such assistance being immediately necessary or such jobs will be lost; now, therefore,

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

**Section 1.** That this Council hereby approves the application of the Enterprise for enterprise zone incentives on the basis that the Enterprise is qualified by financial responsibility and business experience to create and preserve employment opportunities in the Cleveland Area Enterprise Zone and to improve the economic climate of the City of Cleveland.

**Section 2.** That the Director of Economic Development is authorized to enter into an Enterprise Zone Agreement with the Enterprise to provide for a ten (10) year abatement for certain tangible personal property and real estate taxes as an incentive to construct a new building on the southeast corner of East 93rd Street and St. Clair Avenue for Bradley Construction Company's world headquarters in the Cleveland Area Enterprise Zone; said abatement shall be subject to annual review of the Tax Incentive Review Council.

**Section 3.** That the terms of said tax abatement shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 1011-2000-A. The terms of said file notwithstanding, the terms of the tax abatement shall not be amended, nor shall the tax abatement be assignable or transferrable to any entity, without the prior legislative authorization by Cleveland City Council.

**Section 4.** That the Director of Economic Development is hereby authorized to charge and accept fees in an amount not to exceed the maximum allowable under Chapter 5709 of the Revised Code and such funds are hereby appropriated for the purposes set forth in Chapter 5709 of the Revised Code. Such fees shall be deposited to and expended from Fund No. 17 SF 305, Loan Fees Fund.

**Section 5.** That the Director of Law shall prepare and approve said agreement and that said agreement shall contain such terms and provisions as he deems necessary to protect the City's interest.

**Section 6.** That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force

immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

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

**FIRST READING  
ORDINANCE REFERRED**

**Ord. No. 1012-2000.**

**By Councilman O'Malley.**

**An ordinance to change the Use and Area District of lands on the northerly side of Memphis Avenue, S.W. between W. 62 Street and W. 58 Street. (Map Change No. 2013, Sheet No. 2)**

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

**Section 1.** That the Use and Area Districts of lands bounded and described as follows,

Beginning at the intersection of the center line of Memphis Avenue, S.W. and the center line of West 62 Street; thence northerly along said center line of West 62 Street to its intersection with the westerly extension of a line located approximately one hundred twenty five (125) feet north of the northerly line of Memphis Avenue, S.W.; thence easterly along said westerly extension and along said line which is parallel to and approximately one hundred twenty five (125) feet north of said northerly line of Memphis Avenue, S.W. and along its easterly extension to the center line of Ridgeview Drive, S.W.; thence northerly along said center line of Ridgeview Drive, S.W. to its intersection with the westerly extension of the southerly line of Sublot No. 753 in the Ridgeview Manor Allotment as recorded in Volume 79, Page 1 of the Cuyahoga County Map Records (said southerly line of said Sublot No. 753 being located approximately seven hundred twenty five (725) feet north of the northerly line of Memphis Avenue, S.W.); thence easterly along said westerly extension and along said southerly line of said Sublot No. 753 to its intersection with the easterly line thereof; thence northerly along said easterly line of said Sublot No. 753 to its intersection with the southerly line of Sublot No. 49 in the Baser's Brookside Allotment as recorded in Volume 56, Page 26 of the Cuyahoga County Map Records; thence easterly along said southerly line of said Sublot No. 49 and along its easterly extension to its intersection with the center line of West 59 Street; thence southerly along said center line of West 59 Street to its intersection with the westerly extension of the southerly line of Sublot No. 5 in said Baser's Brookside Allotment; thence easterly along said westerly extension and along said southerly line of said Sublot No. 5 to its intersection with the westerly line of Sublot No. 52 in the Memphis Avenue Subdivision as recorded in Volume 84, Page 12 of the Cuyahoga County Map Records; thence southerly along said westerly line of said Sublot No. 52 to its intersection with the southerly line thereof; thence easterly along said southerly line of said Sublot No. 52 and along its easterly extension to the center line of West 58 Street; thence southerly along said center line of West 58 Street to said center line of

Memphis Avenue, S.W.; thence westerly along said center line of Memphis Avenue, S.W. to the place of beginning, and as outlined in red on the map hereto attached be and the same are hereby changed to a Local Retail Use District and a 'C' Area District.

**Section 2.** That said changed designation of lands described in Section 1 shall be identified as Map Change No. 2013, Sheet No. 2 and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the Office of the City Planning Commission by the appropriate person designated for such purpose by the City Planning Commission.

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

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

#### FIRST READING EMERGENCY RESOLUTION REFERRED

##### Res. No. 1013-2000.

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

**An emergency resolution declaring the necessity and intention to appropriate property for public use needed for the expansion of Greenwood Park.**

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 for the public purpose of expanding Greenwood Park, it is necessary to appropriate in fee simple interest and this Council hereby declares its intent to appropriate the fee simple interest in and to the following described property:

##### PERMANENT PARCEL NO. 007-06-060

Situated in the City of Cleveland, County of Cuyahoga, State of Ohio and known as being part of Sublot No. 1 and part of Sublot No. 58 in Jonah P. Hill's Allotment of part of Original Brooklyn Township Lot No. 53, as shown by the recorded plat in Volume 8 of Maps, Page 16 of Cuyahoga County Records, and bounded and described as follows:

Beginning on the Easterly line of West 40th Street, at a point distant Northerly 24.5 ft. from its intersection with the most Southerly line of said Sublot No. 58; thence Northerly 0.5 ft. along the said Easterly line of West 40th Street, to an inner-corner of said Sublot No. 58; thence Westerly 20 ft. along the Southerly line of said Sublot No. 58, which is also the Northerly line of West 40th Street, to the Southwesterly corner of said Sublot No. 58; thence Northerly 25 feet along the Easterly line of West 40th Street, to the Northwesterly corner of said Sublot No. 58; thence Easterly along the Northerly line of said Sublot No. 58 and along the Northerly line of said Sublot No. 1, to a point distant Westerly 80 ft. from its intersection with the Westerly line of West 38th Street; thence Southerly parallel with the said Westerly line of West 38th Street, to a point distant Northerly 24.5 ft. at right angles

form the Southerly line of said Sublot No.1; thence Westerly parallel with the Southerly line of said Sublot No.1, to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

##### Parcel No. 007-06-083

##### Exhibit "A"

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Sublot No. 2 in J. P. Hill's Allotment of part of Original Brooklyn Township Lot No. 53, as shown by the recorded plat in Volume 8 of Maps, Page 16 of Cuyahoga County Records, bounded and described as follows:

Beginning at the intersection of Northerly line of Bailey Avenue, S.W., with the Westerly line of West 38th Street, (formerly Mechanics Street); thence Northerly along the Westerly line of West 38th Street, 50 feet 1 inch to the Northerly line of Sublot No. 2; thence Westerly along the Northerly line of Sublot No. 2, 79 feet 2.5 inches to the Northeastly corner of land conveyed to Frank Bede and Ethel Bede by Deed dated June 11, 1943, and recorded in Volume 5609, Page 284 of Cuyahoga County Records; thence Southerly along the Easterly line of land so conveyed to Frank Bede and Ethel Bede about 50.04 feet to the South-easterly corner thereof; thence Easterly along the Southerly line of Sublot No. 2, which is also the Northerly line of Bailey Avenue S.W., 82 feet to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

##### Parcel No. 007-06-084

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being the Easterly 80 feet of Sublot No. 1 in Jonah P. Hill's Allotment of part of Original Brooklyn Township Lot No. 53 as shown by the recorded plat in Volume 8 of Maps, Page 16 of Cuyahoga County Records and being 50 feet 1 inch front on the Westerly side of West 38th Street (formerly Mechanics Street), and extending back of equal width 80 feet, as appears by said plat be the same more or less, but subject to all legal highways.

##### Parcel No. 007-06-101

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and know as being part of Sublot No. 1 and part of Sublot No. 58 in Jonah P. Hill's Subdivision of part of Original Brooklyn Township Lot No. 53, as shown by the recorded plat in volume 8 of Maps, Page 16 of Cuyahoga County Records and bounded and described as follows:

Beginning on the Easterly line of West 40th Street at a point distant Northerly 24.5 feet from its intersection with the most Southerly line of said Sublot No. 58, thence Southerly 24.50 feet along the said Easterly line of West 40th Street to its intersection with the most Southerly line of said Sublot No. 58; thence Easterly along the most Southerly line of said Sublot No. 58, and along the Southerly line of said Sublot No. 1 to a point distant Westerly 80 feet from its intersection with the Westerly line of West 38th Street; thence Northerly parallel with the said Westerly line of West

38th Street; to a point distant Northerly 24.5 feet at right angles form the Southerly line of said Sublot No. 1; thence Westerly parallel with the Southerly line of said Sublot No. 1 to the place of beginning, be the same more or less, but subject to all legal highways.

**Section 2.** That the Director of Finance is hereby authorized to cause written notice of the adoption of this resolution to be given to the owners, persons in possession or having an interest of record in the above-mentioned premises, and such notice shall be served according to law by a person to be designated for that purpose by the Director of Finance which return shall be made in the manner provided by law.

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

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

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

##### Ord. No. 962-2000.

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

**An emergency ordinance authorizing the Director of Finance, on behalf of the Cleveland Municipal Court, to enter into contract with the Cuyahoga County Public Defender Commission for legal services necessary to defend indigents charged with violation of ordinances of the City of Cleveland, provided such violation may result in incarceration, for the Cleveland Municipal Court.**

Whereas, in *Argersinger v. Hamlin* and *Scott v. Illinois*, the United States Supreme Court held that no indigent criminal defendant may be sentenced to a term of imprisonment unless he has been afforded the right to assistance of appointed counsel in his defense; and

Whereas, the City of Cleveland, through the Cleveland Municipal Court, is therefore obligated to provide an indigent defendant appointed counsel in order to permit the imposition of a sentence including a term of imprisonment; and

Whereas, pursuant to Section 120.14 of the Ohio Revised Code, a county commission which has organized a county public defender commission may contract with any municipal corporation within the County served by the county public defender to provide such legal representation on behalf of the municipal corporation; and

Whereas, it is the recommendation of the Cleveland Municipal Court, the district of which encompasses Bratenahl and the City of Cleveland, that such indigent defense should be provided by the Cuyahoga County Public Defender Commission, who will in turn, enter into an agreement with the Legal Aid Society of Cleveland to provide these services; and

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

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

**Section 1.** That, the Director of Finance, on behalf of the Cleveland Municipal Court, is hereby authorized to enter into contract with the Cuyahoga County Public Defender Commission for legal services necessary to defend indigents charged with violation of ordinances of the City of Cleveland, provided such violation may result in incarceration, for the period of one year beginning January 1, 2000, at the estimated cost of \$1,000,000, payable from Fund No. 01-011502-632000, Request No. 19254.

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

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

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

**Ord. No. 963-2000.**  
**By Councilmen Polensek and Patmon.**

**An emergency ordinance authorizing the Director of Finance, on behalf of the Cleveland Municipal Court, to enter into contract without competitive bidding with Oracle Corporation for computer database software maintenance and support services for the Cleveland Integrated Justice Information System for a period not to exceed one year, for the Cleveland Municipal Court.**

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

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

**Section 1.** That it is hereby determined that the within commodities are non-competitive and cannot be secured from any source other than Oracle Corporation. Therefore, the Director of Finance, on behalf of Cleveland Municipal Court, is hereby authorized to make a written contract with said Oracle Corporation upon the basis of their proposal dated January 24, 2000, for computer database software maintenance and support services for the Cleveland Integrated Justice Information System for a period not to exceed one year, to be purchased by the Commissioner of Purchases and Supplies for a gross price for the Cleveland Municipal Court.

**Section 2.** That the cost of said contract hereby authorized shall be paid from Fund No. 10 SF 086, Request No. 19225.

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

approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

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

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

**Ord. No. 1014-2000.**  
**By Councilman Britt.**  
**An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Fairfax Renaissance Development Corporation for the creation of a web based information system to assist first time home buyers through the use of Ward 6 Neighborhood Equity Funds.**

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

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

**Section 1.** That the Director of Community Development is authorized to enter into an agreement with Fairfax Renaissance Development Corporation for the creation of a web based information system to assist first-time home buyers.

**Section 2.** That the cost of said contract shall be in an amount not to exceed \$30,000 and shall be paid from Fund No. 10 SF 166.

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

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

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

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

**Ord. No. 1015-2000.**  
**By Councilmen Britt, White, Willis and Rybka.**

**An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Case Western Reserve University for transportation services for their national youth sports program through the use of Wards 2, 6, 9, 12 Neighborhood Equity Funds.**

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

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

**Section 1.** That the Director of Community Development is authorized to enter into an agreement with Case Western Reserve University for transportation services for their national youth sports program.

**Section 2.** That the cost of said contract shall be in an amount not to exceed \$12,000 and shall be paid from Fund No. 10 SF 166.

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

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

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

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

**Ord. No. 1016-2000.**  
**By Councilman Cimperman.**  
**An emergency ordinance consenting and approving the issuance of a permit for the America's Walk for Diabetes (WALKTOBERFEST) on October 7, 2000, sponsored by the American Diabetes Association.**

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

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

**Section 1.** That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of the America's Walk for Diabetes (WALKTOBERFEST), sponsored by the American Diabetes Association on October 7, 2000, beginning at the Nautica Stage - Boardwalk, turn left in Center Road, cross Riverbed and Merwin Roads, turn left on Carter Road (this becomes Robert Lockwood Road), turn right on Front Street, turn right on West 9th Street, turn left on Lakeside Avenue, turn right on West 6th Street, turn left on Superior Avenue, circle Public Square via Tower City (not into circle), BP Building, Society Bank and the Illuminating Building, turn right on West 3rd Street, turn left onto Lakeside Avenue, turn right onto West 9th Street, turn onto Front Street, turn left onto Old River Road, turn right onto Center Street, turn right onto Main Street, which leads straight to Nautica Boardwalk/Finish Line, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

**Section 2.** That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council,



it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

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

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

**Ord. No. 1017-2000.**

**By Councilman Cimperman.**

**An emergency ordinance consenting and approving the issuance of a permit for the Cleveland Corporate Challenge on August 13, 2000, sponsored by the YMCA and Hermes Race System.**

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

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

**Section 1.** That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of the Cleveland Corporate Challenge sponsored by the YMCA and Hermes Race Systems, on August 13, 2000, beginning at Muny Parking Lot to South Marginal Road to East 49th Street and return the same route, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

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

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

**Ord. No. 1018-2000.**

**By Councilman Cimperman.**

**An emergency ordinance consenting and approving the issuance of a permit for the Cleveland Browns Run, on July 29, 2000, sponsored by Hermes Race System.**

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

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

**Section 1.** That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of the Cleveland Browns

Run sponsored by Hermes Race Systems, on July 29, 2000, beginning at East 9th Street to Eagle to North Coast Harbor and Finish, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

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

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

**Ord. No. 1019-2000.**

**By Councilman Cimperman.**

**An emergency ordinance consenting and approving the issuance of a permit for the East 9th Street Mile, on September 9, 2000, sponsored by Hermes Race Systems.**

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

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

**Section 1.** That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of the East 9th Street Mile sponsored Hermes Race Systems, on September 9, 2000, beginning at East 9th Street and Eagle to North Coast Harbor and Finish, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

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

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

**Ord. No. 1020-2000.**

**By Councilman Coats.**

**An emergency ordinance authorizing the Director of Community Development to enter into an agreement with The International Preparatory School for partial support of student participation in an international conference and youth summit in China through the use of Ward 10 Neighborhood Equity Funds.**

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

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

**Section 1.** That the Director of Community Development is authorized to enter into an agreement with The International Preparatory School for partial support of student participation in an international conference and youth summit in China.

**Section 2.** That the cost of said contract shall be in an amount not to exceed \$16,000 and shall be paid from Fund No. 10 SF 166.

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

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

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

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

**Ord. No. 1021-2000.**

**By Councilman Dolan.**

**An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Kamm's Corners Development Corporation for purchase and installation of holiday lighting through the use of Ward 21 Neighborhood Equity Funds.**

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

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

**Section 1.** That the Director of Community Development is authorized to enter into an agreement with Kamm's Corners Development Corporation for purchase and installation of holiday lighting.

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

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

**Section 4.** That this ordinance is hereby declared to be an emergency

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

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

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

**Ord. No. 1022-2000.**

**By Councilman Gordon.**

**An emergency ordinance to amend the Title and Section 1 of Ordinance No. 183-2000, passed February 7, 2000, relating to crime watch personnel and programs for business and residential groups in the Old Brooklyn Area using Ward 15 Neighborhood Equity Funds.**

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

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

**Section 1.** That the Title and Section 1 of Ordinance No. 183-2000, passed February 7, 2000, are hereby amended to read as follows:

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with **Lutheran Housing Corporation** for crime watch personnel and programs in the Old Brooklyn Area, using Ward 15 Neighborhood Equity Funds.

**Section 1.** That the Director of Community Development is authorized to enter into an agreement with **Lutheran Housing Corporation** for crime watch personnel and programs in the Old Brooklyn Area, using Ward 15 Neighborhood Equity Funds.

**Section 2.** That the existing title and Section 1 of Ordinance No. 183-2000, passed February 7, 2000 are hereby repealed.

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

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

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

**Ord. No. 1023-2000.**

**By Councilman O'Malley.**

**An emergency ordinance to amend the Title and Section 1 of Ordinance No. 187-2000, passed February 7, 2000, relating to crime watch personnel and programs for business and residential groups in the Old Brooklyn Area using Ward 16 Neighborhood Equity Funds.**

Whereas, this ordinance constitutes an emergency measure provid-

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

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

**Section 1.** That the Title and Section 1 of Ordinance No. 187-2000, passed February 7, 2000, are hereby amended to read as follows:

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with **Lutheran Housing Corporation** for crime watch personnel and programs in the Old Brooklyn Area, using Ward 16 Neighborhood Equity Funds.

**Section 1.** That the Director of Community Development is authorized to enter into an agreement with **Lutheran Housing Corporation** for crime watch personnel and programs in the Old Brooklyn Area, using Ward 16 Neighborhood Equity Funds.

**Section 2.** That the existing title and Section 1 of Ordinance No. 187-2000, passed February 7, 2000 are hereby repealed.

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

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

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

**Ord. No. 1024-2000.**

**By Councilman Melena.**

**An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to Sagrada Familia Church to stretch banners at 7750 Detroit Avenue, for the period from June 6, 2000 to July 7, 2000, inclusive, publicizing the Church Festival.**

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

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

**Section 1.** That notwithstanding the provision of Section 623.13 of the Codified Ordinances, of Cleveland, Ohio, 1976, the Director of the Department of Public Service is hereby authorized and directed to issue a permit to Sagrada Familia Church to install, maintain and remove banners across Kinsman Avenue at 7750 Detroit Avenue (pole nos. E643 and E54), for the period from June 6, 2000 to July 7, 2000, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior

to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

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

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

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

**Ord. No. 1025-2000.**

**By Councilman O'Malley.**

**An emergency ordinance to amend the Title and Section 1 of Ordinance No. 189-2000, passed February 7, 2000, relating to the improvements to the public right-of-way located at 4533 State Road at the corner of State Road and Cypress Avenue in Ward 16.**

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

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

**Section 1.** That the Title and Section 1 of Ordinance No. 189-2000, passed February 7, 2000, are hereby amended to read as follows:

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with **Lutheran Housing Corporation** for the purpose of improving the public right-of-way at 4533 State Road at the corner of State Road and Cypress Avenue in Ward 16, using Ward 16 Neighborhood Equity Funds.

**Section 1.** That the Director of Community Development is authorized to enter into an agreement with **Lutheran Housing Corporation** for the purpose of improving the public right-of-way at 4533 State Road at the corner of State Road and Cypress Avenue in Ward 16, using Ward 16 Neighborhood Equity Funds.

**Section 2.** That the existing title and Section 1 of Ordinance No. 189-2000, passed February 7, 2000 are hereby repealed.

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

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

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

**Ord. No. 1026-2000.**  
**By Councilmen Robinson and Britt.**

**An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to Muhammad Mosque No. 18 to stretch banners across Kinsman Avenue at 14402 Kinsman and across Fairhill at the intersection of Cedar Avenue, for the period from June 1, 2000 to July 7, 2000, inclusive, publicizing the Million Family March.**

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

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

**Section 1.** That notwithstanding the provision of Section 623.13 of the Codified Ordinances, of Cleveland, Ohio, 1976, the Director of the Department of Public Service is hereby authorized and directed to issue a permit to Muhammad Mosque No. 18 to install, maintain and remove banners across Kinsman Avenue at 14402 Kinsman and across Fairhill at the intersection of Cedar Avenue, for the period from June 1, 2000 to July 7, 2000, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

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

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

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

**Ord. No. 1027-2000.**  
**By Councilman Rybka.**  
**An emergency ordinance to amend Section 133.16 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 1662-91, passed April 6, 1992 relating to rental of market stalls.**

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

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

**Section 1.** That Section 133.16 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 1662-91, passed April 6, 1992, is hereby amended to read as follows:

The Director of Parks, Recreation and Properties is hereby directed to establish a schedule of prices for all the various parts and sections of the West Side Market as consideration

for rental of spaces or of grant of right to use the same and to present such schedule in the form of legislation, to Council for review, approval, and modification, if necessary, no later than October 1 of each year. The Director shall take into consideration the relative value of the various spaces and parts of the building and may modify the schedule of prices yearly in accordance with such variation in value, if any, as may arise. Upon Council's approval of such schedule of prices for the various parts and spaces in the Market House, the Director may rent such spaces or parts or grant the right to use the same for a period not to exceed one year. He may make such provision for renewal or extension of the rental right or grant as he may deem advisable from time to time for additional periods not exceeding one year each, upon notification to Council, providing that the option or right of renewal shall be exercisable only by the Director and not by the grantee. The Director is hereby authorized to provide in the renting or granting of rights to the use of such part or space that the rental right or grant shall not be transferred or assigned by the grantee thereof to any other person without the consent, in writing, of the Director. Such right or grant may be revoked by the Director upon conviction of the grantee of violation of law or ordinances relating to weights and measures. Provisions shall be made by the Director for the payment of such rental at such regular times and at such place as may be by him deemed most advisable.

**Section 2.** That existing Section 133.16 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 1662-91, passed April 6, 1992 is hereby repealed.

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

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

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

**Ord. No. 1028-2000.**  
**By Councilman Willis.**  
**An emergency ordinance consenting and approving the issuance of a permit for the Race for the Cure, on September 24, 2000, sponsored by Hermes Race Systems.**

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

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

**Section 1.** That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of the Race for the Cure sponsored by Hermes Race Systems, on September 24, 2000, beginning at East Blvd. and Euclid Avenue, Euclid Avenue to Martin Luther King, Martin Luther King to Wade Park, Wade Park to East

118th Street and East 118th to Euclid Avenue, Euclid Avenue to Ford, Ford to Bellflower, Bellflower to East Blvd. and Finish, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

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

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

**Ord. No. 1035-2000.**  
**By Councilmen Cimperman, Cinton, Lewis, Melena and Westbrook.**  
**An emergency ordinance consenting and approving the issuance of a permit for Clean Air Challenge 2000 (50 Mile Tour, 25 Mile Tour, 12.5 Family Cleveland Landmark Tour, 5K Run and 5K Walk), on Sunday, June 18, 2000, sponsored by The American Lung Association.**

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

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

**Section 1.** That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of the Clean Air Challenge 2000 (50 Mile Tour, 25 Mile Tour, 12.5 Family Cleveland Landmark Tour, 5K Run and 5K Walk) sponsored by The American Lung Association, on Sunday, June 18, 2000, beginning with the **50 Mile Bicycle Route for 2000** starting at Burke Lakefront Airport exit Airport east on N. Marginal Dr., N. Marginal continue east on "bike only path" Martin Luther King Blvd. (Gordon Park) turn right (s) onto Martin Luther King, Hough Avenue turn right to reflecting pond CHECKPOINT #1, exit checkpoint no. 1, turn right or south onto Martin Luther King through Wade Park, Euclid Avenue turn right, East 14th Street turn left, Sumner Ave. turn right, E. 9th Street turn left, Carnegie Ave. turn right, Lorain Carnegie Bridge cross bridge, W. 25th St., turn right, Detroit Ave., turn left, West Blvd./Cliff Dr. turn right go across Lake Ave., Edgewater Drive turn left, Cove Ave. turn left, Lake Ave., turn right, Lakewood Park Entrance turn right into Park CHECKPOINT #2, Exit Checkpoint #2, turn right or west onto Lake Ave., W. Clifton Blvd. turn left,

Sloane Ave. turn right, cross Detroit Rd. and enter Rocky River Metro Park. Valley Parkway follow Valley Parkway in the Metro Park south approx. 12 miles to turn-around at Checkpoint #3, turn-around at CHECKPOINT #3 located near the West Park YMCA Camp entrance, Cedar Point Rd. turn left, Columbia Rd. turn right, Mastick Rd. turn right, W. 210 St. turn left, Wager Rd. cross Center Ridge Rd. where W. 210th St. turns into Wager Rd., Avalon Dr. turn right, Beachcliff Blvd. turn left, Kensington Oval turn left, Frasier Dr. turn left, Beachcliff Blvd. turn left, Lake Rd. turn right, Linda St. turn left, Detroit Rd. turn left, Sloane Ave. turn left, W. Clifton Blvd. turn left, Lake Rd. turn right enter Lakewood Park CHECKPOINT #4, exit Checkpoint #4 and continue east on Lake Rd., Cove Ave., turn left, Edgewater Dr. turn right, Cliff Dr./West Blvd. turn right go across Lake Ave. to West Blvd., Detroit Ave. turn left, Detroit Superior Bridge cross bridge, Ontario turn left, Rockwell Ave. turn left, W. 3rd St. turn right, Erieside circle around north & east sides of Browns Stadium, N. Marginal Dr. turn left, Burke Lakefront Airport, turn left into Airport parking lot Finish; **25 Mile Bicycle Route for 2000**, Burke Lakefront Airport exit Airport east on N. Marginal Dr., N. Marginal continue east on "bike only path", Martin Luther King Blvd. (Gordon Park) turn right (S) onto Martin Luther King, Hough Ave. turn right to reflecting pond CHECKPOINT #1, exit Checkpoint No. 1, turn right or south onto Martin Luther King through Wade Park, Euclid Ave. turn right, E. 14th St. turn left, Sumner Ave. turn right, E. 9th St. turn left, Carnegie Ave. turn right, Lorain Carnegie Bridge cross bridge, W. 25th St. turn right, Detroit Ave. turn left, West Blvd./Cliff Dr. turn right go across Lake Ave., Edgewater Dr. turn left, Cove Ave turn left, Lake Ave. turn right, Lakewood Park Entrance turn right into Park CHECKPOINT #2, exit Checkpoint No. 2, turn right or west onto Lake Ave., Web Rd. (25 mile turn-around point) turn right, Edgewater Dr. turn right, Kenneth Ln. turn right, Lake Rd. turn left (will pass Checkpoint #2 again), Cove Ave. turn left, Edgewater Dr. turn right, Cliff Dr./West Blvd. turn right go across Lake Ave. to West Blvd., Detroit Ave. turn left, Detroit Superior Bridge cross bridge, Ontario turn left, Rockwell Ave. turn left, W. 3rd St. turn right, Erieside circle around north & east side of Browns Stadium, N. Marginal Dr. turn left, Burke Lakefront Airport turn left into Airport parking lot Finish; **12.5 Mile "Family" Bicycle Route for 2000** Burke Lakefront Airport exit Airport east on N. Marginal Dr., N. Marginal continue east on "bike only path" Martin Luther King Blvd. (Gordon Park) turn right (s) onto Martin Luther King, Hough Ave. turn right to reflecting point CHECKPOINT #1, exit Checkpoint #1, turn right or south onto Martin Luther King through Wade Park, Euclid Ave., turn right, E. 14th St. turn left, Sumner Ave. turn right, E. 9th St. turn left, Carnegie Ave. turn right, Ontario turn right, Rockwell Ave. turn left, W. 3rd St. turn right, Erieside circle around north & east

sides of Browns Stadium, N. Marginal Dr. turn left, Burke Lakefront Airport turn left into Airport parking lot finish; **Clean Air Challenge Run 5K (3.1 Miles)** on driveway in front of airport near main lobby, (Note - runners will run with the direction of road traffic on most the course), head west on drive to west airport exit and North Marginal, turn right/west on North Marginal which comes into Erieside, stay on Erieside heading west to stop sign near S.E. corner of Browns Stadium, turn right at stop sign heading north on Erieside to first stop sign at N.E. corner of Browns Stadium, turn left heading west on Erieside around stadium, stay on Erieside heading south which becomes West 3rd St., turn right/west on Lakeside Ave to W. 9 St., turn right/north on W. 9th St. to Front St., turn left/west on Front St. to West 10th St., turn left/south on W. 10th St. to W. 10th St. hill, (Note - West 10th St. is a one-way street that goes south to north, and runners will be running against the direction of traffic), turn left/east heading up West 10th St. hill on to St. Clair, stay on St. Clair going east to West 3rd St., turn left/north on West 3rd St. to stop sign at S.W. corner of Browns Stadium, turn right at stop sign heading east on North Coast Stadium Drive to Erieside, stay on Erieside heading east onto North Marginal Dr., stay on North Marginal to second (east entrance) driveway of Burke Lakefront Airport, turn left at driveway to finish line, finish on driveway in front of Burke Airport, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

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

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

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

**Res. No. 1029-2000.**

**By Councilman Cimperman.**

**An emergency resolution withdrawing objection to the stock transfer of a D1, D2, D3 and D3A Liquor Permit to 5353 Dolloff Road, and repealing Res. No. 2194-99 objecting to said stock transfer.**

Whereas, Council objected to the stock transfer of a D1, D2, D3 and D3A Liquor Permit to 5353 Dolloff

Road by Res. No. 2194-99 adopted by Council on December 13, 2000; and

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

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

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

**Section 1.** That objection to the stock transfer of a D1, D2, D3 and D3A Liquor Permit to 5353 Dolloff Road, be and the same is hereby withdrawn by Res. No. 2194-99, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate stock transfer thereof.

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

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

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

**Res. No. 1030-2000.**

**By Councilman Rybka.**

**An emergency resolution withdrawing objection to the renewal of a C1 and C2 Liquor Permit to 4464 Warner Road, and repealing Res. No. 1332-99 objecting to said renewal.**

Whereas, this Council objected to the renewal of a C1 and C2 Liquor Permit to 4464 Warner Road by Res. No. 1332-99 adopted by Council on July 14, 1999; and

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

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

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

**Section 1.** That objection to the renewal of a C1 and C2 Liquor Permit to 4464 Warner Road, be and the same is hereby withdrawn and Res. No. 1332-99, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate transfer of location thereof.

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

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

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

**Res. No. 1031-2000.****By Councilman Brady.**

**An emergency resolution objecting to the transfer of ownership of a D2, D2X, D3 and D6 Liquor Permit to 11022 Lorain Avenue, 1st Fl. & Bsmt.**

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a D2, D2X, D3 and D6 and Liquor Permit from Permit No. 1747111, Corner Canteen Inc., DBA Corner Canteen, 11022 Lorain Avenue, 1st Fl. & Bsmt., Cleveland, Ohio 44111 to Permit No. 4373550, William N. Jones, DBA Corner Canteen, 11022 Lorain Avenue, 1st Fl. & Bsmt., Cleveland, Ohio 44111; and

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

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

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

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

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

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

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

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

**Section 1.** That Council does hereby record its objection to the transfer of ownership of a D2, D2X, D3 and D6 and Liquor Permit from Permit No. 1747111, Corner Canteen Inc., DBA Corner Canteen, 11022 Lorain Avenue, 1st Fl. & Bsmt., Cleveland, Ohio 44111 to Permit No. 4373550, William N. Jones, DBA Corner Canteen, 11022 Lorain Avenue, 1st Fl. & Bsmt., Cleveland, Ohio 44111 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

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

**Res. No. 1032-2000.****By Councilman Lewis.**

**An emergency resolution withdrawing objection to the transfer of ownership and location of a C2 and C2X Liquor Permit to 1905 East 55th Street, and repealing Res. No. 119-2000 objecting to said transfer of ownership and location.**

Whereas, this Council objected to the transfer of ownership and location of a C2 and C2X Liquor Permit to 1905 East 55 Street adopted by Council on January 24, 2000; and

Whereas, this Council wishes to withdraw its objection to the above transfer of ownership and location and consents to said transfer of ownership and location based upon and pursuant to a cooperation agreement signed May 15, 2000, a copy of which is in file for this address with the City Law Department; and

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

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

**Section 1.** That objection to the transfer of ownership and location of a C2 and C2X Liquor Permit to 1905 East 55th Street, be and the same if hereby withdrawn and Res. No. 119-2000, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate transfer of ownership and location thereof.

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

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

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

**Res. No. 1033-2000.****By Councilman Lewis.**

**An emergency resolution withdrawing objection to the transfer of location of a C2 and C2X Liquor Permit to 8812 Hough Avenue, and repealing Res. No. 1920-99 objecting to said transfer of location.**

Whereas, this Council objected to the transfer of location of a C2 and C2X Liquor Permit to 8812 Hough Avenue by Res. No. 1920-99 adopted by Council on October 25, 1999; and

Whereas, this Council wishes to withdraw its objection to the above transfer of location and consents to said transfer of location is based upon and pursuant to a cooperation agreement signed April 11, 2000, a copy of which is in the file for this address with the City Law Department; and

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

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

**Section 1.** That objection to the transfer of location of a C2 and C2X Liquor Permit to 8812 Hough Avenue, be and the same is hereby withdrawn and Res. No. 1920-99, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate transfer of location.

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

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

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

**Res. No. 1034-2000.****By Councilman Polensek.**

**An emergency resolution fixing the summer schedule of meetings of the Council of the City of Cleveland.**

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

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

**Section 1.** That the schedule of meetings during the summer months for the Council of the City of Cleveland is hereby fixed as follows:

July 17, 2000  
August 14, 2000

A notice identifying the time of the meeting as well as a schedule of committee meetings, if any, to be held prior to the meeting shall be prepared by the Clerk of Council prior to each of the above meeting dates. The Council will resume regular session at 7:00 P.M. on Monday, September 11, 2000.

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

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

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

**Res. No. 1036-2000.**

By Councilman Willis.

An emergency resolution withdrawing objection to the renewal of a C1 and C2 Liquor Permit to 10509 Ashbury Avenue, and repealing Res. No. 1306-99 objecting to said renewal.

Whereas, this Council objected to the renewal of a C1 and C2 Liquor Permit to 10509 Ashbury Avenue by Res. No. 1306-99 adopted by Council on July 14, 2000; and

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

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

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

**Section 1.** That objection to the renewal of a C1 and C2 Liquor Permit to 10509 Ashbury Avenue, be and the same is hereby withdrawn and Res. No. 1306-99, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

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

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

**SECOND READING  
EMERGENCY ORDINANCES**

**Ord. No. 2279-95.**

By Councilmen Coats, Cintron, Lewis and Polensek.

An emergency ordinance to amend Section 131.03 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 391-87, passed March 23, 1987, relating to the hiring of truck owner drivers.

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

**Ord. No. 2187-96.**

By Councilman Britt.

An ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Sections 687.01 through 687.17, relating to the registration of bounty hunters.

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

1. In Section 1, at division (e) of Section 687.01, line 2, after "Ohio" insert "**or any other jurisdiction;**" and in lines 5 and 6, insert a period after "or other court bond" and strike the remainder of the division.

2. In Section 1, at division 687.02, line 2, after "hunter" insert "**within the City of Cleveland**".

3. In Section 1, strike Section 687.13 in its entirety, and insert in lieu thereof the following:

**"Section 687.13 (Reserved)".**

4. In Section 1, at Section 687.14, line 3, after "shall" insert "**attempt to**"; and in line 4, after "fugitive" insert "**within the City of Cleveland**".

Amendments agreed to.

**Ord. No. 650-99.**

By Councilmen Coats, Zone and Johnson (by departmental request). An emergency ordinance to amend Section 405.06 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1109-96, passed December 16, 1996, relating to impounding and towing fees.

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

1. In Section 1, at division (a)(2), line 1, strike "sixty-five dollars (\$65.00)" and insert in lieu thereof "**seventy-five dollars (\$75.00)**".

2. In Section 1, at division (a)(2), lines 4 and 5, strike "eighty dollars (\$80.00)" and insert in lieu thereof "**one hundred dollars (\$100.00)**".

Amendments agreed to.

**Ord. No. 2049-99.**

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

An emergency ordinance authorizing the Director of Port Control to employ one or more professional consultants to design the roadway modifications to the baggage/tug road at Cleveland Hopkins International Airport; determining the method of making the public improvement; and authorizing said director to enter into contract for the making of such improvement.

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

**Ord. No. 2116-99.**

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

An emergency ordinance determining the method of making the public improvement of installing and replacing curbing, aprons, ramps for the handicapped, and other concrete work for the various divisions of the Department of Port Control and authorizing the Director of Port Control to enter into one or more requirement contracts for the making of such improvement, for a period not to exceed two years.

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

1. In Section 4, after "authorized" insert "**shall not exceed \$150,000.00 and**".

Amendment agreed to.

**Ord. No. 213-2000.**

By Councilmen Dolan and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Port Control to enter into a Lease By Way of Concession with Business Traveler Services, Inc. for operation as a busi-

ness service center at Cleveland Hopkins International Airport.

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

1. In the title, lines 4 and 5, and in Section 1, line 4, strike "Business Traveler Services, Inc." and insert in lieu thereof "**BTS/LTL Joint Venture**" and in the title, line 6, after "center" insert "**and the installation of Internet kiosks**".

2. In Section 1, line 6, after "Building" insert "**and the installation of Internet kiosks in various locations throughout the terminal**".

3. In Section 1, strike lines 18, 19 and 20 in their entirety and insert in lieu thereof the following: "**terminated, shall expire five years thereafter**".

4. In Section 2, at the end, insert the following new sentence: "**The Lease by way of Concession shall require BTS/LTL Joint Venture to use best efforts to utilize a Cleveland based firm or firms for maintenance services that may be needed in the operation of the business service center**".

Amendments agreed to.

**Ord. No. 257-2000.**

By Councilmen Dolan and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of 800 MHz radio communications equipment and labor and materials necessary to maintain and service said equipment, for the various divisions of the Department of Port Control, for a period not to exceed two years.

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

1. In the title, line 3, and in Section 1, line 5, before "800 MHz" insert "**non**".

2. In the title, line 4, and in Section 1, line 5, after "equipment" insert "**and electronic vehicle equipment, including aircraft radios, lights, sirens, public announcement systems, vehicle installs and deinstalls, console equipment, replacement parts, antennas, brackets, wiring harnesses and support equipment**".

3. In Section 1, line 2, after "contract" insert "**with the lowest and best bidder**"; and in lines 6 and 7 strike "in the approximate amount as purchased during the preceding term,".

4. In Section 2, line 7 after "Finance." insert "**All expenditures under the contract authorized herein shall not exceed \$50,000.00**".

Amendments agreed to.

**Ord. No. 264-2000.**

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

An emergency ordinance authorizing the Director of Port Control to enter into a lease with United Parcel Service for certain real property at Cleveland Hopkins International Airport to construct a transfer station, and for use of ramp area adjacent to the premises.

Approved by Directors of Port Control, City Planning Commission, Finance, Law; Recommended by

Committees on Aviation and Transportation, City Planning, Finance; when amended as follows:

1. In the title, line 7, strike "transfer station, and for" and insert in lieu thereof "transfer station/air cargo distribution and sorting facility and for preferential".

2. In Section 1, line 1, after "That" insert ", notwithstanding and as an exception to the provisions of the Codified Ordinances of Cleveland, Ohio."

3. In Section 1, line 6, strike "transfer station," and insert in lieu thereof insert "transfer station/air cargo distribution and sorting facility including a service office open to the public, public parking, parking for UPS delivery vehicles and parking for UPS ground service equipment,"; and in line 10, after "for the" insert "preferential use".

4. In Section 1, line 8, after "twenty (20) years", strike the period and insert in lieu thereof: ", with an option exercisable by United Parcel Service to renew the term for an additional five (5) years."

5. In Section 1, at the end, insert the following new sentence: "The rents for the Premises and the ramp area shall be adjusted during the term of the Lease to reflect increases in the Consumer Price Index. The method of calculating these increase shall be stated in the Lease."

Amendments agreed to.

**Ord. No. 327-2000.**

By Councilmen Dolan and Patmon (by departmental request).

An emergency ordinance to amend Section 5 of Ordinance No. 469-98, passed May 18, 1998, relating to the public improvement of implementing Phase II of the sound insulation program.

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

**Ord. No. 328-2000.**

By Councilmen Dolan and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to clean and maintain oilwater separators, sewers, electrical vaults and associated appurtenances, including test and disposal of waste materials, for the various divisions of the Department of Port Control.

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

1. In Section 2, line 7, after "Finance," insert the following: "All expenditures under the contract authorized herein shall not exceed \$250,000.00."

Amendment agreed to.

**Ord. No. 412-2000.**

By Mayor White.

An emergency ordinance authorizing the purchase by contract of office furniture, for the various divisions of the Department of Port Control.

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

1. In Section 2, strike lines 1 and 2 in their entirety and insert in lieu thereof the following: "That the contract authorized herein shall be for a term of one (1) year or less and all expenditures under the contract shall not exceed \$35,000.00. The cost of said contract shall be paid from Fund".

Amendment agreed to.

**Ord. No. 465-2000.**

By Mayor White.

An emergency ordinance authorizing the Director of Port Control to enter into a Lease By Way of Concession with Pilot Management, Inc. dba Cleveland AirSports for the purpose of operating a flight training facility and related services.

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

1. In Section 1, delete lines 14 and 15 in their entirety and insert in lieu thereof the following: "thereafter".

2. Delete Section 2 in its entirety and insert in lieu thereof the following: "That the Lease authorized herein shall be prepared by the Director of Law. The Lease shall contain such terms and conditions as the Director of Law deems necessary to protect and benefit the public interest and shall specifically contain provisions that the City shall provide Lessee with twelve (12) months' written notice prior to cancellation of the Lease for any reason other than Lessee's default and that the City shall provide Lessee with four (4) months' written notice prior to cancellation of the Lease as a result of Lessee's default. The President of City Council, the Chairman of the Aviation and Transportation Committee, and the Chairman of the Finance Committee shall receive a copy of all such notices."

3. Insert new Section 3 to read as follows: "That notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, Lessee shall provide the City with a security deposit in lieu of a performance bond. Such security deposit shall be in an amount equal to four (4) months rent."

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

Amendments agreed to.

**Ord. No. 466-2000.**

By Mayor White.

An emergency ordinance authorizing the Director of Port Control to enter into a Lease By Way of Concession with American Flyers for the purpose of operating a flight training facility and related services.

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

1. In the title, line 4, and in Section 1, line 4, after "Flyers" insert ", Inc."

2. In Section 1, delete lines 13, 14 and 15 in their entirety and insert in lieu thereof the following: "terminated, shall expire two (2) years thereafter."

3. Delete Section 2 in its entirety and insert in lieu thereof the fol-

lowing: "That the Lease authorized herein shall be prepared by the Director of Law. The Lease shall contain such terms and conditions as the Director of Law deems necessary to protect and benefit the public interest and shall specifically contain provisions that the City shall provide Lessee with twelve (12) months' written notice prior to cancellation of the Lease for any reason other than Lessee's default and that the City shall provide Lessee with four (4) months' written notice prior to cancellation of the Lease as a result of Lessee's default. The President of City Council, the Chairman of the Aviation and Transportation Committee, and the Chairman of the Finance Committee shall receive a copy of all such notices."

4. Insert new Section 3 to read as follows: "That notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, Lessee shall provide the City with a security deposit in lieu of a performance bond. Such security deposit shall be in an amount equal to four (4) months rent."

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

Amendments agreed to.

**Ord. No. 467-2000.**

By Mayor White.

An emergency ordinance authorizing the Director of Port Control to enter into a Lease By Way of Concession with Circadian Knight Corp., dba Top Gun for the purpose of operating a flight training facility and related services.

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

1. In Section 1, delete lines 13, 14 and 15 in their entirety and insert in lieu thereof the following: "sooner terminated, shall expire two (2) years thereafter."

2. Delete Section 2 in its entirety and insert in lieu thereof the following: "That the Lease authorized herein shall be prepared by the Director of Law. The Lease shall contain such terms and conditions as the Director of Law deems necessary to protect and benefit the public interest and shall specifically contain provisions that the City shall provide Lessee with twelve (12) months' written notice prior to cancellation of the Lease for any reason other than Lessee's default and that the City shall provide Lessee with four (4) months' written notice prior to cancellation of the Lease as a result of Lessee's default. The President of City Council, the Chairman of the Aviation and Transportation Committee, and the Chairman of the Finance Committee shall receive a copy of all such notices."

3. Insert new Section 3 to read as follows: "That notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, Lessee shall provide the City with a security deposit in lieu of a performance bond. Such security deposit shall be in an amount equal to four (4) months rent."

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

Amendments agreed to.

**Ord. No. 469-2000.**

By Mayor White.

An emergency ordinance authorizing the purchase by requirement contract of deicing services; and to enter into contract for the lease of space necessary to house deicing operations, for the Division of Cleveland Hopkins International Airport, Department of Port Control, for a period not to exceed two years.

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

1. In the title, strike lines 4, 5, and 6 in their entirety and insert in lieu thereof the following: "**services for the**"; strike line 10 in its entirety and in lieu thereof the following: "**exceed one year.**".

2. In Section 1, lines 4 and 16, strike "two years" and insert in lieu thereof "**one year**".

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

4. In existing Section 3, line 7, after "Finance," insert the following: "**All expenditures under the contract authorized herein shall not exceed 1,900,000.00.**".

Amendments agreed to.

**Ord. No. 519-2000.**

By Councilman Melena.

An emergency ordinance to vacate a portion of West 76th Street hereinafter described.

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

**Ord. No. 521-2000.**

By Councilman Sweeney.

An emergency ordinance to vacate a portion of Springdale Ave., and West 188th Street hereinafter described.

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

**Ord. No. 522-2000.**

By Councilman Westbrook.

An emergency ordinance to vacate a portion of Mueller Court N.W. hereinafter described.

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

**Ord. No. 598-2000.**

By Councilmen Cintron, Gordon, Melena, O'Malley and Patmon (by departmental request).

An emergency ordinance to amend the title, Section 1 and Section 2 of Ordinance No. 962-99, passed June 7, 1999, relating to the public improvement of rehabilitating West 40th Place.

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

**Ord. No. 599-2000.**

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 4425 Lorain Avenue and 2020-22 West 44th Street to Spanish American Committee.

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

1. In Section 5, line 3, between "interest" and the period, insert "**and as may be specified by the Board of Control, the Director of Community Development or the Director of Law**".

Amendment agreed to.

**Ord. No. 644-2000.**

By Councilmen Gordon and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Ohio Department of Health for the 2000-2001 State AIDS Community Based Care Program.

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

**Ord. No. 645-2000.**

By Councilmen Gordon and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Alcohol and Drug Addiction Services Board of Cuyahoga County for the 2000-2001 Drug Prevention, Treatment and Intervention Program; and to enter into a contract for the lease of facilities needed to implement the program.

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

**Ord. No. 646-2000.**

By Councilmen Gordon and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of pneumococcal vaccine, for the Division of Health, Department of Public Health.

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

**Ord. No. 647-2000.**

By Councilmen Polensek and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of hepatitis B vaccine, for the Division of Police, Department of Public Safety.

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

**Ord. No. 648-2000.**

By Councilmen Polensek and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the U.S. Department of Justice, Office for State and Local Domestic

Preparedness for the Domestic Preparedness Equipment Support Program; authorizing the purchase by requirement contract of equipment and supplies necessary to implement the program.

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

**Ord. No. 650-2000.**

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

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to expend Community Development Block Grant funds for the operation of the Project Clean Program.

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

**Ord. No. 652-2000.**

By Councilmen Melena and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Community Development to enter into one or more contracts to provide for the demolition, removal or the boarding up of structures within the City of Cleveland.

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

**Ord. No. 655-2000.**

By Councilmen Melena and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with the Cleveland Neighborhood Development Corporation to continue the administration of the Cleveland Industrial Retention Initiative.

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

**Ord. No. 717-2000.**

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

An emergency ordinance authorizing the Director of Public Service to cause payment of the City's share to the Cuyahoga County Commissioners for the cost of the design and rehabilitation of Phases II and III the Harvard Avenue project between East 116th Street and the east corporation line.

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

**Ord. No. 729-2000.**

By Councilman Dolan.

An emergency ordinance authorizing the Director of Public Service to issue a permit to Fairview Hospital, of the Cleveland Clinic Health System, to encroach into the right-of-way of Fernshaw Ave. S.W. & Riveredge Rd. S.W. for the construction of a walk, driveway and landscaping to the new Fairview Hospital Parking Facility pending



the vacation of portions of Fernshaw Ave. S.W. & Riveredge Rd. S.W. & the completion of the Cul-de-Sacs.

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

**Ord. No. 730-2000.**

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

An emergency ordinance determining the method of making the public improvement of rehabilitating State Road from Brookpark Road to Pearl Road, and authorizing the Director of Public Service to enter into contract for the making of such improvement.

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

**Ord. No. 734-2000.**

By Councilmen Gordon and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Public Health to enter into one or more lease or leases by way of concession with Metro-Health to provide medical services and clinical physician services at the J. Glen Smith, Thomas McCafferty, and Miles-Broadway Health Center, and to provide health care screenings at the Tremont Health Center six times a year, for a period not to exceed five years and a five-year option to renew, and to employ medical professionals to provide necessary services.

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

1. In the title, lines 13 and 14, strike "and a five-year option to renew".

2. Add new Section 7: **"That the term of the lease or leases authorized herein shall not be extended without City Council authorization."**

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

Amendments agreed to.

**Ord. No. 743-2000.**

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

An emergency ordinance authorizing the Director of Port Control to enter into a Lease By Way of Concession with T & G Flying Club, Inc. for space in the terminal building at Burke Lakefront Airport for use as a flight training facility and related services.

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

1. In Section 2, delete lines 2, 3, and 4 in their entirety and insert in lieu thereof the following: **"Director of Law. The Lease shall contain such terms and conditions as the Director of Law deems necessary to protect and benefit the public interest and shall specifically contain provisions that the City shall provide Lessee with twelve (12) months' written notice prior to cancellation of the Lease for any reason other than Lessee's default and**

**that the City shall provide Lessee with four (4) months' written notice prior to cancellation of the Lease as a result of Lessee's default. The President of City Council, the Chairman of the Aviation and Transportation Committee, and the Chairman of the Finance Committee shall receive a copy of all such notices."**

2. insert new Section 3 to read as follows: **"That notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, Lessee shall provide the City with a security deposit in lieu of a performance bond. Such security deposit shall be in an amount equal to four (4) months rent."**

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

Amendments agreed to.

**Ord. No. 745-2000.**

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

An emergency ordinance authorizing the purchase by requirement contract of tree trimming, for the Division of Cleveland Public Power, Department of Public Utilities.

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

1. In Section 2, line 7, after "Finance," insert the following: **"All expenditures under the contract authorized herein shall not exceed \$100,000.00."**

Amendment agreed to.

**Ord. No. 750-2000.**

By Councilmen Melena and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Community Development to expend Community Development Block Grant funds for the operation of the Storefront Renovation Program.

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

**Ord. No. 753-2000.**

By Councilmen Melena and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Community Development to enter into contract with Cleveland Action to Support Housing (CASH) for administrative costs to implement housing rehabilitation, new housing construction and commercial redevelopment loan programs.

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

**Ord. No. 756-2000.**

By Councilmen Melena and Patmon (by departmental request).

An emergency ordinance authorizing the Directors of Community Development and the Community Relations Board to expend Community Development Block Grant funds for fair housing services.

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

**Ord. No. 760-2000.**

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

An emergency ordinance to amend Sections 2 and 3 of Ordinance No. 739-99, passed June 14, 1999, relating to an Empowerment Zone contract with Aletha Gambrell dba Operation Hair to provide economic development assistance to partially finance capital improvements to property located at 1787 East 55th Street, Cleveland, Ohio.

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

1. In the title, strike line 2 in its entirety and insert in lieu thereof: **"To amend the title and Sections 1, 2, and 3 of";** and in line 6, strike "Operation Hair" and insert in lieu thereof **"Hot Curls and Clippers"**.

2. In Section 1, strike line 1 in its entirety and insert in lieu thereof the following: **"Section 1. That the title and Sections 1, 2 and 3 of Ordinance No. 739."**

3. In Section 1, after line 3 insert the following: **"An emergency ordinance authorizing the Director of Economic Development to enter into an Empowerment Zone contract with Aletha Gambrell dba Hot Curls and Clippers to provide economic development assistance to partially finance capital improvements to property located at 1787 East 55th Street, Cleveland, Ohio."**

**Section 1. That the Director of Economic Development is hereby authorized to enter into an Empowerment Zone contract with Aletha Gambrell dba Hot Curls and Clippers to provide economic development assistance to partially finance capital improvements to property located at 1787 East 55th Street, Cleveland, Ohio."**

4. In Section 1, at amended Section 2, line 3, after "739-99-B." insert **"That notwithstanding any provision of said file to the contrary, the goal shall be to employ City of Cleveland residents for all new permanent jobs created, using best efforts."**

5. In Section 2, strike line 1 in its entirety and insert in lieu thereof the following: **"Section 2. That the existing title and Sections 1, 2 and 3 of Ordinance"**

Amendments agreed to.

**Ord. No. 762-2000.**

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

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with ACHProperties, Inc. to provide economic development assistance to partially finance the acquisition of real property located at 7100 Broadway Avenue, Cleveland, Ohio.

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

1. In the title, line 4, and in Section 1, line 3, strike "Inc." and insert in lieu thereof **"LLC"**.

Amendment agreed to.

**Ord. No. 765-2000.**

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

An emergency ordinance authorizing the Director of Economic Development to enter into an Enterprise Zone Agreement with Midland Steel Products Holding Company to provide for a ten year abatement for certain tangible personal property and real estate taxes as an incentive to assist with making the acquisition of machinery and equipment and for real property improvements located at 10615 Madison Avenue in the Cleveland Area Enterprise Zone.

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

**Ord. No. 766-2000.**

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

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Midland Steel Products Holding Company to provide economic development assistance to partially finance the acquisition of machinery and equipment and for real property improvements located at 10615 Madison Avenue, Cleveland, Ohio.

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

**Ord. No. 811-2000.**

By Councilman Patmon (by departmental request).

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

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

**Ord. No. 812-2000.**

By Councilman Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of office supplies, for the various divisions of City government, for a period of one year, with one option to renew for an additional year.

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

**Ord. No. 814-2000.**

By Councilman Patmon (by departmental request).

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

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

1. Insert New Section 3 to read as follows: **"That all costs under the one (1) year contract authorized herein shall not exceed \$136,000.00."**

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

Amendments agreed to.

**Ord. No. 815-2000.**

By Councilman Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of the lease or lease with option to purchase an electronic key telephone system, for the Division of Information System Services, Department of Finance, for a period not to exceed three years.

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

**Ord. No. 841-2000.**

By Councilmen Gordon and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Public Health to enter into contracts with various agencies to provide AIDS-related services.

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

1. In Section 1, following the list of agencies, add the following language: **"In addition, the sum of not more than \$20,000 is appropriated to the Department of Public Health for administrative costs of implementing the HOPWA program."**

Amendment agreed to.

**Ord. No. 842-2000.**

By Councilmen Gordon and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Public Health to amend Contract No. 53170 with University Settlement to provide additional lead abatement services.

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

**Ord. No. 843-2000.**

By Councilmen Gordon and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Public Health to enter into an agreement or memorandum of understanding with the State of Ohio, Department of Education, Division of Early Childhood Education and the Ohio Association of County Boards of Mental Retardation and Developmental Disabilities; to accept funds to administer and perform inspections of day care centers; and to authorize the Director of Public Health to enter into contracts with certified inspectors to perform day care center inspections.

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

1. In Section 1, lines 8 and 9, strike "One Hundred Thousand Dollars (\$100,000.00)" and insert in lieu thereof **"Sixty Five Thousand Dollars (\$65,000.00)"**.

Amendment agreed to.

**Ord. No. 848-2000.**

By Councilmen Gordon and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Aging to apply for and accept a grant from the Western Reserve Area Agency on Aging for the 2000 Western Reserve Area Agency on Aging Program.

Approved by Directors of Aging, Finance, Law; Recommended by Committees on Public Health, Finance.

**Ord. No. 868-2000.**

By Councilmen Cimperman and Patmon (by departmental request).

An emergency ordinance authorizing the Director of the City Planning Commission to apply for and accept a grant from the Federal Highway Administration for the Scenic Byways Program.

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

**Ord. No. 869-2000.**

By Councilmen Cimperman and Patmon (by departmental request).

An emergency ordinance authorizing the Director of the City Planning Commission to apply for and accept a grant from the Federal Highway Administration for the TCSP Program.

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

**Ord. No. 902-2000.**

By Councilman Patmon (by departmental request).

An emergency ordinance authorizing the Director of Finance to pay as Moral Claims the sums herein set forth opposite the names of the claimants.

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

**Ord. No. 903-2000.**

By Councilman Patmon (by departmental request).

An emergency ordinance to amend the title and Sections 1 and 2 of Ordinance No. 1174-97, passed July 16, 1997, relating to the purchase, lease or lease with option to purchase of telephone equipment and systems, voice and data communication systems and coin operated telephones, including equipment, service, supplies and materials necessary to service and maintain new and existing City telephone networks.

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

1. In Section 1, at amended Section 1, at the end, add the following new paragraph: **"That pursuant to Section 108(b) of the Charter, the purchases, leases or leases with option to purchase authorized by this ordinance may be made through cooperative agreements using state procedures. The Director of Port Control may sign all documents with the State of Ohio or any of its political subdivisions that are necessary to effectuate such cooperative efforts, and may enter into contract with the vendors selected through that cooperative process."**

2. In the title, lines 12 and 13; in Section 1, line 9; and in Section 1, lines 20 and 21, strike "City telephone networks" and insert in lieu thereof, **"telephone networks of the Department of Port Control"**.

3. In Section 1, lines 9 and 10, and in Section 1, line 24, strike "Department of Finance" and insert in lieu thereof **"Department of Port Control"**.

4. In Section 1, line 11, and in Section 1, line 16, strike "Director of Finance" and insert in lieu thereof, **"Director of Port Control"**.

Amendments agreed to.

**SECOND READING ORDINANCES****Ord. No. 528-2000.**

By Councilman Gordon.  
An ordinance to change the Use and Area Districts of lands north of Memphis Avenue between West 57 Street and West 56 Street (Map Change No. 2009, Sheet No. 2).  
Approved by Directors of City Planning, Law; Recommended by Committee on City Planning.

**Ord. No. 601-2000.**

By Councilman Patmon.  
An ordinance to change the Use District of lands on the southerly side of St. Clair Avenue, N.E. and the west side of East 93 Street. (Map Change No. 2010, Sheet No. 4).  
Approved by Directors of City Planning Commission, Law; Recommended by Committee on City Planning.

Councilman Johnson left the meeting.

**SECOND READING EMERGENCY ORDINANCES PASSED****Ord. No. 712-2000.**

By Councilman Cimperman.  
An emergency ordinance authorizing the Director of Public Service to issue a permit to STAVSERV, Inc., an Ohio Corporation, dba the Greek Isles Restaurant to encroach into the public right-of-way of West St. Clair Ave. with an outdoor seasonal sidewalk cafe, a fencing enclosure and associated equipment for the dining area.

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

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

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

Absent: Councilman Rybka.  
Not Answering Roll Call: Councilman Johnson.

**Ord. No. 727-2000.**

By Councilman Cimperman.  
An emergency ordinance authorizing the Director of Public Service to issue a permit to the Gene Marco Co. LLC, dba Circo/Zibibbo Restaurant/Lounge for an outdoor seasonal cafe restaurant with a sidewalk barrier which will encroach into the public right-of-way of West 9th Street.

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

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

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

Absent: Councilman Rybka.  
Not Answering Roll Call: Councilman Johnson.

**SECOND READING EMERGENCY RESOLUTIONS****Res. No. 1845-96.**

By Councilman Coats.  
An emergency resolution opposing passage of HR 1020/S. 1271 which could lead to the transport by railway and highway of high level radioactive waste from other states through the Cleveland area, or failing the above, to amend these bills to provide additional provisions.  
Approved by Directors of Finance, Law; Recommended by Committee on Finance.

**Res. No. 174-97.**

By Councilman Dolan.  
An emergency resolution urging the Cleveland Public Library to study and implement procedures restricting children's access to adult reading, viewing and audio materials on the Internet.  
Approved by Director of Law; Recommended by Committee on Legislation.

**Res. No. 677-97.**

By Councilman Willis.  
An emergency resolution urging enactment of legislation regulating the collection and disposal of tires.  
Approved by Director of Law; Recommended by Committee on Legislation.

**Res. No. 377-2000.**

By Councilman Westbrook (by request).

An emergency resolution declaring the intention to vacate a portion of West 68th Street.

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

**THIRD READING EMERGENCY ORDINANCE PASSED****Ord. No. 593-2000.**

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

An emergency ordinance determining the method of making the public improvement of repairing and constructing sidewalks, driveway aprons, curbing, curb strips, intersections, bridge approaches, utility box and casting adjustments, and appurtenances and authorizing the Director of Public Service to enter into one or more requirement contracts for the making of said improvement.

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

**MOTION**

By Councilman Lewis and seconded by Councilman Melena and unanimously carried that the absence of Councilman Edward W. Rybka be and is hereby authorized.

**MOTION**

The Council adjourned at 8:55 p.m. to meet on Monday, June 12, 2000, at 7:00 p.m. in the Council Chambers.



Clerk of Council

**THE CALENDAR**

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

**ORDINANCES****Ord. No. 2279-95.**

By Councilmen Coats, Cintron, Lewis and Polensek.  
An emergency ordinance to amend Section 131.03 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 391-87, passed March 23, 1987, relating to the hiring of truck owner drivers.

**Ord. No. 2187-96.**

By Councilman Britt.  
An ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Sections 687.01 through 687.17, relating to the registration of bounty hunters.

Whereas, this ordinance constitutes a measure providing for the usual daily operation of a municipal department; now, therefore,  
Be it ordained by the Council of the City of Cleveland:

**Section 1.** That the Codified Ordinances of Cleveland, Ohio, 1976, are hereby supplemented by enacting new Sections 687.01 through 687.17 thereof, to read, respectively as follows:

**CHAPTER 687  
BOUNTY HUNTERS****Section 687.01 Definitions**

As used in this chapter:

(a) "Bounty Hunter" means a person employed by a professional bondsman for the purpose of assisting the bondsman in the apprehending fugitives and returning them to court.

(b) "Commissioner" means the Commissioner of Assessments and Licenses or his designee.

(c) "Fugitive" means a person who has posted a bond with a professional bondsman and has failed to appear in court.

(d) "Person" means an individual, firm, partnership, association, corporation, company or business of any kind.

(e) "Professional bondsman" means a person authorized under the laws of the State of Ohio or any other jurisdiction to do business as a surety company and that demands or receives, directly or indirectly, fees or compensation for becoming the surety or providing surety on any bail bond, recognizance bond, appeal bond or other court bond.

**Section 687.02 Registration Required**

No person shall act as a bounty hunter **within the City of Cleveland** without first having registered with the Commissioner of Assessments and Licenses.

Any person who violates this section is guilty of a misdemeanor of the first degree.

**Section 687.03 Availability of Application Forms**

The Commissioner shall make application forms available for the purpose of registering bounty hunters. The application forms shall include the questions contained in

Section 687.04 and may include other questions that the Commissioner determines to be administratively helpful in determining whether the applicant is qualified.

**Section 687.04 Qualifications of Bounty Hunters.**

A person may be registered as a bounty hunter if he or she:

(a) Is a citizen of the United States; and

(b) Is at least twenty-one years of age; and

(c) Has good eyesight; and

(d) Has height, weight and muscle tone within normal range; and

(e) Answers the following questions in the negative:

"(1) Are you under indictment or have you been convicted of a felony of violence?"

"(2) Are you under indictment or have you been convicted of a crime involving force or threat of force?"

"(3) Are you currently engaging in the illegal use of drugs?"

"(4) Are you engaged in the abuse of alcohol?"

"(5) Have you been arrested for driving under the influence?"; and

(f) Answers all the following questions in the negative or demonstrates to the satisfaction of the Commissioner that an affirmative answer will not adversely affect the applicant's ability to perform the job of a bounty hunter:

"(1) Have you ever been convicted of a crime under federal, state or local law, other than a minor traffic violation? If you answer 'yes', explain."

"(2) Are you under a current court order that may affect your ability to perform the job of a bounty hunter? If you answer 'yes', explain."

"(3) Do you have any condition that would render you unfit to carry a firearm? If you answer 'yes' explain."; and

(g) Submits all the items identified in Section 687.05.

**Section 687.05 Items Required to be Submitted**

Any person seeking registration as a bounty hunter must submit all of the following items to the Commissioner of Assessments and Licenses:

(a) A completed application form; and

(b) Three (3) unretouched photographs of the applicant taken within thirty (30) days of the submission of the application of a size that can be affixed to the identification card; and

(c) A letter from two (2) reputable persons who can attest to the good character of the applicant; and

(d) A fingerprint card of the applicant taken at the Division of Police.

**Section 687.06 Referral to the Division of Police**

Upon receipt of a completed application, the Commissioner of Assessments and Licenses shall refer the application to the Chief of Police who shall cause a criminal record check to be made of the applicant. If the Chief of Police has any objection to the issuance of the registration, those objections shall be reported to the Commissioner together with results of the criminal record check.

**Section 687.07 Registration Fees; Record Check Fees**

A registration fee of sixty-five (\$65.00) shall be submitted with the application form required by Section 687.05. The applicant shall also pay a fee of fifteen (\$15.00) for the cost of a criminal record check.

**Section 687.08 Duration of Registration**

Registrations shall commence on April 30th of each year, and unless revoked, shall continue for a period of one year.

**Section 687.09 Issuance of Registration**

The Commissioner shall register any applicant who meets all of the requirements of this chapter and shall issue the registrant a photo identification card.

**Section 687.10 Suspension or Revocation**

Any person who has information that a registrant is unqualified to be a bounty hunter may file a complaint with the Commissioner of Assessments and Licenses. The Commissioner shall suspend or revoke the registration following a hearing if he finds that the registrant:

(1) Was unqualified at the time the registration was issued; or

(2) Has become unqualified and would be denied registration as a bounty hunter if he or she was submitting an application at the time of the hearing; or

(3) Has failed to honestly answer each of the questions on the application form.

The rules of evidence applicable to courts of law shall not be strictly applied.

**Section 687.11 Appeals**

Any person who is denied registration as a bounty hunter, or whose registration is suspended or revoked, may appeal the Commissioner's decision to the Board of Zoning Appeals. The notice of appeal shall be in writing and shall be filed with the Commissioner of Assessments and Licenses within ten (10) days of the finding of the Commissioner. The Board shall sustain or overrule the decision from which the appeal is taken.

**Section 687.12 Limitations**

(a) The issuance of a registration under this chapter does not confer law enforcement status upon the registrant.

(b) The issuance of a registration does not authorize the registrant to carry a weapon. If the registrant intends to carry a weapon of any sort, he or she must comply with all federal, state and local laws, rules and regulations governing the same.

**Section 687.13 [Reserved]**

**Section 687.14 Notification of the Police Before Attempting an Apprehension**

No person acting as a bounty hunter shall attempt to apprehend a fugitive within the City of Cleveland without first notifying the Division of Police that an apprehension will be attempted. The Chief of Police shall determine the method by which such notifications will be made.

Any person who violates this section is guilty of a misdemeanor of the first degree.

**Section 687.15 Identification Card to be Visible**

No person registered as a bounty hunter shall attempt the apprehension of a fugitive without wearing on his or her outermost clothing the identification card issued by the Commissioner in a manner that it can be readily seen by any citizen or police officer.

Any person who violates this section is guilty of a misdemeanor of the second degree.

**Section 687.16 Rules and Regulations**

The Commissioner of Assessments and Licenses and the Director of Public Safety may each issue regulations to carry out the purposes of this chapter. Regulations shall take effect ten (10) days after their publication in the City Record.

**Section 687.17 Hiring Unqualified Bounty Hunters Prohibited**

(a) No person shall employ a person to act as a bounty hunter unless the person being employed is registered as a bounty hunter under this chapter.

(b) No person engaging in business as a professional bondsman shall employ as a bounty hunter a person known to the bondsman to be unqualified under this chapter.

(c) Whoever violates division (a) or (b) of this section is guilty of a misdemeanor of the first degree.

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

**Ord. No. 650-99.**

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

An emergency ordinance to amend Section 405.06 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1109-96, passed December 16, 1996, relating to impounding and towing fees.

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

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

**Section 1.** That Section 405.06 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1109-96, passed December 16, 1996, is hereby amended to read as follows:

**Section 405.06 Impounding and Towing Fees**

(a) In addition to the storage fee provided for in Section 405.04, the following fees shall be assessed against the owner or other person claiming an impounded vehicle:

(1) An impound fee of thirty dollars (\$30.00), except that the impound fee shall be reduced to ten dollars (\$10.00) for a person reclaiming a recovered stolen vehicle.

(2) A towing fee of **seventy-five dollars (\$75.00)**, except that the towing fee shall be reduced to fifty dollars (\$50.00) for a person reclaiming

a recovered stolen vehicle, and shall be increased to **one hundred dollars (\$100.00)** for a person reclaiming a vehicle impounded incident to an arrest.

The towing charge shall be increased by ten dollars (\$10.00) if a dolly or flatbed is used or if a tire or tires are changed, except that there shall be no such additional charge in the case of a recovered stolen vehicle.

(b) No towing or impounding fees shall be charged when the vehicle is the property of the victim of a crime and such vehicle is being held by the Division of Police for processing.

**Section 2.** That existing Section 405.06 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1109-96, passed December 16, 1996, is hereby repealed.

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

**Ord. No. 2049-99.**

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

An emergency ordinance authorizing the Director of Port Control to employ one or more professional consultants to design the roadway modifications to the baggage/tug road at Cleveland Hopkins International Airport; determining the method of making the public improvement; and authorizing said director to enter into contract for the making of such improvement.

**Ord. No. 2116-99.**

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

An emergency ordinance determining the method of making the public improvement of installing and replacing curbing, aprons, ramps for the handicapped, and other concrete work for the various divisions of the Department of Port Control and authorizing the Director of Port Control to enter into one or more requirement contracts for the making of such improvement, for a period not to exceed two years.

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

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

**Section 1.** That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of installing and/or replacing curbing, aprons, ramps for the handicapped, and other concrete work which is not otherwise included as part of any other public improvement contract, for the various divisions of the Department of Port Control, by contract duly let to the lowest responsible bidder after compet-

itive bidding upon a unit basis for the improvement.

**Section 2.** That the Director of Port Control is hereby authorized to enter into a requirement contract for the making of the above public improvement with the lowest responsible bidder after competitive bidding for the period of two years, upon a unit basis, the unit prices for which shall include all labor, material and equipment, required therefore, with no fixed price for items not subject to competitive bidding. In the discretion of the Board of Control separate requirement contracts may be let for the work to be done for each of the divisions of the Department of Port Control.

**Section 3.** That the Director of Finance shall certify said contract or contracts in the amount set forth in the initial requisition, and thereafter shall certify all orders placed by the Commissioner of Purchases and Supplies pursuant to the requisition issued against any such contract.

**Section 4.** That the cost of said improvement hereby authorized shall not exceed **150,000.00** and shall be paid from Fund No. 60 SF 001, Request No. 8234.

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

**Ord. No. 213-2000.**

By Councilmen Dolan and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Port Control to enter into a Lease By Way of Concession with **BTS/LTL Joint Venture** for operation as a business service center and the installation of **Internet kiosks** at Cleveland Hopkins International Airport.

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

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

**Section 1.** That notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Director of Port Control is hereby authorized to enter into a Lease By Way of Concession with **BTS/LTL Joint Venture** for the use and occupancy of approximately one thousand (1,000) square feet of space in the Airport Terminal Building and the installation of **Internet kiosks in various locations throughout the terminal** in connection with its operation of a business service center. The annual rent shall be determined as follows: Lessee shall pay to the City a minimum annual guaranteed concession fee of Twenty-Four Thousand One Dollars (\$24,001); one and one-half percent (1-1/2%) of gross revenues realized by Lessee on U.S. currency traded; ten percent (10%) of the gross premium on the sale of travel related insurance and fifteen percent (15%) of gross revenues

realized by Lessee from all other operations. The minimum annual guaranteed concession fee shall be subject to an annual increase of four percent (4%). The term shall commence on the date of execution of the Agreement, and unless sooner terminated, shall expire five years thereafter.

**Section 2.** That the Lease By Way of Concession authorized herein shall be prepared by the Director of Law and shall contain such additional provisions as he deems necessary to protect and benefit the public interest. **The Lease by way of Concession shall require BTS/LTL Joint Venture to use best efforts to utilize a Cleveland based firm or firms for maintenance services that may be needed in the operation of the business service center.**

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

**Ord. No. 257-2000.**

By Councilmen Dolan and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of **non 800 MHz radio communications equipment and electronic vehicle equipment, including aircraft radios, lights, sirens, public announcement systems, vehicle installs and de-installs, console equipment, replacement parts, antennas, brackets, wiring harnesses and support equipment** and labor and materials necessary to maintain and service said equipment, for the various divisions of the Department of Port Control, for a period not to exceed two years.

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

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

**Section 1.** That the Director of Port Control is hereby authorized to make a written requirement contract with the lowest and best bidder in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two years of the necessary items of **non 800 MHz radio communications equipment and electronic vehicle equipment, including aircraft radios, lights, sirens, public announcement systems, vehicle installs and de-installs, console equipment, replacement parts, antennas, brackets, wiring harnesses and support equipment** and labor and materials necessary to maintain and service said equipment, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of the Department of Port Control. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combina-

tion of said items as the Board of Control shall determine. Alternate bids for a period less than two years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

**Section 2.** That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. **All expenditures under the contract authorized herein shall not exceed \$50,000.00** (RL 8240)

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

**Ord. No. 264-2000.**

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

An emergency ordinance authorizing the Director of Port Control to enter into a lease with United Parcel Service for certain real property at Cleveland Hopkins International Airport to construct a **transfer station/air cargo distribution and sorting facility and for preferential use of ramp area adjacent to the premises.**

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

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

**Section 1.** That, notwithstanding and as an exception to the provisions of the Codified Ordinances of Cleveland, Ohio, the Director of Port Control ("Director") is hereby authorized to enter into a Lease with United Parcel Service ("Lessee") for approximately 110,610 square feet of real property at Cleveland Hopkins International Airport, the address being 5203 West Hangar Road (the "Premises") for construction of a **transfer station/air cargo distribution and sorting facility including a service office open to the public, public parking, parking for UPS delivery vehicles and parking for UPS ground service equipment,** and for approximately 194,023 square feet of ramp area adjacent to the Premises. The term of the Lease shall be for twenty (20) years, with an option exercisable by United Parcel Service to renew the term for an additional five (5) years. The rent for use of the Premises shall be \$0.30 per square foot; the rent for the preferential use ramp area shall be \$0.40 per square foot. **The rents for the Premises and the ramp area shall be adjusted during the term of the Lease to reflect increases in the Consumer Price Index. The method**

**of calculating these increase shall be stated in the Lease.**

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

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

**Ord. No. 327-2000.**

By Councilmen Dolan and Patmon (by departmental request).

An emergency ordinance to amend Section 5 of Ordinance No. 469-98, passed May 18, 1998, relating to the public improvement of implementing Phase II of the sound insulation program.

**Ord. No. 328-2000.**

By Councilmen Dolan and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to clean and maintain oilwater separators, sewers, electrical vaults and associated appurtenances, including test and disposal of waste materials, for the various divisions of the Department of Port Control.

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

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

**Section 1.** That the Director of Port Control is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of labor and materials necessary to clean and maintain oilwater separators, sewers, electrical vaults and associated appurtenances, including test and disposal of waste materials, in the approximate amount as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of the Department of Port Control. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

**Section 2.** That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subse-

quent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. **All expenditures under the contract authorized herein shall not exceed \$250,000.00.** (RL 8256)

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

**Ord. No. 412-2000.**

By Mayor White.

An emergency ordinance authorizing the purchase by contract of office furniture, for the various divisions of the Department of Port Control.

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

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

**Section 1.** That the Director of Port Control is hereby authorized to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: office furniture, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of the Department of Port Control.

**Section 2.** That the contract authorized herein shall be for a term of one (1) year or less and all expenditures under the contract shall not exceed \$35,000.00. The cost of said contract shall be paid from Fund Nos. 60 SF 001, 60 SF 105 and 60 SF 106, Request No. 8251.

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

**Ord. No. 465-2000.**

By Mayor White.

An emergency ordinance authorizing the Director of Port Control to enter into a Lease By Way of Concession with Pilot Management, Inc. dba Cleveland AirSports for the purpose of operating a flight training facility and related services.

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

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

**Section 1.** That notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Director of Port Control is hereby authorized to enter into a Lease By Way of Concession with Pilot Management, Inc. dba Cleveland AirSports for the use

and occupancy of approximately 826 square feet of office space in the terminal building at Burke Lakefront Airport in connection with its operation of a flight training facility and related services. Any change in square footage shall be subject to approval by the Board of Control. The annual rent shall be determined at a rate of \$12.00 per square foot, and shall be paid at mutually-agreed upon intervals. The term shall commence on the date of execution of the Agreement and, unless sooner terminated, shall expire two (2) years thereafter.

**Section 2.** That the Lease authorized herein shall be prepared by the Director of Law. The Lease shall contain such terms and conditions as the Director of Law deems necessary to protect and benefit the public interest and shall specifically contain provisions that the City shall provide Lessee with twelve (12) months' written notice prior to cancellation of the Lease for any reason other than Lessee's default and that the City shall provide Lessee with four (4) months' written notice prior to cancellation of the Lease as a result of Lessee's default. The President of City Council, the Chairman of the Aviation and Transportation Committee, and the Chairman of the Finance Committee shall receive a copy of all such notices.

**Section 3.** That notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, Lessee shall provide the City with a security deposit in lieu of a performance bond. Such security deposit shall be in an amount equal to four (4) months rent.

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

**Ord. No. 466-2000.**

By Mayor White.

An emergency ordinance authorizing the Director of Port Control to enter into a Lease By Way of Concession with American Flyers, Inc. for the purpose of operating a flight training facility and related services.

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

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

**Section 1.** That notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Director of Port Control is hereby authorized to enter into a Lease By Way of Concession with American Flyers, Inc. for the use and occupancy of approximately 1,711.71 square feet of office space in the terminal building at Burke Lakefront Airport in connection with its operation of a flight training facility and related services. Any change in square footage

shall be subject to approval by the Board of Control. The annual rent shall be determined at a rate of \$12.00 per square foot, and shall be paid at mutually-agreed upon intervals. The term shall commence on the date of execution of the Agreement and, unless sooner terminated, shall expire two (2) years thereafter.

**Section 2.** That the Lease authorized herein shall be prepared by the Director of Law. The Lease shall contain such terms and conditions as the Director of Law deems necessary to protect and benefit the public interest and shall specifically contain provisions that the City shall provide Lessee with twelve (12) months' written notice prior to cancellation of the Lease for any reason other than Lessee's default and that the City shall provide Lessee with four (4) months' written notice prior to cancellation of the Lease as a result of Lessee's default. The President of City Council, the Chairman of the Aviation and Transportation Committee, and the Chairman of the Finance Committee shall receive a copy of all such notices.

**Section 3.** That notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, Lessee shall provide the City with a security deposit in lieu of a performance bond. Such security deposit shall be in an amount equal to four (4) months rent.

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

**Ord. No. 467-2000.**

By Mayor White.

An emergency ordinance authorizing the Director of Port Control to enter into a Lease By Way of Concession with Circadian Knight Corp., dba Top Gun for the purpose of operating a flight training facility and related services.

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

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

**Section 1.** That notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Director of Port Control is hereby authorized to enter into a Lease By Way of Concession with Circadian Knight Corp., dba Top Gun for the use and occupancy of approximately 205.34 square feet of office space in the terminal building at Burke Lakefront Airport in connection with its operation of a flight training facility and related services. Any change in square footage shall be subject to approval by the Board of Control. The annual rent shall be determined at a rate of \$12.00 per square foot, and shall be paid at mutually-agreed upon intervals. The term shall com-

mence on the date of execution of the Agreement and, unless sooner terminated, shall expire two (2) years thereafter.

**Section 2.** That the Lease authorized herein shall be prepared by the Director of Law. The Lease shall contain such terms and conditions as the Director of Law deems necessary to protect and benefit the public interest and shall specifically contain provisions that the City shall provide Lessee with twelve (12) months' written notice prior to cancellation of the Lease for any reason other than Lessee's default and that the City shall provide Lessee with four (4) months' written notice prior to cancellation of the Lease as a result of Lessee's default. The President of City Council, the Chairman of the Aviation and Transportation Committee, and the Chairman of the Finance Committee shall receive a copy of all such notices.

**Section 3.** That notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, Lessee shall provide the City with a security deposit in lieu of a performance bond. Such security deposit shall be in an amount equal to four (4) months rent.

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

**Ord. No. 469-2000.**

By Mayor White.

An emergency ordinance authorizing the purchase by requirement contract of deicing services, for the Division of Cleveland Hopkins International Airport, Department of Port Control, for a period not to exceed one year.

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

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

**Section 1.** That the Director of Port Control is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of deicing services, including but not limited to analyzing, storing, disposing, reselling, recycling deicing agents, and for reporting on, supervising and maintaining and preparing reports concerning deicing operations in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Cleveland Hopkins International Airport, Department of Port Control. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine.

Alternate bids for a period less than **one year** may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

**Section 2.** That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. **All expenditures under the contract authorized herein shall not exceed 1,900,000.00.** (RL 8255)

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

**Ord. No. 519-2000.**

By Councilman Melena.  
An emergency ordinance to vacate a portion of West 76th Street hereinafter described.

**Ord. No. 521-2000.**

By Councilman Sweeney.  
An emergency ordinance to vacate a portion of Springdale Ave., and West 188th Street hereinafter described.

**Ord. No. 522-2000.**

By Councilman Westbrook.  
An emergency ordinance to vacate a portion of Mueller Court N.W. hereinafter described.

**Ord. No. 598-2000.**

By Councilmen Cintron, Gordon, Melena, O'Malley and Patmon (by departmental request).  
An emergency ordinance to amend the title, Section 1 and Section 2 of Ordinance No. 962-99, passed June 7, 1999, relating to the public improvement of rehabilitating West 40th Place.

**Ord. No. 599-2000.**

By Councilmen Cintron, Melena, Cimperman and Patmon (by departmental request).  
An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 4425 Lorain Avenue and 2020-22 West 44th Street to Spanish American Committee.

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

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

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

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

**Section 1.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No.(s) 006-20-020 and 006-20-022, as more fully described in Section 2 below, to Spanish American Committee.

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

P. P. No. 006-20-020

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southwesterly one-half of Sublot No. 153 and the Northeasterly one-half of Sublot No. 154 in the Peach Orchard Subdivision of part of Original Brooklyn Township Lot No. 52, as shown by the recorded plat in Volume 3 of Maps, Page 7 of Cuyahoga County Records, and together forming a parcel of land 40 feet front on the Southeasterly side of Lorain Avenue and extending back 125 feet 1/2 inch on the Northeasterly line, 125 feet 1/2 inch on the Southwesterly line, and having a rear line of 40 feet 1/2 inch, as appears by said plat.

P. P. No. 006-20-022

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and described as follows to-wit: And known as being Subdivision 151 in Mueller and Meyers Peach Orchard Allotment of part of Original Brooklyn Township, Lot No. 52, as shown by the recorded plat in Volume 3 of Maps, Page 7 of Cuyahoga County Records and being 53-10/12 feet front on the Westerly side of West 44th Street, (formerly Harbor Street) and extending back 113-1/2 feet on the Southerly line, 125-5/12 feet on an alley on the Northerly side, as appears by said plat, be the same more or less, but subject to all legal highways.

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

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

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

**Community Development or the Director of Law.**

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

**Ord. No. 644-2000.**

By Councilmen Gordon and Patmon (by departmental request).  
An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Ohio Department of Health for the 2000-2001 State AIDS Community Based Care Program.

**Ord. No. 645-2000.**

By Councilmen Gordon and Patmon (by departmental request).  
An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Alcohol and Drug Addiction Services Board of Cuyahoga County for the 2000-2001 Drug Prevention, Treatment and Intervention Program; and to enter into a contract for the lease of facilities needed to implement the program.

**Ord. No. 646-2000.**

By Councilmen Gordon and Patmon (by departmental request).  
An emergency ordinance authorizing the purchase by requirement contract of pneumococcal vaccine, for the Division of Health, Department of Public Health.

**Ord. No. 647-2000.**

By Councilmen Polensek and Patmon (by departmental request).  
An emergency ordinance authorizing the purchase by requirement contract of hepatitis B vaccine, for the Division of Police, Department of Public Safety.

**Ord. No. 648-2000.**

By Councilmen Polensek and Patmon (by departmental request).  
An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the U.S. Department of Justice, Office for State and Local Domestic Preparedness for the Domestic Preparedness Equipment Support Program; authorizing the purchase by requirement contract of equipment and supplies necessary to implement the program.

**Ord. No. 650-2000.**

By Councilmen Melena, Rybka and Patmon (by departmental request).  
An emergency ordinance authorizing the Director of Parks, Recreation and Properties to expend Community Development Block Grant funds for the operation of the Project Clean Program.

**Ord. No. 652-2000.**

By Councilmen Melena and Patmon (by departmental request).  
An emergency ordinance authorizing the Director of Community Development to enter into one or more contracts to provide for the demolition, removal or the boarding up of structures within the City of Cleveland.



**Ord. No. 655-2000.**

By Councilmen Melena and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with the Cleveland Neighborhood Development Corporation to continue the administration of the Cleveland Industrial Retention Initiative.

**Ord. No. 717-2000.**

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

An emergency ordinance authorizing the Director of Public Service to cause payment of the City's share to the Cuyahoga County Commissioners for the cost of the design and rehabilitation of Phases II and III the Harvard Avenue project between East 116th Street and the east corporation line.

**Ord. No. 729-2000.**

By Councilman Dolan.

An emergency ordinance authorizing the Director of Public Service to issue a permit to Fairview Hospital, of the Cleveland Clinic Health System, to encroach into the right-of-way of Fernshaw Ave. S.W. & Riveredge Rd. S.W. for the construction of a walk, driveway and landscaping to the new Fairview Hospital Parking Facility pending the vacation of portions of Fernshaw Ave. S.W. & Riveredge Rd. S.W. & the completion of the Cul-de-Sacs.

**Ord. No. 730-2000.**

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

An emergency ordinance determining the method of making the public improvement of rehabilitating State Road from Brookpark Road to Pearl Road, and authorizing the Director of Public Service to enter into contract for the making of such improvement.

**Ord. No. 734-2000.**

By Councilmen Gordon and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Public Health to enter into one or more lease or leases by way of concession with MetroHealth to provide medical services and clinical physician services at the J. Glen Smith, Thomas McCafferty, and Miles-Broadway Health Center, and to provide health care screenings at the Tremont Health Center six times a year, for a period not to exceed five years, and to employ medical professionals to provide necessary services.

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

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

**Section 1.** That, notwithstanding Section 183.03 or any other provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Director of Public Health is hereby authorized to enter into one or more lease or leases by way of concession with MetroHealth Systems for the provision of medical services and clinical physician services, including comprehensive maternal services, infant and pediatric services,

primary adult health care services, dental services, and Women, Infants and Children ("WIC") services, at the J. Glen Smith and Miles-Broadway Health Center, for a period not greater than five (5) years, with approval by City Council.

**Section 2.** That, notwithstanding Section 183.03 or any other provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Director of Public Health is hereby authorized to enter into one or more lease or leases by way of concession with MetroHealth Systems for the provision of health care screenings at the Tremont Health Center six (6) times a year, for a period of not greater than five (5) years, with approval by City Council.

**Section 3.** That said leases or by way of concession shall include provisions for MetroHealth Systems to assist the City of Cleveland in coordinating other medical and public health services offered at McCafferty, J. Glen Smith and Miles-Broadway Health Centers; to contribute medical and other staff; and to contribute a share of the operating costs of said Health Centers. The lease or leases by way of concession shall contain a provision wherein City Council approval is necessary to amend said lease or leases in order for MetroHealth Health Systems to provide medical services or clinical physician services in addition to those specified in said lease on its Effective Date. The lease or leases by way of concession shall contain a provision wherein MetroHealth Medical Systems shall provide notice to City Council in the event that any of those factors contained in said lease, which permit MetroHealth Medical Systems to terminate said lease or leases, come into existence and that said notification shall be at the earliest possible time.

**Section 4.** That the Director of Public Health and MetroHealth Health Systems shall not enter into a billing agreement for services provided under the lease or leases by way of concession without prior approval from City Council.

**Section 5.** That the Director of Public Health is hereby authorized to employ by contract(s) MetroHealth and/or MetroHealth employed physicians and professional staff for the professional consulting services of said physicians and professional staff, as necessary. This authority shall be included in the lease or leases by way of concession and said authority shall continue for the duration of the lease or leases by way of concession.

**Section 6.** That the lease or leases by way of concession shall be prepared by the Director of Law and shall contain such necessary provisions which the Director of Law deems necessary to protect the public interest.

**Section 7.** That the term of the lease or leases authorized herein shall not be extended without City Council authorization.

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

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

**Ord. No. 743-2000.**

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

An emergency ordinance authorizing the Director of Port Control to enter into a Lease By Way of Concession with T & G Flying Club, Inc. for space in the terminal building at Burke Lakefront Airport for use as a flight training facility and related services.

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

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

**Section 1.** That the Director of Port Control ("Director") is authorized to enter into a Lease By Way of Concession ("Lease") with T & G Flying Club, Inc. ("Lessee") for approximately 486 square feet of space in the terminal building at Burke Lakefront Airport for use as a flight training facility and related services. The term of the Lease shall be for two years. The rent shall be \$12.00 per square foot per year. During the term, any addition or deletion of space to be leased shall be approved by the Board of Control, and shall be effective upon written agreement between Lessee and the City.

**Section 2.** That the Lease shall be prepared by the Director of Law. **The Lease shall contain such terms and conditions as the Director of Law deems necessary to protect and benefit the public interest and shall specifically contain provisions that the City shall provide Lessee with twelve (12) months' written notice prior to cancellation of the Lease for any reason other than Lessee's default and that the City shall provide Lessee with four (4) months' written notice prior to cancellation of the Lease as a result of Lessee's default. The President of City Council, the Chairman of the Aviation and Transportation Committee, and the Chairman of the Finance Committee shall receive a copy of all such notices.**

**Section 3.** That notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, Lessee shall provide the City with a security deposit in lieu of a performance bond. Such security deposit shall be in an amount equal to four (4) months rent.

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

**Ord. No. 745-2000.**

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

An emergency ordinance authorizing the purchase by requirement contract of tree trimming, for the Division of Cleveland Public Power, Department of Public Utilities.

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

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

**Section 1.** That the Director of Public Utilities is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of tree trimming in the approximate amount as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Cleveland Public Power, Department of Public Utilities. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

**Section 2.** That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. **All expenditures under the contract authorized herein shall not exceed \$100,000.00.** (RL 12249)

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

**Ord. No. 750-2000.**

By Councilmen Melena and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Community Development to expend Community Development Block Grant funds for the operation of the Storefront Renovation Program.

**Ord. No. 753-2000.**

By Councilmen Melena and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Community Development to enter into contract with Cleveland Action to Support Housing (CASH) for administrative costs to implement housing rehabilitation, new housing construction and commercial redevelopment loan programs.

**Ord. No. 756-2000.**

By Councilmen Melena and Patmon (by departmental request).

An emergency ordinance authorizing the Directors of Community Development and the Community Relations Board to expend Commu-

nity Development Block Grant funds for fair housing services.

**Ord. No. 760-2000.**

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

An emergency ordinance to amend the title and Sections 1, 2 and 3 of Ordinance No. 739-99, passed June 14, 1999, relating to an Empowerment Zone contract with Aletha Gambrell dba **Hot Curls and Clippers** to provide economic development assistance to partially finance capital improvements to property located at 1787 East 55th Street, Cleveland, Ohio.

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

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

**Section 1. That the title and Sections 1, 2 and 3 of Ordinance No. 739-99, passed June 14, 1999, are hereby amended to read, respectively, as follows:**

**An emergency ordinance authorizing the Director of Economic Development to enter into an Empowerment Zone contract with Aletha Gambrell dba Hot Curls and Clippers to provide economic development assistance to partially finance capital improvements to property located at 1787 East 55th Street, Cleveland, Ohio.**

**Section 1. That the Director of Economic Development is hereby authorized to enter into an Empowerment Zone contract with Aletha Gambrell dba Hot Curls and Clippers to provide economic development assistance to partially finance capital improvements to property located at 1787 East 55th Street, Cleveland, Ohio.**

**Section 2. That the terms of said loan shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 739-99-B. That notwithstanding any provision of said file to the contrary, the goal shall be to employ City of Cleveland residents for all new permanent jobs created, using best efforts.**

**Section 3. That the costs of said contract shall not exceed \$155,000.00 and shall be paid from Fund Nos. 18 SF 001 and 18 SF 003, Request Nos. 23762 and 13104.**

**Section 2. That the existing title and Sections 1, 2 and 3 of Ordinance No. 739-99, passed June 14, 1999, are hereby repealed.**

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

**Ord. No. 762-2000.**

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

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with ACH Properties, LLC to provide economic development assistance to partially finance the acquisition of real property located

at 7100 Broadway Avenue, Cleveland, Ohio.

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

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

**Section 1.** That the Director of Economic Development is hereby authorized to enter into a contract with ACH Properties, LLC to provide economic development assistance to partially finance the acquisition real property located at 7100 Broadway Avenue, Cleveland, Ohio.

**Section 2.** That the term of said loan shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 762-2000-A.

**Section 3.** That the costs of said contract shall not exceed One Hundred Ten Thousand Dollars (\$110,000.00), and shall be paid from Fund No. 17 SF 008, Request No. 26629.

**Section 4.** That the Director of Economic Development is hereby authorized to accept the collateral as set forth in the Executive Summary contained in the file referenced in Section 2 of this ordinance in order to secure repayment of said loan. Any security instrument shall be prepared and approved by the Director of Law.

**Section 5.** That the Director of Economic Development is hereby authorized to accept monies in repayment of the loan and to deposit said monies in Fund No. 17 SF 006.

**Section 6.** That the Director of Economic Development is hereby authorized to charge and accept fees in an amount not to exceed the maximum allowable fees under federal regulations and expend such fees to cover costs incurred in the preparation of the loan application, closing and servicing of the loan. Such fees shall be deposited to and expended from Fund No. 17 SF 305, Loan Fees Fund.

**Section 7.** That the Director of Law is hereby authorized to prepare said contract and such other documents as may be appropriate to complete the transaction.

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

**Ord. No. 765-2000.**

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

An emergency ordinance authorizing the Director of Economic Development to enter into an Enterprise Zone Agreement with Midland Steel Products Holding Company to provide for a ten year abatement for certain tangible personal property and real estate taxes as an incentive to assist with making the acquisition of machinery and equipment and for real property improvements located at 10615 Madison Avenue in the Cleveland Area Enterprise Zone.

**Ord. No. 766-2000.**

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

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Midland Steel Products Holding Company to provide economic development assistance to partially finance the acquisition of machinery and equipment and for real property improvements located at 10615 Madison Avenue, Cleveland, Ohio.

**Ord. No. 811-2000.**

By Councilman Patmon (by departmental request).

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

**Ord. No. 812-2000.**

By Councilman Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of office supplies, for the various divisions of City government, for a period of one year, with one option to renew for an additional year.

**Ord. No. 814-2000.**

By Councilman Patmon (by departmental request).

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

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

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

**Section 1.** That the Director of Finance is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of various sizes of steel plates in the approximate amount as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of City government. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

**Section 2.** That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 3059)

**Section 3.** That all costs under the one (1) year contract authorized herein shall not exceed \$136,000.00.

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

**Ord. No. 815-2000.**

By Councilman Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of the lease or lease with option to purchase an electronic key telephone system, for the Division of Information System Services, Department of Finance, for a period not to exceed three years.

**Ord. No. 841-2000.**

By Councilmen Gordon and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Public Health to enter into contracts with various agencies to provide AIDS-related services.

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

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

**Section 1.** That the Director of Public Health is hereby authorized to enter into one or more contracts to provide AIDS-related services with the following agencies, in the following amounts:

<u>Agency</u>	<u>Amount</u>
AIDS Housing Council (support services)	\$370,000.00
AIDS Housing Council (rental assistance)	\$128,327.00
AIDS Taskforce of Greater Cleveland	\$165,576.00
Visiting Nurses Association	\$ 40,986.00

**In addition, the sum of not more than \$20,000 is appropriated to the Department of Public Health for administrative costs of implementing the HOPWA program.**

**Section 2.** That the costs of the contracts authorized above shall be paid from Fund No. 13 SF 515, Request No. 6791.

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

**Ord. No. 842-2000.**

By Councilmen Gordon and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Public Health to amend Contract No. 53170 with University Settlement to pro-

vide additional lead abatement services.

**Ord. No. 843-2000.**

By Councilmen Gordon and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Public Health to enter into an agreement or memorandum of understanding with the State of Ohio, Department of Education, Division of Early Childhood Education and the Ohio Association of County Boards of Mental Retardation and Developmental Disabilities; to accept funds to administer and perform inspections of day care centers; and to authorize the Director of Public Health to enter into contracts with certified inspectors to perform day care center inspections.

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

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

**Section 1.** That the Director of Public Health is hereby authorized to enter into an agreement or memorandum of understanding, as appropriate, with the State of Ohio, Department of Education, Division of Early Childhood Education ("ODE") and the Ohio Association of County Boards of Mental Retardation and Developmental Disabilities ("Ohio Association"), under which the ODE, through the Ohio Association, shall provide the City with funds in the estimated amount of **Sixty Five Thousand Dollars (\$65,000.00)**, for the purpose of the City Department of Public Health's provision of administrative support, maintenance of data and records and payment of fees and expenses for inspection services of day care centers.

**Section 2.** That the Director of Public Health is hereby authorized to enter into contracts with certified inspectors identified on a list provided by the ODE or with any inspectors who are certified by the State of Ohio to perform inspections of day care centers, for the purpose of providing inspections, during the period from July 1, 2000, through June 30, 2001. The Director of Public Health is hereby authorized to receive the funds for this program; and upon acceptance of said funds appropriate them for the purposes as identified above and set forth in the agreement or memorandum of understanding.

**Section 3.** That the cost of the contracts authorized herein shall be paid from the fund or funds to which are credited the proceeds accepted pursuant to this ordinance.

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

**Ord. No. 848-2000.**

By Councilmen Gordon and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Aging to apply

for and accept a grant from the Western Reserve Area Agency on Aging for the 2000 Western Reserve Area Agency on Aging Program.

**Ord. No. 868-2000.**

By Councilmen Cimperman and Patmon (by departmental request).

An emergency ordinance authorizing the Director of the City Planning Commission to apply for and accept a grant from the Federal Highway Administration for the Scenic Byways Program.

**Ord. No. 869-2000.**

By Councilmen Cimperman and Patmon (by departmental request).

An emergency ordinance authorizing the Director of the City Planning Commission to apply for and accept a grant from the Federal Highway Administration for the TCSP Program.

**Ord. No. 902-2000.**

By Councilman Patmon (by departmental request).

An emergency ordinance authorizing the Director of Finance to pay as Moral Claims the sums herein set forth opposite the names of the claimants.

**Ord. No. 903-2000.**

By Councilman Patmon (by departmental request).

An emergency ordinance to amend the title and Sections 1 and 2 of Ordinance No. 1174-97, passed July 16, 1997, relating to the purchase, lease or lease with option to purchase of telephone equipment and systems, voice and data communication systems and coin operated telephones, including equipment, service, supplies and materials necessary to service and maintain new and existing **telephone networks of the Department of Port Control.**

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

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

**Section 1.** That the title and Sections 1 and 2 of Ordinance No. 1174-97, passed July 16, 1997, are hereby amended to read, respectively, as follows:

An emergency ordinance authorizing the purchase or lease, or lease with option to purchase of telephone equipment and systems, voice and data communication systems and coin operated telephones, including equipment, service, supplies and materials necessary to service and maintain new and existing **telephone networks for the Department of Port Control**, for a period not to exceed three years.

**Section 1.** That the **Director of Port Control** is hereby authorized to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the purchase, lease or lease with option to purchase for the necessary items, exercisable by the **Director of Port Control**, for a period not to exceed three (3) years, telephone equipment and systems, voice and data communication systems and coin operated telephones, including equipment, service, supplies and materials necessary to service and maintain new and existing **telephone networks of the Depart-**

**ment of Port Control**, in the approximate amount as purchased during the preceding terms, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the **Department of Port Control.**

**That pursuant to Section 108(b) of the Charter, the purchases, leases or leases with option to purchase authorized by this ordinance may be made through cooperative agreements using state procedures. The Director of Port Control may sign all documents with the State of Ohio or any of its political subdivisions that are necessary to effectuate such cooperative efforts, and may enter into contract with the vendors selected through that cooperative process.**

**Section 2.** That the cost of said contract hereby authorized shall be paid from Fund No. 60 SF 001, Request No. 8291.

**Section 2.** That the existing title and Sections 1 and 2 of Ordinance No. 1174-97, passed July 16, 1997, are hereby repealed.

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

**Ord. No. 528-2000.**

By Councilman Gordon.

An ordinance to change the Use and Area Districts of lands north of Memphis Avenue between West 57 Street and West 56 Street (Map Change No. 2009, Sheet No. 2)

**Ord. No. 601-2000.**

By Councilman Patmon.

An ordinance to change the Use District of lands on the southerly side of St. Clair Avenue, N.E. and the west side of East 93 Street. (Map Change No. 2010, Sheet No. 4)

**RESOLUTIONS**

**Res. No. 1845-96.**

By Councilman Coats.

An emergency resolution opposing passage of HR 1020/S. 1271 which could lead to the transport by railway and highway of high level radioactive waste from other states through the Cleveland area, or failing the above, to amend these bills to provide additional provisions.

**Res. No. 174-97.**

By Councilman Dolan.

An emergency resolution urging the Cleveland Public Library to study and implement procedures restricting children's access to adult reading, viewing and audio materials on the Internet.

**Res. No. 677-97.**

By Councilman Willis.

An emergency resolution urging enactment of legislation regulating the collection and disposal of tires.

**Res. No. 377-2000.**

By Councilman Westbrook (by request).

An emergency resolution declaring the intention to vacate a portion of West 68th Street.

**BOARD OF CONTROL**

May 31, 2000

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, May 31, 2000, at 11:00 a.m. with Mayor White presiding.

Present: Mayor White, Directors Carter, Konicek, Acting Directors Savas, Owens, Directors Whitlow, Guzman, Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.

Absent: Director Brooks.

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

On motion, the following resolutions were adopted.

**Resolution No. 359-00.**

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the Resolution No. 322-00, adopted by the Board on May 10, 2000, approving Camp Dresser-McKee, Inc., for furnishing professional services to perform the design of Kerruish Park Stormwater Management Project, is hereby amended by adding the \$40,000.00 contingency, which amendment shall increase the total contract amount from \$360,000.00 to \$400,000.00.

Be it further resolved that all other provisions of said Resolution No. 322-00 not expressly amended hereby shall remain unchanged and in full force and effect.

Yeas: Mayor White, Directors Carter, Konicek, Acting Directors Savas, Owens, Directors Whitlow, Guzman, Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.

Absent: Director Brooks.

**Resolution No. 360-00.**

By Director Sheffield-McClain.

Whereas, Lyric Opera Cleveland wishes to promote and conduct a benefit Margarita Ville (the "Event") at Burke Lakefront Airport (the "Airport") on June 3, 2000; and Whereas, the City is willing to grant Lyric Opera Cleveland the privilege, permit and license to promote and conduct the Event at the Airport; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.04 of the Codified Ordinances of Cleveland, Ohio 1976, the Director of the Department of Port Control is hereby authorized to enter into a concession agreement (the "Agreement") granting Lyric Opera Cleveland the privilege, permit, and license to promote and conduct the Event in the lobby area of the Airport terminal building from 6:00 p.m. to 11:00 p.m. on June 3, 2000 and to use and occupy the lobby area for such period of time before the Event as necessary for preparation. Lyric Opera Cleveland shall pay a \$100 concession fee and shall reimburse the City for the cost of providing one (1) City employee to perform custodial work related to the conduct of the Event, shall arrange for the operation of the Event and such concessions as may be appropriate and incidental to the Event, and shall be responsible for providing traffic control, security and clean up.

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

Yeas: Mayor White, Directors Carter, Konicek, Acting Directors Savas, Owens, Directors Whitlow, Guzman, Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.

Absent: Director Brooks.

**Resolution No. 361-00.**

By Director Sheffield-McClain.

Be it resolved by Board of Control of the City of Cleveland that the bid of Koch Corporation, for the public improvement of Phase 2 Continuation of the Residential Sound Insulation Program, Group "I-99", for the Division of Cleveland Hopkins International Airport, Department of Port Control, received on November 17, 1999, pursuant to the authority of Ordinance No. 930-95, passed on June 19, 1995 and Ordinance No. 469-98, passed on May 18, 1998, upon a unit basis for the improvement, in the aggregate amount of \$840,450.77, is hereby affirmed and approved as the lowest responsible bid; and the Director of Port Control is hereby authorized to enter into a contract for said improvement with said bidder.

Be it further resolved that the employment of the following sub-contractors by Koch Corporation for the public improvement of the Phase 2 continuation of the Residential Sound Insulation Program, Group "I-99", hereby is approved:

Kems Construction  
(MBE) — \$126,613.00

Chem-Ty Environmental  
(FBE) — \$42,538.00

Yeas: Mayor White, Directors Carter, Konicek, Acting Directors Savas, Owens, Directors Whitlow, Guzman, Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.

Absent: Director Brooks.

**Resolution No. 362-00.**

By Director Jackson.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Envirocom Construction, Inc., for the public improvement of Sterling and Thurgood Marshall Recreation Center Lockers, for the Division of Recreation, Department of Parks, Recreation and Properties, received on January 13, 2000, pursuant to the authority of Ordinance No. 1748-99 passed April 17, 2000, for a gross price for the improvement in the aggregate amount of Forty One Thousand Four Hundred and No/100 Dollars (\$41,400.00), is hereby affirmed and approved as the lowest responsible bid; and the Director of Parks, Recreation and Properties is hereby authorized to enter into contract for said improvement with said bidder.

Yeas: Mayor White, Directors Carter, Konicek, Acting Directors Savas, Owens, Directors Whitlow, Guzman, Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.

Absent: Director Brooks.

**Resolution No. 363-00.**

By Director Hudecek.

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

Whereas, under said Program, the City has acquired Permanent Parcel No. 016-06-056 located at 3365 West 59th Street in Ward 17; and

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

Whereas, Ann M. Mihalenko, abutting/adjacent landowner, has proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 17 has consented to the proposed sale;

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

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

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified 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 Ann M. Mihalenko for the sale and development of Permanent Parcel No. 016-06-056 located at 3365 West 59th Street, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcel shall be \$1.00, which amount is hereby determined to be not less than the Fair Market value of said parcel for uses in accordance with said Program.

Yeas: Mayor White, Directors Carter, Konicek, Acting Directors Savas, Owens, Directors Whitlow, Guzman, Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.

Absent: Director Brooks.

**Resolution No. 364-00.**

By Director Hudecek.

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

Whereas, under said Program, the City has acquired Permanent Parcel No. 016-08-080 located at 3190 West 61st Street in Ward 17; and

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

Whereas, Anthony L. Russell, abutting/adjacent landowner, has proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 17 has consented to the proposed sale;

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

3. The proposed purchaser of said parcel is neither tax delinquent nor in violation of the Building and Housing Codes; 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 Anthony L. Russell for the sale and development of Permanent Parcel No. 016-08-080 located at 3190 West 61st Street, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said Program.

Be it further resolved that the consideration for said parcel shall be \$1.00, which amount is hereby determined to be not less than the Fair Market value of said parcel for uses in accordance with said Program.

Yeas: Mayor White, Directors Carter, Konicek, Acting Directors Savas, Owens, Directors Whitlow, Guzman, Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.

Absent: Director Brooks.

**Resolution No. 365-00.**

By Director Hudecek.

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

Whereas, under said Program, the City has acquired Permanent Parcel No. 016-20-072 located at 3402 West 49th Street in Ward 17; and

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

Whereas, Mark M. Bouguerra, abutting/adjacent landowner, has proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 17 has consented to the proposed sale;

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

3. The proposed purchaser of said parcel is neither tax delinquent nor in violation of the Building and Housing Codes; 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 Mark M. Bouguerra for the sale and development of Permanent Parcel No. 016-20-072 located at 3402 West 49th Street, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said Program.

Be it further resolved that the consideration for said parcel shall be \$1.00, which amount is hereby determined to be not less than the Fair Market value of said parcel for uses in accordance with said Program.

Yeas: Mayor White, Directors Carter, Konicek, Acting Directors Savas, Owens, Directors Whitlow, Guzman, Jackson, Hudecek, Patter-son, Warren, Acting Director Alexander.

Nays: None.

Absent: Director Brooks.

**Resolution No. 366-00.**

By Director Hudecek.

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

Whereas, under said Program, the City has acquired Permanent Parcel No. 119-29-033 located at 2236 East 86th Street in Ward 6; 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, John C. Scott and Mary L. Scott, abutting/adjacent landowners, have proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 6 has consented to the proposed sale;

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

3. The proposed purchasers of said parcel are neither tax delinquent nor in violation of the Building and Housing Codes; 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 John C. Scott and Mary L. Scott for the sale and development of Permanent Parcel No. 119-29-033 located at 2236 East 86th Street, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said Program.

Be it further resolved that the consideration for said parcel shall be \$1.00, which amount is hereby determined to be not less than the Fair Market value of said parcel for uses in accordance with said Program.

Yeas: Mayor White, Directors Carter, Konicek, Acting Directors

Savas, Owens, Directors Whitlow, Guzman, Jackson, Hudecek, Patter-son, Warren, Acting Director Alexander.

Nays: None.

Absent: Director Brooks.

**Resolution No. 367-00.**

By Director Hudecek.

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

Whereas, under said Program, the City has acquired Permanent Parcel Nos. 118-28-073 and 118-28-074 located at East 57th Street in Ward 5; 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, Baptist Mid. Mission, 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 5 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 parcels is neither tax delinquent nor in violation of the Building and Housing Codes; 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 Baptist Mid. Mission for the sale and development of Permanent Parcel Nos. 118-28-073 and 118-28-074 located at East 57th Street, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said Program.

Be it further resolved that the consideration for said parcel shall be \$1.00, which amount is hereby determined to be not less than the Fair Market value of said parcel for uses in accordance with said Program.

Yeas: Mayor White, Directors Carter, Konicek, Acting Directors Savas, Owens, Directors Whitlow, Guzman, Jackson, Hudecek, Patter-son, Warren, Acting Director Alexander.

Nays: None.

Absent: Director Brooks.

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

**CIVIL SERVICE NOTICE**

**ANNOUNCEMENT - 2000**

Announcement No.	Classification
46	Chief Elevator Inspector (Open)
47	Fingerprint Examiner (Non Comp)
48	Manager of Architecture (Non Comp)
49	Supervisor of Computer Operations (Open)
50	Supervisor of Income Tax Files (Open)

**PROOF OF CITY RESIDENCY**

Any applicant wishing to receive residency credit will be asked to show that he/she is a bona fide resident of the City of Cleveland. The following list gives examples of items that an applicant may present **at the time of filing**. The Civil Service Commission requires a minimum of three items from at least three **different** categories, where applicable. All items must be **current**. Please note that presentation of these items does not constitute conclusive proof of bona fide residency. Acceptable categories include, but are not limited to, the following:

Lease - from rental agency.

Lease - from independent party. Must include copy of cancelled check or money order receipts for previous rent and/or security deposit, and fully executed; otherwise, it is unacceptable.

Utility bills bearing the property address **and** your name.

Post Office change of address form properly date stamped.

Official documents relating to home ownership including deed, purchase agreement, or insurance policy.

Bank statements (Within last three months).

School registration of children.  
 Car insurance documents.  
 Car registration or Driver's License or Ohio I.D. (**One only**).  
 Loans and credit card statements (Within last three months).  
 Rental contracts (e.g.: furniture, tools, car, etc.).  
 Current bills not listed above (Within last three months).  
 The following are examples of **unacceptable** categories of proof:  
 Library cards.  
 Voter registration cards.  
 Birth certificates.  
 Notarized letters or affidavits.  
 Social Security card.  
 Rental receipts from independent party without cancelled checks or money order receipt.

**APPROVED C.S.C. MINUTES  
 ANNOUNCEMENT NO. 46**

**CHIEF ELEVATOR INSPECTOR  
 (Open)**

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of an open examination for the above mentioned classification.

**SALARY**

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$20,231.40 to \$49,151.61 per year.

**FILING OF APPLICATION**

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. **APPLICATIONS WILL BE RECEIVED FOR ENTRANCE TO THE EXAMINATION FROM 8:30 A.M. ON MONDAY, JUNE 17, 2000 UNTIL 4:30 P.M. ON FRIDAY, JUNE 23, 2000.**

**NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON FRIDAY, JUNE 23, 2000.**

**THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.**

**EXAMINATION INFORMATION**

**TYPE: EXPERIENCE EVALUATION:** Applicant's grade will be determined based on Education and Experience found in Resume.

**NOTE:** Each applicant is required to submit a detailed resume of his/her education and experience at the time of filing application.

**NOTE: THE CIVIL SERVICE COMMISSION RESERVES THE RIGHT TO REVIEW AND EVALUATE ANY AND ALL INFORMATION CONTAINED IN THE APPLICATION OR RESUME. LACK OF HONESTY WILL RESULT IN IMMEDIATE REMOVAL FROM THE ELIGIBLE LIST.**

**DUTIES OF THE POSITION**

Under direction, supervises the inspection of vertical transportation equipment to ensure compliance with the American National Standard Safety Code. Assigns and supervises the work of elevator inspectors. Supervises the preparation of violation notices. Trains new elevator inspectors. Evaluates qualifications of elevator inspector job candidates. Verifies valid registration of contractors applying for permits. Issues construction permits for the erection of carnival rides. Prices inspection reports and submits reports. Attends, and provides requested information at Board of Building Standards hearing for variance appeals. Provides clarification of code requirements as requested. Performs other job-related duties as required.

**MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:**

Certificate of Authority (inspectional license) issued by the State of Ohio; valid State of Ohio Driver's License. High School Diploma or GED required. Certificate of Authority (inspectional license) issued by the State of Ohio; valid State of Ohio Driver's License. Must be computer literate with a working knowledge of MS Word & Excel. No less than ten (10) years experience as an elevator/escalator mechanic.

**NOTE:** Applicants will be required to pay a \$10.00 filing fee. Applicants who are currently employed in this position with the City of Cleveland are exempt. However, that when an applicant is disqualified from taking an examination on the basis of age, education or failure to meet other minimum entrance requirements, the fee paid by such applicant shall be refunded to such applicant upon the applicant's request in writing made within ten (10) days after the date of examination.

**NOTE:** All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Applications will not be accepted if copies are not submitted with application at time of filing. Civil Service Commission will make copies for a standard fee.

**NOTE:** Any applicant who resigns or is dismissed from employment with the City of Cleveland will have his/her name removed from the eligible list.

**AN EQUAL OPPORTUNITY EMPLOYER**

**APPROVED C.S.C. MINUTES  
 ANNOUNCEMENT NO. 47**

**FINGERPRINT EXAMINER (Non Comp)**

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of a non competitive examination for the above mentioned classification.

**SALARY**

The prevailing salary range for this position as established by Ordinance

of the Council of the City of Cleveland is \$18,885.32 to \$29,156.08 per year.

**FILING OF APPLICATION**

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. **APPLICATIONS WILL BE RECEIVED FOR ENTRANCE TO THE EXAMINATION FROM 8:30 A.M. ON MONDAY, JUNE 17, 2000 UNTIL 4:30 P.M. ON FRIDAY, JUNE 23, 2000.**

**NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON FRIDAY, JUNE 23, 2000.**

**THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.**

**EXAMINATION INFORMATION**

**TYPE: EXPERIENCE EVALUATION:** Applicant's grade will be determined based on Education and Experience found in Resume.

**NOTE:** Each applicant is required to submit a detailed resume of his/her education and experience at the time of filing application.

**NOTE: THE CIVIL SERVICE COMMISSION RESERVES THE RIGHT TO REVIEW AND EVALUATE ANY AND ALL INFORMATION CONTAINED IN THE APPLICATION OR RESUME. LACK OF HONESTY WILL RESULT IN IMMEDIATE REMOVAL FROM THE ELIGIBLE LIST.**

**DUTIES OF THE POSITION**

Under supervision, processes, classifies and compares fingerprints. Processes crime scenes and vehicles for fingerprints and trace evidence. Photographs evidence according to police procedures. Fingerprints persons for various identification purposes. Preserves and maintains evidence. Prepares reports and information required by the FBI and other organizations. Maintains and updates fingerprint files and conducts file searches. Maintains and displays mug shot files. Develops and photographs latent fingerprints. Classifies and compares fingerprints, latent fingerprints and palm prints. Qualifies and testifies in court. Performs other job-related duties as required.

**MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:**

G.E.D or High School Diploma is required. A Bachelor's Degree in Business/Public Administration or related field is preferred. Minimum of one (1) year full time experience in administrative operations; or any equivalent combination of education, training, and experience which provides the requisite knowledge, skills, and abilities for this position. Applicant should possess proficient computer and software skills: (Microsoft Office 95/97); as well as, excellent written and verbal communication skills. Applicant must currently be employed as a Fingerprint Examiner (T.A. Status) with the City of Cleveland.

**NOTE:** All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Applications will not be accepted if copies are not submitted with application at time of filing. Civil Service Commission will make copies for a standard fee.

**NOTE:** Any applicant who resigns or is dismissed from employment with the City of Cleveland will have his/her name removed from the eligible list.

**AN EQUAL OPPORTUNITY EMPLOYER**

APPROVED C.S.C. MINUTES  
ANNOUNCEMENT NO. 48

**MANAGER OF ARCHITECTURE  
(Non Comp)**

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of a non competitive examination for the above mentioned classification.

**SALARY**

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$27,325.56 to \$73,787.03 per year.

**FILING OF APPLICATION**

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE RECEIVED FOR ENTRANCE TO THE EXAMINATION FROM 8:30 A.M. ON MONDAY, JUNE 17, 2000 UNTIL 4:30 P.M. ON FRIDAY, JUNE 23, 2000.

**NOTE:** APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON FRIDAY, JUNE 23, 2000.

THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.

**EXAMINATION INFORMATION**

**TYPE: EXPERIENCE EVALUATION:** Applicant's grade will be determined based on Education and Experience found in Resume.

**NOTE:** Each applicant is required to submit a detailed resume of his/her education and experience at the time of filing application.

**NOTE:** THE CIVIL SERVICE COMMISSION RESERVES THE RIGHT TO REVIEW AND EVALUATE ANY AND ALL INFORMATION CONTAINED IN THE APPLICATION OR RESUME. LACK OF HONESTY WILL RESULT IN IMMEDIATE REMOVAL FROM THE ELIGIBLE LIST.

**DUTIES OF THE POSITION**

The duties of Manager of Architecture would entail direct professional responsibility for the design, development, and administration of construction projects within the Division of Architecture. This level of personnel would report directly to the Commissioner of Architecture and, in fact, have the responsibility of directing projects, assignments, and other managerial duties as an extension of the Commissioner's

authority. The managers of Architecture would have the task of managing the professional staff within this division which includes three Chief Architects, three Architects, two Supervisors of Architectural Construction, and two architectural students. In addition, they would serve on this Division's task force for Facility Management, working directly with the Commissioner and the Facility Manager to coordinate extensive programs.

**MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:**

Applicant must have a Bachelor's Degree in Architecture. A professional license to practice Architecture in the State of Ohio is required. Fifteen years of professional experience is required. Experience should include design experience as a project architect, field experience as a construction manager, and contract administration experience as a project manager. Applicant should be currently employed as a Manager of Architecture (TA Status) with the City of Cleveland.

**NOTE:** All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Applications will not be accepted if copies are not submitted with application at time of filing. Civil Service Commission will make copies for a standard fee.

**NOTE:** Any applicant who resigns or is dismissed from employment with the City of Cleveland will have his/her name removed from the eligible list.

**AN EQUAL OPPORTUNITY EMPLOYER**

APPROVED C.S.C. MINUTES  
ANNOUNCEMENT NO. 49

**SUPERVISOR OF COMPUTER OPERATIONS (Open)**

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of an Open examination for the above mentioned classification.

**SALARY**

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$30,214.95 to \$70,391.35 per year.

**FILING OF APPLICATION**

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE RECEIVED FOR ENTRANCE TO THE EXAMINATION FROM 8:30 A.M. ON MONDAY, JUNE 17, 2000 UNTIL 4:30 P.M. ON FRIDAY, JUNE 23, 2000.

**NOTE:** APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON FRIDAY, JUNE 23, 2000.

THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.

**EXAMINATION INFORMATION**

**TYPE: WRITTEN EXAMINATION**

**DUTIES OF THE POSITION**

Under direction, supervises the performance of computer system operations according to output requirements. Analyzes equipment problems and takes corrective action as needed. Performs other job-related duties as required.

**MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:**

Associates Degree in Computer Science or related field; or two (2) years of experience for each year of education lacking. A minimum of eight (8) to ten (10) years experience in IT/IS, a minimum of five (5) years experience in a supervisory and/or managerial position. Minimum of five (5) years experience supporting users in a Midrange IBM and/or NT Server Environment. Knowledge/Understanding of Wide Area Networks, IBM Mainframes, AS/400NT, Novell and various other Client Server or Midrange Systems. Information and support experience; or any equivalent combination of education, training and experience which provides the requisite knowledge, skills and abilities for this position.

**NOTE:** Applicants will be required to pay a \$10.00 filing fee. Applicants who are currently employed in this position with the City of Cleveland are exempt. However, that when an applicant is disqualified from taking an examination on the basis of age, education or failure to meet other minimum entrance requirements, the fee paid by such applicant shall be refunded to such applicant upon the applicant's request in writing made within ten (10) days after the date of examination.

**NOTE:** All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Applications will not be accepted if copies are not submitted with application at time of filing. Civil Service Commission will make copies for a standard fee.

**NOTE:** Any applicant who resigns or is dismissed from employment with the City of Cleveland will have his/her name removed from the eligible list.

**AN EQUAL OPPORTUNITY EMPLOYER**

APPROVED C.S.C. MINUTES  
ANNOUNCEMENT NO. 50

**SUPERVISOR OF INCOME TAX FILES (Open)**

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of an Open examination for the above mentioned classification.

**SALARY**

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$18,885.58 to \$32,509.53 per year.



FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE RECEIVED FOR ENTRANCE TO THE EXAMINATION FROM 8:30 A.M. ON MONDAY, JUNE 17, 2000 UNTIL 4:30 P.M. ON FRIDAY, JUNE 23, 2000.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON FRIDAY, JUNE 23, 2000.

THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.

EXAMINATION INFORMATION

TYPE: WRITTEN EXAMINATION

DUTIES OF THE POSITION

Under direction, supervises the income tax records storage operation within the Division of Taxation to ensure compliance with legal and departmental requirements. Checks tax record control numbers and entry. Supervises the filing of documents for permanent record storage. Directs the purging and disposition of permanent records. Supervises the rotation of files. Responds to inquiries concerning stored files. Performs other job-related duties as required.

MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:

Candidate must have an Associate's Degree in a financial subject or related field; however, experience in a municipal tax environment will substitute for education on a year for year basis. In addition, candidate must also have a minimum of two (2) years of experience working in a municipal tax environment. Candidate must be proficient in Microsoft Office and applicable tax software and hardware.

NOTE: Applicants will be required to pay a \$10.00 filing fee. Applicants who are currently employed in this position with the City of Cleveland are exempt. However, that when an applicant is disqualified from taking an examination on the basis of age, education or failure to meet other minimum entrance requirements, the fee paid by such applicant shall be refunded to such applicant upon the applicant's request in writing made within ten (10) days after the date of examination.

NOTE: All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Applications will not be accepted if copies are not submitted with application at time of filing. Civil Service Commission will make copies for a standard fee.

NOTE: Any applicant who resigns or is dismissed from employment with the City of Cleveland will have his/her name removed from the eligible list.

AN EQUAL OPPORTUNITY EMPLOYER

ANNE BLOOMBERG,  
President

June 7, 2000

**SCHEDULE OF THE BOARD OF ZONING APPEALS**

**MONDAY, JUNE 19, 2000**

**9:30 A.M.**

**Calendar No. 00-165:** 5111 Biddulph Road (Ward 16)

Sameh Melek, owner, appeals to install 250 linear feet of 6' high wooden privacy fencing to the front of a 70' x 155' corner parcel, located in a Two-Family District on the southeast corner of West 52nd Street and Biddulph Road; said installation being contrary to the Yards and Courts Requirements of Section 357.13(b)(3) where the maximum fencing height permitted is 4'-6" and 6' is proposed and the maximum fencing height allowed for a corner lot is 2'-6" as stated in Section 357.13(b)(3).

**Calendar No. 00-166:** 5000 Pearl Road (Ward 16)

Pearl Road Auto Wrecking and Salvage Inc., owner c/o Myron Kaplan, appeals to construct a 59' x 267' one-story metal siding storage building to the west of an existing 100' x 150' building all situated on an irregular shaped acreage parcel and located in a Semi-Industry District on the west side of Pearl Road at 5000 Pearl Road; said addition being contrary to the Industrial District Regulations of Section 345.03(33) where there shall be no storage of used, discarded or salvaged articles or materials either in buildings or on premises and there shall be no wrecking or dismantling of motor vehicles pending wrecking or dismantling on premises and subject to the expansion of non-conforming use limitations of Section 359.01 of the Codified Ordinances.

**Calendar No. 00-167:** 2401 Superior Avenue (Ward 13)

2530 Superior Partners, owner c/o Bruce Madorsky, appeal to establish an existing 133' x 149' corner parcel into a parking lot for 58 parking spaces located in a Semi-Industry District on the northeast corner of East 24th Street and Superior Avenue at 2401 Superior Avenue; said proposed parking lot being contrary to the Off-Street Parking and Loading Requirements of Section 349.07(a) where all water must be drained within the lot and contrary to the Landscaping and Screening Requirements where a 4' wide frontage landscaped strip is required for screening of parking lot from street as stated in Sections 352.10 and 352.11 of the Codified Ordinances.

**Calendar No. 00-168:** 2053 West 48th Street (Ward 14)

Walter J. Eaton, owner, appeals under the authority of Section 329.02(d) where the appellant has the right to appeal to the Board of Zoning Appeals from the Notice of Violation issued on May 12, 2000 by the Commissioner of the Division of Building and Housing, Community Development Department, under Section 357.14 where the erection of a structure in the setback area is prohibited, and under Section 357.13, where a fence in the front yard is in excess of the permitted 4'-6" and on the corner of the lot is in excess of the 2'-6" limit above the sidewalk of the intersecting streets as stated in the Yards and Courts Requirements of the Codified Ordinances.

**Calendar No. 169:** 3887 Lee Road (Ward 1)

Sherry Wingfield, owner, and Cynthia Tobin, agent, appeal to change the use of an existing 30' x 60' one-story masonry restaurant building into a day care facility all situated on an approximate 203' x 236' corner parcel located in a Local Retail Business District on the northeast corner of Glendale Avenue and Lee Road at 3887 Lee Road; said change of use being contrary to being to the Local Retail Business District Regulations of Section 343.01(b)(1) as regulated in the least restricted residence district and contrary to the Residential District Regulations where a day care facility must be located at least 30' from an adjoining premises in a Residential District not used for a similar purpose and contrary to the One Family District Regulations of Section 337.02(f)(3)C which requires the Board of Zoning Appeals approval for adequate side yard spaces and other safeguards to preserve the character of the neighborhood and contrary to the Landscaping and Screening Requirements of Section 352.10 where a 6' wide frontage landscaped strip is required for screening of parking lot from Lee Road and contrary to the Yards and Courts Requirements where a 4' specific setback along Lee Road is proposed and a 10' specific setback is required as stated on the zoning map and in Section 357.07(a) of the Codified Ordinances.

**Calendar No. 00-170:** 2173 West 95th Street (Ward 18)

Thomas Saba, owner, appeals to install 79 linear feet of 6' high wooden privacy fencing to the rear of a 35' x 120' parcel located in a Two-Family District on the east side of West 95th Street at 2173 West 95th Street; said installation being contrary to the Yards and Courts Requirements where the proposed fence must be setback from a residential structure on the adjoining premises equal to the fence height and a 6' and 4' fence are proposed and a 2-1/2' is permitted as stated in Section 357.13(b)(3) of the Codified Ordinances.

**Calendar No. 00-43:** 2259 West 11th Street (Ward 13)

Sutton Builders LLC, owner c/o Keith Sutton, appeals to construct two, two-family townhouses with attached garages to be situated on a 54' x 181' parcel and located in a Multi-Family District on the south side of West 11th Street at 2259 West 11th Street; said construction being contrary to the Off-Street Parking and Loading Requirements of Section 349.07(a) where all access and maintenance driveways and maneuvering areas shall be properly graded for drainage and contrary to the Area Requirements Regulations of Section 355.04 where 4,894 sq. ft. maximum gross floor area is permitted for a residential building and 7,436 sq. ft. is proposed, and a maximum lot width of 50' is required and 35' is proposed and contrary to the Yards and Courts Requirements of Section 357.08 where a 20' rear yard setback is required and 8' is proposed and where the proposed rear building is 9' from an adjoining residence and 4' from an adjoining garage and main residence buildings must be 10' from other buildings on an adjoining lot as stated in Section 357.09(b)(1) of the Codified Ordinances.

EUGENE CRANFORD, JR.,  
Secretary

## REPORT OF THE BOARD OF ZONING APPEALS

**MONDAY, JUNE 5, 2000**

At the meeting of the Board of Zoning Appeals on Monday, June 5, 2000, the following appeals were heard by the Board:

The following appeals were **Approved**:

**Calendar No. 00-91:** 478 East 152nd Street

Tom Raddell, owner d.b.a. Raddell's Sausage, appealed to construct a one-story addition to the north and a one-story addition to the west of a one-story building on a triangular parcel located in split zoning between Local Retail Business, Two-Family and Multi-Family Districts.

**Calendar No. 00-93:** 5454 Broadway Avenue

GPI Distributors Inc., owner, and Academy Child Care c/o Gloria J. Strong, tenant, appealed to expand an existing day care to the second floor of a two-story masonry building in a General Retail Business District; subject to approval of modified plan showing vacant separate lot for parking area.

**Calendar No. 00-88:** 3381 West Boulevard

Craig Brown, owner, appealed to install approximately 225 linear feet of 6' high wood privacy fencing with a gate to the rear of a corner parcel in a One-Family District; upon submission of revised plan showing fencing to be parallel with the dwelling.

The following appeal was **Denied**:

**Calendar No. 00-92:** 13000 Lorain Avenue

Donarae A. Horwitz d.b.a. Thirteen Thousand Lorain Inc., appealed under Section 76-6 of the Charter of the City of Cleveland and Section 347.12(a) of the Codified Ordinances from the refusal to issue a coin operated pool table license for the premises at 13000 Lorain Avenue.

The following appeal was **Dismissed**:

**Calendar No. 99-552:** 10721-10723 St. Clair Avenue

Eric Sims, owner, appealed to change the use of a retail stores portion of a two-story stores and four dwelling units building to a day care center in a Local Retail District.

The following appeal was **Withdrawn**:

**Calendar No. 00-95:** 12817 Brookfield Avenue

John Griffin, owner, appealed to construct a one-story frame carport to the west of an existing garage in a One-Family District.

**On Monday, June 5, 2000, in Executive Session:**

The following appeal was heard on Monday, May 22, 2000 and said decision was approved and adopted by the Board on June 5, 2000.

The following appeal was **Approved**:

**Calendar No. 00-87:** 2860 East 130th Street

Amos Norwood, owner, and Thresa Whitt, tenant, appealed to change the use of the second floor of a two-story commercial building from

offices to an expansion of day care use to match existing day care use on the first floor in a Residence Office District.

The following appeals were **Denied**:

None.

EUGENE CRANFORD, JR.,  
Secretary

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

NO MEETING

## PUBLIC NOTICE

NONE

## 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 Monday, June 12, 2000  
9:30 A.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 Monday, June 12, 2000, at 9:30 A.M., to consider the following ordinances now pending in the Council:

**Ord. No. 318-92.**

By Councilmen Jackson and Rybka.

An ordinance to change the Use and Height District of lands located between Kinsman Avenue, S.E. East 88th Street, north of Union Avenue, S.E., and East 65th Street. (Map Change No. 1810, Sheets Nos. 5 and 6)

**Ord. No. 2160-92.**

By Councilman O'Malley.

An ordinance to change the Use and Area Districts of lands on the east side of Fulton Parkway Road, S.W. between Memphis Avenue, S.W. and Clybourne Avenue, S.W. (Map Change No. 1831, Sheet No. 2)

**Ord. No. 2322-92.**

By Councilman Willis.

An ordinance to change the Use and Area Districts of lands located at the southeasterly corner of Bellflower Road, N.E. and Hessler Road, N.E. (Map Change No. 1838, Sheet No. 8)

**Ord. No. 2323-92.**

By Councilman Willis.

An ordinance to change the Use District of lands between Bellflower Road, N.E. and between Ford Drive, N.E. and two hundred sixty-five (265) feet northeasterly. (Map Change No. 1835, Sheet No. 8)

**Ord. No. 2324-92.**

By Councilman Willis.

An ordinance to change the Use District of lands between Juniper Drive, N.E. and Ford Drive, N.E. and

between Magnolia Drive, N.E. and Bellflower Road, N.E. (Map Change No. 1837, Sheet No. 8)

**Ord. No. 178-2000.**

By Councilman Sweeney.

An ordinance to change the Use District of lands on the northwesterly side of Grayton Road, S.W.; south of I-480 (Map Change No. 2006, Sheet No. 13)

**Ord. No. 554-2000.**

By Councilmen Rybka, White and Cimperman.

An ordinance establishing the Broadway Corridor Business Revitalization District (BRD) (Map Change No. 2008 Sheet No. 5 & 6)

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

JOSEPH C. CIMPERMAN,  
Chairman

Committee on City Planning

May 31, 2000 and June 7, 2000

## CITY OF CLEVELAND BIDS

**For All Departments**

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

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

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

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

**FRIDAY, JUNE 16, 2000**

**Facsimile Machines**, for the various divisions of City Government, Department of Finance, as authorized by Ordinance No. 1174-97, passed by the Council of the City of Cleveland.

**A PRE-BID MEETING IS TENTATIVELY SCHEDULED FOR**

THURSDAY, JUNE 8, 2000, 10:00 A.M., HAS BEEN CANCELLED. PLEASE CONTACT THE DIVISION OF PURCHASE AND SUPPLIES AT (216) 664-2626 OR (216) 664-4899 FOR FURTHER INFORMATION.

**Motorcycle Parts and Repairs**, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 2163-99, passed by the Council of the City of Cleveland, February 14, 2000.

**Allison Rebuilt Transmission**, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 265-2000, passed by the Council of the City of Cleveland, May 1, 2000.

**Automotive and Truck Spring Repair**, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 271-2000, passed by the Council of the City of Cleveland, April 17, 2000.

May 31, 2000 and June 7, 2000

#### FRIDAY, JUNE 23, 2000

**Automotive Parts and Supplies**, for the various divisions of the Department of Port Control, as authorized by Ordinance No. 781-99, passed by the Council of the City of Cleveland.

**Schaaf Road Tower Removal**, for the Department of Public Utilities, as authorized by Ordinance No. 1257-99, passed by the Council of the City of Cleveland, July 14, 1999.

A PRE-BID MEETING WILL BE HELD ON THURSDAY, JUNE 15, 2000, 10:00 A.M., IN THE TOM L. JOHNSON, CLEVELAND PUBLIC POWER BUILDING, CONFERENCE ROOM A, 1300 LAKE SIDE AVENUE, CLEVELAND, OHIO.

May 31, 2000 and June 7, 2000

#### FRIDAY, JUNE 30, 2000

**Distribution System Instrumentation Purchase**, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 1416-99, passed by the Council of the City of Cleveland, October 4, 1999.

May 31, 2000 and June 7, 2000

#### WEDNESDAY, JUNE 21, 2000

**Tuland Park and Gunning Park Site Improvements**, for the Division of Research, Planning and Development, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 1748-99, passed by the Council of the City of Cleveland, April 17, 2000.

A DEPOSIT OF TWENTY FIVE DOLLARS (\$25.00) CERTIFIED CHECK OR MONEY ORDER WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS. THE DEPOSIT WILL BE RETURNED IF THE PLANS AND SPECIFICATIONS ARE RETURNED IN GOOD CONDITION WITHIN FIFTEEN (15) DAYS AFTER THE BID OPENING DATE.

**Pool Deck Fence Improvements**, for the Division of Research, Planning and Development, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 1748-99, passed by the Council of the City of Cleveland, April 17, 2000.

A DEPOSIT OF TWENTY FIVE DOLLARS (\$25.00) CERTIFIED CHECK OR MONEY ORDER WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS. THE DEPOSIT WILL BE RETURNED IF THE PLANS AND SPECIFICATIONS ARE RETURNED IN GOOD CONDITION WITHIN FIFTEEN (15) DAYS AFTER THE BID OPENING DATE.

**Labor and Materials to Paint Center and Lane Lines**, for the Division of Traffic Engineering and Parking, Department of Public Safety, as authorized by Ordinance No. 2161-99, passed by the Council of the City of Cleveland, February 14, 2000.

June 7, 2000 and June 14, 2000

#### THURSDAY, JUNE 29, 2000

**Various Types of Safety Equipment (Rope Rescue Equipment and Training)**, for the Various Divisions of the Department of Public Safety, as authorized by Ordinance No. 1167-97.

**Various Types of Safety Equipment (Hurst Rescue Equipment)**, for the Various Divisions of the Department of Public Safety, as authorized by Ordinance No. 1167-97.

**One Trash Compactor**, for the Division of Cleveland Hopkins International Airport, Department of Port Control, as authorized by Ordinance No. 330-2000, passed by the Council of the City of Cleveland, May 1, 2000.

June 7, 2000 and June 14, 2000

#### FRIDAY, JUNE 30, 2000

**Manufacture and Install Signs For The Cleveland Industrial Park**, for the Department of Economic Development.

**Landscaping**, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 1260-99, passed by the Council of the City of Cleveland, August 11, 1999.

A PRE-BID CONFERENCE WILL BE HELD AT 3:00 P.M. ON THURSDAY, JUNE 22, 2000, AT THE CLEVELAND PUBLIC POWER OFFICES, 1300 LAKE SIDE AVENUE, CLEVELAND, OHIO 44114. ATTENDANCE IS MANDATORY BIDS RECEIVED FROM THOSE NOT IN ATTENDANCE WILL BE DISQUALIFIED AS NON-COMPLIANT.

June 7, 2000 and June 14, 2000

#### Request for Qualifications (RFQ): FAATracon Project No. A1-H215

Interested firms may obtain qualifications packages beginning June 9, 2000 by going to:

www.clevelandairport.com

1239

Submit questions (prior to the pre-qualification meeting) via the website or E-mail at:

proposal@clevelandairport.com

SUBMITTAL DUE DATE:

Thursday, July 6, 2000 at 12:00 Noon

PRE-QUALIFICATIONS MEETING:

TUESDAY, JUNE 20, 2000 at 11:00 a.m.  
Program Management Team Office,  
19501 Five Points  
Cleveland, Ohio 44135

For Further Information Contact: —

Denise Hale, M-F 8 A.M. to 5 P.M.  
(216) 676-9699 x103  
(216) 676-9778

June 7, 2000 and June 14, 2000

### ADOPTED RESOLUTIONS AND ORDINANCES

**Res. No. 425-2000.**  
**By Councilman Sweeney (by request).**

**An emergency resolution declaring the intention to vacate a portion of Westport Avenue S.W.**

Whereas, this Council; is satisfied that there is good cause to vacate a portion of Westport Avenue S.W., as hereinafter described; 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 it hereby declares its intention to vacate the following described real property:

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being all that portion of:

WESTPORT AVENUE S.W. (54.00 feet wide), and its Northerly and Southerly turnouts, extending Easterly from the Easterly line of Rocky River Drive S.W. (width varies), to that portion of Westport Avenue S.W. vacated by the Council of the City of Cleveland by Ordinance Number 1335-96 on July 24, 1996.

**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 May 22, 2000.  
Effective June 1, 2000.

**Res. No. 961-2000.**  
**By Councilman Jones.**  
**An emergency resolution urging the Cleveland area congressional delegation to investigate the provision of health care services by health maintenance organizations and managed care organizations, and if necessary, to abolish such organizations.**

Whereas, this Council of the City of Cleveland believes that comprehensive, high quality health care

insurance coverage should be available to every resident of the City of Cleveland; and

Whereas, this Council, through the hospital closure issues surrounding Mt. Sinai and St. Michael Hospitals, has become keenly aware of the health care crisis that exists in the City of Cleveland; and

Whereas, the financial practices of certain health maintenance organizations and managed care organizations often serves to limit quality health care services to those in need of medical treatment; and

Whereas, the matter of the provision of health insurance coverage is of great importance to 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 urges the congressional delegation of the City of Cleveland to review and investigate the level of health care provided by health maintenance organizations and managed care organizations to those in need of medical treatment and, if necessary, to legislate the abolition of such groups if they fail to provide adequate health care services.

**Section 2.** That the Clerk is hereby requested to forward a copy of this resolution to the Cleveland area congressional delegation.

**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 May 22, 2000.  
Effective June 1, 2000.

**Ord. No. 1967-96.**  
**By Councilmen Britt, Jackson, Rybka and Rokakis (by departmental request).**

**An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 10900 Woodland Avenue to Dawson Temple Church of God in Christ.**

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

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

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

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

**Section 1.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the

Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 128-02-021, as more fully described in Section 2 below, to Dawson Temple Church of God in Christ.

**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. 128-02-021

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original One Hundred Acre Lot No. 418, and bounded and described as follows:

Beginning in the Southerly line of Woodland Avenue, S.E., at a point 61 feet Westerly from the Easterly line of Original One Hundred Acre Lot No. 418; thence Southerly in a line parallel with the Easterly line of said Original Lot No. 418, 140 feet to a point; thence Westerly along a line parallel with the Southerly line of Woodland Avenue, S.E., 41 feet; thence Northerly parallel with the Westerly line of said Original Lot No. 418; 140 feet; thence Easterly along the Southerly line of Woodland Avenue, S.E., 41 feet to the place of the beginning, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

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

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

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

**Section 6.** That the deed shall contain a provision granting reversionary rights to the City if the project and plans for development of the property are not reviewed and approved by the Department of Community Development and the City Planning Commission and if the constructed project does not conform to the approved plans.

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

Passed May 22, 2000.  
Effective June 1, 2000.

**Ord. No. 1080-99.**

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

**An emergency ordinance authorizing the Director of Public Utilities to employ one or more professional consultants to provide professional services necessary to design and develop a Geographic Information System, including software and authorizing the Director of Public Utilities to enter into agreements relative thereto.**

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

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

**Section 1.** That the Director of Public Utilities is hereby authorized to employ by contract one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to design and develop a Geographic Information System ("GIS"). Such design and development shall include the following: management and organizational development, base map development, application development, and contingency funding. Additionally, a needs assessment of the various divisions of the City of Cleveland shall be conducted for the express purpose of identifying the needs of the City that may be required for implementation of a GIS. Upon completion of the design and development authorized herein, the Director of Public Utilities shall present a report to the Public Utilities Committee.

**Section 2.** That the Director of Public Utilities is hereby authorized to employ by contract one or more software development and assistance firms for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to design and develop computer software programs and/or identify and recommend commercially available GIS computer software programs best suited to meet the requirements of the various departments of the City of Cleveland utilizing a GIS designed and developed in accordance with this legislation. Upon design and development of computer software programs and/or identification of GIS computer software programs as authorized herein, the Director of Public Utilities shall present a report to the Public Utilities Committee.

**Section 3.** That the Director of Public Utilities is hereby authorized to enter into agreements with other government entities to coordinate the design and implementation of the GIS authorized herein.

**Section 4.** That the costs for such contracts authorized by this ordinance shall not exceed seven million dollars (\$7,000,000.00) and shall be paid from Fund Nos. 52 SF 001, 52 SF 223 and 52 SF 225, Request No. 3771.

**Section 5.** That each user Department and Division shall reimburse the Division of Water for each user's proportionate share of the

cost of the GIS, which costs may include, but are not limited to, design, construction, operation and maintenance, and replacement costs of the GIS, and any debt service costs attributable to each user's proportionate share of said costs. Accordingly, the Director of Finance is hereby authorized to make payment in annual installments to the Division of Water on behalf of the various City user Departments and Divisions in an amount equal to each user's proportionate share of said costs payable from Fund Nos. 11 SF 006, 54 SF 001, 58 SF 001, 60 SF 001, 60 SF 104, 60 SF 105 and 60 SF 106 or from funds appropriated by the Council for use by the various Departments and Divisions to pay for such expenses. The Director of Public Utilities and the Director of Finance are hereby authorized to memorialize the reimbursements authorized herein through a Memorandum of Understanding.

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

Passed May 22, 2000.  
Effective June 1, 2000.

**Ord. No. 1746-99.**

**By Councilmen Cimperman, Cinton, Jones, Robinson and Johnson (by departmental request).**

**An emergency ordinance determining the method of making the public improvement of rehabilitating, renovating, or otherwise improving Public Hall, Music Hall and Convention Center and the West Side Market; authorizing the Director of Parks, Recreation and Properties to enter into contract for the making of such improvement; and authorizing the purchase by contract of furniture and equipment necessary for the improvement.**

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

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

**Section 1.** That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of rehabilitating, renovating, or otherwise improving Public Hall, Music Hall and Convention Center and the West Side Market, for the Division of Convention Center and Stadium, Department of Parks, Recreation and Properties, by contract duly let to the lowest responsible bidder after competitive bidding for a gross price for the improvement.

**Section 2.** That the Director of Parks, Recreation and Properties is hereby authorized to enter into contract for the making of the above public improvement with the lowest

responsible bidder after competitive bidding for a gross price for the improvement, provided, however, that each separate trade and each distinct component part of said improvement may be treated as a separate improvement, and each, or any combination, of such trades or components may be the subject of a separate contract for a gross price. Upon request of said director the contractor shall furnish a correct schedule of unit prices, including profit and overhead, for all items constituting units of said improvement.

**Section 3.** That the Director of Parks, Recreation and Properties is hereby authorized to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: furniture and equipment necessary for said improvement, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Convention Center and Stadium, Department of Parks, Recreation and Properties.

**Section 4.** That the cost of said improvement and purchases hereby authorized shall not exceed \$350,000.00 and shall be paid from Fund Nos. 11 SF 006 and 20 SF 362, Request No. 5028.

**Section 5.** That the design of the Public Hall/Music Hall marquee shall be reviewed by the Landmarks Commission prior to installation.

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

Passed May 22, 2000.  
Effective June 1, 2000.

**Ord. No. 1755-99.**

**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 3679 East 116th Street to LaFayette Carthon, Jr.**

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), 137-08-010, as more fully described in Section 2 below, to LaFayette Carthon, Jr.

**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. 137-08-010

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 268 in the Union Rice Subdivision No. 2 of part of Original One Hundred Acre Lot No. 452, as shown by the recorded plat of said Subdivision in Volume 64 of Maps, Page 26 of Cuyahoga County Records. Said Sublot No. 268 has a frontage of 40 feet on the Easterly side of East 116th Street and extending back between parallel lines 130 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

**Section 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 the deed shall contain a provision granting reversionary rights to the City if the project and plans for development of the property are not reviewed and approved by the Department of Community Development and the City Planning Commission and if the constructed project does not conform to the approved plans.

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

Passed May 22, 2000.  
Effective June 1, 2000.

**Ord. No. 172-2000.**  
**By Councilmen Rybka and Patmon**  
**(by departmental request).**

**An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter into an agreement with Neighborhood Centers Association to implement educational, recreational and cultural programs in various school buildings during evening hours.**

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

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

**Section 1.** That the Director of Parks, Recreation and Properties is hereby authorized to enter into an agreement with Neighborhood Centers Association to implement educational, recreational and cultural programs in various school buildings during evening hours in accordance with the recommendations and pilot program proposed by the Committee of the Cleveland Summit on Education, in an amount not to exceed One Hundred Fifty Thousand Dollars (\$150,000), payable from Fund No. 01-700404-638000, Request No. 19024.

**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 May 22, 2000.  
 Effective June 1, 2000.

**Ord. No. 333-2000.**  
**By Councilman Cintron.**  
**An emergency ordinance to accept the dedication of a portion of Orchard Place S.W.**

Whereas, That a portion of Orchard Place Drive S.W. (34.00 feet wide), is open and used as a public street, and is necessary for the general public's access; now therefore

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

**Section 1.** That the dedication of a portion of Orchard Place S.W. (34.00 feet wide), between West 41st Street (60.00 feet wide), and Bailey Avenue S.W. (60.00 feet wide), as shown by the recorded plat in Volume 302, Page 06 of Cuyahoga County Records, be and the same is hereby accepted as dedicated.

**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 May 22, 2000.  
 Effective June 1, 2000.

**Ord. No. 335-2000.**  
**By Councilman Robinson.**  
**An emergency ordinance to accept the dedication of a portion of Reservoir Place Drive S.E.**

Whereas, That a portion of Reservoir Place Drive S.E. (50.00 feet wide), is open and used as a public street, and is necessary for the general public's access; now therefore

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

**Section 1.** That the dedication of a portion of Reservoir Place Drive S.E. (50.00 feet wide), between Martin Luther King Jr. Drive (width varies) and Kinsman Road S.E. (60.00 feet wide), as shown in the recorded plat in Volume 298, Pages 40, and 41 of Cuyahoga County Map Records, be and the same is hereby accepted as dedicated.

**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 May 22, 2000.  
 Effective June 1, 2000.

**Ord. No. 369-2000.**  
**By Councilmen Lewis, Melena, Cimperman and Patmon (by departmental request).**

**An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at East 81st Street to Akusika Nkomo Mackey and Willie R. Mackey.**

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

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

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

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

**Section 1.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 106-20-080, as more fully described in Section 2 below, to Akusika Nkomo Mackey and Willie R. Mackey.

**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. 106-20-080

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 9 in the Mary E. and S.K. Davies Re-Allotment of part of Original One Hundred Acre Lot No. 391, as shown on plat recorded in Volume 5, Page 39 of Cuyahoga County Map Records, and is bounded and described as follows:

Beginning point in on the North line of said Sublot No. 9, distant North 89° 52' 40" East along said North line 97.10 feet from the Northwest corner of said Sublot No. 9; it being in the East line of East 81st Street (50 feet wide);

Course 1: Thence North 89° 53' 40" East along said North line of said Sublot No. 9, 55.35 feet to the Northeast corner thereof.

Course 2: Thence South 00° 13' 20" West along the East line of said Sublot No. 9, 35.00 feet.

Course 3: Thence South 89° 52' 30" West 55.22 feet to a point which is distant North 89° 52' 30" East 97.10 feet from said East line of East 81st Street.

Course 4: Thence North parallel with said Easterly line of East 81st Street, 35.03 feet, to the place of beginning, be the same more or less, but subject to all legal highways.

Easement and Right of Way as shown in Warranty Deed, filed for record June 22, 1959 and recorded in Volume 9717, Page 415 of Cuyahoga County Records.

Subject to Zoning Ordinances, if any.

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

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

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

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

Passed May 22, 2000.  
 Effective June 1, 2000.

**Ord. No. 416-2000.  
By Councilmen Cintron and Patmon  
(by departmental request).**

**An emergency ordinance authorizing the Director of Public Service to enter into an agreement with the State of Ohio, Department of Transportation to maintain, repair and plow the Jennings Freeway in exchange for road salt.**

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

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

**Section 1.** That the Director of Public Service is authorized to enter into an agreement with the State of Ohio, Department of Transportation, whereby the State will maintain, repair and plow the Jennings Freeway in exchange for road salt.

**Section 2.** That the Director of Public Service shall provide the Public Service Committee and the Chairman of the Finance Committee with a yearly informational review of the agreement authorized herein.

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

Passed May 22, 2000.  
Effective June 1, 2000.

**Ord. No. 418-2000.  
By Councilmen Rybka, Melena,  
Cimperman and Patmon (by departmental request).**

**An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 4096 East 81st Street to Slavic Village Development Corporation or designee.**

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

Whereas, real property acquired under the City's Land Reutilization Program is acquired, held, administered and disposed 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). 134-05-070, as more fully described in Section 2 below, to Slavic Village Development Corporation or designee.

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

P. P. No. 134-05-070

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 9 in Fred K. Mull's Subdivision of part of Original One Hundred Acre Lot No. 463, as shown by the recorded plat in Volume 3 of Maps, Page 27 of Cuyahoga County Records, and being 49.50 feet front on the Westerly side of East 81st Street, and extending back of equal width 100 feet, as appears by said plat.

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

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

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

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

Passed May 22, 2000.  
Effective June 1, 2000.

**Ord. No. 419-2000.  
By Councilmen White and Patmon  
(by departmental request).**

**An emergency ordinance approving the collective bargaining agreement with Cleveland Building and Construction Trades Council.**

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

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

**Section 1.** That, in accordance with division (B) of Section 4117.10 of the Revised Code, this Council hereby

approves the collective bargaining agreement with Cleveland Building and Construction Trades Council, which contains the terms set forth in File No. 419-2000-A, for the period from November 15, 1999 through November 14, 2002.

**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 May 22, 2000.  
Effective June 1, 2000.

**Ord. No. 420-2000.  
By Councilmen White and Patmon  
(by departmental request).**

**An emergency ordinance approving the collective bargaining agreement with Ohio Patrolmen's Benevolent 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, in accordance with division (B) of Section 4117.10 of the Revised Code, this Council hereby approves a collective bargaining agreement with Ohio Patrolmen's Benevolent Association, which contains the terms set forth in File No. 420-2000-A, for the period from April 1, 1998 through March 31, 2001, which provides, among other things, for an increase in the salaries and wages for members of the bargaining unit in accordance with the following schedule:

Increase	Effective Date of Increase
Three percent (3%)	April 1, 1998
Three and one-half percent (3.5%)	April 1, 1999
Three and one-half percent (3.5%)	April 1, 2000

**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 May 22, 2000.  
Effective June 1, 2000.

**Ord. No. 421-2000.  
By Councilmen White and Patmon  
(by departmental request).**

**An emergency ordinance approving the collective bargaining agreement with S.E.M.E., Local 1.**

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

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

**Section 1.** That, in accordance with division (B) of Section 4117.10 of the Revised Code, this Council hereby approves a collective bargaining agreement with S.E.M.E., Local 1, which contains the terms set forth in File No. 421-2000-A, for the period from April 1, 1998 through March 31, 2001, which provides, among other things, for an increase in the salaries and wages for members of the bargaining unit in accordance with the following schedule:

Increase	Effective Date of Increase
Three percent (3%)	April 1, 1998
Three and one-half percent (3.5%)	April 1, 1999
Three and one-half percent (3.5%)	April 1, 2000

**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 May 22, 2000.  
Effective June 1, 2000.

**Ord. No. 423-2000.**  
**By Councilmen White and Patmon (by departmental request).**

**An emergency ordinance approving the collective bargaining agreement with Treasurers and Ticket Sellers, Local 756.**

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

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

**Section 1.** That, in accordance with division (B) of Section 4117.10 of the Revised Code, this Council hereby approves a collective bargaining agreement with Treasurers and Ticket Sellers, Local 756, which contains the terms set forth in File No. 423-2000-A, for the period from April 1, 1998 through March 31, 2001, which provides, among other things, for an increase in the salaries and wages for members of the bargaining unit in accordance with the following schedule:

Increase	Effective Date of Increase
Three percent (3%)	April 1, 1998
Three and one-half percent (3.5%)	April 1, 1999
Three and one-half percent (3.5%)	April 1, 2000

**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 May 22, 2000.  
Effective June 1, 2000.

**Ord. No. 479-2000.**  
**By Councilmen Jones, Melena, Cimperman and Patmon (by departmental request).**

**An emergency ordinance authorizing the purchase by contract of labor and materials necessary to produce and install directional and identifying signs for the Cleveland Industrial Park, for the Department of Economic Development.**

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

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

**Section 1.** That the Director of Economic Development is hereby authorized to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: labor and materials necessary to produce and install directional and identifying signs for the Cleveland Industrial Park, to be purchased by the Commissioner of Purchases and Supplies for a gross price for the Department of Economic Development.

**Section 2.** That the cost of said contract hereby authorized shall be paid from Fund No. 17 SF 652, Request No. 1047.

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

Passed May 22, 2000.  
Effective June 1, 2000.

**Ord. No. 515-2000.**  
**By Councilman Patmon (by departmental request).**

**An emergency ordinance authorizing the Clerk of the Cleveland Municipal Court, to enter into contract with Lockheed Information Management Services Company for professional services necessary to process, collect and enforce parking infraction tickets, for the Clerk of Courts, for a period of two years, with two two year options to renew.**

Whereas, division (d) of Section 459.03 of the Codified Ordinances of

Cleveland, Ohio, 1976, provides that the Clerk of the Cleveland Municipal Court shall have authority, subject to the approval of the City Council, to contract with any non-governmental entity to provide services in processing, collecting and enforcing parking infraction tickets and judgments; 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 the Clerk of the Cleveland Municipal Court, is hereby authorized to enter into contract with Lockheed Information Management Services Company for professional services necessary to process, collect and enforce parking infraction tickets on the basis of its proposal dated December 8, 1999. The contract shall commence June 1, 2000, and shall have a term of two years, with two (2) options exercisable by the Director of Finance, to renew for additional two-year terms, and cancellable upon thirty days' written notice by said Director. No option to renew the contract shall be exercised unless this Council first authorizes that action through additional legislative authority. This shall be stated in the contract authorized by this ordinance. The contract herein authorized shall be prepared by the Director of Law and shall be approved by him prior to its execution by the Clerk of the Cleveland Municipal Court. The contract shall state that it is subject to the validity of Chapter 4521 of the Ohio Revised Code and Chapter 459 of the Codified Ordinances of Cleveland, Ohio, 1976.

**Section 2.** That the compensation to be paid for such processing services shall be paid from Fund No. 01-011601-632000, Request No. 7998.

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

Passed May 22, 2000.  
Effective June 1, 2000.

**Ord. No. 516-2000.**  
**By Councilmen O'Malley and Patmon (by departmental request).**

**An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to repair treelawns and landscape maintenance, for the Divisions of Water, Water Pollution Control and Cleveland Public Power, for a period not to exceed one year.**

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of



a municipal department; now, therefore,

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

**Section 1.** That the Director of Public Utilities is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year of the necessary items of labor and materials necessary to repair treelawns and landscape maintenance, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Divisions of Water, Water Pollution Control and Cleveland Public Power, for a period not to exceed one year. This contract is for the exclusive use of the divisions of the Public Utilities Department in connection with the work of those divisions, and shall not be used by any other City departments or divisions. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than one year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

**Section 2.** That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. All expenditures under the contract authorized herein shall not exceed \$932,500.00. (RL 18748)

**Section 3.** That the contract authorized herein shall not be amended, extended or altered without City Council approval.

**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 May 22, 2000.  
Effective June 1, 2000.

**Ord. No. 520-2000.**  
**By Councilmen Melena, Westbrook, Brady, Cintron and Patmon (by departmental request).**

**An emergency ordinance authorizing the Director of Public Service to cause payment of the City's share to the County of Cuyahoga for the cost of repairing and resurfacing West 117th Street from Bellaire Road to Edgewater Drive.**

Whereas, in Ordinance No. 2329-86, passed October 27, 1986, this Council gave consent to the Cuyahoga County Commissioners for the repair and resurfacing of West 117th Street from Bellaire Road to Edgewater Drive; and

Whereas, this Council authorized the City to cooperate with the County Commissioners of Cuyahoga County in the cost of the above-referenced improvement; and

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

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

**Section 1.** That this Council hereby authorizes payment to the County of Cuyahoga of the City's share of the cost of repairing and resurfacing West 117th Street from Bellaire Road to Edgewater Drive, from Fund No. 20 SF 334, 20 SF 353 and 20 SF 364, Request No. 4386.

**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 May 22, 2000.  
Effective June 1, 2000.

**Ord. No. 653-2000.**

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

**An emergency ordinance authorizing the Director of Community Development to enter into contract with various agencies to provide housing, commercial, industrial and real estate development activities.**

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

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

**Section 1.** That the Director of Community Development is hereby authorized to enter into contract with the following agencies to provide housing, commercial, industrial and real estate development activities:

**CDC Competitive Grant Program**

Amistad Development Corporation  
Bellaire Puritas Development Corporation  
Buckeye Area Development Corporation  
Burten, Bell, and Carr Development Corporation  
Clark Metro Development Corporation  
Collinwood Community Services Center  
Collinwood/Nottingham Village Development Corporation  
Cudell Improvement, Inc.

Detroit Shoreway Community Development Organization

Fairfax Renaissance Development Corporation

Famicos Foundation

Flats Oxbow Association

Glenville Development Corporation

Historic Gateway Development Corporation

Historic Warehouse District Development Corporation

Hough Area Partners in Progress, Inc.

Kamms Corner Development Corporation

Midtown Cleveland

Miles Ahead, Inc.

Mt. Pleasant Now Development Corporation

Northeast Shores Development Corporation

Northeastern Neighborhood Development Corporation

Ohio City Near West Development Corporation

Old Brooklyn Community Development Corporation

Shaker Square Development Corporation

Slavic Village Development

Southeast Improvement Association

St. Clair Superior Neighborhood Development Association

Tremont West Development Corporation

Union Miles Development Corporation

Westtown Community Development Corporation

**Section 2.** That the cost of said contracts shall be in an amount not to exceed \$1,655,000.00, and shall be paid from Fund Nos. 14 SC 026, Request No. 1180.

**Section 3.** That the Director of Community Development is authorized to accept program income and use this and other program income to finance additional housing, commercial, industrial and real estate development activities.

**Section 4.** That the Director of Community Development is authorized to enter into or amend contracts with the agencies administering the housing, commercial, industrial and real estate activities that generated program income in an amount not to exceed that generated program income and to be paid from the revolving fund in Fund 14.

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

Passed May 22, 2000.  
Effective June 1, 2000.

**Ord. No. 657-2000.**

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

**An emergency ordinance authorizing the Director of Personnel and Human Resources to accept allocations of grants from the State of Ohio Bureau of Employment Services under the Workforce Investment Act, Title I and to appropriate funds to provide for administration of the Workforce Investment Act Programs by the Department of Personnel and Human Resources; and authorizing said Director to enter into contract with the Cleveland Municipal School District and the Cleveland Initiative for Education to provide youth service under the PY 2000 Workforce Investment Act, Title I.**

Whereas, the Workforce Investment Act of 1998, Public Law 105-220 ("WIA"), the purpose of which is to "... provide workforce investment activities, through statewide and local workforce investment systems, that increase the employment, retention, and earnings of participants, and increase occupational skill attainment by participants, and, as a result, improve the quality of the workforce, reduce welfare dependency, and enhance the productivity and competitiveness of the Nation"; and

Whereas, in accordance with the WIA, the Governor of the State of Ohio has designated Ohio Workforce Areas for the WIA throughout Ohio and the Governor has designated the geographic boundaries of the City of Cleveland ("City") as Ohio Workforce Area (OWA) No. 3; and

Whereas, in accordance with the agreement required by the WIA and approved by the Governor, for the WIA Program Year ("PY") 2000 for the period of July 1, 1998 through June 30, 2000, between the Chairman of the Private Industry Council of Cleveland (PICC) and the City, the City has been designated the WIA grant recipient; administrative entity; and OWA No. 3; and

Whereas, the Secretary of the United States Department of Labor has issued allotments of the WIA funds to the Ohio Bureau of Employment Services which has issued allocations under WIA Title I to the City for PY 2000 subject to the approval of the Local Workforce Investment Plan; and

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

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

**Section 1.** That the Director of Personnel and Human Resources is hereby authorized to accept the following allocations of grants from the State of Ohio Bureau of Employment Services under the WIA, Title I — Workforce Investment Systems for the delivery of allowable program services to eligible individuals, and to credit said grants to the fund and subfunds designated herein:

<b>GRANT NAME</b>	<b>FUND</b>	<b>AMOUNT</b>
Youth Activities	16 SF 200	\$ 5,404,553.00
Adult Employment and Training	16 SF 200	\$ 5,242,218.00
Dislocated Worker Employment and Training	16 SF 200	<u>\$ 1,767,958.00</u>
	<b>TOTAL</b>	<b>\$12,414,829.00</b>

The Director of Personnel and Human Resources is hereby authorized to file all papers and execute all documents necessary to accept and receive the funds under said grants.

**Section 2.** That the following sums from each grant specified in Section 1 herein are hereby appropriated as follows to provide for administration of the WIA programs:

<b>A. Youth Activities</b>		
Personnel and Related Expenses . . . . .		\$ 1,080,931.00
Other Expenses . . . . .		<u>\$ 4,323,722.00</u>
	Total . . . . .	\$ 5,404,653.00
<b>B. Adult Employment and Training</b>		
Personnel and Related Expenses . . . . .		\$ 1,048,444.00
Other Expenses . . . . .		<u>\$ 4,193,774.00</u>
	Total . . . . .	\$ 5,242,218.00
<b>C. Dislocated Worker Employment and Training</b>		
Personnel and Related Expenses . . . . .		\$ 353,592.00
Other Expenses . . . . .		<u>\$ 1,414,366.00</u>
	Total . . . . .	\$ 1,767,958.00
	<b>TOTAL . . . . .</b>	<b>\$12,414,829.00</b>

**Section 3.** That the Director of Personnel and Human Resources is authorized to enter into contract with the Cleveland Municipal School District for the delivery of youth services under the PY 2000 Workforce Investment Act, Title I, in an amount not to exceed \$1,850,000.00.

**Section 4.** That the Director of Personnel and Human Resources is authorized to enter into contract with the Cleveland Initiative for Education for the delivery of youth services under the PY 2000 Workforce Investment Act, Title I, in an amount not to exceed \$225,000.00.

**Section 5.** That the cost of the contracts authorized above shall be paid from Fund No. 16 SF 200, Request Nos. 15417 and 15418.

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

Passed May 22, 2000.  
Effective June 1, 2000.

**Ord. No. 658-2000.**  
**By Councilmen White and Patmon**  
**(by departmental request).**

**An emergency ordinance authorizing the Director of Personnel and Human Resources to enter into contract with Ceridian Benefits Services (formerly Applied Benefits Research, Inc. dba COBRASERV) for professional services necessary to administer the City's COBRA program for the Department of Personnel and Human Resources, for a period of one year, with a one-year option to renew.**

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

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

**Section 1.** That the Director of Personnel and Human Resources is hereby authorized to enter into contract with Ceridian Benefits Services (formerly Applied Benefits Research, Inc. dba COBRASERV) for professional services necessary to administer the City's COBRA program on the basis of its proposal dated March 13, 2000, for a period of one year, with an option to renew for an additional one-year period, exercisable by the Director of Personnel and Human Resources.

**Section 2.** That the costs for such services shall be paid from Fund No. 01-040200-632400, Request No. 16219.

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

Passed May 22, 2000.

Effective June 1, 2000.

**Ord. No. 714-2000.**  
**By Councilmen Cintron and Patmon**  
**(by departmental request).**

**An emergency ordinance authorizing the purchase by requirement contract of steel lid refurbishment, for the Division of Waste Collection and Disposal, Department of Public Service, for a period of one year with one one-year option to renew.**

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

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

**Section 1.** That the Director of Public Service is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of steel lid refurbishment in the approximate amount as purchased during the preceding year, with one (1) option exercisable by the Director of Public Service, to renew for an additional one-year period, and cancellable upon thirty days written

notice by said Director, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Waste Collection and Disposal, Department of Public Service. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

**Section 2.** That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 21137)

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

Passed May 22, 2000.

Effective June 1, 2000.

**Ord. No. 715-2000.**  
**By Councilmen Cintron and Patmon**  
**(by departmental request).**

**An emergency ordinance authorizing the purchase by requirement contract of contingency services for the disposal of municipal solid waste, for the Division of Waste Collection and Disposal, Department of Public Service, for a period of one year with a one year option to renew.**

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

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

**Section 1.** That the Director of Public Service is hereby authorized to make a written requirement contract or contracts in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements of the provision of contingency services for the disposal of municipal solid waste to various approved and certified transfer facilities and landfills, in the approximate amount for each year of the term as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Waste Collection and Disposal, Department of Public Service. The contract or contracts hereby authorized shall have an initial term of one (1) year. The City shall have one (1) one-year option, exercisable by the Director

of Public Service, to renew and extend the term. Bids shall be taken in such manner as to permit an award to be made for all items of services as a single contract, or by separate contracts for each or any combination of said items as the Board of Control shall determine.

Bids shall also be taken so as to permit an award to be made for provision of such services citywide or by separate contracts for the districts determined by the Director of Public Service. Alternate bids for a period less than the initial term may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire period.

**Section 2.** That notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Director of Public Service may require that each bid be accompanied by a single bond securing both the execution of a contract and the performance of the initial one-year term of each contract. If a single bond securing both execution and performance is required by the Director, it shall be substantially in accordance with the form attached hereto as Exhibit "A". Each bond, whether to secure the execution of a contract, its performance, or both, shall be in an amount determined by the Director of Public Service. The Director may also require that the performance of each contract be secured in any option year by a performance bond or bonds, each in an amount determined by the Director. Each bond submitted to secure the contract or contracts authorized by this ordinance shall be executed by a surety authorized to do business in the State of Ohio and shall be acceptable to the Director of Law.

**Section 3.** That the cost of such contract or contracts authorized hereby shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 21133)

**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.

**EXHIBIT A**  
**BID GUARANTY AND**  
**CONTRACT BOND**

KNOW ALL MEN BY THESE PRESENTS, that we the undersigned \_\_\_\_\_

(Name and Address)  
 as Principal and \_\_\_\_\_

(Name of Surety)  
 as Surety are hereby held and firmly bound unto the City of Cleveland,

hereinafter called the Obligee, in the penal sum hereinafter stated, pertaining to the bid submitted by the Principal to the Obligee on \_\_\_\_\_ (date) to undertake the project known as \_\_\_\_\_

The penal sum referred to herein shall be \_\_\_\_\_

\_\_\_\_\_. For the payment of the penal sum well and truly to be made, we hereby jointly and severally bind ourselves, our heirs, executors, administrators, successors, and assigns.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, that whereas the above named Principal has submitted a bid on the above referred project;

NOW THEREFORE, if the Obligee accepts the bid of the Principal and the Principal fails to enter into a proper contract in accordance with the bid, plans, details, specifications, and bills of material; and in the event the Principal pays to the Obligee the difference not to exceed ten percent of the penalty hereof between the amount specified in the bid and such larger amount for which the Obligee may in good faith contract with the next lowest and best bidder to perform the work covered by the bid; or in the event the Obligee does not award the contract to the next lowest and best bidder and resubmits the project for bidding, the Principal will pay the Obligee the difference not to exceed ten percent of the penalty hereof between the amount specified in the bid, or the costs in connection with the resubmission, of printing new contract documents, required advertising, and printing and mailing notices to prospective bidders, whichever is less, then this obligation shall be void, otherwise to remain in full force and effect. If the Obligee accepts the bid of the Principal and the Principal within ten days after the awarding of the contract and submitting to the Principal a contract for execution, enters into a proper contract in accordance with the bid, plans, details, specifications, and bills of material, which said contract is made a part of this bond the same as though set forth herein; and

IF THE SAID Principal shall well and faithfully perform each and every condition of such contract; and indemnify the Obligee against all damage suffered by failure to perform such contract according to the provisions thereof and in accordance with the plans, details, specifications, and bills of material therefor; and shall pay all lawful claims of subcontractors, materialmen, and laborers for labor performed and materials furnished in the carrying forward, performing, or completing said contract; we agreeing and assenting that this undertaking shall be for the benefit of any materialman or laborer having a just claim as well as for the Obligee herein; then this obligation shall be void; otherwise the same shall remain in full force and effect; it being expressly understood and agreed that the liability of the Surety for any and all claims hereunder shall in no event exceed the penal amount of this obligation as herein stated.

THE SAID Surety hereby stipu-

lates and agrees that no modifications, omissions, or additions, in or to the terms of said contract or in or to the plans and specifications therefor shall in any wise affect the obligations of said Surety on this bond, and it does hereby waive notice of any such modifications, omissions or additions to the terms of the contract or to the work or to the specifications.

SIGNED AND SEALED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

PRINCIPAL: \_\_\_\_\_ SURETY: \_\_\_\_\_

BY: \_\_\_\_\_ BY: \_\_\_\_\_ Attorney-in-Fact

TITLE: \_\_\_\_\_

SURETY COMPANY ADDRESS: \_\_\_\_\_ Street \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_

SURETY AGENT'S ADDRESS: \_\_\_\_\_ Agency Name \_\_\_\_\_ Street \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_

Passed May 22, 2000. Effective June 1, 2000.

**Ord. No. 716-2000.**  
**By Councilmen Cintron and Patmon (by departmental request).**  
**An emergency ordinance authorizing the purchase by requirement contract of bulk waste disposal services, for the Division of Waste Collection and Disposal, Department of Public Service, for a period of one year with a one year option to renew.**

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

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

**Section 1.** That the Director of Public Service is hereby authorized to make a written requirement contract or contracts in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements of the provision of bulk waste disposal, in the approximate amount for each year of the term as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Waste Collection and Disposal, Department of Public Service. The contract or contracts hereby authorized shall have an initial term of one (1) year. The City shall have one (1) one-year option, exercisable by the Director of Public Service, to renew and extend the term. Bids shall be taken in such manner as to permit an award to be made for all items of services as a single contract, or by separate contracts for each or any combination of said items as the Board of Control shall determine.

Bids shall also be taken so as to permit an award to be made for provision of such services citywide or by separate contracts for the dis-

tricts determined by the Director of Public Service. Alternate bids for a period less than the initial term may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire period.

**Section 2.** That notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Director of Public Service may require that each bid be accompanied by a single bond securing both the execution of a contract and the performance of the initial one-year term of each contract. If a single bond securing both execution and performance is required by the Director, it shall be substantially in accordance with the form attached hereto as Exhibit "A". Each bond, whether to secure the execution of a contract, its performance, or both, shall be in an amount determined by the Director of Public Service. The Director may also require that the performance of each contract be secured in any option year by a performance bond or bonds, each in an amount determined by the Director. Each bond submitted to secure the contract or contracts authorized by this ordinance shall be executed by a surety authorized to do business in the State of Ohio and shall be acceptable to the Director of Law.

**Section 3.** That the cost of such contract or contracts authorized hereby shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 21132)

**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.

**EXHIBIT A  
BID GUARANTY AND  
CONTRACT BOND**

KNOW ALL MEN BY THESE PRESENTS, that we the undersigned \_\_\_\_\_

(Name and Address) \_\_\_\_\_ as Principal and \_\_\_\_\_

(Name of Surety) \_\_\_\_\_ as Surety are hereby held and firmly bound unto the City of Cleveland, hereinafter called the Obligee, in the penal sum hereinafter stated, pertaining to the bid submitted by the Principal to the Obligee on \_\_\_\_\_ (date) to undertake the project known as \_\_\_\_\_

The penal sum referred to herein shall be \_\_\_\_\_

\_\_\_\_\_. For the payment of the penal sum well and

truly to be made, we hereby jointly and severally bind ourselves, our heirs, executors, administrators, successors, and assigns.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, that whereas the above named Principal has submitted a bid on the above referred project;

NOW THEREFORE, if the Oblige accepts the bid of the Principal and the Principal fails to enter into a proper contract in accordance with the bid, plans, details, specifications, and bills of material; and in the event the Principal pays to the Oblige the difference not to exceed ten percent of the penalty hereof between the amount specified in the bid and such larger amount for which the Oblige may in good faith contract with the next lowest and best bidder to perform the work covered by the bid; or in the event the Oblige does not award the contract to the next lowest and best bidder and resubmits the project for bidding, the Principal will pay the Oblige the difference not to exceed ten percent of the penalty hereof between the amount specified in the bid, or the costs in connection with the resubmission, of printing new contract documents, required advertising, and printing and mailing notices to prospective bidders, whichever is less, then this obligation shall be void, otherwise to remain in full force and effect. If the Oblige accepts the bid of the Principal and the Principal within ten days after the awarding of the contract and submitting to the Principal a contract for execution, enters into a proper contract in accordance with the bid, plans, details, specifications, and bills of material, which said contract is made a part of this bond the same as though set forth herein; and

IF THE SAID Principal shall well and faithfully perform each and every condition of such contract; and indemnify the Oblige against all damage suffered by failure to perform such contract according to the provisions thereof and in accordance with the plans, details, specifications, and bills of material therefor; and shall pay all lawful claims of subcontractors, materialmen, and laborers for labor performed and materials furnished in the carrying forward, performing, or completing said contract; we agreeing and assenting that this undertaking shall be for the benefit of any materialman or laborer having a just claim as well as for the Oblige herein; then this obligation shall be void; otherwise the same shall remain in full force and effect; it being expressly understood and agreed that the liability of the Surety for any and all claims hereunder shall in no event exceed the penal amount of this obligation as herein stated.

THE SAID Surety hereby stipulates and agrees that no modifications, omissions, or additions, in or to the terms of said contract or in or to the plans and specifications therefor shall in any wise affect the obligations of said Surety on this bond, and it does hereby waive notice of any such modifications,

omissions or additions to the terms of the contract or to the work or to the specifications.

SIGNED AND SEALED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

PRINCIPAL: \_\_\_\_\_ SURETY: \_\_\_\_\_

BY: \_\_\_\_\_ BY: \_\_\_\_\_ Attorney-in-Fact

TITLE: \_\_\_\_\_

SURETY COMPANY ADDRESS: \_\_\_\_\_

Street \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_

SURETY AGENT'S ADDRESS: \_\_\_\_\_

Agency Name \_\_\_\_\_

Street \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_

Passed May 22, 2000.  
Effective June 1, 2000.

**Ord. No. 718-2000.  
By Councilmen Cintron and Patmon (by departmental request).**

**An emergency ordinance authorizing the Director of Public Service to cause payment of the City's share to the Ohio Department of Transportation for the cost of the rehabilitation of the Stokes Boulevard Bridge.**

Whereas, in Ordinance No. 2025-87, passed November 30, 1987, this Council gave consent to the Director of Transportation of the State of Ohio, for the rehabilitation of the Stokes Boulevard Bridge; and

Whereas, this Council authorized the City to cooperate with the State of Ohio in the cost of the above-referenced improvement; and

Whereas, the City's share of the cost of said improvement, is currently estimated to be \$621,000.00; and

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

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

**Section 1.** That this Council hereby authorizes payment to the State of Ohio, Department of Transportation of the City's share of the rehabilitation of the Stokes Boulevard Bridge, from Fund Nos. 20 SF 322 and 20 SF 353, Request No. 22512.

**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 May 22, 2000.  
Effective June 1, 2000.

**Ord. No. 719-2000.  
By Councilmen Cintron and Patmon (by departmental request).**

**An emergency ordinance authorizing the purchase by requirement contract of construction and debris disposal services, for the Division of Waste Collection and Disposal, Department of Public Service, for a period of one year with a one year option to renew.**

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

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

**Section 1.** That the Director of Public Service is hereby authorized to make a written requirement contract or contracts in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements of the provision of construction and debris disposal services, in the approximate amount for each year of the term as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Waste Collection and Disposal, Department of Public Service. The contract or contracts hereby authorized shall have an initial term of one (1) year. The City shall have one (1) one-year option, exercisable by the Director of Public Service, to renew and extend the term. Bids shall be taken in such manner as to permit an award to be made for all items of services as a single contract, or by separate contracts for each or any combination of said items as the Board of Control shall determine.

Bids shall also be taken so as to permit an award to be made for provision of such services citywide or by separate contracts for the districts determined by the Director of Public Service. Alternate bids for a period less than the initial term may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire period.

**Section 2.** That notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Director of Public Service may require that each bid be accompanied by a single bond securing both the execution of a contract and the performance of the initial one-year term of each contract. If a single bond securing both execution and performance is required by the Director, it shall be substantially in accordance with the form attached hereto as Exhibit "A". Each bond, whether to secure the execution of a contract, its performance, or both, shall be in an amount determined by the Director of Public Service. The Director may also require that the performance of each contract be secured in any option year by a performance bond or bonds, each in an amount determined by the Director. Each bond submitted to secure the contract or contracts authorized by this ordinance shall be executed by a surety authorized to do business in the State of Ohio

and shall be acceptable to the Director of Law.

Section 3. That the cost of such contract or contracts authorized hereby shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 21131)

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.

**EXHIBIT A  
BID GUARANTY AND  
CONTRACT BOND**

KNOW ALL MEN BY THESE PRESENTS, that we the

\_\_\_\_\_  
(Name and Address)  
as Principal and \_\_\_\_\_

\_\_\_\_\_  
(Name of Surety)  
as Surety are hereby held and firmly bound unto the City of Cleveland, hereinafter called the Obligee, in the penal sum hereinafter stated, pertaining to the bid submitted by the Principal to the Obligee on \_\_\_\_\_ (date) to undertake the project known as \_\_\_\_\_

The penal sum referred to herein shall be \_\_\_\_\_

\_\_\_\_\_. For the payment of the penal sum well and truly to be made, we hereby jointly and severally bind ourselves, our heirs, executors, administrators, successors, and assigns.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, that whereas the above named Principal has submitted a bid on the above referred project;

NOW, THEREFORE, if the Obligee accepts the bid of the Principal and the Principal fails to enter into a proper contract in accordance with the bid, plans, details, specifications, and bills of material; and in the event the Principal pays to the Obligee the difference not to exceed ten percent of the penalty hereof between the amount specified in the bid and such larger amount for which the Obligee may in good faith contract with the next lowest and best bidder to perform the work covered by the bid; or in the event the Obligee does not award the contract to the next lowest and best bidder and resubmits the project for bidding, the Principal will pay the Obligee the difference not to exceed ten percent of the penalty hereof between the amount specified in the bid, or the costs in connection with the resubmission, of printing new contract documents, required adver-

tising, and printing and mailing notices to prospective bidders, whichever is less, then this obligation shall be void, otherwise to remain in full force and effect. If the Obligee accepts the bid of the Principal and the Principal within ten days after the awarding of the contract and submitting to the Principal a contract for execution, enters into a proper contract in accordance with the bid, plans, details, specifications, and bills of material, which said contract is made a part of this bond the same as though set forth herein; and

IF THE SAID Principal shall well and faithfully perform each and every condition of such contract; and indemnify the Obligee against all damage suffered by failure to perform such contract according to the provisions thereof and in accordance with the plans, details, specifications, and bills of material therefor; and shall pay all lawful claims of subcontractors, materialmen, and laborers for labor performed and materials furnished in the carrying forward, performing, or completing said contract; we agreeing and assenting that this undertaking shall be for the benefit of any materialman or laborer having a just claim as well as for the Obligee herein; then this obligation shall be void; otherwise the same shall remain in full force and effect; it being expressly understood and agreed that the liability of the Surety for any and all claims hereunder shall in no event exceed the penal amount of this obligation as herein stated.

THE SAID Surety hereby stipulates and agrees that no modifications, omissions, or additions, in or to the terms of said contract or in or to the plans and specifications therefor shall in any wise affect the obligations of said Surety on this bond, and it does hereby waive notice of any such modifications, omissions or additions to the terms of the contract or to the work or to the specifications.

SIGNED AND SEALED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

PRINCIPAL: \_\_\_\_\_ SURETY: \_\_\_\_\_

BY: \_\_\_\_\_ BY: \_\_\_\_\_  
Attorney-in-Fact

TITLE: \_\_\_\_\_

SURETY COMPANY ADDRESS: \_\_\_\_\_  
Street \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_

SURETY AGENT'S ADDRESS: \_\_\_\_\_  
Agency Name \_\_\_\_\_  
Street \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_

Passed May 22, 2000.  
Effective June 1, 2000.

**Ord. No. 720-2000.  
By Councilmen Cintron and Pat-  
mon (by departmental request).**

**An emergency ordinance authorizing the Director of Public Service to enter into a requirement contract with Maltese Fire Equipment Co. for the purchase of L.T.I. fire apparatus parts, including labor if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service, for a period not to exceed one year.**

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

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

Section 1. That it is hereby determined that the within services are non-competitive and cannot be secured from any source other than Maltese Fire Equipment Co. Therefore, the Director of Public Service is hereby authorized to make a written requirement contract with Maltese Fire Equipment Co. for the purchase of L.T.I. fire apparatus parts, including labor if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service, for a period not to exceed one year.

Section 2. That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases shall be made on order of the Director of Public Service pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 17668)

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

Passed May 22, 2000.  
Effective June 1, 2000.

**Ord. No. 721-2000.  
By Councilmen Cintron and Pat-  
mon (by departmental request).**

**An emergency ordinance authorizing the Director of Public Service to enter into a requirement contract with Finley Fire Equipment, for the purchase of Pierce fire apparatus parts, including labor if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service, for a period not to exceed one year.**

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

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

Section 1. That it is hereby determined that the within services are non-competitive and cannot be secured from any source other than Finley Fire Equipment. Therefore, the Director of Public Service is hereby authorized to make a writ-

ten requirement contract with Finley Fire Equipment for the purchase of Pierce fire apparatus parts, including labor if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service, for a period not to exceed one year.

**Section 2.** That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases shall be made on order of the Director of Public Service pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 17667)

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

Passed May 22, 2000.  
Effective June 1, 2000.

**Ord. No. 722-2000.**

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

**An emergency ordinance authorizing the Director of Public Service to enter into a requirement contract with Sutphen Corporation, for the purchase of Sutphen fire apparatus parts, including labor if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service, for a period not to exceed one year.**

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

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

**Section 1.** That it is hereby determined that the within services are non-competitive and cannot be secured from any source other than Sutphen Corporation. Therefore, the Director of Public Service is hereby authorized to make a written requirement contract with Sutphen Corporation for the purchase of Sutphen fire apparatus parts, including labor if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service, for a period not to exceed one year.

**Section 2.** That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases shall be made on order of the Director of Public Service pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 17669)

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

approval by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Passed May 22, 2000.  
Effective June 1, 2000.

**Ord. No. 723-2000.**

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

**An emergency ordinance authorizing the Director of Public Service to enter into a requirement contract with Maltese Fire Equipment Co. for the purchase of Duplex cab and chassis fire apparatus parts, including labor if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service, for a period not to exceed one year.**

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

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

**Section 1.** That it is hereby determined that the within services are non-competitive and cannot be secured from any source other than Maltese Fire Equipment Co. Therefore, the Director of Public Service is hereby authorized to make a written requirement contract with Maltese Fire Equipment Co. for the purchase of Duplex cab and chassis fire apparatus parts, including labor if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service, for a period not to exceed one year.

**Section 2.** That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases shall be made on order of the Director of Public Service pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 17665)

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

Passed May 22, 2000.  
Effective June 1, 2000.

**Ord. No. 724-2000.**

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

**An emergency ordinance authorizing the Director of Public Service to enter into a requirement contract with American Fire Equipment Co. for the purchase of E-one fire apparatus parts, including labor if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service, for a period not to exceed one year.**

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

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

**Section 1.** That it is hereby determined that the within services are non-competitive and cannot be secured from any source other than American Fire Equipment Co. Therefore, the Director of Public Service is hereby authorized to make a written requirement contract with American Fire Equipment Co. for the purchase of E-one fire apparatus parts, including labor if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service, for a period not to exceed one year.

**Section 2.** That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases shall be made on order of the Director of Public Service pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 17666)

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

Passed May 22, 2000.  
Effective June 1, 2000.

**Ord. No. 725-2000.**

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

**An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to refurbish front-end loaders and roll off dumpsters, for the Division of Waste Collection and Disposal, Department of Public Service.**

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

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

**Section 1.** That the Director of Public Service is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year, for the necessary items of labor and materials necessary to refurbish front-end loaders and roll off dumpsters in the approximate amount as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Waste Collection and Disposal, Department of Public Service. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

**Section 2.** That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 21134)

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

Passed May 22, 2000.

Effective June 1, 2000.

**Ord. No. 726-2000.**

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

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

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

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

**Section 1.** That the Director of Public Service is hereby authorized to employ by contract one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to perform geotechnical testing services.

The selection of said 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 2.** That the contract authorized herein shall be for a term of one (1) year or less.

**Section 3.** That the cost of said services herein authorized shall be paid from Fund No. 20 SF 364, Request No. 4308.

**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 May 22, 2000.

Effective June 1, 2000.

**Ord. No. 728-2000.**

**By Councilman Cimperman.**

**An emergency ordinance authorizing the Director of Public Service to issue a permit to 1222 Prospect, Inc., an Ohio Corporation dba Bottoms Up of Cleveland to encroach into the public right-of-way of Bolivar Road S.E. with an outdoor seasonal sidewalk cafe, bollards, planters and associated equipment.**

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

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

**Section 1.** That the Director of Public Service hereby is authorized to issue a permit, revocable at the will of Council, and assignable by the Permittee with the written consent of the Director of Public Service to 1222 Prospect, Inc., an Ohio Corporation dba Bottoms Up of Cleveland, 1222 Prospect Avenue, Cleveland, Ohio 44115, its successors and assigns, for the construction, use and maintenance of an outdoor seasonal sidewalk cafe, bollards, planters and associated equipment, which will encroach into the public right-of-way of Bolivar Road S.E. at the location more fully described as follows:

**LEGAL DESCRIPTION/PROPOSED ENCROACHMENT AREA/ BOTTOMS UP OF CLEVELAND SIDEWALK CAFE/BOLIVAR ROAD S.E.**

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

Beginning on the Northwesterly line of Bolivar Road S.E. (66 feet wide), at its intersection with the Southerly line of Prospect Avenue S.E. (82.50 feet wide)

Thence Southwesterly along the Northwesterly line of Bolivar Road, 104.45 feet to a point;

Thence Southeasterly at a right angle to said Northwesterly line, 9.50 feet to a point;

Thence Northeasterly and parallel with said Northwesterly line of Bolivar Road 104.45 feet to a point;

Thence Northwesterly 9.50 feet to the place of beginning.

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

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

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

Passed May 22, 2000.

Effective June 1, 2000.

**Ord. No. 731-2000.**

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

**An emergency ordinance to amend Section 1 of Ordinance No. 137-96, passed February 5, 1996, relating to causing the payment of the City of Cleveland's share to the state of Ohio for the cost of rehabilitating or reconstructing the West 44th Street Bridge.**

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

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

**Section 1.** That Section 1 of Ordinance No. 137-96, passed February 5, 1996, is hereby amended to read as follows:

Section 1. That this Council hereby authorizes payment to the State of Ohio of the City's share of the cost of the improvement of rehabilitating, repairing and reconstructing the West 44th Street Bridge over Conrail and Train Avenue, City Bridge No. 1:053 from Fund Nos. 20 SF 322, 20 SF 190, 20 SF 312, 20 SF 883, and 20 SF 364, Request No. 21791.

**Section 2.** That existing Section 1 of Ordinance No. 137-96, passed February 5, 1996, is hereby repealed.

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

Passed May 22, 2000.

Effective June 1, 2000.

**Ord. No. 742-2000.**

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

**An emergency ordinance authorizing the Commissioner of Purchases and Supplies to sell City-owned property no longer needed for public use located on the east side of East 200th Street, north of Interstate 90 to Richard J. and Rita M. Case.**

Whereas, the Director of Parks, Recreation and Properties has requested the sale of City-owned property no longer needed for public use and located at located on the east side of East 200th Street, north of Interstate 90; 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:



**DESCRIPTION OF PARCEL "C"  
FOR  
RICK CASE HONDA**

Situated in the City of Cleveland County of Cuyahoga, and State of Ohio and known as being a part of Original Euclid Township Lot No. 8, Tract No. 17, now in said City, and is bounded and described as follows:

Beginning in the centerline of East 200th Street at its intersection with the line which separates the City of Cleveland from the City of Euclid, said point of beginning being located South 0°-43'-23" East, a distance of 1,245.23 feet as measured along said centerline from an iron pin monument found marking its intersection with the centerline of Cherokee Avenue (now vacated), said point of beginning being also located North 0°-43'-23" West, a distance of 69.72 feet as measured along said centerline from an iron pin monument found marking a point of curvature in the relocated centerline of said East 200th Street at Station 3 + 58.89 North in the survey thereof, as shown to improvement plans for CUY-2-24.33 (Project I-329 (20) filed with the Ohio Department of Transportation:

Thence South 44°-32'-58" East along said line which separates the City of Cleveland from the City of Euclid 64.98 feet to a point located 45.00 feet Easterly by normal measure from said centerline of East 200th Street and the principal point of beginning of the following described parcel of land:

COURSE I: Thence South 44°-32'-58" East continuing along said line which separates the City of Cleveland from the City of Euclid 126.22 feet to a point located 30.00 feet Northerly by normal measure from the centerline of the North Marginal Road of the Lakeland Freeway as shown by said plans;

COURSE II: Thence South 55°-22'-44" West by a line which is parallel with said centerline of the North Marginal Road 37.54 feet to a point at the beginning of a curve;

COURSE III: Thence Northwesterly on the arc of said curve and deflecting to the Right (said curve having a radius of 35.00 feet and a chord which bears North 64°-18'-02" West and is 60.82 feet in length, a distance of 73.70 feet to a point of compound curvature;

COURSE IV: Thence Northerly on the arc of said curve and deflecting to the Right (said curve having a radius of 1,100.92 feet, a chord which bears North 2°-21'-05.5" West and is 62.58 feet in length, and being concentric with said relocated centerline of East 200th Street and 45.00 feet Easterly by normal measure therefrom), a distance of 62.58 feet to a point;

COURSE V: Thence North 0°-43'-23" West by a line which is parallel with the centerline of said East 200th Street, a distance of 22.39 feet to the principal point of beginning and containing about 0.124 of an acre of land as calculated and described from surveys dated September, 1999 and March, 2000 by Timothy P. Hadden, Ohio Registered Surveyor #6786 of CT Consultants, Inc., Registered Engineers and Surveyors.

Bearings used herein are based upon those shown on plat recorded

in Volume 227, Page 111 of the Cuyahoga County Map Records.

**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 Richard J. and Rita M. Case 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, if necessary, the Director of Parks, Recreation and Properties is authorized to accept a purchase money mortgage to finance all or part of purchaser's acquisition cost.

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

Passed May 22, 2000.

Effective June 1, 2000.

**Ord. No. 948-2000.  
By Councilman Cimperman.  
An emergency ordinance authorizing the Director of Community Development to enter into an agreement with United Labor Agency for a home improvement program through the use of Ward 13 Neighborhood Equity Funds.**

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

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

**Section 1.** That the Director of Community Development is authorized to enter into an agreement with United Labor Agency for a home improvement program.

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

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

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

Passed May 22, 2000.

Effective June 1, 2000.

**Ord. No. 949-2000.**

**By Councilman Coats.**

**An emergency ordinance authorizing the Director of Community Development to enter into an agreement with St. Clair Local Development Corporation for conducting an impact study related to the Water Tower Park site on Coit Road through the use of Ward 10 Neighborhood Equity Funds.**

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

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

**Section 1.** That the Director of Community Development is authorized to enter into an agreement with St. Clair Local Development Corporation for conducting an impact study related to the Water Tower Park site on Coit Road.

**Section 2.** That the cost of said contract shall be in an amount not to exceed \$25,000 and shall be paid from Fund No. 10 SF 166.

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

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

Passed May 22, 2000.

Effective June 1, 2000.

**Ord. No. 950-2000.**

**By Councilman Coats.**

**An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Collinwood Community Services Center for costs associated with the Collinwood Bike-A-Thon through the use of Ward 10 Neighborhood Equity Funds.**

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

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

**Section 1.** That the Director of Community Development is authorized to enter into an agreement with Collinwood Community Services Center for costs associated with the Collinwood Bike-A-Thon.

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

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

**Section 4.** That this ordinance is hereby declared to be an emergency

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

Passed May 22, 2000.  
Effective June 1, 2000.

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**Ord. No. 951-2000.**  
**By Councilman Jackson.**  
**An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Burton-Bell Carr Development Corporation for various recreation programs through the use of Ward 5 Neighborhood Equity Funds.**

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

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

**Section 1.** That the Director of Community Development is authorized to enter into an agreement with Burton-Bell Carr Development Corporation for various recreation programs.

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

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

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

Passed May 22, 2000.  
Effective June 1, 2000.

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**Ord. No. 952-2000.**  
**By Councilman Jackson.**  
**An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Lutheran Housing Corporation in order to provide funding for the memorial wall project through the use of Ward 5 Neighborhood Equity Funds.**

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

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

**Section 1.** That the Director of Community Development is authorized to enter into an agreement with Lutheran Housing Corporation in order to provide funding for the memorial wall project.

**Section 2.** That the costs of said contract shall be in an amount not to exceed \$20,000.00 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 May 22, 2000.  
Effective June 1, 2000.

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**Ord. No. 953-2000.**  
**By Councilman Johnson.**  
**An emergency ordinance authorizing the Director of Economic Development to enter into an agreement with Shaker Square of Ohio LLC for additional capital improvements and infrastructure costs related to the Shaker Square Urban Redevelopment Plan through the use of Ward 4 Neighborhood Equity Funds.**

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

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

**Section 1.** That the Director of Economic Development is authorized to enter into an agreement with Shaker Square of Ohio LLC for additional capital improvements and infrastructure costs related to the Shaker Square Urban Redevelopment Plan.

**Section 2.** That the costs of said contract shall be in an amount not to exceed \$109,000 and shall be paid from Fund No. 10 SF 166.

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

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

Passed May 22, 2000.  
Effective June 1, 2000.

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**Ord. No. 954-2000.**  
**By Councilman Jones.**  
**An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Harvard Community Services Center for code enforcement and community organizing staff through the use of Ward 1 Neighborhood Equity Funds.**

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

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

**Section 1.** That the Director of Community Development is authorized to enter into an agreement with Harvard Community Services Center for code enforcement and community organizing staff.

**Section 2.** That the costs of said contract shall be in an amount not to exceed \$33,000 and shall be paid from Fund No. 10 SF 166.

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

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

Passed May 22, 2000.  
Effective June 1, 2000.

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**Ord. No. 955-2000.**  
**By Councilman Patmon.**  
**An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Glenville Multi-Service Center to provide funding for agency overhead and operation costs through the use of Ward 8 Neighborhood Equity Funds.**

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

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

**Section 1.** That the Director of Community Development is authorized to enter into an agreement with Glenville Multi-Service Center to provide funding for agency overhead and operation costs.

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

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

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

Passed May 22, 2000.  
Effective June 1, 2000.

**Ord. No. 956-2000.****By Councilman Polensek.**

**An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Northeast Shores Development Corporation for complete renovation of the multi-unit building located at 276 East 156th Street through the use of Ward 11 Neighborhood Equity Funds.**

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

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

**Section 1.** That the Director of Community Development is authorized to enter into an agreement with Northeast Shores Development Corporation for complete renovation of the multi-unit building located at 276 East 156th Street through the use of Ward 11 Neighborhood Equity Funds.

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

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

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

Passed May 22, 2000.  
Effective June 1, 2000.

**Ord. No. 957-2000.****By Councilman Polensek.**

**An emergency ordinance authorizing the Clerk of Council to enter into a contract with DocMan Technologies for maintenance of the computer network for Cleveland City Council.**

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

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

**Section 1.** That the Clerk of Council is authorized to enter into contract with DocMan Technologies to provide support services, both by telephone and on-site, to maintain and optimize the computer network installed throughout the offices of Cleveland City Council for a period of two (2) years.

**Section 2.** That the cost of said agreement shall not exceed Twenty Thousand Dollars (\$20,000.00) and shall be payable from Fund No. 01 Subclass 01001.

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

Passed May 22, 2000.  
Effective June 1, 2000.

**Ord. No. 958-2000.****By Councilman Sweeney.**

**An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to West Side Hungarian Reformed Church to stretch one banner at 15300 Puritas Avenue using a C.E.I. utility pole (by separate permission) for the period of May 22, 2000 to May 30, 2000, inclusive, publicizing their Third Annual Carnival and identifying the Bellaire-Puritas Neighborhood.**

Whereas, this ordinance constitutes an emergency measure providing for 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 West Side Hungarian Reformed Church, 15300 Puritas Avenue, Cleveland, Ohio 44135 to construct, use, maintain and remove one (1) banner to be stretched on a Cleveland Electric Illuminating utility pole, (by separate permission) publicizing their Third Annual Carnival and indentifying the Bellaire-Puritas Neighborhood, for the period of May 22, 2000 to May 30, 2000, inclusive, on the following pole location: Crossing Puritas Avenue in front of their Church, located at 15300 Puritas Avenue, Cleveland, Ohio 44135, and which banner shall be approved by the Director of Public Service in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner, and said banner shall be removed promptly upon the expiration of said permit.

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

Passed May 22, 2000.  
Effective June 1, 2000.

**Ord. No. 959-2000.**

**By Councilmen Robinson and Britt. An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to Ministerial Day Care/Headstart Association to stretch banners at 2442 East 89th Street (west side of East 89th Street) and at 10406 Kinsman Avenue (north side and south side of Kinsman Avenue), for the period from June 1, 2000 to July 5, 2000, inclusive, publicizing the Children First Learning & Enrichment Center, Our Children are #1.**

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

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

**Section 1.** That notwithstanding the provision of Section 623.13 of the Codified Ordinances, of Cleveland, Ohio, 1976, the Director of the Department of Public Service is hereby authorized and directed to issue a permit to Ministerial Day Care/Headstart Association to install, maintain and remove banners at 2442 East 89th Street (west side of East 89th Street - pole nos. 25-19-7A-2, 25-19-7A-3, 25-19-7A-4 and 25-19-7A-5) and at 10406 Kinsman Avenue (north side of Kinsman Avenue - pole nos. SE6-66, SE6-67, SE6-68, SE6-69, south side of Kinsman Avenue - pole nos. SE6-64, SE6-65), for the period from June 1, 2000 to July 5, 2000, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit.

**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 May 22, 2000.  
Effective June 1, 2000.

**Ord. No. 960-2000.****By Councilman White.**

**An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to Straight Eight Productions to stretch a banner across Miles Avenue at intersection of East 119th and Miles Avenue, for the period from June 2, 2000 to June 30, 2000, inclusive, publicizing the Straight Eight Productions Second Annual Cabaret.**

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

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

**Section 1.** That notwithstanding the provision of Section 623.13 of the Codified ordinances, of Cleveland, Ohio, 1976, the Director of the Department of Public Service is hereby authorized and directed to issue a permit to Straight Eight Productions to install, maintain and remove a banner across Miles Avenue at the intersection of East 119th and Miles Avenue, for the period from June 2, 2000 to June 30, 2000, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and

said banner shall be removed promptly upon the expiration of said permit.

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

Passed May 22, 2000.  
Effective June 1, 2000.

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### COUNCIL COMMITTEE MEETINGS

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#### Friday, June 2, 2000

**Public Service Committee: 9:30 a.m.**—Present: Sweeney, Vice Chair-

man; Britt, O'Malley, Westbrook, Polensek. Excused: Cintron, Chairman; Coats, Johnson, Melena, Absent: Willis.

#### Monday, June 5, 2000

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

**Finance Committee: 12:30 p.m.**—Present: Patmon, Chairman; Rybka, Vice Chairman; Cintron, Dolan, Johnson, Lewis, Melena, O'Malley, Polensek, Robinson, Sweeney.

#### Tuesday, June 6, 2000

**Community and Economic Development Committee: 9:30 a.m.**—Present: Melena, Chairman; Lewis, Vice Chairman; Brady, Cimperman, Cin-

tron, Jackson, Robinson. Excused: Jones, Willis.

**Legislation Committee 1:30 p.m.**—Present: Lewis, Chairman; Brady, Coats, Gordon, Westbrook. Excused: Jones, Vice Chairman; Johnson.

#### Wednesday, June 7, 2000

**Public Safety Committee (Special Investigative Hearings joint with Employment, Affirmative Action and Training Committee) 10 a.m.**—Present: Polensek, Chairman; Patmon, Vice Chairman; Britt, Cimperman, Coats, Gordon, Jackson, Sweeney. Excused: Melena.

**Employment, Affirmative Action and Training Committee (Special Investigative Hearings joint with Public Safety Committee) 10:00 a.m.**—Present: White, Chairman; Lewis, Vice Chairman; Cintron, Coats, Gordon, Johnson, Jones.

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Bold figures—Final Publication; D—Defeated; R—Reprint; T—Tabled; V—Vetoed;  
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