

The City Record

Official Publication of the City of Cleveland

January the Thirty-First, Two Thousand and One

Mayor	
Michael R. White	
President of Council	
Michael D. Polensek	
Clerk of Council	
Ruby F. Moss	
Ward	Name
1	Joseph T. Jones
2	Robert J. White
3	Zachary Reed
4	Kenneth L. Johnson
5	Frank G. Jackson
6	Patricia J. Britt
7	Fannie M. Lewis
8	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	Zachary Reed	3232 East 119th Street	44120
4	Kenneth L. Johnson	2948 Hampton Road	44120
5	Frank G. Jackson	2327 East 38th Street	44115
6	Patricia J. Britt	12402 Britton Drive	44120
7	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.	3004 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
 Nicholas P. Jackson, 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 – Myrna 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.

DEPT. OF PORT CONTROL – Reuben Sheperd, Director,
 Cleveland Hopkins International Airport, 5300 Riverside Drive;
 Cleveland Hopkins International Airport – Mark D. Vanloh, Commissioner
 Burke Lakefront Airport – _____, Commissioner

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

DEPT. OF PUBLIC HEALTH – Michele C. Whitlow, Director, Mural Building 1925 St. Clair Avenue
DIVISIONS – Health – Cheri Hahn, Commissioner, Mural Building, 1925 St. Clair Avenue
 Environment – Donald Culp, Commissioner, Mural Building, 1925 St. Clair Avenue
 Correction – Thomas Hardin, Commissioner, Cleveland House of Corrections, 4041 Northfield Road

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

DEPT. OF PARKS, RECREATION & PROPERTIES – Alfred T. Miller, Jr., Director, Cleveland Convention Center, Clubroom A, 1220 E. 6th St.
DIVISIONS – Convention Center & Stadium – James Glending, Commissioner, Public Auditorium, E. 6th and Lakeside Ave.
 Property Management – Tom Nagle, Commissioner, East 49th & Harvard

Parking Facilities – Dennis Donahue, Commissioner, Public Auditorium, E. 6th and Lakeside Ave.
 Park Maintenance and Properties – Richard L. Silva, Commissioner, Public Auditorium – E. 6th & Lakeside.
 Recreation – Michael Cox, Commissioner, Room 8
 Research, Planning & Development – Mark Fallon, Commissioner, 1501 N. Marginal Road, Burke Lakefront Airport

DEPT. OF COMMUNITY DEVELOPMENT – Linda M. Hudecek, Director, 3rd Floor, City Hall.
DIVISIONS – Administrative Services – Terrence Ross, Commissioner.
 Neighborhood Services – Louise V. Jackson, Commissioner.
 Neighborhood Development – Donald T. Moss, Commissioner.
 Building & Housing – Robert Vilkas, Commissioner, 5th Floor, City Hall.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The City Record



OFFICIAL PUBLICATION OF THE CITY OF CLEVELAND

Vol. 88

WEDNESDAY, JANUARY 31, 2001

No. 4547

CITY COUNCIL

MONDAY, JANUARY 29, 2001

The City Record

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RUBY F. MOSS

Clerk of Council
216 City Hall

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 1998-2001

MONDAY

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

MONDAY—Alternating

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

TUESDAY

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

TUESDAY—Alternating

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

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

WEDNESDAY—Alternating

10:00 A.M.—**Aviation & Transportation Committee:** Dolan, Chairman; O'Malley, Vice Chairman; Brady, Jones, Patmon, 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, Reed, 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, January 29, 2001.

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, Reed, Rybka, Sweeney, Westbrook, White and Willis.

Also present were Executive Assistant for Administration Withers and Directors Konicek, Sheperd, Richiuto, Whitlow, Miller, Hudecek, Warren, Patterson, Alexander, Dove, Morrison, McCall and Acting Director Carr.

Absent: Mayor White and Directors Carter and Brooks.

Pursuant to Ordinance No. 2976-76, the Council Meeting was opened with a prayer offered by Rev. Edward McGhee, Pastor of True Vine Baptist Church, located at 954 Linn Drive in Ward 9. Pledge of Allegiance.

MOTION

On the motion of Councilman Melena, the reading of the minutes of the last meeting was dispensed with and the journal approved. Seconded by Councilman Jones.

COMMITTEE ON MAYOR'S APPOINTMENTS

File No. 11-01-A.

January 17, 2001

To the Honorable Council of the
City of Cleveland City Council

Ladies and Gentlemen:

Report of the Mayor's Appointment Committee's consideration of the Mayor's Appointments to the Fair Employment Wage Board.

We have before us the Mayor's Letter of December 14, 2000, wherein he names his appointment to the Fair Employment Wage Board:

Angela Caldwell
Three (3) year term

The Mayor's Appointment Committee hereby recommends that Council approve the appointment as stated above.

Mayor's Appointment Committee

Michael C. O'Malley, Chairman
Patricia J. Britt
Joseph Cimperman
Bill W. Patmon
Martin J. Sweeney

Without objection, appointment approved. Yeas 21. Nays 0.

File No. 11-01-A.

January 17, 2001

To the Honorable Council of the
City of Cleveland City Council

Ladies and Gentlemen:

Report of the Mayor's Appointment Committee's consideration of the Mayor's Appointments to the Fair Employment Wage Board.

We have before us the Mayor's Letter of December 14, 2000, wherein he names his appointment to the Fair Employment Wage Board:

Patrick Gallagher
One (1) year term

The Mayor's Appointment Committee hereby recommends that Council approve the appointment as stated above.

Mayor's Appointment Committee

Michael C. O'Malley, Chairman
 Patricia J. Britt
 Joseph Cimperman
 Bill W. Patmon
 Martin J. Sweeney

Without objection, appointment approved. Yeas 21. Nays 0.

File No. 11-01-A.

January 17, 2001

To the Honorable Council of the City of Cleveland City Council

Ladies and Gentlemen:

Report of the Mayor's Appointment Committee's consideration of the Mayor's Appointments to the Fair Employment Wage Board.

We have before us the Mayor's Letter of December 14, 2000, wherein he names his appointment to the Fair Employment Wage Board:

Kathryn Jackson
 Three (3) year term

The Mayor's Appointment Committee hereby recommends that Council approve the appointment as stated above.

Mayor's Appointment Committee

Michael C. O'Malley, Chairman
 Patricia J. Britt
 Joseph Cimperman
 Bill W. Patmon
 Martin J. Sweeney

Without objection, appointment approved. Yeas 21. Nays 0.

File No. 11-01-A.

January 17, 2001

To the Honorable Council of the City of Cleveland City Council

Ladies and Gentlemen:

Report of the Mayor's Appointment Committee's consideration of the Mayor's Appointments to the Fair Employment Wage Board.

We have before us the Mayor's Letter of December 14, 2000, wherein he names his appointment to the Fair Employment Wage Board:

Draydean McCaleb
 Three (3) year term

The Mayor's Appointment Committee hereby recommends that Council approve the appointment as stated above.

Mayor's Appointment Committee

Michael C. O'Malley, Chairman
 Patricia J. Britt
 Joseph Cimperman
 Bill W. Patmon
 Martin J. Sweeney

Without objection, appointment approved. Yeas 21. Nays 0.

File No. 11-01-A.

January 17, 2001

To the Honorable Council of the City of Cleveland City Council

Ladies and Gentlemen:

Report of the Mayor's Appointment Committee's consideration of the Mayor's Appointments to the Fair Employment Wage Board.

We have before us the Mayor's Letter of December 14, 2000, wherein he names his appointment to the Fair Employment Wage Board:

Gerald Meyer
 Two (2) year term

The Mayor's Appointment Committee hereby recommends that Council approve the appointment as stated above.

Mayor's Appointment Committee

Michael C. O'Malley, Chairman
 Patricia J. Britt
 Joseph Cimperman
 Bill W. Patmon
 Martin J. Sweeney

Without objection, appointment approved. Yeas 21. Nays 0.

File No. 11-01-A.

January 17, 2001

To the Honorable Council of the City of Cleveland City Council

Ladies and Gentlemen:

Report of the Mayor's Appointment Committee's consideration of the Mayor's Appointments to the Fair Employment Wage Board.

We have before us the Mayor's Letter of December 14, 2000, wherein he names his appointment to the Fair Employment Wage Board:

Jeffrey Patterson
 One (1) year term

The Mayor's Appointment Committee hereby recommends that Council approve the appointment as stated above.

Mayor's Appointment Committee

Michael C. O'Malley, Chairman
 Patricia J. Britt
 Joseph Cimperman
 Bill W. Patmon
 Martin J. Sweeney

Without objection, appointment approved. Yeas 21. Nays 0.

File No. 110-01.

December 14, 2000

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

Dear Council President Polensek:

With this letter I am informing you of the nominations for appointments

to the newly created Housing Advisory Board. The nominations fill all of the designated positions required to comprise this Board. Accordingly, I am requesting that you appoint the Councilperson to serve on the Board, and I am nominating the following persons:

- Marcia Nolan (National City Bank, Lender, 3 year term)
- James Williams (Famicos Foundation, Non-Profit Developer, 3 year term)
- Keith Sutton (Sutton Builders, For-Profit Developer, 2 year term)
- David Perkowski (Change Development, For-Profit Rental Developer, 2 year term)
- Keith Brown (Progressive Urban Real Estate, Real Estate Broker, 2 year term)
- Terri Hamilton Brown (CMHA, Public Housing, 3 year term)
- Joan Shaver Washington (Citizen, 3 year term)
- Janet Loehr (Citizen, 3 year term)
- Mark McDermott (Enterprise Foundation, 2 year term)
- Eric Hodderson (Neighborhood Progress Inc., 2 year term)
- Angelo Anderson (2100 Lakeside Shelter, 2 year term)
- Mike Foley (Cleveland Tenants Organization, 2 year term)

For consideration, I am including resumes for all nominees.

Sincerely,
 MICHAEL R. WHITE
 Mayor

Received. Referred to Committee on Mayor's Appointments.

File No. 110-01-A.

January 17, 2001

To the Honorable Council of the City of Cleveland City Council

Ladies and Gentlemen:

Report of the Mayor's Appointment Committee's consideration of the Mayor's Appointments to the Housing Advisory Board.

We have before us the Mayor's Letter of December 14, 2000, wherein he names his appointment to the Housing Advisory Board:

Keith Brown
 Two (2) year term

The Mayor's Appointment Committee hereby recommends that Council approve the appointment as stated above.

Mayor's Appointment Committee

Michael C. O'Malley, Chairman
 Patricia J. Britt
 Joseph Cimperman
 Bill W. Patmon
 Martin J. Sweeney

Without objection, appointment approved. Yeas 21. Nays 0.

File No. 110-01-A.

January 17, 2001

To the Honorable Council of the
City of Cleveland City Council

Ladies and Gentlemen:

Report of the Mayor's Appoint-
ment Committee's consideration of
the Mayor's Appointments to the
Housing Advisory Board.

We have before us the Mayor's
Letter of December 14, 2000, where-
in he names his appointment to the
Housing Advisory Board:

Terri Hamilton Brown
Three (3) year term

The Mayor's Appointment Com-
mittee hereby recommends that
Council approve the appointment as
stated above.

Mayor's Appointment Committee

Michael C. O'Malley, Chairman
Patricia J. Britt
Joseph Cimperman
Bill W. Patmon
Martin J. Sweeney

Without objection, appointment
approved. Yeas 21. Nays 0.

File No. 110-01-A.

January 17, 2001

To the Honorable Council of the
City of Cleveland City Council

Ladies and Gentlemen:

Report of the Mayor's Appoint-
ment Committee's consideration of
the Mayor's Appointments to the
Housing Advisory Board.

We have before us the Mayor's
Letter of December 14, 2000, where-
in he names his appointment to the
Housing Advisory Board:

Mike Foley
Two (2) year term

The Mayor's Appointment Com-
mittee hereby recommends that
Council approve the appointment as
stated above.

Mayor's Appointment Committee

Michael C. O'Malley, Chairman
Patricia J. Britt
Joseph Cimperman
Bill W. Patmon
Martin J. Sweeney

Without objection, appointment
approved. Yeas 21. Nays 0.

File No. 110-01-A.

January 17, 2001

To the Honorable Council of the
City of Cleveland City Council

Ladies and Gentlemen:

Report of the Mayor's Appoint-
ment Committee's consideration of

the Mayor's Appointments to the
Housing Advisory Board.

We have before us the Mayor's
Letter of December 14, 2000, where-
in he names his appointment to the
Housing Advisory Board:

Eric Hodderson
Two (2) year term

The Mayor's Appointment Com-
mittee hereby recommends that
Council approve the appointment as
stated above.

Mayor's Appointment Committee

Michael C. O'Malley, Chairman
Patricia J. Britt
Joseph Cimperman
Bill W. Patmon
Martin J. Sweeney

Without objection, appointment
approved. Yeas 21. Nays 0.

File No. 110-01-A.

January 17, 2001

To the Honorable Council of the
City of Cleveland City Council

Ladies and Gentlemen:

Report of the Mayor's Appoint-
ment Committee's consideration of
the Mayor's Appointments to the
Housing Advisory Board.

We have before us the Mayor's
Letter of December 14, 2000, where-
in he names his appointment to the
Housing Advisory Board:

Janet Loehr
Three (3) year term

The Mayor's Appointment Com-
mittee hereby recommends that
Council approve the appointment as
stated above.

Mayor's Appointment Committee

Michael C. O'Malley, Chairman
Patricia J. Britt
Joseph Cimperman
Bill W. Patmon
Martin J. Sweeney

Without objection, appointment
approved. Yeas 21. Nays 0.

File No. 110-01-A.

January 17, 2001

To the Honorable Council of the
City of Cleveland City Council

Ladies and Gentlemen:

Report of the Mayor's Appoint-
ment Committee's consideration of
the Mayor's Appointments to the
Housing Advisory Board.

We have before us the Mayor's
Letter of December 14, 2000, where-
in he names his appointment to the
Housing Advisory Board:

Mark McDermott
Two (2) year term

The Mayor's Appointment Com-
mittee hereby recommends that

Council approve the appointment as
stated above.

Mayor's Appointment Committee

Michael C. O'Malley, Chairman
Patricia J. Britt
Joseph Cimperman
Bill W. Patmon
Martin J. Sweeney

Without objection, appointment
approved. Yeas 21. Nays 0.

File No. 110-01-A.

January 17, 2001

To the Honorable Council of the
City of Cleveland City Council

Ladies and Gentlemen:

Report of the Mayor's Appoint-
ment Committee's consideration of
the Mayor's Appointments to the
Housing Advisory Board.

We have before us the Mayor's
Letter of December 14, 2000, where-
in he names his appointment to the
Housing Advisory Board:

Marcia Nolan
Three (3) year term

The Mayor's Appointment Com-
mittee hereby recommends that
Council approve the appointment as
stated above.

Mayor's Appointment Committee

Michael C. O'Malley, Chairman
Patricia J. Britt
Joseph Cimperman
Bill W. Patmon
Martin J. Sweeney

Without objection, appointment
approved. Yeas 21. Nays 0.

File No. 110-01-A.

January 17, 2001

To the Honorable Council of the
City of Cleveland City Council

Ladies and Gentlemen:

Report of the Mayor's Appoint-
ment Committee's consideration of
the Mayor's Appointments to the
Housing Advisory Board.

We have before us the Mayor's
Letter of December 14, 2000, where-
in he names his appointment to the
Housing Advisory Board:

Keith Sutton
Two (2) year term

The Mayor's Appointment Com-
mittee hereby recommends that
Council approve the appointment as
stated above.

Mayor's Appointment Committee

Michael C. O'Malley, Chairman
Patricia J. Britt
Joseph Cimperman
Bill W. Patmon
Martin J. Sweeney

Without objection, appointment
approved. Yeas 21. Nays 0.

File No. 110-01-A.

January 17, 2001

To the Honorable Council of the
City of Cleveland City Council

Ladies and Gentlemen:

Report of the Mayor's Appointment Committee's consideration of the Mayor's Appointments to the Housing Advisory Board.

We have before us the Mayor's Letter of December 14, 2000, wherein he names his appointment to the Housing Advisory Board:

David Perkowski
Two (2) year term

The Mayor's Appointment Committee hereby recommends that Council approve the appointment as stated above.

Mayor's Appointment Committee

Michael C. O'Malley, Chairman
Patricia J. Britt
Joseph Cimperman
Bill W. Patmon
Martin J. Sweeney

Without objection, appointment approved. Yeas 21. Nays 0.

File No. 110-01-A.

January 17, 2001

To the Honorable Council of the
City of Cleveland City Council

Ladies and Gentlemen:

Report of the Mayor's Appointment Committee's consideration of the Mayor's Appointments to the Housing Advisory Board.

We have before us the Mayor's Letter of December 14, 2000, wherein he names his appointment to the Housing Advisory Board:

Joan Shaver Washington
Three (3) year term

The Mayor's Appointment Committee hereby recommends that Council approve the appointment as stated above.

Mayor's Appointment Committee

Michael C. O'Malley, Chairman
Patricia J. Britt
Joseph Cimperman
Bill W. Patmon
Martin J. Sweeney

Without objection, appointment approved. Yeas 21. Nays 0.

File No. 110-01-A.

January 17, 2001

To the Honorable Council of the
City of Cleveland City Council

Ladies and Gentlemen:

Report of the Mayor's Appointment Committee's consideration of the Mayor's Appointments to the Housing Advisory Board.

We have before us the Mayor's Letter of December 14, 2000, wherein he names his appointment to the Housing Advisory Board:

James Williams
Three (3) year term

The Mayor's Appointment Committee hereby recommends that Council approve the appointment as stated above.

Mayor's Appointment Committee

Michael C. O'Malley, Chairman
Patricia J. Britt
Joseph Cimperman
Bill W. Patmon
Martin J. Sweeney

Without objection, appointment approved. Yeas 21. Nays 0.

**STATEMENT OF WORK
ACCEPTED****File No. 111-01.**

From the Department of Parks, Recreation and Properties re: Contract No. 56217B, Humphrey Park Site Improvements. Received.

OATH OF OFFICE**File No. 112-01.**

Dennis Nichols — Commissioner of Utilities Fiscal Control. Received.

CONDOLENCE RESOLUTIONS

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

Res. No. 113-01—Evelyn Henrietta King Green.

Res. No. 114-01—Elnora LaVerne Green.

Res. No. 115-01—Roosevelt Smith.

Res. No. 116-01—George D. Fraganpane.

Res. No. 117-01—Elven Crutchfield.

Res. No. 118-01—Roy Fennell.

CONGRATULATION RESOLUTIONS

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

Res. No. 119-01—West Side Catholic Center.

Res. No. 120-01—Michael Allen Kavulic.

RECOGNITION RESOLUTIONS

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

Res. No. 121-01—Stanley R. Gordon.

Res. No. 122-01—St. Luke's Foundation.

Ord. No. 123-01.

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

Whereas, the City of Cleveland adopted and implemented procedures under Chapter 5722 of the

Ohio Revised Code to facilitate reutilization of nonproductive lands situated within the City of Cleveland; and

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 008-02-020 as more fully described below, to Cleveland Housing Network, Inc.

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

P. P. No. 008-02-020

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 95 in Jacob B. Perkins South side Allotment of part of Original Brooklyn Township Lot No. 71 as shown by the recorded plat in Volume 11 of Maps, Page 36 of Cuyahoga County Records and being 50 feet front on the Easterly side of Scranton Road and extending back 177.35 feet on the Northerly line and 146.96 feet on the Southerly line and having a broken line of 76.43 feet along the Westerly line of West 18th Place and Castle Court as appears by said plat.

Subject to Zoning Ordinances, if any.

Section 3. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 008-11-064 as more fully described below to Cleveland Housing Network, Inc.

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

P. P. No. 008-11-064

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 65 in Meyer and Curtiss' Allotment of part of Original Brooklyn Township Lot No. 72, as shown by the recorded plat in Volume 4 of Maps, Page 29 of Cuyahoga County Records, and being 50 feet front on the Northerly side of Holmden Avenue, S.W., and extending back of equal width 150 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Restriction of record and zoning ordinance if any.

Section 5. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Sup-

plies is hereby authorized to sell Permanent Parcel No. 008-11-065 as more fully described below, to Cleveland Housing Network, Inc.

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

P. P. No. 008-11-065

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Sublot No. 64 in Meyer and Curtiss Subdivision of part of Original Brooklyn Township Lot No. 72 as shown by the recorded plat in Volume 4 of Maps, Page 29 of Cuyahoga County Records, and being 50 feet front on the Northerly side of Holmden Avenue and extending back of equal width 150 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. 008-11-100 as more fully described to Cleveland Housing Network, Inc.

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

P. P. No. 008-11-100

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Easterly 16-8/12 feet of Sublot No. 10 and the Westerly 16-8/12 feet of Sublot No. 11 in Meyer and Curtiss' Subdivision of part of Original Brooklyn Township Lot No. 72 and shown in the recorded plat in Volume 4 of Maps, Page 29 of Cuyahoga County Records and being 33-4/12 feet front on the Northerly side of Buhrer Avenue, S.W., (formerly known as Buhrer Avenue), and extending back of equal width 142 feet and 10-1/2 inches deep as appears by said plat.

Also subject to all zoning ordinances, if any.

Section 9. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel Nos. 008-11-109 as more fully described below, to Cleveland Housing Network, Inc.

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

P. P. No. 008-11-109

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 15 in the N. Meyer's Allotment of part of Original Brooklyn Township Lot No. 72, as shown by the recorded plat in Volume 3 of Maps, Page 49 of Cuyahoga County Records, and being 40 feet front on the Southerly side of Rowley Avenue, S.W., and extending back 175 feet 1 inch on the Easterly line, 175 feet on the Westerly line and having a rear line of 36 feet 2 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 11. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Sup-

plies is hereby authorized to sell Permanent Parcel No. 008-11-110 as more fully described below, to Cleveland Housing Network, Inc.

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

P. P. No. 008-11-110

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 14 in Nicholas Meyer's Allotment of part of Original Brooklyn Township Lot No. 72 as shown by the recorded plat in Volume 3 of Maps, Page 49 of Cuyahoga County Records and being 40 feet front on the Southerly side of Rowley Avenue, S.W., 174 feet 11 inches deep on the Westerly line 175 feet deep on the Easterly line and 40 feet wide in the rear as appears by said plat.

Subject to zoning ordinances, if any.

Section 13. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 008-15-048 as more fully described below, to Cleveland Housing Network, Inc.

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

P. P. No. 008-15-048

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublots Nos. 27 and 28 in A. Stone's Allotment of part of Original Brooklyn Township Lot No. 67 as shown by the recorded plat of said Allotment in Volume 11 of Maps, Page 24 of Cuyahoga County Records and bounded and described as follows:

Beginning at the Northeast corner of Sublot No. 27 and the Westerly line of Scranton Road, S.W.; thence Westerly along the Northerly line of Sublot No. 27, 134 feet 4/5 inch to a point which is also the Northeasterly corner of parcel of land conveyed by Mary E. Atherton, widow, to Edward and Lura D. Ward, by deed dated June 11, 1920, and filed for record July 30, 1920 in Volume 2442, Page 245 of Cuyahoga County Records; thence Southerly along the Easterly line of said land so conveyed, 60 feet to the Southeasterly corner thereof; thence Easterly parallel to the Northerly line of Sublot No. 28, 131 feet 6-1/5 inches to the Westerly line of Scranton Road, S.W., thence Northerly, along the Westerly line of Scranton Road, S.W., 60 feet to the place of beginning, be the same more or less, but subject to all legal highways.

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. 008-16-105 as more fully described below, to Cleveland Housing Network, Inc.

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

P. P. No. 008-16-105

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Westerly 25 feet of Sublot No. 82 and the

Easterly 10 feet of Sublot No. 83 in Ruth Curtiss' Allotment of part of Original Brooklyn Township Lots Nos. 67 and 72 as shown by the recorded plat in Volume 12 of Maps, Page 43 of Cuyahoga County Records, and together forming a parcel of land 35 feet front on the Northerly side of Clover Avenue, S.W., and extending back of equal width 124 feet to a 12 foot alley in the rear, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to restrictions and easements contained in deed recorded in Volume 590, Page 408, Cuyahoga County Records.

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. 008-16-057 as more fully described below, to Cleveland Housing Network, Inc.

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

P. P. No. 008-16-057

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 17 and the Easterly 5 feet of Sublot No. 16 in Ruth Curtiss Subdivision of part of Original Brooklyn Township Lots Nos. 67 and 72, as shown by the recorded plat in Volume 12 of Maps, Page 43 of Cuyahoga County Records and together forming a parcel of land 45 feet front on the Southerly side of Brainard Avenue, S.W., and extending back of equal width 124 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 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. 008-16-089 as more fully described below, to Cleveland Housing Network, Inc.

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

P. P. No. 008-16-089

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and bounded and described as follows, to wit: And known as being Sublot No. 61 in Ruth Curtiss Allotment of part of Original Brooklyn Township Lot Nos. 67 and 72, as shown by the recorded plat in Volume 12 of Maps, Page 43 of Cuyahoga County Records, and being 40 feet front on the Southerly side of Corning Avenue, S.W., and extending back of equal width, 124 feet deep, be the same more or less, but subject to all legal highways.

Subject to 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. 008-16-090 as more fully described below, to Cleveland Housing Network, Inc.

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

P. P. No. 008-16-090

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 60 in Ruth Curtiss Allotment of Original Brooklyn Township Lot Nos. 67 and 72, as shown by the recorded plat in Volume 12 of Maps, Page 43 of Cuyahoga County Records, and being 40 feet front on the Southerly side of Corning Avenue, S.W., and extending back of equal width 124 feet to a 12 foot alley in the rear, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 23. 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 24. 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 25. 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 26. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its 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, Finance, Law; Committees on Community and Economic Development, City Planning, Finance.

Ord. No. 124-01.

By Councilmen Melena and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Community Development to apply for and accept grants from the United States Department of Housing and Urban Development for the CDBG Year 27 pursuant to Title I of the Housing and Community Development Act of 1974, for the 2001 Federal HOME Grant Program, Emergency Shelter Program, and the Housing Opportunities for Persons with AIDS Program.

Whereas, this ordinance constitutes an emergency measure provid-

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

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

Section 1. That the Director of Community Development is hereby authorized to apply for and accept grants from the U. S. Department of Housing and Urban Development (HUD) in the following approximate amounts: \$30,795,000 to conduct the Year 27 Community Development Block Grant Program; \$8,932,000 to conduct the Federal HOME Grant Program; \$1,060,000 to conduct the Emergency Shelter Grant Program; and \$765,000 for the Housing Opportunities for Persons with AIDS (HOPWA) Program, for the purposes set forth in the application and according thereto and in compliance with the requirements of Title I of the Housing and Community Development Act of 1974 and applicable rules and regulations. That the Director of Community Development is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grants, and that said funds are hereby appropriated for the purposes set forth in the applications for said grants.

Section 2. That the applications for said grants, placed in File No. 124-01-A, made a part hereof as if fully rewritten herein, are 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 Community Development, Finance, Law; Committees on Community and Economic Development, Finance.

Ord. No. 125-01.

By Mayor White.

An emergency ordinance authorizing the Director of Economic Development to enter into a contract amendment with Post Office Plaza Limited Partnership to accept a discount prepayment of the UDAG loan regarding the renovation and tenant build out of the former post office at 301 West Prospect.

Whereas, pursuant to Ordinance Nos. 1249-85, passed June 10, 1985, as amended by Ordinance No. 2589-85, passed November 11, 1985, Council authorized the Director of Economic Development to accept an Urban Development Action Grant ("UDAG") from the United States Department of Housing and Urban Development ("HUD") and to enter into a contract with the Post Office Plaza Limited Partnership (the "Contract"), or its designee, for renovation and tenant build out of the former post office at 301 West Prospect; and

Whereas, Post Office Plaza Limited Partnership was the authorized designee under the Contract; and

Whereas, Post Office Plaza Limited Partnership has requested to prepay the \$9,200,000 zero interest loan at its net present value determined

by discounting by a rate equal to the prime rate the balloon principal payment due March 2, 2010; and

Whereas, the receipt of said prepayment would allow the Department of Economic Development to secure additional financial assistance funds for reinvestment in various Neighborhood Development Investment Fund projects throughout the City; and

Whereas, this ordinance constitutes an emergency measure that the same provides for the immediate preservation of the public peace, safety, property and welfare, in 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; now, therefore

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

Section 1. That the Director of Economic Development is authorized to accept on behalf of the City, a discounted prepayment from Post Office Plaza Limited Partnership to be paid to the City no later than March, 2001, in an amount equal to the net present value of the loan using a discount rate equal to prime rate on the date of closing in full satisfaction of its loan of \$9,200,000 due in a balloon payment March 2, 2010, which loan was made to partially finance the renovation and tenant build out of the former post office at 301 West Prospect. Provided, however, that Post Office Plaza Limited Partnership has agreed to pay \$4,600,000 as the discounted prepayment based on its analysis of current economic conditions. That the Director of Economic Development is authorized to file all papers and execute all documents necessary to receive the funds under said prepayment.

Section 2. That the UDAG Development Contract Amendment authorized herein shall be prepared by the Director of Law and shall contain such terms and conditions as shall be deemed necessary or appropriate to protect the interests of the City.

Section 3. That the Director of Economic Development is hereby authorized to release any and all collateral taken to secure repayment of said loan and to execute all documents necessary to release said collateral. Any release of security instruments shall be prepared and approved by the Director of Law.

Section 4. That the Director of Economic Development is hereby authorized to deposit the prepayment into Fund No. 10 SF 502.

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

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

Ord. No. 126-01.**By Mayor White.**

An emergency ordinance to amend Section 125.01 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 595-2000, passed October 23, 2000, relating to the Law Director's powers and duties.

Whereas, this ordinance constitutes an emergency measure providing for 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 125.01 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 595-2000, passed October 23, 2000, is hereby amended to read as follows:

Section 125.01 Director's Powers and Duties

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

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

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

Section 2. That existing Section 125.01 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 595-2000, passed October 23, 2000, is hereby repealed.

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

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

Ord. No. 127-01.**By Councilmen Jackson, Melena and Patmon (by departmental request).**

An emergency ordinance authorizing the Director of Community Development to enter into an amendment to Contract No. 55546 with Lutheran Housing Corp. to continue to provide home repairs to elderly residents of Ward 5.

Whereas, this ordinance constitutes an emergency measure provid-

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

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

Section 1. That the Director of Community Development is authorized to enter into an amendment to Contract No. 55546 with Lutheran Housing Corp. to continue to provide home repairs to elderly residents of Ward 5 and to increase the amount of the contract by \$50,000 for a total of \$208,900.00. Said increase shall be paid from Fund No. 14 SF 026, Request No. 20680.

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

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

Ord. No. 128-01.**By Councilmen Cintron and Patmon (by departmental request).**

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to repair and maintain various types of heavy duty construction equipment, for the Division of Motor Vehicle Maintenance, Department of Public Service.

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

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

Section 1. That the Director of Public Service is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of labor and materials necessary to repair and maintain various types of heavy duty construction 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 Motor Vehicle Maintenance, Department of Public Service. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

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

requisition against such contract duly certified by the Director of Finance. (RL 29340)

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

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

Ord. No. 129-01.**By Councilmen Cintron and Patmon (by departmental request).**

An emergency ordinance authorizing the procurement by requirement contract of the rental of large capacity trucks with operators, for the Division of Streets, 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 the rental of large capacity trucks with operators in the approximate amount as procured during the preceding year, to be procured by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Streets, 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 procurement thereunder, which procurement, together with all subsequent procurements, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 29271)

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

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

Ord. No. 130-01.
By Councilmen Cintron and Pat-
mon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of automotive and truck oils, lubricants and solvents, for the Division of Motor Vehicle Maintenance, Department of Public Service.

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

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

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

Section 2. That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 29337)

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

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

Ord. No. 131-01.
By Councilmen Cintron and Pat-
mon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to repair and maintain mowers and cutting equipment, for the Division of Motor Vehicle Maintenance, Department of Public Service.

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

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

Section 1. That the Director of Public Service is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one

year for the necessary items of labor and materials necessary to repair and maintain mowers and cutting 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 Motor Vehicle Maintenance, Department of Public Service. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

Section 2. That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 29338)

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

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

Ord. No. 132-01.
By Councilmen Cintron and Pat-
mon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of equipment and vehicle batteries, for the Division of Motor Vehicle Maintenance, Department of Public Service.

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

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

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

Section 2. That the cost of said contract shall be charged against

the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 29336)

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

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

Ord. No. 133-01.
By Councilmen Cintron and Pat-
mon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of tires, for the Division of Motor Vehicle Maintenance, Department of Public Service.

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

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

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

Section 2. That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 29335)

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

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

Ord. No. 134-01.
By Councilmen Cintron and Patmon (by departmental request).
An emergency ordinance authorizing the purchase by requirement contract of gasoline, for the Division of Motor Vehicle Maintenance, Department of Public Service.

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

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

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

Section 2. That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 29334)

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

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

Ord. No. 135-01.
By Councilmen Cintron and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of tire repair road service, for the Division of Motor Vehicle Maintenance, Department of Public Service.

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

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

Section 1. That the Director of Public Service is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the

requirements for the period of one year for the necessary items of tire repair road service in the approximate amount as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Motor Vehicle Maintenance, Department of Public Service. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

Section 2. That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 29339)

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

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

Ord. No. 136-01.
By Councilmen Melena and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Community Development to employ one or more environmental consultants and one or more consultants to provide asbestos evaluation and Phase I environmental audits; and authorizing the purchase by requirement contract of clean-up and securing of sites and the removal and disposal of underground storage tanks, for the Division of Building and Housing, Department of Community Development, for a period of 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 Community Development is hereby authorized to employ by contract one or more environmental consultants or one or more firms of environmental consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to provide environmental compliance monitoring services in conjunction with the City's demolition program for a two year period.

The selection of said consultant or consultants for such services shall be made by the Board of Control upon the nomination of the Director

of Community Development from a list of qualified consultants available for such employment as may be determined after a full and complete canvass by the Director of Community Development 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 Community Development, and certified by the Director of Finance.

Section 2. That the Director of Community Development 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 provide asbestos evaluation and Phase I environmental audit services in conjunction with the City's demolition program for a two year period.

The selection of said consultant or consultants for such services shall be made by the Board of Control upon the nomination of the Director of Community Development from a list of qualified consultants available for such employment as may be determined after a full and complete canvass by the Director of Community Development 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 Community Development, and certified by the Director of Finance.

Section 3. That the Director of Community Development is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two years for the necessary items of clean-up and securing of sites and the removal and disposal of underground storage tanks, in the estimated sum of \$400,000, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Building and Housing, Department of Community Development. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 4. That the cost of said professional service contracts authorized in Sections 1 and 2 herein, shall be paid from Fund No. 14 SF 026 and from the fund or funds to which are credited any Community Development Block Grant funds appropriated and approved for this purpose and that the cost of said requirement contract authorized in Section 3 herein 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 20700)

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

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

**Ord. No. 137-01.
By Councilman Polensek.
An emergency ordinance approving a second amendment to the Master Development Agreement between the City of Cleveland and Chagrin Highlands, Ltd.; authorizing and directing the Director of Economic Development to execute such amendment on behalf of the City of Cleveland; and authorizing and directing the execution and delivery of certain instruments related thereto.**

Whereas, the City of Cleveland (the "City") (pursuant to the authority of Ordinance No. 2197-88 passed by this Council on January 30, 1989) and Figgie International, Inc. (now known as Scott Technologies, Inc.) executed a Master Development Agreement known by the City as City Contract No. 40622 with regard to certain property then owned by the City and known as "Chagrin Highlands," which Master Development Agreement was recorded in Volume 89-1028, Page 36 of Cuyahoga County Records; and

Whereas, the City (pursuant to the authority of Ordinance No. 1166-96 passed by this Council on June 9, 1997), Figgie International, Inc., Figgie Properties, Inc. (now known as STI Properties, Inc.), and Chagrin Highlands, Ltd. (currently, the "Developer" under the Master Development Agreement) executed a First Amendment of Master Development Agreement (the Master Development Agreement, as so amended, the "MDA"), which First Amendment was recorded in Volume 97-09240, Page 34 of Cuyahoga County Records; and

Whereas, this Council has determined that the MDA contains certain deficiencies which impede the development of Chagrin Highlands, and thereby impede the economic benefits due the City and its citizens from the development of Chagrin Highlands; and

Whereas, this Council has further determined that in order to remedy such deficiencies it is necessary for the City to enter into the Second Amendment of Master Development Agreement hereinafter set forth in this ordinance; and

Whereas, this ordinance constitutes an emergency measure providing for the immediate preservation of public property, health and safety in that the approval of the

Second Amendment of Master Development Agreement hereinafter set forth is immediately necessary to enable the MDA to create economic benefits to the City and its citizens from the development of Chagrin Highlands, and for usual daily operation of a municipal department

Now therefore, be it ordained by the Council of the City of Cleveland:

Section 1. Notwithstanding, and as an exception to, Chapter 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Economic Development is hereby authorized and directed to enter into a Second Amendment to the MDA on behalf of the City in the form of the following Second Amendment of Master Development Agreement (the "Amendment"):

**SECOND AMENDMENT
OF
MASTER DEVELOPMENT
AGREEMENT**

THIS SECOND AMENDMENT OF MASTER DEVELOPMENT AGREEMENT ("Second Amendment") is entered into as of _____, 2001 by and between THE CITY OF CLEVELAND, OHIO ("City") and CHAGRIN HIGHLANDS, LTD. ("Developer").

RECITALS:

Whereas, City (pursuant to the authority of Ordinance No. 2197-88 passed by its Council on January 30, 1989) and Figgie International, Inc. (now known as Scott Technologies, Inc.) executed a Master Development Agreement (known by the City as City Contract No. 40622) with regard to certain property (the "Property") then owned by the City and known as "Chagrin Highlands," which Master Development Agreement was recorded in Volume 89-1028, Page 36 of Cuyahoga County Records; and

Whereas, on January 31, 1990, Figgie International, Inc. assigned its rights under the Master Development Agreement to Figgie Properties, Inc. (now known as STI Properties, Inc.) by Assignment and Assumption Agreement recorded in Volume 9000847, Page 40 of Cuyahoga County Records; and

Whereas, on or about May 25, 1995, Developer, an Ohio limited liability company, was formed by Figgie International, Inc., Jacobs Development Co. and JVJ Corp. for the purpose of developing the Chagrin Highlands project pursuant to the terms of the Master Development Agreement; and

Whereas, the original members of Developer have assigned their respective interests therein to, and the current members of Developer are, STI Properties, Inc. (known as Figgie Properties, Inc. at the date of such assignment), Jacobs Chagrin Highlands, Ltd. and JG Chagrin, Ltd.; and

Whereas, City (pursuant to the authority of Ordinance No. 1166-96 passed by its Council on June 9, 1997), Figgie International, Inc., Figgie Properties, Inc., and Developer executed a First Amendment of

Master Development Agreement (the Master Development Agreement, as so amended, the "MDA"), which First Amendment of Master Development Agreement (the "First Amendment") was recorded in Volume 97-09240, Page 34 of Cuyahoga County Records; and

Whereas, contemporaneous with the execution of the First Amendment, Figgie Properties, Inc. assigned to Developer all of its rights, title and interests in, to and under the Property and the MDA; and

Whereas, City (pursuant to the authority of Ordinance No. _____-01 passed by Cleveland City Council on _____) and Developer are now desirous of amending the terms of the MDA to incorporate certain terms agreed upon by the parties.

Now therefore, for good and valuable consideration, the mutual receipt and adequacy of which are acknowledged, City and Developer hereby amend the MDA as follows:

Section 1: Definitions. Section 1 of the MDA is amended to delete the definitions of "Big Box Retail," "Entertainment Establishments," "Open Space," "Total Developable Area," and "Vision Statement."

Section 2: Vision Statement. Section 2.1(e) and Exhibit V of the MDA are deleted in their entirety, which deletions shall be noted as follows:

- (e) [Intentionally omitted]
- Exhibit V [Intentionally omitted]

Section 3: Development Restrictions. Sections 7.1(h), (i), (j) and (k) are deleted in their entirety, which deletions shall be noted as follows:

- (h) [Intentionally omitted]
- (i) [Intentionally omitted]
- (j) [Intentionally omitted]
- (k) [Intentionally omitted]

Section 4: Miscellaneous. Except as amended hereby, the MDA shall remain in full force and effect. This Amendment may be executed in counterparts, each of which shall be deemed an original, but all of which shall constitute one and the same instrument.

IN WITNESS WHEREOF, the undersigned parties have executed their signatures as of the date first above written.

WITNESSES:

**THE CITY OF
CLEVELAND, OHIO**

By: _____
Chris Warren
Director of Economic
Development

**CHAGRIN HIGH-
LANDS, LTD.**

By: Jacobs Chagrin
Highlands, Ltd.

By: _____
Thomas W. Henne-
berry
Executive Vice
President

By: STI PROPERTIES, INC.

By: _____ Name: _____ Title: _____

The legal form and correctness of the within instrument is hereby approved.

Director of Law

By: _____

Assistant Director of Law

Date: _____

from imposing a residency requirement as a condition of employment; and

Whereas, in 1982, the City's Charter was amended by a vote of the Cleveland citizens to require that employees of the City be bona fide residents of the City and remain as such during their terms of employment; 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 the Council of the City of Cleveland is opposed to any action by the State legislature that would attempt to limit the power of the City to determine the qualifications of its employees by prohibiting the City from imposing a residency requirement as a condition of employment.

Section 2. That the Council of the City of Cleveland would view such action as an illegal encroachment on the powers of the City of Cleveland by the State Legislature.

Section 3. That the Council of the City fully supports the Cleveland Charter provisions requiring employees to be bona fide residents of the City and to remain as such during their terms of employment.

Section 4. That the Clerk of Council is hereby directed to transmit copies of this resolution to Governor Taft, the Speaker of the Ohio House of Representatives, the President of the Ohio Senate and other members of the Ohio House and Senate who represent the City of Cleveland.

Section 5. 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 Director of Law; Committees on Legislation, Finance.

Res. No. 140-01.

By Councilman Willis.

An emergency resolution requiring the laying, re-laying and repairing of sidewalks, driveway aprons, curbs, gutters and/or castings on certain streets and any associated corner properties herein named in 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 it is necessary to lay, re-lay and repair sidewalks, driveway aprons, curbs, gutters and/or castings, including adjustments of utility boxes, where necessary, in the City of Cleveland on the following streets, at the locations hereinafter named and between the points mentioned, including both the frontage and depth of corner lots where said streets intersect, be

STATE OF OHIO))SS: COUNTY OF CUYAHOGA)

On this ___ day of _____, 2001, before me, a Notary Public in and for said County and State, personally appeared Thomas W. Henneberry, Executive Vice President of Jacobs Chagrin Highlands, Ltd., Manager of the above-named Chagrin Highlands, Ltd., and acknowledged that he did sign the foregoing instrument and that the same is the free act and deed of said company and his free act and deed as such officer.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal on the day and year aforesaid.

(Seal)

Notary Public

STATE OF OHIO))SS: COUNTY OF CUYAHOGA)

On this ___ day of _____, 2001, before me, a Notary Public in and for said County and State, personally appeared _____ of STI Properties, Inc., Member of the above-named Chagrin Highlands, Ltd., and acknowledged that he did sign the foregoing instrument and that the same is the free act and deed of said company and his free act and deed as such officer.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal on the day and year aforesaid.

(Seal)

Notary Public

STATE OF OHIO))SS: COUNTY OF CUYAHOGA)

On this ___ day of _____, 2001, before me, a Notary Public in and for said County and State, personally appeared Chris Warren, Director of Economic Development of the City of Cleveland, Ohio, and acknowledged that he did sign the foregoing instrument and that the same is the free act and deed of said municipal corporation and his free act and deed on behalf of the City.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal on the day and year aforesaid.

(Seal)

Notary Public

Section 2. Notwithstanding and as an exception to Chapter 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Economic Development is authorized and directed to take such other actions and to execute and deliver such other agreements, instruments and certifications as the Amendment requires or permits the City to take, execute and deliver, as the case may be, upon determination by said Director that such action is required by the MDA or the Amendment or, if permitted but not required, that it is necessary or appropriate to promote or fulfill the transactions contemplated by the MDA or the Amendment and the purposes to be served thereby. If deemed appropriate by the Director of Economic Development, the Director of Economic Development may execute on behalf of the City an "Amended and Restated Master Development Agreement" for the sole purpose of incorporating into a single, reconciled document the revisions effected by the First Amendment and those set forth in the above Amendment.

Section 3. That it is hereby found and determined that all formal actions taken by this Council relating to the Amendment were taken and held in meetings open to the public and in compliance with all other legal requirements.

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

FIRST READING EMERGENCY RESOLUTIONS REFERRED

Res. No. 139-01.

By Councilman Coats.

An emergency resolution opposing any action by the State legislature which would attempt to limit municipal corporations to impose a residency requirement as a condition of employment.

Whereas, in past sessions, the Ohio Legislature has considered bills seeking to limit the power of municipal corporations in the State of Ohio to determine the qualifications of their employees by prohibiting municipal corporations

laid, re-laid and repaired, with either stone flagging or concrete, to the full width of the present sidewalks or curbing on the streets and any associated corner properties respectively:

West 93rd Street and West 95th Street - Madison Avenue to Willard Avenue

9801 Denison Avenue - Southwest corner of Denison Avenue and West 98th Street

3243 West 98th Street - Southeast corner of Denison Avenue and West 98th Street

Ashbury Avenue - East Boulevard to Lakeview Road

Woodhaven - Ridge Road to the end of Woodhaven

West 59th Street - West 63rd Street to north of Memphis

Cleveland Road - North of St. Clair Avenue

Catalpa Road - North of Euclid Avenue

East 176th - Villaview to Nottingham Road

East 177th - Villaview to Nottingham Road

Creekview - Nottingham Road to east end

Dillewood - East 176th Street to east end

Nottingham Road - Villaview to Lakeshore Boulevard

Shelton Road - Nottingham Road to east end

Tiverton road - Nottingham Road to east end

Sprengle Road - West 146th Street to West 143rd Street (curb only)

Section 2. That the Director of Finance shall cause a written notice of the adoption of this resolution to be served upon the owner, agent of the owner, of each parcel of land abutting upon the sidewalk, driveway apron, curb, gutter, and/or casting to be laid or re-laid or repaired. In the manner provided by law for the service of summons in civil actions and in accordance with Section 164 of the City Charter of the City of Cleveland. A copy of the notice, with the time and manner of service endorsed thereon, signed by the person serving it shall be returned to the office of the Director of Finance and there filed and preserved. The said notice shall also provide that: if the sidewalk, driveway apron, curb, gutter, and/or casting are not laid, re-laid or repaired by the abutting owner, in accordance with the notice, within fifteen (15) days from service of notice or completion of the publication thereof, the City will proceed, through the appropriate department, to lay, re-lay or repair such sidewalk, driveway apron, curb, gutter, and/or casting, including adjustments of utility boxes, where necessary at the cost and expense of the owner of the property in front of which the same is laid, re-laid, repaired; and the cost and expense thereof, unless paid to the Director of Finance, will be assessed against the abutting property, and collected in the same manner as other assessments, as provided in Section 165 of the Charter of the City of Cleveland.

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 Public Service, City Planning Commission, Finance, Law; Committees on Public Service, City Planning, Finance.

FIRST READING EMERGENCY ORDINANCES READ IN FULL AND PASSED

Ord. No. 141-01.

By Councilman Cimperman.

An emergency ordinance consenting and approving the issuance of a permit for the Cleveland Rockers walk on June 10, 2001, sponsored by the Cleveland Rockers and 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 a walk, sponsored by the Cleveland Rockers and Hermes Race Systems, on June 10, 2001, starting on Ontario heading south-erly to Hope Memorial Bridge to West 25th Street to Veterans Memorial Bridge to Huron to Ontario to finish in front of Jacobs Field Plaza, 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 21. Nays 0. Read second time. Read third time in full. Passed. Yeas 21. Nays 0.

Ord. No. 142-01.

By Councilman Cimperman.

An emergency ordinance consenting and approving the issuance of a permit for the Cleveland Indians Run/Qual Choice Race for Pennant on April 1, 2001, 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 Cleveland Indians Run/Qual Choice Race for Pennant, sponsored by Hermes Race Systems, on April 1, 2001, starting on Ontario heading north to St. Clair, St. Clair east on East 6th Street, East 6th Street north to Lakeside, Lakeside to West 3rd Street, West 3rd Street north around Stadium site to East 9th Street, East 9th Street south to Eagle, Eagle then west to finish in front of Jacobs Field (Plaza), 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 21. Nays 0. Read second time. Read third time in full. Passed. Yeas 21. Nays 0.

Ord. No. 143-01.

By Councilman Cimperman.

An emergency ordinance consenting and approving the issuance of a permit for the St. Malachi Run (5 and 2 mile) on March 10, 2001, 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 St. Malachi Run (5 and 2 mile), sponsored by Hermes Race Systems, on March 10, 2001, with the 5 mile run starting on Main, heading north to Center, Center north to River Rd., River Rd. to Elm, Elm south to Riverbed, Riverbed all the way to Carter, Carter to Scranton, Scranton to Train, Train Ave. west to Willey, Willey to Columbus, Colum-

bus east to Riverbed. Once on Riverbed back to Elm then Elm to Winslow. Then back to church for the finish for the 5 mile. The 2 mile run is as follows, start on Main to Center, Center to Riverbed, Riverbed to Columbus, Columbus to Center, Center north to Winslow, Winslow to Washington to the 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 21. Nays 0. Read second time. Read third time in full. Passed. Yeas 21. Nays 0.

Ord. No. 144-01.
By Councilmen Melena and Westbrook.

An emergency ordinance consenting and approving the issuance of a permit for the Run for the Roses 5K Run on May 5, 2001, 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 a 5K run, sponsored Hermes Race Systems, on May 5, 2001, starting on West 116th Street and Detroit. East on West 115th Street and north to Edgewater, then Edgewater east to Harborview, Harborview back to Edgewater, Edgewater east to West Blvd., West Blvd. around Cliff Drive back to Edgewater, Edgewater west to Harborview, Harborview back to West 115th Street and back to church on West 116th Street and Detroit, 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 21. Nays 0. Read second time. Read third time in full. Passed. Yeas 21. Nays 0.

Ord. No. 145-01.
By Councilmen Willis and Britt.
An emergency ordinance consenting and approving the issuance of a permit for a Relay Race, The Hudson Relays, on Saturday, April 28, 2001 sponsored by Case Western Reserve University.

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

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

Section 1. That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of a Relay Race, The Hudson Relays sponsored by Case Western Reserve University on April 28, 2001, beginning at "The Rock", next to Fribley, near the bottom of the Elephant Stairs, in front of Carlton Commons, top of stairs, top of Edgemoor at Overlook, in front of the Greenhouse Restaurant, corner of Euclid and Adelbert (runner must pass baton after crossing Euclid, in front of Severance Hall), 25 mph sign on MLK directly before statue at Juniper, side driveway to Crawford Museum on E. 108th Street, Wade Park at corner of East 115th Street, corner of Bellflower and Ford Drive, back at "The Rock", PRESIDENT'S LAP IS LAST LAP ONLY! The last runner (President) receives the baton at The Rock by Adelbert Hall and runs into the Quad up the Pardee side and around and back to The Rock down the Yost side. This will conclude the team's official finish, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

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

The rules were suspended. Yeas 21. Nays 0. Read second time. Read third time in full. Passed. Yeas 21. Nays 0.

FIRST READING EMERGENCY RESOLUTIONS READ IN FULL AND ADOPTED

Res. No. 146-01.
By Councilmen Cimperman and Reed.

An emergency resolution opposing the plan recently announced by Governor Taft to expand the state-wide lottery in order to generate additional funding for schools and urging the Governor to find another source of funds for improvements to our school system.

Whereas, this Council of the City of Cleveland is cognizant of the deplorable conditions of our city's school buildings and the poor academic results of many of our Cleveland school students; and

Whereas, this Council recognizes the need for additional funding for our school system to remedy building deficiencies and to improve the quality of education received by our school children; and

Whereas, Governor Taft has announced a budget plan to bolster funding for schools premised on the idea that Ohio will join Powerball or another multistate lottery by March 31, 2002; and

Whereas, such a budget is speculative and requires the approval of the state legislature to permit the expansion of the lottery; and

Whereas, this Council has been and continues to be opposed to the expansion and marketing of the lottery to poor and low-income residents of our neighborhoods since the residents participating in the lottery do not receive a proportionate share of the revenues derived from the lottery; and

Whereas, while Governor Taft is well-intentioned in his desire to increase funding for Ohio schools, the manner in which he proposes to fund those initiatives is speculative and serves to undermine the poor and low-income neighborhoods; and

Whereas, this Council opposes the Governor Taft's plan to fund schools through the expansion of the lottery and urges the Governor to develop a more realistic and less onerous plan to provide additional funding for our school students; and

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

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

Section 1. That this Council of the City of Cleveland is opposed to the plan recently announced by Governor Taft to expand the state-wide lottery in order to generate additional funding for schools throughout Ohio and urges, the Governor to reevaluate his plan to find another source of funds for improvements to our school system.

Section 2. That the Clerk of Council is hereby requested to furnish a copy of this resolution to Governor Taft and to Barbara Byrd-Bennett, CEO of the Cleveland Municipal Schools.

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 21. Nays 0. Read second time. Read third time in full. Adopted. Yeas 21. Nays 0.

Res. No. 147-01.

By Councilmen White and Jones.

An emergency resolution urging the Mayor to increase the number of Police Officers assigned to the Fourth Police District in order to enhance the public safety of neighborhood residents and to reduce the incidence of illegal narcotic sales that is taking place within the community.

Whereas, over the past several years there have been an increasing number of police officers being assigned to the various Cleveland Police Districts as a result of the Fresh Start, and other law enforcement programs in order to decrease the incidences and occurrences of crimes and the sale of illegal narcotics; and

Whereas, drug activity is often the gateway to other criminal activity and social disruption, that exposes neighborhood residents, young adults, children, and visitors to an environment, which is considered to be very unhealthy to Cleveland's neighborhoods; and

Whereas, the Fourth Police District historically has the most incidences of crimes occurring within its boundaries such as illegal narcotic sales, which has raised concerns among the residents about the quality of public safety in their neighborhoods; and

Whereas, by increasing the number of police officers to patrol the neighborhoods in Cleveland's Fourth District, neighborhood residents will feel safer about their neighborhood, and overall quality of life; and

Whereas, an increase in the number of police officers patrolling the Fourth Police District will greatly contribute to a significant decrease in the incidence of crimes that are occurring within this community; and

Whereas, by improving the overall public safety for the residents residing in the Fourth Police District a sense of well being and an improved quality of life will be achieved as a result of keeping the community safe from drugs and crime; now, therefore

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

Section 1. That Mayor of the City of Cleveland be strongly urged to hire and assign more police officers to the Fourth Police District in order to reduce the incidences of crime and to decrease the sale of illegal narcotics.

Section 2. That the Clerk of Council be and she hereby is directed to transmit a certified copy of this resolution to Michael R. White, Mayor of the City of Cleveland.

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 21. Nays 0. Read second time. Read third time in full. Adopted. Yeas 21. Nays 0.

**SECOND READING
EMERGENCY ORDINANCES**

Ord. No. 2097-2000.

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

An emergency ordinance determining the method of making the public improvement of rehabilitating and replacing the Lee Road area sewer system and sewer and manhole relining on various tributary streets, and authorizing the Director of Public Utilities to enter into contract for the making of such improvement.

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

Ord. No. 2153-2000.

By Mayor White.

An emergency ordinance authorizing the Mayor, or his designee, to accept registration fees, enter into contract for the purchase of materials, course supplies and refreshments, in connection with the James H. Walker Construction Management Training Course to be conducted by the Office of Equal Opportunity.

Approved by Directors of Office of Equal Opportunity, Finance, Law; Recommended by Committees on Employment, Affirmative Action and Training, Finance.

Ord. No. 2200-2000.

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

An emergency ordinance authorizing the Director of Public Utilities

to make alterations and modifications in Contract No. 55468 for the roof replacement/repair project at 12302 Kirby Avenue, with Advanced Roofing System, for the Department of Public Utilities.

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

Ord. No. 2305-2000.

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; when amended as follows:

1. In Section 1, at the list of claimants, line 1, after the line relating to the claim of "Mildred Bretzel" insert the following new line to read as follows:

**"Delores Kermes 10950 \$1,250.00
Water Pollution Control 54 SF 001".**
Amendment agreed to.

Ord. No. 2309-2000.

By Councilmen Polensek and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Public Safety to enter into contract without competitive bidding with IBM Global Systems for the purchase of maintenance of the CAD, other IBM equipment, hubs, printers and monitors, for the Division of Police, Department of Public Safety, for a period of one year, with two one-year options to renew.

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

**THIRD READING EMERGENCY
ORDINANCES PASSED**

Ord. No. 852-2000.

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 8501 Kosciuszko Avenue to John D. Rowe.

Read third time. Passed. Yeas 21. Nays 0.

Ord. No. 853-2000.

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 1410 East 88th Street to Annie Carter (ow Anna Carter).

Read third time. Passed. Yeas 21. Nays 0.

Ord. No. 854-2000.

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 8712 Harkness Road to John E. Watt and Evelyn H. Watt.
Read third time. Passed. Yeas 21. Nays 0.

Ord. No. 855-2000.

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 on Whittier Avenue to Betty J. Shabazz.

Read third time. Passed. Yeas 21. Nays 0.

Ord. No. 1798-2000.

By Mayor White.

An emergency ordinance authorizing the Director of Port Control to employ one or more consultants or one or more firms of consultants to provide professional services necessary to conduct annual audits of select vendors and concessionaires for Fiscal Year 2000 for the various divisions of the Department of Port Control.

Read third time. Passed. Yeas 21. Nays 0.

Ord. No. 2100-2000.

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 or replace fire hydrants, for the Division of Water, Department of Public Utilities.

Read third time. Passed. Yeas 21. Nays 0.

Ord. No. 2101-2000.

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 or replace plumbing equipment and for water, sewer and gas line repair, for the Division of Cleveland Public Power, Department of Public Utilities, for a period not to exceed two years.

Read third time. Passed. Yeas 21. Nays 0.

Ord. No. 2207-2000.

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

An emergency ordinance authorizing the purchase by requirement con-

tract of labor and materials necessary to install mastarms and signals on Payne Avenue, for the Division of Traffic Engineering and Parking, Department of Public Safety.

Read third time. Passed. Yeas 21. Nays 0.

Ord. No. 2210-2000.

By Councilmen Polensek and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of traffic signals, poles, controllers, sign blanks, reflective sheeting and other related materials, for the Division of Traffic Engineering and Parking, Department of Public Safety.

Read third time. Passed. Yeas 21. Nays 0.

Ord. No. 2265-2000.

By Councilmen Patmon and Lewis (by departmental request).

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, be enacting new Section 189.031 thereof, relating to health care insurance preference.

Read third time. Passed. Yeas 21. Nays 0.

Ord. No. 2267-2000.

By Councilman Cintron (by request).

An emergency ordinance authorizing the Director of Public Service to issue a permit to Stonebridge Building and Design, Inc. for Phase II Stonebridge Apartments Project for architectural, aerial and streetscape encroachments into the right-of-way of Detroit Avenue and the Superior Viaduct.

Read third time. Passed. Yeas 21. Nays 0.

Ord. No. 2272-2000.

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

An emergency ordinance to amend Section 3 of Ordinance No. 1117-2000, passed October 16, 2000, relating to the public improvement of constructing Phase IV improvements to the Mill Creek Housing Development Project.

Read third time. Passed. Yeas 21. Nays 0.

MOTION

The Council adjourned at 8:45 p.m. to meet on Monday, February 5, 2001

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. 2097-2000.

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

An emergency ordinance determining the method of making the public improvement of rehabilitating and replacing the Lee Road area sewer system and sewer and man-hole relining on various tributary streets, and authorizing the Director of Public Utilities to enter into contract for the making of such improvement.

Ord. No. 2153-2000.

By Mayor White.

An emergency ordinance authorizing the Mayor, or his designee, to accept registration fees, enter into contract for the purchase of materials, course supplies and refreshments, in connection with the James H. Walker Construction Management Training Course to be conducted by the Office of Equal Opportunity.

Ord. No. 2200-2000.

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

An emergency ordinance authorizing the Director of Public Utilities to make alterations and modifications in Contract No. 55468 for the roof replacement/repair project at 12302 Kirby Avenue, with Advanced Roofing System, for the Department of Public Utilities.

Ord. No. 2305-2000.

By Councilman Patmon (by departmental request).

An emergency ordinance authorizing the Director of Finance to pay as Moral Claims the sums herein set forth opposite the names of the claimants.

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

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

Section 1. That the Director of Finance is hereby authorized to pay as Moral Claims the sums set forth opposite the names of the following claimants and charged against the fund numbers opposite the names of the claimants:

Claimant	Claim No.	Amount	Division	Fund
Mildred Bretzel	10946	\$ 892.00	Water Pollution Control	54 SF 001
Delores Kermes	10950	\$1,250.00	Water Pollution Control	54 SF 001
Maxine Hunter	10953	\$ 205.00	Water Pollution Control	54 SF 001

Barbara Kennedy	10958	\$ 205.00	Water Pollution Control	54 SF 001
Teresa Burrell	10960A	\$1,200.00	Water Pollution Control	54 SF 001
Michelle Goolsby	10960B	\$1,200.00	Water Pollution Control	54 SF 001
Thelma Russell	10960C	\$1,200.00	Water Pollution Control	54 SF 001
Margaret Washington	10960D	\$1,200.00	Water Pollution Control	54 SF 001
Betsy Brown	10960E	\$1,200.00	Water Pollution Control	54 SF 001
John Lake	10974	\$1,500.00	Water Pollution Control	54 SF 001
Henry Whyte	10983	\$1,500.00	Water Pollution Control	54 SF 001
Rich Bogdan	10995	\$1,500.00	Water Pollution Control	54 SF 001
Alice Cantwell	11000	\$ 235.00	Water Pollution Control	54 SF 001
Kirk Mueller	11018	\$1,500.00	Water Pollution Control	54 SF 001
Albert Oliver	11025	\$1,500.00	Water Pollution Control	54 SF 001
Matthew Robinson	11034	\$ 577.78	Water Pollution Control	54 SF 001
Renee Bradley-Mack				
On behalf of				
Clinton Bradley	10853	\$4,825.00	Police	01-600202-672000
Walter Knable	10975	\$ 126.00	Police	01-600202-672000
Alpha Burstion	10978	\$ 799.00	Police	01-600202-672000
Richard Sharp, Jr.	10991	\$ 407.46	Police	01-600202-672000
Essie Minter	11014	\$ 142.31	Police	01-600202-672000
Tina Sisson	11020	\$ 737.00	Police	01-600202-672000
Eric McDonald	11035	\$ 146.00	Police	01-600202-672000
Joseph Corbett	10967	\$ 326.00	Fire	01-600302-672000
RTA	10985	\$ 710.29	Fire	01-600302-672000
Jesse Davis	10993	\$ 750.00	EMS	01-600402-672000
Vonetta Fountain	10964	\$ 500.00	Park Maintenance	01-701205-672000
Michael Jankowski	10968	\$ 365.00	Park Maintenance	01-701205-672000
Delores Junior	10973	\$ 235.00	Park Maintenance	01-701205-672000
Southeast Improvement				
Assoc.	10989A	\$ 81.80	Park Maintenance	01-701205-672000
Commander				
Michael McGrath	10989B	\$ 150.00	Park Maintenance	01-701205-672000
William Harbison	11005	\$ 150.00	Park Maintenance	01-701205-672000
Timothy Collins	11024	\$ 165.00	Park Maintenance	01-701205-672000
Mark Brinza	11042	\$ 150.00	Park Maintenance	01-701205-672000
Isiah Ellis	11048	\$ 295.00	Park Maintenance	01-701205-672000
Evelyn Babcock	10947	\$ 500.00	Park Maintenance	01-701204-672000
			(Urban Forestry)	
Jerry Carpenter	10959	\$ 250.00	Park Maintenance	01-701204-672000
			(Urban Forestry)	
Eadie Scott	10994	\$1,000.00	Park Maintenance	01-701204-672000
			(Urban Forestry)	
Helen Weber	11007	\$ 250.00	Park Maintenance	01-701204-672000
			(Urban Forestry)	
Andre Keith	11008	\$ 850.00	Park Maintenance	01-701204-672000
			(Urban Forestry)	
Joann Porach	11029	\$ 600.00	Park Maintenance	01-701204-672000
			(Urban Forestry)	
Brian Grancha	11037	\$ 400.00	Park Maintenance	01-701204-672000
			(Urban Forestry)	
Robert Dubac	11045	\$ 650.00	Convention Center	67 SF 001
Patricia Stone	11051	\$ 107.89	Streets	11 SF 401
Stephanie Finlin	10957	\$ 100.00	Waste Collection	01-400303-672000
Gerald Hart	10986	\$ 939.41	Waste Collection	01-400303-672000
Daniel Guthrie, Jr.	11027	\$ 250.00	Waste Collection	01-400303-672000
Tanya Ford	11030	\$ 310.30	Waste Collection	01-400303-672000
Joe Zagaria	11041	\$ 321.61	Waste Collection	01-400303-672000
Mary E. Williams	10641	\$1,000.00	Municipal Clerk	01-011501-672000
			Of Courts	

Section 2. That the authority of the Director of Finance to pay the amounts set forth in Section 1 of this ordinance is conditioned upon a City-approved written acceptance by the claimant of the City's offer to pay this claim within six months from the effective date of this ordinance.

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

Ord. No. 2309-2000.

By Councilmen Polensek and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Public Safety to enter into contract without competitive bidding with IBM Global Systems for the purchase of maintenance of the CAD, other IBM equipment, hubs, printers and monitors, for the Division of Police, Department of Public Safety, for a period of one year, with two one-year options to renew.

BOARD OF CONTROL

January 24, 2001

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, January 24, 2001, at 11:00 a.m. with Director Carter presiding.

Present: Directors Carter, Brooks, Konicek, Sheperd, Ricchiuto, Whitlow, Acting Director Smith, Directors Miller, Hudecek, Acting Director McCafferty, Director Warren and Acting Director Axelrod.

Absent: Mayor White.

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

On motion, the following resolutions were adopted.

Resolution No. 36-01.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that Board of Control Resolution No. 27-01, adopted January 17, 2001, pursuant to the authority of Section 129.25 of the Codified Ordinances of Cleveland Ohio, 1976, approving the bid of Pipelines, Inc. as lowest and best for service fittings (item nos. 1, 11, 13, 21, 22, 23, 24, 36, 37, 38, 39, 40, 41, 42 and 46), for the Division of Water, Department of Public Utilities, is hereby amended by deleting the amount, "forty-two thousand forty-two hundred and 04/100 dollars", and inserting, "forty-two thousand forty-two and 04/100 dollars".

Be it further resolved that all other provisions of said Resolution No. 27-01 not expressly amended hereby shall remain unchanged and in full force and effect.

Yeas: Directors Carter, Brooks, Konicek, Sheperd, Ricchiuto, Whitlow, Acting Director Smith, Directors Miller, Hudecek, Acting Director McCafferty and Director Warren.

Nays: None.

Absent: Mayor White and Acting Director Axelrod.

Resolution No. 37-01.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that Board of Control Resolution No. 26-01, adopted January 17, 2001, pursuant to the authority of Section 129.25 of the Codified Ordinances of Cleveland Ohio, 1976, approving the bid of Hughes Supply, Inc. as lowest and best for service fittings (item nos. 48, 49 and 50), for the Division of Water, Department of Public Utilities, is hereby amended by deleting the requisition amount, "\$3,190.00" and inserting, "\$3,190.10".

Be it further resolved that all other provisions of said Resolution

No. 26-01 not expressly amended hereby shall remain unchanged and in full force and effect.

Yeas: Directors Carter, Brooks, Konicek, Sheperd, Ricchiuto, Whitlow, Acting Director Smith, Directors Miller, Hudecek, Acting Director McCafferty and Director Warren.

Nays: None.

Absent: Mayor White and Acting Director Axelrod.

Resolution No. 38-01.

By Director Konicek.

Be it resolved, by the Board of Control of the City of Cleveland that all bids received on November 10, 2000 for maintenance and calibration of biological and chemical testing apparatus and appurtenances (Item no. 9) for the Division of Water, Department of Public Utilities, pursuant to the authority of Codified Ordinances of the City of Cleveland, Sec. 129.28 are hereby rejected.

Yeas: Directors Carter, Brooks, Konicek, Sheperd, Ricchiuto, Whitlow, Acting Director Smith, Directors Miller, Hudecek, Acting Director McCafferty and Director Warren.

Nays: None.

Absent: Mayor White and Acting Director Axelrod.

Resolution No. 39-01.

By Director Ricchiuto.

Resolved, by the Board of Control of the City of Cleveland that the bid of Cargill, Incorporated — Salt Division for an estimated quantity of 100,000 tons of rock salt, for the Division of Streets, Department of Public Service, for the period of one (1) year beginning on February 18, 2001, received on December 14, 2000, pursuant to the authority of Ordinance No. 1680-2000 passed November 13, 2000, which on the basis of the estimated quantity would amount to Two Million Four Hundred Seventy Four Thousand and 00/100 Dollars (\$2,474,000.00), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 29270 which shall be certified against such contract in the sum of One Million and 00/100 Dollars (\$1,000,000.00).

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

Yeas: Directors Carter, Brooks, Konicek, Sheperd, Ricchiuto, Whitlow, Acting Director Smith, Directors Miller, Hudecek, Acting Director McCafferty, Director Warren, and Acting Director Axelrod.

Nays: None.

Absent: Mayor White.

Resolution No. 40-01.

By Director Guzman.

Resolved, by the Board of Control of the City of Cleveland that the bid of ALT Sales Corp. for an estimated quantity of hammer truck flatbed

bodies for the Division of Traffic Engineering and Parking, Department of Public Safety, for the period of one (1) year beginning with the date of execution of a contract, received on December 27, 2000, pursuant to the authority of Ordinance No. 904-2000, passed by the Council of the City of Cleveland on August 7, 2000, which on the basis of the estimated quantity would amount to One Hundred Twenty-Seven Thousand Four Hundred Fourteen and 00/100 Dollars (\$127,414.00) (Net), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Safety is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 29422 which shall be certified against such contract in the sum of One Hundred Twenty-Seven Thousand Four Hundred Fourteen and 00/100 Dollars (\$127,414.00).

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

Yeas: Directors Carter, Brooks, Konicek, Sheperd, Ricchiuto, Whitlow, Acting Director Smith, Directors Miller, Hudecek, Acting Director McCafferty, Director Warren, and Acting Director Axelrod.

Nays: None.

Absent: Mayor White.

Resolution No. 41-01.

By Director Guzman.

Resolved, by the Board of Control of the City of Cleveland that the bid of Allstate Peterbilt of Eastern Ohio, LLC for an estimated quantity of cab/chassis with 30' aerial tower platform/utility line construction body for the Division of Traffic Engineering and Parking, Department of Public Safety, for the period of one (1) year beginning with the date of execution of a contract, received on December 27, 2000, pursuant to the authority of Ordinance No. 904-2000, passed by the Council of the City of Cleveland on August 7, 2000, which on the basis of the estimated quantity would amount to One Hundred Fifty-One Thousand Two Hundred Seventy-Eight and 00/100 Dollars (\$151,278.00) (Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Safety is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 29423 which shall be certified against such contract in the sum of One Hundred Fifty-One Thousand Two Hundred Seventy-Eight and 00/100 Dollars (\$151,278.00).

Said requirement contract shall further provide that the Contractor shall furnish the remainder of the City's requirements for such goods

and/or services, whether more or less than said estimated quantity, as may be ordered under subsequent requisitions separately certified against said contract.

Yeas: Directors Carter, Brooks, Konicek, Sheperd, Ricchiuto, Whitlow, Acting Director Smith, Directors Miller, Hudecek, Acting Director McCafferty, Director Warren, and Acting Director Axelrod.

Nays: None.

Absent: Mayor White.

Resolution No. 42-01.

By Director Guzman.

Resolved by the Board of Control of the City of Cleveland that all bids received on December 28, 2000, for the Gerber Edge computer system with upgrades, for the Division of Traffic Engineering and Parking, Department of Public Safety, pursuant to the authority of Ordinance No. 1005-2000, passed by the Council of the City of Cleveland on July 17, 2000, be and the same are hereby rejected.

Yeas: Directors Carter, Brooks, Konicek, Sheperd, Ricchiuto, Whitlow, Acting Director Smith, Directors Miller, Hudecek, Acting Director McCafferty, Director Warren, and Acting Director Axelrod.

Nays: None.

Absent: Mayor White.

Resolution No. 43-01.

By Director Miller.

Resolved, by the Board of Control of the City of Cleveland that the bid of Aaron Landscape, Inc. for an estimated quantity of labor and materials to plant trees at various locations throughout the City of Cleveland on city-owned properties, Items No. 23, 24, 25, 37, 42, 47, 48, 50, 53, and 65 for the Division of Park Maintenance & Properties, Department of Parks, Recreation & Properties, for the period of one (1) year beginning with the date of execution of a contract, received on December 14, 2000, pursuant to the authority of Ordinance No. 934-2000 passed July 17, 2000, which on the basis of the estimated quantity would amount to Ten Thousand Six Hundred Twenty-Nine and no/100 Dollars (\$10,629.00), is hereby affirmed and approved as the lowest and best bid, and the Director of Parks, Recreation & Properties is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 10393

which shall be certified against such contract in the sum of Four Thousand and no/100 Dollars (\$4,000.00).

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

Yeas: Directors Carter, Brooks, Konicek, Sheperd, Ricchiuto, Whitlow, Acting Director Smith, Directors Miller, Hudecek, Acting Director McCafferty, Director Warren, and Acting Director Axelrod.

Nays: None.

Absent: Mayor White.

Resolution No. 44-01.

By Director Miller.

Resolved, by the Board of Control of the City of Cleveland that the bid of Licursi, Co., Inc. for an estimated quantity of labor and materials to plant trees at various locations throughout the City of Cleveland on city-owned properties, Items No. 1, 2, 3, 4, 5, 6, 7, 8, 9, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 26, 27, 28, 29, 31, 32, 35, 36, 38, 39, 40, 41, 43, 44, 45, 46, 49, 51, 54, 57, 58, 60, 61, 62, 64, 66, 67, and 68 for the Division of Park Maintenance & Properties, Department of Parks, Recreation & Properties, for the period of one (1) year beginning with the date of execution of a contract, received on December 14, 2000, pursuant to the authority of Ordinance No. 934-2000, passed July 17, 2000, which on the basis of the estimated quantity would amount to Fifty Four Thousand Seven Hundred Sixty-One and 00/100 Dollars (\$54,761.00), is hereby affirmed and approved as the lowest and best bid, and the Director of Parks, Recreation & Properties is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 10391

which shall be certified against such contract in the sum of Twenty Thousand and no/100 Dollars (\$20,000.00).

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

Yeas: Directors Carter, Brooks, Konicek, Sheperd, Ricchiuto, Whitlow, Acting Director Smith, Directors Miller, Hudecek, Acting Director McCafferty, Director Warren, and Acting Director Axelrod.

Nays: None.

Absent: Mayor White.

Resolution No. 45-01.

By Director Miller.

Resolved, by the Board of Control of the City of Cleveland that the bid of Perfecturf, Inc. for an estimated quantity of labor and materials to plant trees at various locations throughout the City of Cleveland on city-owned properties, Items No. 10, 22, 33, 34, 55, 59, and 63 for the Division of Park Maintenance & Properties, Department of Parks, Recreation & Properties, for the period of one (1) year beginning with the date of execution of a contract, received on December 14, 2000, pursuant to the authority of Ordinance No. 934-2000, passed July 17, 2000, which on the basis of the estimated quantity would amount to Thirteen Thousand Two Hundred Ten and no/100 Dollars (\$13,210.00), is hereby affirmed and approved as the lowest and best bid, and the Director of Parks, Recreation & Properties is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 10392

which shall be certified against such contract in the sum of Seven Thousand and no/100 Dollars (\$7,000.00).

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

Yeas: Directors Carter, Brooks, Konicek, Sheperd, Ricchiuto, Whitlow, Acting Director Smith, Directors Miller, Hudecek, Acting Director McCafferty, Director Warren, and Acting Director Axelrod.

Nays: None.

Absent: Mayor White.

Resolution No. 46-01.

By Director Sheperd.

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Ordinance No. 552-2000, as amended by the Ordinance No. 1234-2000, passed by the Cleveland City Council on June 19, 2000 and July 17, 2000 respectively, O.R. Colan Associates, Inc. is hereby selected upon the nomination of the Director of Port Control from a list of qualified consultants available for such employment and determined after a full and complete canvass by said Director as the firm to be employed by contract for the purpose of providing professional services for property acquisition, negotiation, and relocation of tenants necessary to clear the right-of-way for the relocation of Brookpark Road, for the Division of Cleveland Hopkins International Airport, Department of Port Control.

Be it further resolved that the Director of Port Control is hereby authorized to enter into a written contract with O.R. Colan Associates, Inc. for said property acquisition services, based on its proposal dated January 12, 2001. The fee for such services shall be an amount not to exceed Two Hundred Thousand Dollars (\$200,000.00). The contract authorized hereby shall be prepared by the Director of Law and shall contain such other provisions as said Director deems necessary to protect and benefit the public interest.

Be it further resolved that the employment of the following sub-consultant by O.R. Colan Associates, Inc. for the above-mentioned contract is hereby approved:

SUBCONSULTANT SERVICES

Northland Research Corp.
(3% MBE)

Appraisals

Charles P. Braman
(1% FBE)

Appraisals Review

Yeas: Directors Carter, Brooks, Konicek, Sheperd, Ricchiuto, Whitlow, Acting Director Smith, Directors Miller, Hudecek, Acting Director McCafferty, Director Warren, and Acting Director Axelrod.

Nays: None.

Absent: Mayor White.

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

ANNOUNCEMENTS - 2001

Announcement No.	Classification
7	City Comptroller (Non-Comp)
8	Civil Service Examiner I (Open)
9	Civil Service Examiner II (Promo)
10	Civil Service Examiner III (Promo)
11	Civil Service Examiner IV (Promo)
12	Commissioner of Printing & Reproduction (Non-Comp)
13	Supervisor of Computer Operations (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. 7**

CITY COMPTROLLER (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 \$41,312.22 to \$112,655.40 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, FEBRUARY 5, 2001 UNTIL 5:00 P.M. ON FRIDAY, FEBRUARY 9, 2001.**

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 5:00 P.M. ON FRIDAY, FEBRUARY 9, 2001.

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 general direction develops and maintains City Accounting System Controls. Oversees the maintenance of accurate accounting system information.

MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:

Bachelor's Degree in Finance, Accounting, or related field is required. CPA is required. Three (3) — Five (5) years of progressively responsible financial management in FUND accounting environment. Working knowledge of Microsoft Office Suites 97/2000. Working knowledge of PeopleSoft Software Version 8.0. Excellent written and verbal communication skills.

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. 8**

CIVIL SERVICE EXAMINER I (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 \$12,983.84 to \$33,204.70 per year.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Com-

mission, 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, FEBRUARY 5, 2001 UNTIL 5:00 P.M. ON FRIDAY, FEBRUARY 9, 2001.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 5:00 P.M. ON FRIDAY, FEBRUARY 9, 2001.

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 direct supervision, provides assistance in the administration of Civil Service Examinations. Performs or assists with routine research activities and statistical calculations. Serves as monitor during examinations. Assists with the review of applications. Provides assistance to other examiners. 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:

An Associate's Degree in Business or closely related field; and/or any equivalent combination of education, training and experience, which provides the requisite knowledge, skills, and abilities for this position. **SUBSTITUTION:** Two (2) years full time experience may substitute for each year of education lacking. Applicant must have a minimum of two (2) years experience in a testing environment. A minimum of two (2) years experience working in a governmental environment. A minimum of three (3) years of progressive secretarial skills is also required. Efficient in Microsoft Office Suites 97/2000 (especially Word and Excel). Efficient in the use of Text and Data Software. Applicant must possess a valid Ohio Driver's License. Valid Notary Public is preferred.

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. 9

CIVIL SERVICE EXAMINER II (Promotional)

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of a promotional 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 \$15,344.54 to \$35,710.93 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, FEBRUARY 5, 2001 UNTIL 5:00 P.M. ON FRIDAY, FEBRUARY 9, 2001.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 5:00 P.M. ON FRIDAY, FEBRUARY 9, 2001.

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 general supervision, administers Civil Service Examinations. Receives applications for examinations. Grades examinations and computes final scores. Establishes Civil Service Eligibility Lists. Performs various office administration duties.

Performs Job Analysis Form and conducts department interviews to determine minimum qualifications. Provides assistance to other examiners. 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:

A Bachelor's Degree in Education, Computer Science, English, Journalism, Business Administration or related field is required. Excellent written and verbal communication skills along with experience in public speaking. Efficient in Microsoft Office Suites 97/2000 (Word, Excel and Access). A valid Ohio Driver's License is required. Applicant must be currently employed as a Civil Service Examiner I.

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. 10

CIVIL SERVICE EXAMINER III (Promotional)

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of a promotional 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 \$40,991.00 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, FEBRUARY 5, 2001 UNTIL 5:00 P.M. ON FRIDAY, FEBRUARY 9, 2001.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 5:00 P.M. ON FRIDAY, FEBRUARY 9, 2001.

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 general supervision, develops and administers Civil Service Examinations. Administers psychological exams. Conducts job studies and makes recommendations based on findings. Performs preparatory work required for administration of examinations. Provides assistance to other examiners. Grades exams and computes final scores. Provides responses to inquiries and complaints related to Civil Service Examinations. Prepares special reports and performs special projects as assigned. Compiles annual report statistics. 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:

A Bachelor's Degree in Human Resources, Public Administration, Secondary Education, Computer Science, English, Journalism, or related field is required. Minimum of seven (7) years experience in Civil Service, Personnel, Human Resources, or Educational field; at least two (2) years of work experience with a non-profit or governmental agency. Excellent customer service skills. Applicant must be computer literate. Proficient in Microsoft Excel, Word, and Access. Ability to use various scanning devices. Proficient in Text and Data Software. Knowledge of DOS, Windows 95/98 Operating Systems. The ability to lift 20 pounds. A valid Ohio Driver's License is required. Applicant must be currently employed as a Civil Service Examiner II.

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. 11

CIVIL SERVICE EXAMINER IV (Promotional)

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of a promotional 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 \$23,606.98 to \$50, 871.92 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, FEBRUARY 5, 2001 UNTIL 5:00 P.M. ON FRIDAY, FEBRUARY 9, 2001.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 5:00 P.M. ON FRIDAY, FEBRUARY 9, 2001.

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 general direction, oversees the complete examination process in one or more specialized areas. Prepares, administers, and grades the more complex Civil Service Examinations. Conducts Job Analyses. Reviews and determines status of applications. Establishes exam entry qualifications. Schedules examinations. Performs preparatory work required for administration of examinations.

Provides assistance to other examiners. Responds to examination inquiries and complaints. Performs background research tasks and compiles statistical reports. Performs investigations related to Civil Service activities, as directed. Provides assistance with safety forces' job validation studies and agility tests. 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:

A Bachelor's Degree in Education, English, business Administration or related field is required. Knowledgeable on DOS, Windows 95/98 Operating Systems; Microsoft Office Suites 97/2000 (Word, Excel, and Access). Knowledge of Text and Data Software and the ability to operate various scanning devices. Valid Ohio Driver's License. Applicant must be able to lift 20 pounds. Minimum of seven (7) years experience in Civil Service, Personnel, Human Resources, Education or related field; at least two (2) years of proven customer service skills. Applicant must have experience in curriculum development along with excellent verbal and written communication skills. Ohio Driver's License is required. Applicant must be currently employed as a Civil Service Examiner III.

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. 12

COMMISSIONER OF PRINTING & REPRODUCTION (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 \$38,951.52 to \$107,916.13 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, FEBRUARY 5, 2001 UNTIL 5:00 P.M. ON FRIDAY, FEBRUARY 9, 2001.**

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 5:00 P.M. ON FRIDAY, FEBRUARY 9, 2001.

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 administrative direction, directs the operations of the Division of Printing and Reproduction. Supervises and evaluates the performance of division personnel. Administers divisional policies and procedures. Monitors copy center activities, purchase of materials and supplies, contracts, and budget. Oversees the development of equipment specifications and monitors copier performance and maintenance on a city-wide basis. Develops and maintains accepted recycling and health/safety practices. Maintains knowledge of advancements in the printing and reproduction industries. 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:

A Bachelor's Degree in Graphic Communications, Business or related field. Substitution: Two (2) years of full time experience may substitute for each year of education lacking. Ten (10) years of progressively responsible reprographic and printing experience. Minimum of seven (7) years supervisory/management experience in the graphic arts industry. Experience developing and administering budgets. Applicant must be able to operate a personal computer and the various printing and reproduction software programs as determined by the City and the Division of Printing and Reproduction. Individual must have excellent written and verbal communication skills along with strong analytical and interpersonal skills.

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. 13****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 \$72,855.05 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, FEBRUARY 5, 2001 UNTIL 5:00 P.M. ON FRIDAY, FEBRUARY 9, 2001.**

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 5:00 P.M. ON FRIDAY, FEBRUARY 9, 2001.

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, Novel 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

ANNE BLOOMBERG,
President

January 31, 2001

**SCHEDULE OF THE BOARD
OF ZONING APPEALS**

MONDAY, FEBRUARY 12, 2001

9:30 A.M.

Calendar No. 00-376: 954 Linn Drive (Ward 8)

True Vine Baptist Church, owner c/o Reverend Edward McGhee, appeals to construct a 9'-8" x 16'-8" enclosed stair and lift addition to the east of an existing approximate 93' x 27' two-story masonry church building situated on a 49' x 126' parcel located in a Multi-Family District on the west side of Linn Drive at 954 Linn Drive; said construction being contrary to the Yards and Courts Requirements where the proposed front yard setback is 6' and 9' is required as stated in Section 357.04 of the Codified Ordinances.

Calendar No. 01-03: 10201 Harvard Avenue (Ward 2)

Storm Lawson, owner, appeals to construct, a 20' x 20' one-story masonry office building for an existing junk yard on an irregular shaped acreage parcel located in a Semi-Industry District on the north side of

Harvard Avenue at 10201 Harvard Avenue, said construction being contrary to the Industrial District Requirements of Section 345.03 where junk yards are not permitted in a Semi-Industry District but first permitted in a General Industry District as stated in Section 345.04 and Section 345.04(a) where a minimum of 7' high solid masonry wall or slightly solid non-transparent wall is required and no wall is shown on plans and contrary to the Off-Street Parking and Loading Requirements of Section 349.04(g) where 1 additional parking space is required and none is shown and subject to the non-conforming use limitations of Section 359.01 of the Codified Ordinances.

Calendar No. 01-04: 256 East 156th Street (Ward 11)

Lugene Robinson, owner, appeals to change the use of an existing 30' x 51' one-story masonry 1 dwelling unit to 2 dwelling units and a church all situated on a 35' x 110' parcel located in a Local Retail Business District on the west side of East 156th Street at 256 East 156th Street; said change of use being contrary to the Off-Street Parking and Loading Requirements where 0 parking spaces are proposed and 6 are required as stated in Section 349.04(e) of the Codified Ordinances.

Calendar No. 01-05: 15813 Norway Avenue (Ward 21)

Hal Leitch, owner, appeals to install an approximate 8' x 12' outdoor deck with a hot tub to the east of an existing 1 1/2-dwelling house situated on a 72' x 130' parcel located in a One-Family District on the south side of Norway Avenue at 15813 Norway Avenue; said installation being contrary to the Residential District Requirements of Section 337.23(6) where the fence adjoining the residential premises shall not be more than 6' above grade and contrary to the Yards and Courts Requirements where a deck and hot tub are not permitted on the interior side yard encroachment as stated in Section 357.13 of the Codified Ordinances.

Calendar No. 01-06: 17600 Lake Shore Boulevard (Ward 11)

Ante Susnjara, owner, appeals to change the use of an existing 38' x 44' one-story masonry service station to a used car sales lot and repairs situated on an irregular shaped acreage parcel located in a General Retail Business District on the northeast corner of Marcella Road and Lake Shore Boulevard at 17600 Lake Shore Boulevard; said change of use being contrary to the Business District Requirements where a structurally sound barrier at least one and one-half foot high behind the required 25' setback line is required as stated in Section 343.11(b)(2)(I)(4) of the Codified Ordinances.

Calendar No. 01-07: 4193 West 130th Street (Ward 19)

Christian Diaconescu, owner, appeals to change the use of an existing 60' x 140' parcel into a used car sales lot located in a Local Retail Business District on the east side of West 130th Street at 4193 West 130th Street; said change of use being contrary to the Residential District Requirements of Section 337.23(a) where the maximum height of fence

along the side lot shall be no higher than the distance between the proposed fence and the neighbor's house and contrary to the Business District Requirements of Section 343.01 where used car sales are not permitted in a Local Retail Business District and Section 343.11(b)(2)(I)(4) where a structurally sound barrier at least one and one-half foot high behind the required 25' setback line is required and contrary to the Off-Street Parking and Loading Requirements of Section 349.04(f) where 25% of the lot is required for customer parking and none is shown and Section 349.05(a) where parking is not permitted within 10' of a residential wall and contrary to the Landscaping and Screening Requirements of Section 352.09 where a 10' wide transition strip is required at the rear where the lot abuts the residential district and Section 352.10 where a 4' wide frontage landscaping strip is required and none is shown and contrary to the Yards and Courts Requirements where the maximum height of fencing in the setback area is 4'-6" as stated in Section 357.13(b)(3) of the Codified Ordinances.

EUGENE CRANFORD, JR.,
Secretary

REPORT OF THE BOARD OF ZONING APPEALS

MONDAY, JANUARY 29, 2001

At the meeting of the Board of Zoning Appeals on Monday, January 29, 2001, the following appeals were heard by the Board:

The following appeal was **Approved:**

Calendar No. 00-375: 17718 South Waterloo Road
Clifford Senor, owner, and Alpha Metals, tenant, appealed to expand the use of an existing scrap metals facility to include outside storage of scrap metals in a Semi-Industry District; upon condition that all outdoor storage on the premises be kept in containers.

The following appeal was **Denied:**

Calendar No. 00-374: 4423 Detroit Avenue
Noshyh Henen, owner, appealed to construct a one-story masonry stock room addition to a one-story masonry food mart building in a Semi-Industry District.

The following appeals were **Postponed:**

Calendar No. 00-369: 5109 Memphis Avenue postponed to February 20, 2001.

Calendar No. 00-370: 2900 Lorain Avenue postponed to February 26, 2001.

Calendar No. 00-371: Appeal of Patrick Antonelli, 19615 Nottingham Road postponed to March 5, 2001.

Calendar No. 00-372: Appeal of Lydia Ebert d.b.a. Sunshine Cuisine postponed to March 5, 2001.

Calendar No. 00-340: 2601 Henninger Road postponed to March 12, 2001.

On Monday, January 29, 2001, in Executive Session:

The following appeals were heard on Monday, January 22, 2001, and said decisions were approved and adopted by the Board on January 29, 2001:

The following appeals were **Approved:**

Calendar No. 00-366: 1936-1948 West 25th Street

Fries and Schuele LLC, owner, appealed to change the use of a five-story building into a restaurant and retail space on the first floor and 36 dwelling units on the upper four floors in a General Retail Business District.

Calendar No. 00-373: 5810-5822 Superior Avenue

The City of Cleveland, owner, and Sam Qasem, prospective purchaser, appealed to construct a one-story convenient store building and 14 space parking lot in a Two-Family District.

Calendar No. 00-330: 4703 Pearl Road

John and Mandy Siakantaris, owners, and Michael M. Ellis, tenant, appealed to change the use of a one-story masonry building at the rear of a parcel on the east side of Pearl Road to an automobile laundry in a Local Retail Business District; upon condition that there be no ingress nor egress from Germaine Avenue; that no vehicles are parked on the premises after business hours; that hours of operation end at 6 p.m., Monday through Saturday and no hours of operation on Sundays.

The following appeal was **Denied:**

Calendar No. 00-364: 2070 West 65th Street

Neil T. Clough, owner, appealed to change the use of a two-story dwelling unit into three dwelling units in a General Retail Business District.

The following appeal was **Dismissed:**

Calendar No. 00-336: 11620 Edgewater Drive

Jeff Eisenberg, owner, appealed to construct a 24' x 20' two-story frame, 2-car, gable, private garage in a limited One-Family District.

EUGENE CRANFORD, JR.,
Secretary

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

CORRECTION

The report of the meeting in the January 24, 2001 City Record was for January 17, 2001, not January 17, 2000.

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

NO MEETING

PUBLIC NOTICE**(January 29, 2001)
Proposed Changes to the
Rules of the
Civil Service Commission****ORGANIZATION AND STAFF****Rule 1.50 Records**

There shall be maintained in the office of the Commission the following records.

1. **Original Entrance:** A cumulative record for each person making application for entrance to a competitive or non-competitive examination. Among other things this record shall contain the applicant's name, address, birth date, title of examinations applied for, and the results of each examination.

2. **Applications:** All applications of those persons passing the examination should be kept on file during the life of the eligible list. The most recent application of those currently employed is to be kept on file.

3. **Labor Class Registration:** Forms used by applicants in registering for positions in the labor class. Among other things, this form shall contain the registrant's name, date of birth, place of birth, address, registration number, and titles of all positions for which registration was accepted.

4. **Registration Books:** A continuous record of all labor class registration numbers issued. Among other things, this record shall show the name of all registrants together with the titles of position for which registration was accepted.

5. **Eligible List Books (Competitive Class):** An alphabetical listing of all eligible lists established by the Commission. Among other things this record shall show the names, ranks and grades of applicants who obtain passing grades in competitive or non-competitive examinations and the disposition of all eligible names certified for appointment.

6. **Eligible List Books (Labor Class):** A continuous record of all registrants notified to report for examination for positions in the labor class. Among other things, this record shall show the registration number, name, and disposition of each registrant for a position in the labor class.

7. **On-Roster/Off-Roster:** A record for each employee holding a regular appointment in the classified service. Among other things, this record shall show the name of the employee holding a regular appointment title of position held, date of appointment and all subsequent personnel transactions and/or type of termination of employment.

8. **On-Payroll/Off-Payroll:** A record of each employee in the service regardless of type of appointment held. Among other things, this record shall show the employee's name, title of position, type of appointment, and all subsequent personnel transactions and/or type of termination of employment.

9. **Letter File:** A record of all official correspondence relative to currently employed individuals.

Rule 1.65 (Repealed) Eligible List Cards (Competitive and Non-Competitive Classes)

All cards of eligible names that have not been certified or appointed during the life of the eligible list shall be destroyed upon expiration of the eligible list.

Rule 1.66 (Repealed) Eligible List Cards (Labor Class)

All cards of eligible names that have not been certified or appointed shall be destroyed upon expiration of the candidate's eligibility for appointment.

COMPETITIVE AND NON-COMPETITIVE CLASS APPLICATIONS**Rule 3.20 Filing of Applications**

Applications must be signed by the applicant, notarized, and shall be filed at the office of the Commission during office hours and within the time limit fixed the official notice of the examination.

COMPETITIVE AND NON-COMPETITIVE EXAMINATIONS**Rule 4.40-G Residency Credit**

A person who has had as his/her primary residence, a residence in the City of Cleveland for at least one (1) year at the time of his/her filing an application for examination with said Commission, and who desires to take an entrance Civil Service examination, as determined by the Civil Service Commission, shall, if a passing grade of seventy (70.000) is attained as determined by the Civil Service bulletin for such examination, have added to his or her score ten (10) points.

ELIGIBLE LISTS**Rule 5.11 Breaking of Examination Tie Scores**

In an open competitive examination, should two (2) or more applicants receive the same grade, the order in which their names shall be placed on the eligible list shall be determined by random selection. The Civil Service Commission shall determine the method of such random selection.

In a Promotional Examination, should two (2) or more applicants receive the same grade, seniority in the classification from which the promotion is sought shall determine the order in which their names shall be placed on the eligible list.

A. If the applicants are still tied after the aforementioned seniority has been considered, then the grades received by the applicants in the examination from which appointments to the grade or rank from which promotion is sought shall be used to determine the order of placement on the eligible list.

B. If the applicants are still tied, seniority and grade in the next lower ranks shall be used as necessary.

C. If the applicants are still tied, placement on the eligible list will be determined by random selection. The Civil Service Commission shall determine the method of such random selection.

Rule 5.20A Combined Eligible Lists and Transfer of Names

Whenever there are less than three (3) names on an eligible list for original appointment to a position in the competitive class, the Commission may administer an examination for that position. The eligible list resulting from the examination shall be combined with all pre-existing eligible lists in force at the time of the examination for the classification being tested. The names from all pre-existing lists shall be transferred to the combined list and arranged according to their grades on the most recent examination for the classification. The name of an eligible can appear only once in any eligible list.

CERTIFICATIONS AND APPOINTMENTS (COMPETITIVE CLASS)**Rule 6.80 Probationary Period**

The probationary period provided by Section 131 of the Charter of the City of Cleveland is hereby fixed at one hundred twenty (120) calendar days from the effective date of regular appointment, provided:

A. The Commission may, where the good of the service requires, fix the duration of the probationary period for a classification at a period of more than 120 days, but no greater than six (6) calendar months, but such action must be taken at the time the examination for such classification is announced.

B. Where there is a variance between the date of regular appointment and subsequent "On Payroll Date" notice, the later date will prevail and take precedence over the former, the effective date of regular appointment thereby becoming the date of the "On Payroll Date" notice.

C. During their probationary period, employees will be continuously evaluated and subject to probationary termination at any time if their performance does not merit continued employment.

D. After successfully completing their probationary period, an employee shall be discharged only for cause, or subject to layoff in accordance with Civil Service Rules. Only one probationary period shall be served for an employee's current classification unless the employee is transferred or appointed to another division or governmental unit.

E. The Commission may, for good cause shown, extend an employee's initial probationary period for an additional period not to exceed sixty (60) calendar days where such extension is necessary for adequate evaluation of that employee's performance. However, no probationary period shall extend beyond six (6) calendar months from the effective date of regular appointment.

TRANSFERS, LAY-OFFS, LEAVES OF ABSENCE, RESIGNATIONS**Rule 8.30 Leave of Absence**

With the consent of the Commission, an appointing officer may grant a leave of absence for a definite period not to exceed six (6) months. However, the Commission may approve the written request of an appointing officer to extend a leave of absence beyond the six (6) month period where it can be

shown that such extension would be in the best interest of the service. Leaves of absence may be granted for personal reasons, physical disability, or study or training of value in connection with the public service.

If the appointing authority should find it necessary to fill a position, vacant by reason of an employee being on leave of absence, the appointing authority may, with the approval of the Commission, notify the absent employee that the leave has been curtailed and order the employee to return to duty. If such employee refuses to return, the employee shall be regarded as being absent without leave.

DISCHARGES, SUSPENSIONS AND DEMOTIONS

Rule 9.10 Tenure

The tenure of every officer or employee in the classified service shall be protected during good behavior and efficient service. No such officer or employee shall be discharged, suspended, or demoted for political, racial or religious reasons, or for refusing to contribute to any political fund, or refusal to render political service.

However, any officer or employee in the classified service may be discharged, suspended, or reduced in rank for any one or more of the following causes:

1. Neglect of duty.
2. Absence from duty without leave.
3. Incompetence or inefficient performance of duties.
4. Fraudulent conduct or false statements in any application or examination for a position in the civil service of the City.
5. Conduct unbecoming an employee in the public service.
6. A. Intoxication in the course of his/her employment.
B. Misuse or abuse of drugs or narcotics in the course of his/her employment.
7. Disorderly, immoral, or unethical conduct while on duty.
8. Insubordination.
9. Offensive conduct or language toward fellow employees, superiors or the public in the course of his/her employment.
10. Willful violation of any of the provisions of law governing the Civil Service of the City or of the rules or regulations of the Commission.
11. Conviction of a felony or conviction of a misdemeanor involving moral turpitude.
12. Negligent or willful damage to public property.
13. Wasteful or unauthorized use of City vehicles, equipment, materials or property.
14. Incapacity or inability to perform the duties of the officer or employee's classification due to mental or physical condition. As a condition precedent to filing this charge and whenever a reasonable question is raised as to the physical or mental ability of an officer or employee to perform the duties required within his/her classification, the appointing authority shall request the Civil Service Commission to order a mental or physical examination of the officer or employee for the purpose of determining his/her mental or physical condition. The appointing authority

shall then determine, based on the duties of the officer or employee's classification and the report from the examination, the capacity or ability of the officer or employee to continue or resume employment. The mental and/or physical examination can also be for purposes other than discipline.

15. Negligent, improper or inefficient handling or accounting for public funds or accounts, or violation of any departmental rule or regulation respecting the handling or accounting for public funds or accounts.

16. The use or attempted use of political influence or authority upon any person in the Civil Service or engaging in any political activity prohibited by Civil Service laws or by the rules of the Civil Service Commission.

17. Excessive absenteeism or excessive tardiness.

18. For other failure of good behavior which is detrimental to the service, or for any other act of misfeasance, malfeasance, or nonfeasance in office.

DISCHARGES, SUSPENSIONS AND DEMOTIONS

Rule 9.40 Hearings Before the Referee

At the hearing before the Referee, the officer or employee sought to be discharged, suspended, or reduced in rank, shall be heard in person, may be represented by counsel in his/her defense, and may support the same by testimony of witnesses. At the conclusion of such hearing, or within fourteen (14) calendar days thereafter, the Referee shall submit findings of fact, conclusions of law, and recommendations to the Director in the City service. The referee may request an extension from the Commission and the granting of such request is within the sole discretion of the Commission.

The referee shall forward a copy of the Findings of Fact and Conclusions of Law to the appointing authority. Upon review of the facts, conclusions of law, and recommendations of the Referee, the Director may sustain, modify, or overrule the action and discharge, suspend, or reduce the officer or employee concerned.

Within seven (7) calendar days from the date he/she receives the facts, conclusions and recommendations from the Referee, the Director shall forward his/her written decision to the Commission and to the officer or employee and to the employee's legal counsel, if counsel has appeared for the employee. In the event that the discharged, suspended or reduced officer or employee was at the time of separation from service, charged with or under indictment for a felony or charged with a misdemeanor involving moral turpitude, either the appointing authority or the said officer or employee shall be granted a postponement of the hearing required by these rules, until after aforementioned alleged violation of law has been adjudicated, by filing a timely request with the hearing officer.

Rule 9.70 Rules of Procedure for Appeal Hearings Before the Commission

The Commission shall notify each party of the time of hearing. After

all evidence has been taken and the time limits for submitting briefs have expired, the Commission shall allow each party fifteen (15) minutes for oral argument.

Though the appeal is brought on behalf of an employee, the appointing authority has the burden of proof. Therefore, the appointing authority shall begin the argument and, after the argument of the appellant, may reserve a portion of its time for rebuttal. During the argument, any member of the Commission, after recognition by the President, may ask questions of any party of their counsel.

The Commission shall announce its decision after reviewing all of the testimony, exhibits, briefs if any, and arguments of counsel. The decisions of the Commission are final upon adoption of its minutes by the Commission.

MEETINGS AND OFFICE HOURS

Rule 13.10 Meetings

The regular weekly meeting of the Commission shall be held on Fridays at 8:30 a.m. in an assigned room in City Hall, unless changed to another date by order of the Commission. Special meetings may be called at the discretion of the President of the Commission at the time and place designated by him/her.

TERMINATION OF NON-RESIDENTS

Rule 17.60 Appeals to the Commission

The affected officer or employee may appeal to the Commission the decision of the appointing authority by filing written notice of appeal with the Commission within ten (10) working days of the date of termination notice. If either party wishes to introduce additional evidence before the Commission, it shall notify the Commission in writing within seven (7) working days before the scheduled appeal hearing and shall include a list of witnesses and exhibits and an indication of the approximate length of time the presentation of such evidence will take. (Such new evidence shall not be a repeat of evidence already in the record). Such notice shall also be served upon opposing counsel or upon the other party if he/she has no counsel.

The Commission may refer the taking of such additional evidence to the Referee. Failure to advise the Commission within seven (7) working days before the scheduled appeal hearing of an intention to present such additional evidence shall preclude that party from offering any evidence, except for rebuttal evidence if the other party presents additional evidence.

The Commission may convene a pre-hearing meeting of counsel to discuss the procedural aspects of the full Commission hearing.

ANNE BLOOMBERG,
President

January 31, 2001

NOTICE OF PUBLIC HEARING

NONE

CITY OF CLEVELAND BIDS**For All Departments**

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

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

187.10 Negotiated contracts; Notice required in Advertisement for Bids.

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

FRIDAY, FEBRUARY 9, 2001

Plumbing Supplies, for the Various Divisions of City Government, Department of Finance, as authorized by Ordinance No. 713-99, passed by the Council of the City of Cleveland, May 17, 1999.

X-Ray Fluorescent Portable Lead Analyzers (XRF), for the Division of Administrative Services, Department of Community Development, as authorized by Ordinance No. 1201-2000, passed by the Council of the City of Cleveland, August 7, 2000.

January 24, 2001 and January 31, 2001

THURSDAY, FEBRUARY 15, 2001

Fifth District Police Headquarters Roof Replacement and Partial Masonry Restoration, for the Department of Public Safety, as authorized by Ordinance No. 56-2000, passed by the Council of the City of Cleveland.

A DEPOSIT OF FIFTY DOLLARS (\$50.00) CERTIFIED CHECK WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS.

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

A PRE-BID MEETING WILL BE HELD ON TUESDAY, FEBRUARY 6, 2001, 10:00 A.M., AT THE FIFTH DISTRICT POLICE HEADQUARTERS, EAST 107TH STREET AND CHESTER AVENUE, CLEVELAND, OHIO.

Grinding of Pavement, for the Division of Streets, Department of Public Service, as authorized by Ordinance No. 1681-2000, passed by the Council of the City of Cleveland, November 27, 2000.

Bunker Gear, for the Various Divisions of the Department of Port Control, as authorized by Ordinance No. 1066-99, passed by the Council of the City of Cleveland, June 14, 1999.

Turnout Clothing, for the Division of Fire, Department of Public Safety, as authorized by Section 135.06 of the Codified Ordinances of the City of Cleveland, 1976.

January 24, 2001 and January 31, 2001

FRIDAY, FEBRUARY 16, 2001

Two (2) Cab/Chassis with Material Handling Aerial Bucket, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 1685-2000, passed by the Council of the City of Cleveland, October 30, 2000.

Shop Equipment, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 904-2000, passed by the Council of the City of Cleveland, August 7, 2000.

Six (6) Fire Pumps, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 847-2000, passed by the Council of the City of Cleveland, August 7, 2000.

January 24, 2001 and January 31, 2001

**Request for Qualifications (RFQ):
WBS NO. K50 —
ENVIRONMENTAL ANALYTICAL
SERVICES**

Interested firms may obtain Qualification Packages beginning January 19, 2001 by going to:

www.clevelandairport.com

Submit Questions (prior to the Pre-Qualification meeting) via the website or e-mail at:

proposal@clevelandairport.com

SUBMITTAL DUE DATE:

FRIDAY, FEBRUARY 16, 2001
AT 12:00 O'CLOCK NOON

PRE-QUALIFICATIONS MEETING:

THURSDAY, FEBRUARY 1, 2001
12:00 p.m.
Program Management
Team Office
19501 Five Points Road
Cleveland, Ohio 44135

For Further Information Contact:

Denise Hale, Mon.-Fri. 8 A.M.-5 P.M.
(216) 676-9699 x 103
(216) 676-9778 (fax)

January 24, 2001 and January 31, 2001

WEDNESDAY, FEBRUARY 14, 2001

Mercedes Cotner Park Site Improvements, for the Division of Research, Planning and Development, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 894-99, passed by the Council of the City of Cleveland, June 14, 1999.

A DEPOSIT OF TWENTY FIVE DOLLARS (\$25.00) CERTIFIED CHECK WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS. THE DEPOSIT WILL BE REFUNDED IF THE PLANS AND SPECIFICATIONS ARE RETURNED IN GOOD CONDITION WITHIN FIFTEEN (15) DAYS AFTER THE BID OPENING DATE.

Commercial Gases, for the Various Divisions of City Government, Department of Finance, as authorized by Ordinance No. 1862-2000, passed by the Council of the City of Cleveland, November 20, 2000.

January 31, 2001 and February 7, 2001

THURSDAY, FEBRUARY 21, 2001

Testing and Disposal of PCBs and Contaminated Materials, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 1386-2000, passed by the Council of the City of Cleveland, October 2, 2000.

A PRE-BID MEETING WILL BE HELD ON THURSDAY, FEBRUARY 8, 2001, 10:00 A.M., AT CLEVELAND PUBLIC POWER, 1300 LAKESIDE AVENUE, CLEVELAND, OHIO 44114. ATTENDANCE IS MANDATORY.

Winter Jacket Liners, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 1676-2000, passed by the Council of the City of Cleveland, November 20, 2000.

A PRE-BID MEETING WILL BE HELD ON THURSDAY, FEBRUARY 15, 2001, 2:00 P.M., AT CLEVELAND PUBLIC POWER, 1300 LAKESIDE AVENUE, CLEVELAND, OHIO 44114. ATTENDANCE IS MANDATORY.

January 31, 2001 and February 7, 2001

**ADOPTED RESOLUTIONS
AND ORDINANCES**

Res. No. 102-01.

By Councilman Cimperman.
An emergency resolution objecting to the stock transfer of a D5 and D6 Liquor Permit to 1261-65 West 6th Street

Whereas, Council has been notified by the Director of Liquor Control of an application for the stock transfer of a D5 and D6 Liquor Permit to 1261-65 West 6th Street to Permit No. 1171178, CTLJ Inc., DBA Spy Bar, 1261-65 West 6th Street, Cleveland, Ohio 44113; 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, prosperity, safety and welfare pursuant to Section 4303.26 of the Ohio Revised Code. Council's objection to said permit must be received by the Director of Liquor Control within 30 days of notification; now, therefore,

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

Section 1. That Council does hereby record its objection to the stock transfer of a D5 and D6 Liquor Permit to 1261-65 West 6th Street to Permit No. 1171178, CTLJ Inc., DBA Spy Bar, 1261-65 West 6th Street, Cleveland, Ohio 44113 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

Section 3. That this resolution is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of

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

Adopted January 22, 2001.
Effective January 25, 2001.

Res. No. 103-01.

By Councilman Cintron.
An emergency resolution objecting to the transfer of ownership of a D2, D2X, D3 and D3A Liquor Permit to 3085-89 West 25th Street, 1st Fl. & Bsmt.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a D2, D2X, D3 and D3A Liquor Permit from Permit No. 09300840005, Breege Inc., DBA Attitudes, 3085-89 West 25th Street, 1st Fl. & Bsmt., Cleveland, Ohio 44113 to Permit No. 5563409, Marquise Café Inc., 3085-89 West 25th Street, Cleveland, Ohio 44113; 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, prosperity, safety and welfare pursuant to Section 4303.26 of the Ohio Revised Code. Council's objection to said permit must be received by the Director of Liquor Control within 30 days of notification; now, therefore,

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a D2, D2X, D3 and D3A Liquor Permit from Permit No. 09300840005, Breege Inc., DBA Attitudes, 3085-89 West 25th Street, 1st Fl. & Bsmt., Cleveland, Ohio 44113 to Permit No. 5563409, Marquise Café Inc., 3085-89 West 25th Street, Cleveland, Ohio 44113 and requests the Director of Liquor Con-

trol to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted January 22, 2001.
Effective January 25, 2001.

Res. No. 104-01.

By Councilman Coats.
An emergency resolution objecting to the transfer of ownership of a C1 Liquor Permit to 831 East 140th Street.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a C1 Liquor Permit from Permit No. 3700511, Sabrina A. Head, DBA East 140th Food & Beverage, 831 East 140th Street, Cleveland, Ohio 44110 to Permit No. 2455371, Eight Hundred Thirty One Corporation, 831 East 140th Street, Cleveland, Ohio 44110; 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, prosperity, safety and welfare pursuant to Section 4303.26 of the Ohio Revised Code. Council's objection to said permit must be received by the Director of Liquor Control within 30 days of notification; now, therefore,

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a C1 Liquor Permit from Permit No. 3700511, Sabrina A. Head, DBA East 140th Food & Beverage, 831 East 140th Street, Cleveland, Ohio 44110 to Permit No. 2455371, Eight Hundred Thirty One Corporation, 831 East 140th Street, Cleveland, Ohio 44110 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted January 22, 2001.
Effective January 25, 2001.

Res. No. 105-01.

By Councilman Jones.

An emergency resolution strongly urging the Democratic members of the United States Senate to oppose the confirmation of John Ashcroft as U.S. Attorney General.

Whereas, President George W. Bush's nominee for U.S. Attorney General, John Ashcroft, has refused to disassociate himself from the Southern Partisan Magazine, a journal which supports ideology of the old southern confederacy; and

Whereas, the recent hearings in the Senate Judiciary Committee showed that Mr. Ashcroft engaged in vituperative personal attacks on the nomination of African-American Missouri Supreme Court Judge Ronnie White to the federal bench, which was successfully opposed; and

Whereas, the sanctity of our democratic system was already compromised by the actions of the United States Supreme Court in selecting George W. Bush as President, and the Constitutional rights of all citizens would be further threatened by having someone like John Ashcroft as Attorney General, with the power and authority to deploy the FBI and an army of prosecutors; and

Whereas, the Bush administration representing a minority of the voters and facing a divided Congress, wishes for the confirmation of an individual to U.S. Attorney General, who has in the past stated his opposition to affirmative action, gun control, desegregation orders, and gay rights; and

Whereas, such a confirmation of John Ashcroft as U.S. Attorney General could result in the Attorney General's Office promoting and

enforcing policies that could prove very harmful to an American citizenry that is racially, culturally, and religiously diverse; now, therefore

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

Section 1. That the Council of the City of Cleveland strongly urges the Democratic members of the United States Senate to oppose the confirmation of John Ashcroft as U.S. Attorney General.

Section 2. That the Clerk of Council be and she hereby is directed to transmit a certified copy of this resolution to Senator Edward Kennedy and all other Democratic members of the Senate Judiciary Committee on Tuesday, January 23, 2001, since a Committee vote on the Ashcroft nomination is scheduled for January 24, 2001.

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 January 22, 2001.
Effective January 25, 2001.

Res. No. 106-01.

By Councilman Polensek.

An emergency resolution urging the Greater Cleveland Regional Transit Authority to implement a recycling collection program using new public recycling bins at its area bus shelters.

Whereas, trash and broken bottles at various bus shelters owned by the Greater Cleveland Regional Transit Authority (RTA) are unsightly and send a message to citizens that those responsible for the property cannot or will not control the problem; and

Whereas, recycling containers in various cities throughout Canada, such as Toronto, Ontario, have become an increasingly popular way of cutting down on litter; and

Whereas, several American cities, such as Pittsburgh, Atlantic City, San Francisco and New Orleans, have expressed interest in implementing a recycling program using the new public recycling bins; and

Whereas, these recycling containers are large, compartmentalized bins designed to collect waste and litter, recyclable paper and recyclable containers such as plastic, glass and aluminum; and

Whereas, use of these containers by RTA would cut down on litter, popularize recycling in the city, and beautify the areas surrounding bus shelters on city streets and in neighborhoods; and

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

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

Section 1. That the Council of the City of Cleveland urges the Greater Cleveland Regional Transit Author-

ity to implement a recycling collection program using new public recycling bins at its area bus shelters.

Section 2. That the Clerk of Council is hereby directed to transmit certified copies of this resolution to Joseph Calabrese, CEO and General Manager, Greater Cleveland Regional Transit Authority.

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 January 22, 2001.
Effective January 25, 2001.

Res. No. 107-01.

By Councilman Sweeney.

An emergency resolution withdrawing objection to the transfer of ownership of a C1 and C2 Liquor Permit to 4200 West 130th Street, and repealing Res. No. 1366-2000 objecting to said transfer of ownership.

Whereas, this Council objected to the transfer of ownership of a C1 and C2 Liquor Permit to 4200 West 130th Street by Res. No. 1366-2000 adopted by Council on July 28, 2000; and

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

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

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

Section 1. That objection to the transfer of ownership of a C1 and C2 Liquor Permit to 4200 West 130th Street, be and the same if hereby withdrawn and Res. No. 1366-2000, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate transfer of ownership thereof.

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

Adopted January 22, 2001.
Effective January 25, 2001.

Res. No. 108-01.

By Councilman Sweeney.

An emergency resolution withdrawing objection to the issuance of a C1 Liquor Permit to 14930 Puritas Avenue, and repealing Res. No. 1984-2000 objecting to said issuance.

Whereas, this Council objected to the issuance of a C1 Liquor Permit

to 14930 Puritas Avenue by Res. No. 1984-2000 adopted by Council on October 30, 2000; and

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

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

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

Section 1. That objection to the issuance of a C1 Liquor Permit to 14930 Puritas Avenue, be and the same is hereby withdrawn and Res. No. 1984-2000, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate issuance thereof.

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

Adopted January 22, 2001.
Effective January 25, 2001.

Res. No. 109-01.

By Councilman Sweeney.

An emergency resolution withdrawing objection to the transfer of ownership of a C1 Liquor Permit to 4611 West 130th Street, and repealing Res. No. 2055-2000 objecting to said transfer of ownership.

Whereas, this Council objected to the transfer of ownership of a C1 Liquor Permit to 4611 West 130th Street by Res. No. 2055-2000 adopted by Council November 13, 2000; and

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

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

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

Section 1. That objection to the transfer of ownership of a C1 Liquor Permit to 4611 West 130th Street, be and the same is hereby withdrawn and Res. No. 2055-2000, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate transfer of ownership thereof.

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

Adopted January 22, 2001.
Effective January 25, 2001.

Ord. No. 2306-2000.

By Councilmen O'Malley, Melena, Cimperman, Lewis, Brady, Jones and Patmon (by departmental request).

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Sections 354.01 through 354.14 thereof, relating to wireless telecommunications facilities; and to amend Section 353.06 of said codified ordinances, as amended by Ordinance No 2035-93, passed September 19, 1994, relating to exceptions to height regulations.

Whereas, this ordinance constitutes an emergency measure providing for 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 354.01 through 354.14 thereof to read, respectively, as follows:

**CHAPTER 354
WIRELESS TELECOMMUNICATIONS FACILITIES**

Section 354.01 Purpose

For the purposes of this Chapter, the following terms shall have the meanings given in this section.

(a) "Telecommunications" means all forms of wireless communication, including, but not limited to voice and data communications.

(b) "Telecommunications Antenna" means a device that transmits and/or receives electromagnetic telecommunications signals.

(c) "Telecommunications Antenna Structure" means a telecommunications antenna and any incidental supporting structures necessary to mount the antenna to a building, tower or other structure.

(d) "Telecommunications Tower" means a ground-mounted structure, other than a building, that is designed for the sole purpose of supporting a telecommunications antenna.

(e) "Telecommunications Facility" means the antennas and ancillary equipment and structures used in transmitting and/or receiving electromagnetic telecommunication signals.

(f) "Lattice Tower" means a tower constructed of vertical metal struts and cross braces forming a square or triangular structure which tapers from the foundation.

(g) "Monopole Tower" means a tower constructed of a single, self-supporting metal tube, anchored to a foundation.

(h) "Co-location" means the sharing of a single tower, building or other structure by two or more telecommunications providers.

(i) "Topmost Element" means the highest point on a building or other ground-mounted structure, excluding existing telecommunications antenna structures mounted on such building or structure.

Section 354.03 Applicability and Exemptions

(a) Applicability. No tower or antenna structure, as defined in this chapter, shall be erected, enlarged or extended without conformance to

the provisions of this chapter, and other applicable regulations, as evidenced by the issuance of a Building Permit by the Commissioner of Building and Housing.

(b) Exemptions. The following structures are not subject to the provisions of this chapter:

(1) telecommunications equipment completely enclosed within a permitted building; and

(2) an antenna mounted to a building or other non-telecommunications tower structure not more than fifteen (15) feet in height above the topmost element of the building to which it is attached in a non-Residential District and not more than ten (10) feet in height above the topmost element of the building to which it is attached in a Residential District;

Section 354.04 Conditionally Permitted Uses and Permitted Uses

(a) Conditionally Permitted Uses. The following uses shall be permitted only after approval by the City Planning Commission, which shall determine whether the proposed use complies with the applicable conditions set forth in this chapter:

(1) a telecommunications tower not exempted by Section 354.03; and

(2) a telecommunications antenna structure which projects more than fifteen (15) feet in height above the topmost element of the building or other non-telecommunications tower structure to which it is attached and which also exceeds the height limit established on the zoning map for buildings on the subject property.

(b) Permitted Uses. All telecommunications facilities not listed in division (a) of this section are permitted without City Planning Commission approval, except where such approval is required by other regulations of these codified ordinances.

Section 354.05 Co-Location

(a) Co-Location Requirement. No new telecommunications tower shall be approved unless the applicant submits an affidavit attesting to the fact that placement of an antenna(s) on an existing tower, building, utility pole or other existing structure, where permitted, is made infeasible by one or more of the following conditions:

(1) No existing towers or other suitable structures are located within the geographic area requiring service.

(2) Existing towers or other structures suitably located are not of sufficient height or are not of sufficient structural strength and cannot be reasonably altered to meet the applicant's engineering requirements.

(3) Co-location would cause electromagnetic interference between the proposed and existing antennas and that such interference cannot be prevented at reasonable cost.

(4) The applicant has made a reasonable offer to co-locate on one or more suitably located towers or other structures, but the owner of such structure or structures or the owner of the telecommunications equipment thereon has refused permission for co-location.

(b) Accommodation of Co-located Equipment. Any new telecommunications tower shall be designed with

sufficient structural loading capacity and height, or the capability of being extended in height, to accommodate at least three antennas or antenna array platforms of equal loading capacity for use by three separate service providers. Similarly, any associated equipment shelter shall be capable of accommodating three separate users or space shall be reserved on the site for necessary expansion. Furthermore, the owner of any telecommunication facility permitted as a conditional use under the provisions of this chapter shall respond in writing within thirty (30) days of receipt of a written request for co-location made pursuant to the requirement of division (a) of this section.

Section 354.06 Tower Location and Height

(a) Location. A telecommunication tower subject to the regulations of this chapter shall be located in only the following zoning districts: General Retail, Shopping Center, Semi-Industry, General Industry and Unrestricted Industry. No telecommunication tower subject to the regulations of this chapter shall be located in a Landmark District or a public park.

(b) Setback from Residential or Landmark District. No portion of a telecommunication tower subject to the regulations of this chapter shall be located closer to a Residential District line or Landmark District line than a distance equal to three times the height of the tower.

(c) Setback from Non-Residential Zoning Districts. No portion of a telecommunication tower subject to the regulations of this chapter shall be located closer than ten (10) feet to the lot line of an adjoining non-residential, non-Landmark zoning district.

(d) Setback from Street Lines. No portion of a telecommunication tower subject to the regulations of this chapter shall be located closer than twenty-five (25) feet from a street right-of-way line.

(e) Setback from Public Park. No portion of a telecommunication tower subject to the regulations of this chapter shall be located closer to a public park than a distance equal to three times the height of the tower.

(f) Distance from Public Airport. No telecommunication tower subject to the regulations of this chapter shall be located closer than two (2) miles from a public airport, measured from the center of tower to any border of the airport, unless closer proximity is permitted by the Board of Zoning Appeals based on a recommendation by the Department of Port Control.

(g) Impact on Scenic Vistas. No telecommunication tower shall be so located as to impact adversely on scenic vistas, as determined by the City Planning Commission.

(h) Height. A telecommunication tower may exceed the height limit established on the zoning map for the subject property if the tower meets all other regulations of this chapter.

(i) Spacing from Other Towers. A new telecommunication tower that exceeds the height limit established on the zoning map shall be located

no closer than three times the height of the new tower from any existing tower.

(j) Accessory Buildings. Any building which is accessory to the telecommunication tower shall not exceed fifteen (15) feet in height and shall be set back at least twenty-five (25) feet from any street right-of-way line and at least fifty (50) feet from any Residential zoning district line.

(k) Guy Wires. Any guy wires supporting towers shall be anchored behind the security fence surrounding the tower.

Section 354.07 Tower Design and Lighting

(a) Lighting. Telecommunications towers shall not be illuminated except as required by the Federal Aviation Administration or other applicable authority or by the provisions of Chapter 633 of these Codified Ordinances. If lighting is required, a design that minimizes disturbances to nearby residences shall be utilized.

(b) Structural Design. Telecommunications towers shall be designed to meet all requirements of the Building Code of the City of Cleveland and all applicable state and federal regulations.

(c) Aesthetic Design. Telecommunications towers shall be designed in a manner that makes them as unobtrusive as possible, while meeting safety requirements. To this end, tower design shall be monopole rather than lattice, wherever feasible. With respect to color, towers, if painted, shall be light gray or off-white in order to blend in with the sky and clouds, unless other colors are required by federal regulations or the provisions of Chapter 633 of these Codified Ordinances or unless another color is approved by the City Planning Commission as being more effective in a particular instance. The City Planning Commission shall work with applicants to identify any other design techniques that can be used in reducing the visual prominence of telecommunication towers.

(d) Signs. No signs shall be located on or around a telecommunication tower except for necessary warning signs located at or near ground level.

(e) Accessory Buildings. Any building accessory to a telecommunication tower shall be faced with brick, stone, wood, decorative block, fiberglass or metal, as approved by the City Planning Commission to ensure that the design of such building is compatible with its environs.

Section 354.08 Antenna Location, Height and Design

The regulations of this section shall govern the location, height and design of any telecommunication antenna and antenna structure, subject to the provisions of this chapter, attached to a building or structure other than a telecommunication tower.

(a) Location by Zoning District. A telecommunication antenna may be located in any zoning district other than a One-Family, Two-Family or Townhouse Residential District, except as permitted by the Board of Zoning Appeals in accordance with

the provisions of Section 354.14 regarding special exceptions.

(b) Height. A telecommunication antenna or antenna structure may exceed the height limit established on the zoning map for buildings on the subject property, but such antenna or antenna structure shall not exceed the height limit by more than twenty (20) feet.

(c) Design. A telecommunication antenna structure shall be designed and placed so as to blend in with the appearance of the structure to which it is attached or to be otherwise screened or obscured from view from public streets and adjoining properties to the maximum extent possible. Such design shall be as approved by the City Planning Commission, where installation of the antenna is subject to the Commission's approval.

(d) Accessory Equipment. Equipment that is accessory to a telecommunication antenna shall be located within the subject building or structure or shall be placed so as not to be visible from adjoining public streets, unless the City Planning Commission determines that such screening is not necessary in a particular instance.

Section 354.09 Fencing and Landscaping

(a) Security Fence. The base of any ground-mounted telecommunication tower shall be completely enclosed by a fence or wall not less than six (6) feet and not more than eight (8) feet in height. Such fence or wall shall be set back at least ten (10) feet from all property lines. Any fence or wall located within twenty-five (25) feet of a street right-of-way shall be either a wrought iron-style or black vinyl-coated chain link fence or a decorative masonry wall. Barbed wire may be used if permitted by the regulations of Chapter 358 of this code.

(b) Landscaping Location. A landscape strip meeting the standards established in division (c) of this section shall be placed along the outside of the entire perimeter of the security fence, except that the City Planning Commission may alter the required location when it determines that another location would be more effective and may waive the requirement for any particular location where it determines that the landscaping would not be visible from adjacent parcels or public streets or, otherwise, by members of the general public.

(c) Landscaping Requirement. The landscape strip required in division (b) of this section shall be a minimum of ten (10) feet in width and shall include, at a minimum, evergreen trees or shrubs, at least six (6) feet in height, spaced at maximum intervals of eight (8) feet. The landscape requirements may be varied by the City Planning Commission in order to address particular site conditions.

Section 354.10 Existing Nonconforming Towers

A telecommunication tower lawfully existing on the effective date of this chapter or any amendment thereto may be continued in accordance with the regulations of Section 359.01 of this code even if such

tower does not conform to the provisions of this chapter, but such tower shall not be made more non-conforming unless the alteration is approved by the Board of Zoning Appeals in accordance with the provisions of Section 354.14 of this chapter.

Section 354.11 Maintenance and Abandonment

(a) Maintenance and Monitoring. All buildings, structures, fences, and property used in connection with a telecommunications facility shall be maintained in good condition and in safe working order. On each biennial anniversary of the issuance of the Certificate of Occupancy for a telecommunications tower, or not more than ninety (90) days prior to that date, the permit holder for such tower shall submit to the Commissioner of Building and Housing an affidavit that verifies continued operation of the telecommunications use and compliance with all requirements of this chapter and other applicable governmental regulations.

(b) Abandonment.

(1) Performance Bond. At all times the permit holder shall maintain a performance bond sufficient to cover the demolition and removal of the telecommunications facility. Such bond shall be sufficient to guarantee full and faithful performance of the requirements of this chapter and shall be satisfactory to the Commissioner of Building and Housing and the Director of Law. On each biennial anniversary of the issuance of the Certificate of Occupancy for a telecommunications tower, or not more than ninety (90) days prior to that date, the permit holder shall provide to the Commissioner of Building and Housing proof that the performance bond requirements of this section are met.

(2) Notice. Not less than thirty (30) days after abandoning or discontinuing operation of a telecommunications facility, the permit holder shall send written notice of this fact to the Commissioner of Building and Housing.

(3) Removal. If use of a telecommunications facility has been discontinued for 180 consecutive days, the facility shall be deemed abandoned. Within ninety (90) days of abandonment, the permit holder or other responsible party shall remove the abandoned tower, antenna, and any accessory structures, and shall restore the site to an attractive landscaped condition. If such actions are not taken, the City may cause the removal of all facilities at the expense of the permit holder or other responsible party.

Section 354.12 Application and Approval Process

(a) Submission of Application. An application to construct or alter a telecommunications facility subject to the regulations of this chapter shall be submitted to the Division of Building and Housing as part of a Building Permit application.

(b) Determination of Compliance. The Division of Building and Housing shall determine if the application conforms to requirements of this chapter and other applicable regulations of the City of Cleveland, except for those provisions that

require a determination by the City Planning Commission.

(c) Referral to Public Utilities. The Division of Building and Housing shall refer all applications governed by this chapter to the Office of Radio Communications of the Department of Public Utilities for review and approval. The Office of Radio Communications shall review the application with respect to any issues relating to the technical expertise of that office. No Building Permit shall be issued without the approval of the Office of Radio Communications.

(d) Referral to City Planning Commission. For proposals subject to approval by the City Planning Commission as conditionally permitted uses, under Section 354.04, the Division of Building and Housing shall refer the application to the City Planning Commission for review and approval.

(e) City Planning Commission Action. The City Planning Commission shall review any application subject to conditional approval and shall determine whether the proposal meets all applicable standards established in this chapter to ensure proper design and compatibility with surrounding uses. The Commission shall take action on the application at a public meeting, subsequent to providing public notice, as provided in division (f) of this section. The Commission may require modifications to the proposal as a condition of approval. The Commission may disapprove an application if it determines that the proposed location does not meet the standards set forth in this chapter and that a suitable alternative location is available. No Building Permit shall be issued without the approval of the City Planning Commission for an application subject to conditional approval.

(f) Notice Requirements.

(1) Upon receipt of an application, the Commissioner of Building and Housing shall notify any Councilmember who represents the ward in which the proposed tower is to be located, the Department of Port Control, the Department of Public Safety and the Office of Radio Communications of the Department of Public Utilities.

(2) Prior to taking action on a ground-mounted telecommunications tower application subject to conditional approval, the City Planning Commission shall mail notices describing the proposal to all property owners located within a distance of the proposed tower equal to three times the height of the tower. Such notice shall be sent by first-class mail or an equivalent method at least ten (10) calendars prior to the date of the public meeting. The Commission shall also provide notice in the same time frame to the any Councilmember who represents an area in which notices are to be mailed to property owners.

Section 354.13 Contents of Application

All applications subject to the provisions of this chapter shall be accompanied by the following information, as applicable, in addition to information required for all Building Permit applications.

(a) Telecommunications Towers. The following information shall be submitted with an application for a telecommunications tower permitted conditionally under the provisions of Section 354.04.

(1) a site plan of the subject property showing adjoining streets, the proposed tower and any proposed and existing buildings, fencing, structures, landscaping, driveways, parking, and curb cuts on the subject property, including specifications for all proposed landscaping.

(2) an elevation drawing showing the proposed tower and all structures and landscaping shown on the required site plan, indicating the height, color and materials of the tower and all proposed fencing and other structures.

(3) a lighting plan for the proposed tower, indicating the location, color and intensity of the lighting, both as it will appear in daylight and at night, and indicating any mechanisms to prevent glare on adjacent properties and streets and to shield the lighting from residences, to the maximum extent feasible.

(4) a vicinity map showing the subject property and the proposed tower and fencing in the context of all property located within a distance from the tower equal to three times the height of the tower, showing within this area, all streets and existing buildings and significant structures and indicating the residential use of any buildings and any property zoned in Residential or Landmarks Districts, such map being marked with topographic contours at five-foot intervals.

(5) color photographs showing the current view of the tower site from any adjoining public street or any other street within 200 feet of the proposed tower and from the closest groupings of residential buildings located within an area from the proposed tower equal to three (3) times the height of the proposed tower, plus a second set of color photographs showing the same views with the proposed tower superimposed onto the photographs.

(6) a map showing all existing telecommunications towers and all buildings and structures exceeding one hundred (100) feet in height located within one (1) mile of the proposed tower, with such map being accompanied by documentation, in accordance with the provisions of Section 354.05, demonstrating that the applicant has investigated all opportunities for co-location or alternative location and has determined that such co-location or alternative location is infeasible or that the owner of any such structure or attached telecommunications equipment has refused a reasonable offer for co-location.

(7) A statement indicating the estimated construction cost of the telecommunications tower and a statement indicating the estimated cost for demolition and removal of the telecommunications tower.

(8) A performance bond sufficient to cover the estimated demolition and removal of the telecommunications tower."

(b) Telecommunications Antennas. The following information shall be submitted with an application for

a telecommunications antenna structure proposed to be attached to an existing building or other structure, and permitted conditionally under the provisions of Section 354.04 or otherwise subject to approval by the City Planning Commission or Landmarks Commission.

(1) an elevation drawing of the building or structure to which the proposed antenna will be attached, showing the placement of the antenna and indicating the color of the antenna in relation to the color of the surface to which it will be attached and showing the projection of the antenna from the structure, marked with all necessary dimensions.

(2) a color photograph of the building or structure to which the proposed antenna will be attached, with the proposed antenna superimposed onto such photograph.

Section 354.14 Special Exceptions and Appeals

(a) Special Exceptions. Subsequent to providing public notice in accordance with the provisions of division (f) of Section 354.12, the Board of Zoning Appeals may approve an application to install a telecommunications tower or antenna structure that does not meet the regulations of this chapter if the Board determines that all of the following conditions apply.

(1) The literal application of the regulations of this chapter in a particular instance will prevent adequate provision of wireless communications service, and no conforming alternative is technically feasible.

(2) The proposed installation will not be contrary to the stated purpose of the regulations of this chapter.

(3) Specifically, in the case of a telecommunications tower proposed to be placed in a Residential District, the subject parcel is not occupied by residential uses and is not likely to be occupied by residential uses in the foreseeable future.

(4) Specifically, in the case of a telecommunications antenna proposed to be placed in a Residential District on a building or structure other than a telecommunications tower, such building or structure is a not a residence and is not designed for residential occupancy.

(5) Specifically, in the case of the alteration of an existing telecommunications tower, including the addition of an antenna or antennas, the proposed alteration will not be detrimental to residential areas and will result in public benefits such as reducing the need for additional telecommunications towers in the vicinity or improving the appearance or safety of the existing tower and its site.

(b) Appeals. Any decision of the City Planning Commission or an administrative official made pursuant to the provisions of this chapter may be appealed to the Board of Zoning Appeals, in accordance with the provisions of Chapter 329.

Section 2. That Section 353.06 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 2035-93, passed September 19, 1994, is hereby amended to read as follows:

Section 353.06 Exceptions to Height Regulations

(a) Towers. For towers attached to the ground or mounted on a building, except for roof structures as defined in the Ohio Basic Building Code and as regulated in division (b) of this section, the maximum height specified in Section 353.02 may be exceeded, provided that:

(1) the area of the tower's horizontal cross section above the height limit does not exceed twenty-five percent (25%) of the lot area excluding all required yard area;

(2) the tower is not nearer to any lot lines at the height limit than 25 feet;

(3) the tower is located no closer to a public airport or landing field than one mile, unless closer proximity is specifically permitted by the Board of Zoning Appeals, based on recommendations provided by the Department of Port Control.

(b) Roof Structures. In any height district, stairway and elevator or ventilating equipment penthouses, and penthouses for similar purposes; water tanks, cooling towers, ornamental towers, scenery lofts, poles, chimneys or other necessary appurtenances, when erected upon and as an integral part of the building, may be erected or extended above the maximum height specified in Section 353.02 if such building is more than one mile from a public airport or landing field, or if closer proximity to such airport or landing field is specifically permitted by the Board of Zoning Appeals.

(c) Exemptions. No provision of this section shall apply to any tower regulated by Chapter 354.

Section 3. That existing Section 353.06 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 2035-93, passed September 19, 1994, 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 and after the earliest period allowed by law.

Passed January 22, 2001.

Effective January 31, 2001.

Ord. No. 89-01.

By Mayor White.

An emergency ordinance authorizing the Director of Port Control to enter into a requirement contract with Standard Signs, Inc. for the labor and materials necessary to install runway signs for the designation of the runways, for the Division of Cleveland Hopkins International Airport, 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 it is hereby determined that the within services are non-competitive and cannot be secured from any source other than Standard Signs, Inc. Therefore, the

Director of Port Control is hereby authorized to make a written requirement contract with Standard Signs, Inc. for the labor and materials necessary to install runway signs for the designation of the runways, for the Division of Cleveland Hopkins International Airport, Department of Port Control.

Section 2. That the cost of said contract shall be charged against the proper appropriation account and the Director of Port Control 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. The amount paid under this contract shall not exceed \$35,000. (RL 30914)

Section 3. That the authority to enter into a contract under this ordinance expires on June 17, 2001.

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 January 22, 2001.

Effective January 25, 2001.

Ord. No. 90-01.

By Councilman Cimperman.

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with the Cleveland Development Foundation for support their study of Live/Work space regulations in other cities through ArtSpace Cleveland, to further the public purpose of conducting building and zoning policy research through the use of Ward 13 Neighborhood Equity Funds.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with the Cleveland Development Foundation for support their study of Live/Work space regulations in other cities through ArtSpace Cleveland, to further the public purpose of conducting building and zoning policy research through the use of Ward 13 Neighborhood Equity Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$12,500 and shall be paid from Fund No. 10 SF 166.

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

Section 4. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council,

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

Passed January 22, 2001.
Effective January 25, 2001.

Ord. No. 91-01.
By Councilman Cimperman.

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Goodrich-Gannett Neighborhood Center for an Outreach/Safety Associate position to carry out the public purpose of supporting agency operations and providing social services for residents of the City of Cleveland 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 Goodrich-Gannett Neighborhood Center for an Outreach/Safety Associate position to carry out the public purpose of supporting agency operations and providing social services for residents of the City of Cleveland through the use of Ward 13 Neighborhood Equity Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$32,000 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 January 22, 2001.
Effective January 25, 2001.

Ord. No. 92-01.

By Councilman Cimperman.

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Cuyahoga Metropolitan Housing Authority for summer youth programs at Lakeview Estates, senior programs at Riverview and Bohn Towers, and program related property improvements for the public purpose of supporting senior and youth programs for residents of the City of Cleveland through the use of Ward 13 Neighborhood Equity Funds.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with Cuyahoga Metropolitan Housing Authority for summer youth programs at Lakeview Estates, senior programs at Riverview and Bohn Towers, and program related property improvements for the public purpose of supporting senior and youth programs for residents of the City of Cleveland through the use of Ward 13 Neighborhood Equity Funds.

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

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

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

Passed January 22, 2001.
Effective January 25, 2001.

Ord. No. 93-01.

By Councilman Cimperman.

An emergency ordinance authorizing the Director of Community Development to enter into a grant agreement with University Settlement for providing an analysis for the streetscape and design of construction in North Broadway on Broadway from East 9 Street to Barkwill Avenue in order to carry out the public purpose of conducting pre-development studies for public right-of-way improvements 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 to enter into a grant agreement with University Settlement for providing an analysis for the streetscape and design of construction in North Broadway on Broadway from East 9 Street to Barkwill Avenue in order to carry out the public purpose of conducting pre-development studies for public right-of-way improvements through the use of Ward 13 Neighborhood Equity Funds.

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 January 22, 2001.
Effective January 25, 2001.

Ord. No. 94-01.

By Councilman Cintron.

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with the Boys & Girls Clubs of Cleveland for operating funds for their Westside Club to further the public purpose of providing recreational opportunities for youth and other residents of the City of Cleveland through the use of Ward 14 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 Boys & Girls Clubs of Cleveland for operating funds for their Westside Club to further the public purpose of providing recreational opportunities for youth and other residents of the City of Cleveland through the use of Ward 14 Neighborhood Equity Funds.

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

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

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

Passed January 22, 2001.
Effective January 25, 2001.

Ord. No. 95-01.

By Councilman Cintron.

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Ohio City Near West Development Corporation for improvements to the commercial portions of the Fries and Schuele building, located on 2525 Market Ave., to further the public purpose of creating or preserving jobs or employment opportunities to preserve the economic welfare of the State through the use of Ward 14 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 Ohio City Near West Development Corporation for improvements to the commercial portions of the Fries and Schuele building, located on 2525 Market Ave., to further the public purpose of creating or preserving jobs or employment opportunities to preserve the economic welfare of the State through the use of Ward 14 Neighborhood Equity Funds.

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 January 22, 2001.

Effective January 25, 2001.

Ord. No. 96-01.

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

An emergency ordinance authorizing the Director of Public Utilities to enter into an amendment to City Contract No. 55898 with Libby Construction Co., Inc. to extend the term of the contract for an additional three months or until a new contract is entered into, whichever occurs first.

Whereas, pursuant to Ordinance No. 1071-99, passed June 14, 1999, the Director of Public Utilities entered into City Contract No. 55898 with Libby Construction Co., Inc. for the City's requirements for a term of one (1) year for labor and materials necessary to repair or replace fire hydrants for the Division of Water; and

Whereas, City Contract No. 55898 will expire on February 21, 2001, and this Council finds it necessary to authorize an amendment to such Requirement Contract in order to ensure the adequate continuing maintenance of fire hydrants throughout the City of Cleveland; and

Whereas, such an amendment is necessary to protect the public health, safety and welfare of the citizens of the City of Cleveland; and

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

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

Section 1. That the Director of Public Utilities is hereby authorized to enter into an amendment to City Contract No. 55898 with Libby Construction Co., Inc. to extend the term of the said contract from February

21, 2001 to May 21, 2001, or until a new contract is entered into, whichever occurs first, in order to continue provision of services.

Section 2. That such amendment to City Contract No. 55898 shall be prepared and approved by the Director of Law and shall contain such provisions as he deems necessary to protect the public interest.

Section 3. That all expenditures pursuant to the amendment authorized herein shall not exceed \$375,000.00.

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

Passed January 22, 2001.

Effective January 25, 2001.

Ord. No. 97-01.

By Councilman Patmon.

An emergency ordinance authorizing the Director of Community Development to enter into a grant agreement with FAMICOS Foundation to provide for office space and utilities for the Ward 8 Police mini-station, to further the public purpose of providing neighborhood based safety services 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 a grant agreement with FAMICOS Foundation to provide for office space and utilities for the Ward 8 Police mini-station, to further the public purpose of providing neighborhood based safety services through the use of Ward 8 Neighborhood Equity Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$8,000, and shall provide for services rendered by the grantee from January 1, 2001 to December 31, 2001, 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 January 22, 2001.

Effective January 25, 2001.

Ord. No. 98-01.

By Councilmen Polensek and Patmon (by departmental request).

An emergency ordinance to amend the title and Section 1 of Ordinance No. 904-2000, passed August 7, 2000, relating to the purchase by requirement contract of various on-road vehicles and off-road equipment, for 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 title and Section 1 of Ordinance No. 904-2000, passed August 7, 2000, are hereby amended to read, respectively, as follows:

An emergency ordinance authorizing the purchase by requirement contract of various on-road vehicles and off-road equipment, cabs, bodies and accessories, equipment and other aftermarket items necessary to equip the vehicles authorized for their intended purposes, including labor and materials necessary for vehicle rehabilitation, for the Department of Public Safety, Divisions of Police, Fire, Emergency Medical Service and Traffic Engineering.

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 on-road vehicles and off-road equipment, cabs, bodies and accessories, equipment and other aftermarket items necessary to equip the vehicles authorized for their intended purposes, including labor and materials necessary for vehicle rehabilitation, for the Department of Public Safety, Divisions of Police, Fire, Emergency Medical Service, and Traffic Engineering, as such vehicles and equipment are described in File No. 904-2000-B, in the estimated sum of \$6,786,000.00, 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 existing title and Section 1 of Ordinance No. 904-2000, passed August 7, 2000, are hereby repealed.

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

Passed January 22, 2001.

Effective January 25, 2001.

**Ord. No. 99-01.
By Councilmen Polensek and Patmon (by departmental request).**

An emergency ordinance to amend the title and Section 1 of Ordinance No. 1685-2000, passed October 30, 2000, relating to the purchase by requirement contract of various on-road vehicles and off-road equipment, for the various divisions of City government, excluding 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 title and Section 1 of Ordinance No. 1685-2000, passed October 30, 2000, are hereby amended to read, respectively, as follows:

An emergency ordinance authorizing the purchase by requirement contract of various on-road vehicles and off-road equipment, cabs, bodies and accessories, equipment and other aftermarket items necessary to equip the vehicles authorized for their intended purposes, including labor and materials necessary for vehicle rehabilitation, for the various divisions of City government, excluding various divisions of the Department of Public Safety.

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 on-road and off-road equipment, cabs, bodies and accessories, equipment and other aftermarket items necessary to equip the vehicles authorized for their intended purposes, including labor and materials necessary for vehicle rehabilitation, excluding the Divisions of Police, Fire, Emergency Medical Service, and Traffic Engineering, Department of Public Safety, as such vehicles and equipment are described in File No. 1685-2000-A, in the estimated sum of \$11,791,220.00, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of City government, excluding the Divisions of Police, Fire, Emergency Medical Service, and Traffic Engineering, 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 existing title and Section 1 of Ordinance No. 1685-2000, passed October 30, 2000, are hereby repealed.

Section 3. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of

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

Passed January 22, 2001.
Effective January 25, 2001.

**Ord. No. 100-01.
By Councilman Reed.
An emergency ordinance authorizing the Director of Community Development to enter into a grant agreement with the Boys and Girls Clubs of Cleveland for the renovation of the interior and exterior of their facility, located at 3689 East 131st Street, to further the public purpose of providing recreational opportunities for youth and other residents of the City of Cleveland through the use of Ward 3 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 a grant agreement with the Boys and Girls Clubs of Cleveland for the renovation of the interior and exterior of their facility, located at 3689 East 131st Street, to further the public purpose of providing recreational opportunities for youth and other residents of the City of Cleveland through the use of Ward 3 Neighborhood Equity Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$220,000 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 January 22, 2001.
Effective January 25, 2001.

**Ord. No. 101-01.
By Councilman White.
An emergency ordinance authorizing the Director of Community Development to enter into a grant agreement with Miles Avenue Family YMCA for recreation facility improvements and the purchase of fitness equipment to further the public purpose of providing recreation services to residents of the City of Cleveland through the use of Ward 2 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 Director of Community Development is authorized to enter into a grant agreement with Miles Avenue Family YMCA for recreation facility improvements and the purchase of fitness equipment to further the public purpose of providing recreation services to residents of the City of Cleveland through the use of Ward 2 Neighborhood Equity Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$75,000 and shall be paid from Fund No. 10 SF 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 January 22, 2001.
Effective January 25, 2001.

COUNCIL COMMITTEE MEETINGS

Thursday, January 29, 2001

Public Service Committee: 11:00 a.m.—Present: Cintron, Chairman; Sweeney, Vice Chairman; Coats, Johnson, Jones, Melena, O'Malley, Westbrook, Willis.

Finance Committee: 2:00 p.m.—Present: Patmon, Chairman; Rybka, Vice Chairman; Britt, Cintron, Dolan, Lewis, Melena, O'Malley, Polensek, Sweeney, White.

Tuesday, January 30, 2001

Community & Economic Development Committee: 9:30 a.m.—Present: Lewis, Vice Chairman; Brady, Cimperman, Cintron, Jackson, Johnson, Jones, Willis. Excused: Melena, Chairman.

Legislation Committee: 1:30 p.m.—Present: Lewis, Chairman; Jones, Vice Chairman; Coats, Gordon, Reed, White, Westbrook.

Wednesday, January 31, 2001

Aviation & Transportation Committee: 10:00 a.m.—Present: Dolan, Chairman, O'Malley, Vice Chairman; Brady, Rybka, Sweeney. Excused: Jones, Patmon.

City Planning Committee: 1:30 p.m.—Present: Cimperman, Chairman; Rybka, Vice Chairman; Jackson, O'Malley, Reed, White. Excused: Dolan.

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O—Ordinance; R—Resolution; F—File
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