

The City Record

Official Publication of the City of Cleveland

April the Twelfth, Two Thousand

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	Odelia V. Robinson
4	Kenneth L. Johnson
5	Frank G. Jackson
6	Patricia J. Britt
7	Fannie M. Lewis
8	William W. Patmon
9	Craig E. Willis
10	Roosevelt Coats
11	Michael D. Polensek
12	Edward W. Rybka
13	Joe Cimperman
14	Nelson Cintron, Jr.
15	Merle R. Gordon
16	Michael C. O'Malley
17	Timothy J. Melena
18	Jay Westbrook
19	Dona Brady
20	Martin J. Sweeney
21	Michael A. Dolan

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DIRECTORY OF CITY OFFICIALS

CITY COUNCIL—LEGISLATIVE

President of Council—Michael D. Polensek

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

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

MAYOR – Michael R. White
Judith Zimomra, Chief of Staff
Diane Downing, Senior Executive Assistant for Health and Human Services
Barry Withers, Executive Assistant for Administration
Kenneth Silliman, Executive Assistant for Development
Reuben Sheperd, Executive Assistant for Services
Nina Turner, Executive Assistant for Legislative Affairs
Sharon Sobol Jordan, Interim Director, Office of Equal Opportunity

DEPT. OF LAW – Cornell P. Carter, Director, Pinky Carr, Chief Counsel, Room 106
Lauren Moore, Chief City Prosecutor; Criminal Branch – Justice Center 8th Floor, Court Towers, 1200 Ontario Street
Karen E. Martinez, Law Librarian, Room 100

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

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

DEPT. OF PORT CONTROL – LaVonne Sheffield-McClain, Director,
Cleveland Hopkins International Airport, 5300 Riverside Drive;
Cleveland Hopkins International Airport – Mark D. Vanloh, Commissioner
Burke Lakefront Airport – _____, Commissioner

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

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

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

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

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

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

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

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

DEPT. OF AGING – Susan E. Axelrod, Director, Room 122

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

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

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

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

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

BOARD OF REVISION OF ASSESSMENTS – Law Director Cornell P. Carter,
President; Finance Director Martin L. Carmody, Jr., Secretary; Council President Michael D. Polensek.

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

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

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

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

MORAL CLAIMS COMMISSION – Law Director Cornell P. Carter; Chairman;
Finance Director Martin L. Carmody, Jr.; Council President Michael D. Polensek; Councilman Bill Patmon; Councilman Martin J. Sweeney.

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

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

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

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

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

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

The City Record



OFFICIAL PUBLICATION OF THE CITY OF CLEVELAND

Vol. 87

WEDNESDAY, APRIL 12, 2000

No. 4505

CITY COUNCIL

MONDAY, APRIL 10, 2000

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216 City Hall

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 1998-2001

MONDAY

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

MONDAY—Alternating

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

MONDAY

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

TUESDAY

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

TUESDAY—Alternating

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

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

WEDNESDAY—Alternating

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

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

WEDNESDAY—Alternating

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

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

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

OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio
Monday, April 10, 2000.

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

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

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

Absent: Directors Carter, Sheffield-McClain and Guzman.

Pursuant to Ordinance No. 2976-76 the Council Meeting was opened with a prayer offered by Reverend Brian Rice of Cleveland, England, Pledge of Allegiance.

MOTION

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

FROM DEPARTMENT OF LIQUOR CONTROL

File No. 540-2000.

Re: Stock Transfer Application - 9041659 - Trend Cross Enterprises, Inc., d.b.a. Capital Beverage St. Clair, 6104 St. Clair Avenue, first floor. (Ward 13). Received.

File No. 541-2000.

Re: Transfer of Ownership Application - 3602713 - Hari, Inc., d.b.a.

City News and Gifts, National City Building, 633 Euclid Avenue. (Ward 13). Received.

COMMUNICATION

File No. 542-2000.

March 31, 2000

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

Dear Council President Polensek:

I am pleased to recommend Reverend Ken Chalker for appointment to the Fair Campaign Finance Commission. This term will commence immediately upon the approval of Council and will expire on July 1, 2003.

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

Thank you for your consideration.

Sincerely,
MICHAEL R. WHITE
Mayor

Received. Referred to Committee on Mayor's Appointments.

CONDOLENCE RESOLUTIONS

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

Res. No. 543-2000—James D. Smith.

Res. No. 544-2000—Joseph E. Brown.

Res. No. 545-2000—Earl Laisure.

Res. No. 546-2000—Warren Riebe.

CONGRATULATION RESOLUTIONS

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

Res. No. 547-2000—East Tech Lady Scarabs Basketball Team.

Res. No. 548-2000—Sgt. Timothy Patton.

COMMEMORATION RESOLUTION

The rules were suspended and following Resolution was adopted without objection:

Res. No. 549-2000—Carl B. Stokes.

**FIRST READING EMERGENCY
ORDINANCES REFERRED**

Ord. No. 550-2000.

By Mayor White.

An emergency ordinance authorizing the Director of Port Control to enter into a concession agreement for the operation of an advertising concession at Cleveland Hopkins International Airport, for a period not to exceed ten 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, notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Director of Port Control is hereby authorized to enter into a concession agreement on the basis of competitive proposals, for the operation of an advertising concession at Cleveland Hopkins International Airport for a period not to exceed ten (10) years. The selection of said concessionaire shall be made by the Board of Control upon the nomination of the Director of Port Control. The agreement authorized herein shall be prepared by the Director of Law and shall contain such terms and conditions as said director deems necessary to protect and benefit the public interest.

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

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

Ord. No. 551-2000.

By Mayor White and Councilman Coats.

An emergency ordinance to amend Sections 631.06 and 631.99 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 87724, passed July 29, 1929 and Ordinance No. 1240-A-78, passed October 16, 1978, respectively, and to enact new Section 631.27 thereof relating to railroads.

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

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

Section 1. That Sections 631.06 and 631.99 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 87724, passed July 29, 1929 and Ordinance No. 1240-A-78, passed October 16, 1978, respectively, are hereby amended to read as follows:

Section 631.06 Unnecessary Obstruction of Streets

(a) No railroad company, conductor, engineer or other person in the employ of any railroad company shall permit any locomotive car or train of cars, to stand on any street, lane or alley of the City, for a

period of time **not to exceed five (5) minutes** when such street, lane or alley is at a railroad crossing used by vehicles or pedestrians, except that they may be permitted to stand on the northerly half of Front Street. No railroad company shall keep standing on any track or side-track, empty or loaded cars or engine, nearer than fifty feet from the nearest side line of streets so crossed by railroad company tracks. However, this requirement shall not interfere with the necessary stoppage when attached to an engine engaged in the actual work of switching cars and making up and dividing trains and the handling of freight therein, nor with such cars of engines when unloading or loading passengers, freight, fuel or water at any established place of business, fuel stand or water tank.

(b) No railroad company shall obstruct, or permit to be obstructed, a public street, road or highway or a private road used as the primary means of ingress and egress by a landowner or business enterprise by permitting a railroad car, locomotive, or other obstruction to remain upon or across it for a continuous period of more than twenty-five (25) minutes.

Section 631.99 Penalty

(a) Whoever violates Section 631.02 shall be fined two hundred and fifty dollars (\$250.00). The employee or agent of any corporation or company in charge of any locomotive or other device operated in violation of Section 631.02 shall be subject to a like fine.

(b) Whoever violates Section 631.03 or 631.04 shall be guilty of a misdemeanor and fined not less than five dollars (\$5.00) nor more than twenty-five dollars (\$25.00).

(c) **Whoever violates division (a) of Section 631.06 or Section 631.07 shall be fined not more than one hundred dollars (\$100.00).**

(d) Whoever violates division (b) of Section 631.06 shall be fined for a first offense five hundred dollars (\$500.00) plus an additional one hundred dollars (\$100.00) for each minute that the violation exceeds twenty five (25) minutes, except that the total amount of the fine for a second or subsequent offense shall not exceed twenty thousand (\$20,000.00). In addition to the fines specified above, whoever violates division (b) of Section 631.06 as a third or subsequent offense shall be sentenced to not less than ten (10) days nor more than thirty (30) days imprisonment, or both.

(e) Whoever violates Section 631.09 shall be fined not less than ten dollars (\$10.00) nor more than five hundred dollars (\$500.00).

(f) Any railroad company or any officer or employee of a railroad company violating any of the provisions of Sections 631.01 to 631.12, for which no specific penalty is provided, shall be fined not less than ten

dollars (\$10.00) nor more than fifty dollars (\$50.00).

(g) Any person, firm or corporation violating any of the provisions of Section 631.22 to 631.25 shall be guilty of a misdemeanor, and fined not more than three hundred dollars (\$300.00) for a first offense, and not more than five hundred dollars (\$500.00) for each subsequent offense.

(h) Whoever violates or fails to comply with Section 631.26 shall be fined not more than five dollars (\$5.00) for each offense, and one dollar (\$1.00) for each day the offense is continued.

(i) If any person is found guilty of a first offense for violation of Section 631.01 upon a finding that he operated a train within the City limits faster than 35 mph, such person shall be guilty of a misdemeanor of the fourth degree. On each subsequent offense within one year after the first offense, such person shall be guilty of a misdemeanor of the third degree.

(j) Whoever violates Section 631.27 shall be fined ten thousand dollars (\$10,000) for a first offense and shall be fined twenty thousand dollars (\$20,000) for a second or subsequent offense.

Section 2. That existing Sections 631.06 and 631.99 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 87724, passed July 29, 1929 and Ordinance No. 1240-A-78, passed October 16, 1978, respectively, are hereby repealed.

Section 3. That the Codified Ordinances of Cleveland, Ohio, 1976, are hereby supplemented by enacting new Section 631.27 to read as follows:

Section 631.27 Failure to Pay Fine

No railroad company shall fail to pay a fine imposed pursuant to a violation of division (b) of Section 631.06 within one hundred twenty (120) days of the date set by the court for the payment of the fine. Each additional day beyond the one hundred twentieth day of failure to pay a fine imposed under that section is a separate offense.

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

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

Ord. No. 552-2000.

By Councilman Dolan.

An emergency ordinance determining the method of making the public improvement of constructing and implementing new runway 5L/23R (Phase I) for the Department of Port Control; and authorizing the Director of Port Control to enter into various contracts for the making of such improvement.

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

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

Section 1. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of constructing and implementing the construction of a new runway known as 5L/23R (Phase I, consisting of 6,000 feet of usable runway and its necessary appurtenances and the following project components necessary to effectuate the construction and use of the Phase I runway improvement: Brookpark Road relocation; relocation of certain NASA-Glenn facilities; and relocation of CEI powerlines, for the Department of Port Control, Division of Cleveland Hopkins International Airport, by contract duly let to the lowest responsible bidders after competitive bidding for a gross price for the improvement, with exception of any roadwork, earthwork and utility work performed in connection with improvement, which shall be competitively bid on a unit price basis.

Section 2. That the Director is authorized to enter into contracts for the making of the improvements authorized in Section 1 hereof, by contracts duly let to the lowest responsible bidders, after competitive bidding for a gross price, provided, however, that each separate trade and each distinct component part of the improvement may be treated as a separate improvement, and each, of any combination, of such trades or components may be the subject of a separate contract for a gross price, with the exception of roadwork, earthwork and utility work performed in connection with the projects authorized in Section 1 hereof, which shall be competitively bid on a unit price basis. For gross price contracts, the contractor shall furnish a correct schedule of unit prices, including profit and overhead, for all items constituting units of the improvement.

Section 3. That the Director of Port Control is hereby authorized to make written standard purchase contracts and written requirements contract in accordance with the Charter and Codified Ordinances of Cleveland, Ohio, 1976, the period of such requirements not to exceed two years, for each and all of the necessary items of supplies, material, equipment and other items required to make the improvements authorized in Section 1 hereof, including the rental of such items, and labor and materials to install and maintain any and all of the foregoing items, to be purchased or procured by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Cleveland Hopkins International Airport, Department of Port Control. Bids shall be taken in such a manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine.

Section 4. That the Director of Port Control is hereby authorized to apply for and pay for such permits and licenses required by any regulatory entity or other public authority for making of the improvement authorized in Section 1 hereof.

Section 5. That, as a condition precedent to entering into any contracts or agreements contemplated to make the improvements authorized in Section 1 hereof, the Department of Port Control shall be in receipt of all necessary federal approvals, including the Record of Decision for the Environmental Impact Statement, and other such regulatory approvals as may be required.

Section 6. That the Director of Port Control shall file a copy of all contracts or agreements entered into by the City as authorized by this ordinance with the Clerk of Council within five (5) business days of execution by the City.

Section 7. That the cost of any expenditures authorized by this ordinance for any contract, including all public improvements, standard purchases, and requirement contracts shall not exceed a total amount of Three Hundred Fifty Four Million Six Hundred Nineteen Thousand Two Hundred Ninety-Nine Dollars (\$354,619,299.00) and shall be paid from Fund Nos. _____.

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

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

Ord. No. 553-2000.

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 1727-29, 1725 East 45th Street to Midtown Express Busline.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 104-28-023 and 104-28-024, as more fully described in Section 2 below, to Midtown Express Busline.

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

P. P. No. 104-28-023

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 19 in James Mason's Subdivision of part of Original Ten Acre Lots Nos. 98 and 99, as shown by the recorded plat in Volume 4 of Maps, Page 31 of Cuyahoga County Records and being 36 feet front on the Easterly side of Belden Street (now known as East 45th Street), and extending back of equal width 183 feet deep to the Westerly line of an alley 16 feet wide, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

P. P. No. 104-28-024

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 17 in James Mason's Subdivision of part of Original Ten Acre Lots Nos. 98 and 99, as shown by the recorded plat in Volume 4 of Maps, Page 31 of Cuyahoga County Records and being 35 feet front on the Easterly side of Belden Street (now known as East 45th Street), 183 feet 3 inches deep on the Northerly line, 183 feet deep on the Southerly line and 38 feet in the rear on the 16 foot alley, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

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

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

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

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

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

**FIRST READING
ORDINANCE REFERRED**

Ord. No. 554-2000.

By Councilmen Rybka, White and Cimperman.

An ordinance establishing the Broadway Corridor Business Revitalization District (BRD) (Map Change No. 2008 Sheet No. 5 & 6)

Whereas, the Board of Trustees of Slavic Village Development have submitted a written request dated February 3, 2000 to the Planning Commission to establish a Business Revitalization District in accordance with the procedures outlined in Chapter 303 of the Codified Ordinances of the City of Cleveland; and

Whereas, such request is accompanied by a map identifying the boundaries of the proposed district; and

Whereas, the City Planning Commission has determined that the proposed District meets the criteria for designation set forth in Section 303.04 of Chapter 303 of the Codified Ordinances of the City of Cleveland, Ohio 1976, therefore,

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

Section 1. That the following area, further defined and outlined on the map hereto attached, be and the same is hereby designated the Broadway Corridor Business Revitalization District (BRD).

Beginning at the intersection of the center line of Broadway, S.E. and the center line of Finn Avenue, S.E.; thence northeasterly along said center line of Finn Avenue, S.E. to its intersection with the center line of a fifteen (15) foot unnamed alley; thence southeasterly along said center line of said fifteen (15) foot unnamed alley and along its southeasterly extension to the center line of Wendell Avenue, S.E.; thence northeasterly along said center line of Wendell Avenue, S.E. to its intersection with the northwesterly extension of the southwesterly line of Sublot No. 24 in the Mrs. J. Smith Subdivision as recorded in Volume 9, Page 33 of the Cuyahoga County Map Records; thence southeasterly along said northwesterly extension and along said southwesterly line of said Sublot No. 24 to its intersection with the southeasterly line thereof; thence northeasterly along said southeasterly line of said Sublot No. 24 to its intersection with the northwesterly extension of the southwesterly line of Sublot No. 61 in the Abel Mead Subdivision as recorded in Volume 4, Page 41 of the Cuyahoga County Map Records; thence southeasterly along said northwesterly extension and along said southwesterly line of said Sublot No. 61 and along its southeasterly extension to the center line of Mead Avenue, S.E.; thence southwesterly along said center line of Mead Avenue, S.E. to its intersection with the northwesterly extension of a line located approximately one hundred fifty (150) feet northeast of the northeasterly line of Broadway, S.E.; thence southeasterly along said northwesterly extension and along said line which is parallel to and approximately one hundred fifty (150) feet northeast of said northeasterly line of Broadway, S.E. and along its southeasterly extension to the center line of Pershing Avenue, S.E.; thence northeasterly along said center line of Pershing Avenue, S.E. to its intersection with the northwesterly extension of the northeasterly line of Sublot No. 7 in the Hub-

bard Hollister Subdivision as recorded in Volume 4, Page 25 of the Cuyahoga County Map Records; thence southeasterly along said northwesterly extension and along said northeasterly line of said Sublot No. 7 to its intersection with the northwesterly line of Sublot No. 13 in the Edwin Fowler Allotment as recorded in Volume 11, Page 44 of the Cuyahoga County Map Records; thence northeasterly along said northwesterly line of said Sublot No. 13 to its intersection with the northeasterly line thereof; thence southeasterly along said northeasterly line of said Sublot No. 13 and along its southeasterly extension to the center line of Fowler Avenue, S.E.; thence northeasterly along said center line of Fowler Avenue, S.E. to the center line of Hector Street, S.E.; thence southeasterly along said center line of Hector Street, S.E. to the center line of McBride Avenue, S.E.; thence southwesterly along said center line of McBride Avenue, S.E. to the center line of St. Alexis Court, S.E.; thence southeasterly along said center line of St. Alexis Court, S.E. and along its southeasterly extension to its intersection with the northeasterly line of Sublot No. 122 in the Mary D. Morgan and Heirs of Caleb Morgan Re-Subdivision as recorded in Volume 16, Page 4 of the Cuyahoga County Map Records; thence southeasterly along said northeasterly line of said Sublot No. 122 to its intersection with the southeasterly line thereof; thence southwesterly along said southeasterly line of said Sublot No. 122 and along its southwesterly extension to the center line of Broadway, S.E.; thence northwesterly along said center line of Broadway, S.E. to its intersection with the northeasterly extension of a line located approximately fifty (50) feet northwest of the northwesterly line of Barkwell Avenue, S.E.; thence southwesterly along said northeasterly extension and along said line which is parallel to and approximately fifty (50) feet northwest of said northwesterly line of Barkwell Avenue, S.E. to its intersection with a line located approximately one hundred sixty five (165) feet southwest of the southwesterly line of Broadway, S.E.; thence northwesterly along said line which is parallel to and approximately one hundred sixty five (165) feet southwest of said northwesterly line of Broadway, S.E. to its intersection with a line located approximately one hundred (100) feet northwest of said northwesterly line of Barkwell Avenue, S.E.; thence southwesterly along said line which is parallel to and approximately one hundred (100) feet northwest of said northwesterly line of Barkwell Avenue, S.E. to its intersection with the northeasterly line of Permanent Parcel No. 123-31-85 (said northeasterly line of said Permanent Parcel No. 123-31-85 being located one hundred ten (110) feet northeast of the northeasterly line of Dolloff Road, S.E.); thence northwesterly along said northeasterly line of said Permanent Parcel No. 123-31-85 and continuing northwesterly along the northeasterly lines of Permanent Parcel Nos. 123-31-84, 123-31-83, 123-31-82, 123-31-81, and 123-31-80 to its intersection with the northwesterly line thereof; thence southwesterly along said northwesterly line of said Permanent Parcel No. 123-31-80 to its intersection with a line located approxi-

mately one hundred and five tenths (100.5) feet northeast of said northeasterly line of Dolloff Road, S.E.; thence northwesterly along said line which is parallel to and approximately one hundred and five tenths (100.5) feet northeast of said northeasterly line of Dolloff Road, S.E. to its intersection with a line located one hundred seventy (170) feet southwest of the southwesterly line of Broadway, S.E.; thence northwesterly along said line which is parallel to and one hundred seventy (170) feet southwest of said southwesterly line of Broadway, S.E. and along its northwesterly extension to the center line of McBride Avenue, S.E. and beyond to its intersection with the southeasterly line of Sublot No. 1 in the T.G. Clewell Non Recorded Subdivision; thence southwesterly along said southeasterly line of said Sublot No. 1 to its intersection with the southwesterly line thereof; thence northwesterly along said southwesterly line of said Sublot No. 1 and continuing northwesterly along the southwesterly lines of Sublot Nos. 2, 3, 4, 5, 6, 7 and 8 in said T.G. Clewell Non Recorded Subdivision to its intersection with the southeasterly line of Sublot No. 37 in the Phineas Dolloff Allotment as recorded in Volume 8, Page 35 of the Cuyahoga County Map Records; thence northeasterly along said southeasterly line of said Sublot No. 37 to its intersection with the northeasterly line thereof; thence northwesterly along said northeasterly line of said Sublot No. 37 and continuing northwesterly along the northeasterly lines of Sublot Nos. 36 and 35 in said Phineas Dolloff Allotment to its intersection with the northwesterly line thereof; thence southwesterly along said northwesterly line of said Sublot No. 35 to its intersection with a line located one hundred twenty (120) feet northeast of the northeasterly line of Dolloff Road, S.E.; thence northwesterly along said line which is parallel to and one hundred twenty (120) feet northeast of said northeasterly line of Dolloff Road, S.E. to its intersection with a line located approximately fifty (50) feet southeast of the southeasterly line of Pershing Avenue, S.E.; thence southwesterly along said line which is parallel to and approximately fifty (50) feet southeast of said southeasterly line of Pershing Avenue, S.E. and along its southwesterly extension to the center line of Dolloff Road, S.E.; thence northwesterly along said center line of Dolloff Road, S.E. to the center line of East 49 Street; thence northerly along said center line of East 49 Street to the center line of Jewett Avenue, S.E.; thence westerly along said center line of Jewett Avenue, S.E. to the center line of East 49 Place; thence northerly along said center line of East 49 Place to the center line of Czar Avenue, S.E.; thence southwesterly along said center line of Czar Avenue, S.E. to the center line of a continuation of East 49 Place; thence northwesterly along said center line of said continuation of East 49 Place to its intersection with the easterly extension of a line located one hundred forty (140) feet north of the northerly line of Czar Avenue, S.E.; thence westerly along said easterly extension and along said line which is parallel to and one hundred forty (140) feet north of said northerly line of Czar

Avenue, S.E.; thence westerly along said easterly extension and along said line which is parallel to and one hundred forty (140) feet north of said northerly line of Czar Avenue, S.E. and along its westerly extension to the center line of East 47 Street; thence northerly along said center line of East 47 Street to the center line of Finn Avenue, S.E.; thence northeasterly along said center line of Finn Avenue, S.E. to the center line of Broadway, S.E.; thence southeasterly along said center line of Broadway, S.E. to the place of beginning.

Section 2. That the designation of the area set forth in Section 1 hereof as the Broadway Corridor Business Revitalization District (BRD) and shall be noted on the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for such purpose by the City Planning Commission.

Section 3. That the following area, further defined and outlined in the map hereto attached, be and the same is hereby designated the Broadway Corridor Business Revitalization District (BRD).

Beginning at the intersection of the northwesterly extension of the northeasterly line of Permanent Parcel No. 125-26-80 and the center line of Cable Avenue, S.E.; thence southwesterly along said center line of Cable Avenue, S.E. to the center line of Broadway, S.E.; thence northwesterly along said center line of Broadway, S.E. to its intersection with the northeasterly extension of the southeasterly line of Permanent Parcel No. 131-22-76; thence southwesterly along said northeasterly extension and along said southeasterly line of said Permanent Parcel No. 131-22-76 and along its southwesterly extension to the center line of Escoba Court, S.E.; thence northwesterly and southwesterly along said center line of Escoba Court, S.E. to its intersection with the southeasterly extension of the southwesterly line of Permanent Parcel No. 131-22-78; thence northwesterly along said southeasterly extension and along said southwesterly line of said Permanent Parcel No. 131-22-78 and continuing northwesterly along the southwesterly lines of Permanent Parcel Nos. 131-22-77, 131-22-78, 131-22-79, 131-22-80, 131-22-81, 131-22-82, 131-22-83, 131-22-84, and 131-22-85 and along its northwesterly extension to the center line of Hamm Avenue, S.E.; thence southwesterly along said center line of Hamm Avenue, S.E. to the center line of Dolloff Road, S.E.; thence southeasterly along said center line of Dolloff Road, S.E. to the center line of Blanche Avenue, S.E.; thence southwesterly and westerly along said center line of Blanche Avenue, S.E. to the center line of East 55 Street to the center line of Morgana Avenue, S.E.; thence easterly along said center line of Morgana Avenue, S.E. to its intersection with the northerly extension of the easterly line of Permanent Parcel No. 131-36-7; thence southerly along said northerly extension and along said easterly line of said Permanent Parcel No. 131-36-7 to its intersection with the northerly line of Permanent Parcel No. 131-36-8; thence easterly along said northerly line of said Permanent Parcel No. 131-36-8 and continuing easterly and south-

easterly along the northerly and northeasterly lines of Permanent Parcel Nos. 131-36-9, 131-36-10, 131-36-11 to its intersection with the southwesterly line of Permanent Parcel No. 131-25-12; thence southeasterly and northeasterly along the southwesterly and southeasterly lines of said Permanent Parcel No. 131-25-12 and along its northeasterly extension to said center line of Morgana Avenue, S.E.; thence southeasterly along said center line of Morgana Avenue, S.E. crossing Ackley Avenue, S.E. and continuing southeast along said center line of Morgana Avenue, S.E. to its intersection with the northerly extension of the easterly line of Permanent Parcel No. 132-1-26; thence southerly along said northerly extension and along said easterly line of said Permanent Parcel No. 132-1-26 and along its southerly extension to the center line of Kenyon Avenue, S.E. and the northerly extension of a line located four hundred ninety (490) feet east of the easterly line of East 61 Street; thence southerly along said northerly extension and along said line which is parallel to and four hundred ninety (490) feet east of said easterly line of East 61 Street and along its southerly extension to the center line of Heisley Avenue, S.E.; thence continuing southerly to its intersection with a line located one hundred forty (140) feet south of the southerly line of Heisley Avenue, S.E.; thence westerly along said line which is parallel to and one hundred forty (140) feet south of said southerly line of Heisley Avenue, S.E. to its intersection with a line located one hundred forty (140) feet east of the easterly line of East 63 Street; thence southerly along said line which is parallel to and one hundred forty (140) feet east of said easterly line of East 63 Street to its intersection with a line located one hundred fifty (150) feet north of the northerly line of Fleet Avenue, S.E.; thence easterly along said line which is parallel to and one hundred fifty (150) feet north of said northerly line of Fleet Avenue, S.E. to its intersection with a line located one hundred sixty (160) feet east of said easterly line of East 63 Street; thence southerly along said line which is parallel to and one hundred sixty (160) feet east of said easterly line of East 63 Street and along its southerly extension to the center line of Fleet Avenue, S.E.; thence westerly along said center line of Fleet Avenue, S.E. to its intersection with the northerly extension of a line located one hundred twenty (120) feet west of the westerly line of East 65 Street; thence southerly along said northerly extension and along said line which is parallel to and one hundred twenty (120) feet west of said westerly line of East 65 Street to its intersection with a line located one hundred thirty five (135) feet north of the northerly line of Fullerton Avenue, S.E.; thence easterly along said line which is parallel to and one hundred thirty five (135) feet north of said northerly line of Fullerton Avenue, S.E. to its intersection with the easterly line of Permanent Parcel No. 132-13-19; thence southerly along said easterly line of said Permanent Parcel No. 132-13-19 to the center line of Fullerton Avenue, S.E.; thence westerly along said center line of Fullerton Avenue, S.E. to its intersection with the northerly extension of the east-

erly line of said Permanent Parcel No. 132-13-46; thence southerly along said northerly extension and along said easterly line of said Permanent Parcel No. 132-13-46 to its intersection with the southerly line thereof; thence westerly along said southerly line of said Permanent Parcel No. 132-13-46 to its intersection with the easterly line of Permanent Parcel No. 132-13-51; thence southerly along said easterly line of said Permanent Parcel No. 132-13-51 and along its southerly extension to the center line of Gertrude Avenue, S.E.; thence westerly along said center line of Gertrude Avenue, S.E. to its intersection with the northerly extension of the easterly line of Permanent Parcel No. 132-13-78; thence southerly along said northerly extension and along said easterly line of said Permanent Parcel No. 132-13-78 and continuing southerly along the easterly line of Permanent Parcel No. 132-13-82 and along its southerly extension to the center line of Hasmer Avenue, S.E.; thence westerly along said center line of Hasmer Avenue, S.E. to its intersection with the northerly extension of the easterly line of Permanent Parcel No. 132-13-109; thence southerly along said northerly extension and along said easterly line of said Permanent Parcel No. 132-13-109 and continuing southerly along the easterly line of Permanent Parcel No. 132-13-116 and along its southerly extension to the center line of Lansing Avenue, S.E.; thence westerly along said center line of Lansing Avenue, S.E. to the center line of East 64 Street; thence southerly along said center line of East 64 Street to its intersection with the westerly extension of a line located one hundred forty (140) feet south of the southerly line of Lansing Avenue, S.E.; thence easterly along said westerly extension and along said line which is parallel to and one hundred forty (140) feet south of said southerly line of Lansing Avenue, S.E. and along its easterly extension to the center line of East 66 Street; thence northerly along said center line of East 66 Street to the center line of Lansing Avenue, S.E.; thence westerly along said center line of Lansing Avenue, S.E. to its intersection with the southerly extension of the easterly line of Permanent Parcel No. 132-14-152; thence northerly along said southerly extension and along said easterly line of said Permanent Parcel No. 132-14-152 and continuing northerly along the westerly line of Permanent Parcel No. 132-14-117 and along its northerly extension to the center line of Hasmer Avenue, S.E.; thence easterly along said center line of Hasmer Avenue, S.E. to its intersection with the southerly extension of the easterly line of Permanent Parcel No. 132-14-113; thence northerly along said southerly extension and along said easterly line of said Permanent Parcel No. 132-14-113 and continuing northerly along the easterly line of Permanent Parcel No. 132-14-78 and along its northerly extension to the center line of Gertrude Avenue, S.E.; thence easterly along said center line of Gertrude Avenue, S.E. to its intersection with the southerly extension of the westerly line of Permanent Parcel No. 132-14-74; thence northerly along said southerly extension and along said westerly line of said Permanent Parcel No. 132-14-74 and continuing northerly along the westerly line of Permanent Parcel

No. 132-14-41 and along its northerly extension to the center line of Fullerton Avenue, S.E.; thence easterly along said center line of Fullerton Avenue, S.E. to its intersection with the southerly extension of the westerly line of Permanent Parcel No. 132-14-36; thence northerly along said southerly extension and along said westerly line of said Permanent Parcel No. 132-14-36 and continuing northerly along the westerly line of Permanent Parcel No. 132-14-3 and along its northerly extension to the center line of Fleet Avenue, S.E.; thence easterly along said center line of Fleet Avenue, S.E. to its intersection with the southerly extension of a line located eighty (80) feet east of the easterly line of East 65 Street and along its northerly prolongation to the center line of Forman Avenue, S.E.; thence easterly along said center line of Forman Avenue, S.E. to the center line of East 67 Street; thence northerly along said center line of East 67 Street to the center line of Baxter Avenue, S.E.; thence easterly along said center line of Baxter Avenue, S.E. to its intersection with the northwesterly extension of a line located one hundred fifty (150) feet southwest of the southwesterly line of Broadway, S.E.; thence southeasterly along said northwesterly extension and along said line which is parallel to and one hundred fifty (150) feet southwest of said southwesterly line of Broadway, S.E. and along said its southeasterly extension to the center line of Forman Avenue, S.E.; thence easterly along said center line of Forman Avenue, S.E. to the center line of East 69 Street; thence southerly along said center line of East 69 Street to the center line of Chambers Avenue, S.E.; thence easterly along said center line of Chambers Avenue, S.E. to the center line of East 71 Street; thence southerly along said center line of East 71 Street to the center line of Fleet Avenue, S.E.; thence northeasterly along said center line of Fleet Avenue, S.E. to the center line of Spafford Road, S.E.; thence southeasterly along said center line of Spafford Road, S.E. to the center line of Fullerton Road, S.E.; thence southwesterly along said center line of Fullerton Road, S.E. to the center line of Spafford Place, S.E.; thence southeasterly along said center line of Spafford Place, S.E. and along its southeasterly prolongation to its intersection with the southeasterly line of Permanent Parcel No. 133-17-25 (said southeasterly line of said Permanent Parcel No. 133-17-25 being located approximately one hundred sixty five (165) feet northwest of the northwesterly line of Worley Avenue, S.E.); thence southwesterly along said southeasterly line of said Permanent Parcel No. 133-17-25 and along its southwesterly extension to the center line of Spafford Road, S.E.; thence southeasterly along said center line of Spafford Road, S.E. to the center line of Worley Avenue, S.E.; thence northeasterly along said center line of Worley Avenue, S.E. to its intersection with the northeasterly extension of a line located ninety three (93) feet southwest of the southwesterly line of Broadway, S.E.; thence southeasterly along said line which is parallel to and ninety three (93) feet southwest of said southwesterly line of Broadway, S.E. to the center line of Homestead Avenue, S.E. and continuing southeasterly to its intersection with a

line located eighty five (85) feet southeast of the southeasterly line of Homestead Avenue, S.E.; thence southwesterly along said line which is parallel to and eighty five (85) feet southeast of said southeasterly line of Homestead Avenue, S.E. to its intersection with a line located one hundred sixty five (165) feet northeast of the northeasterly line of Spafford Road, S.E.; thence southeasterly along said line which is parallel to and one hundred sixty five (165) feet northeast of said northeasterly line of Spafford Road, S.E. to its intersection with the southeasterly line of Permanent Parcel No. 133-16-68; thence northeasterly along said southeasterly line of said Permanent Parcel No. 133-16-68 to its intersection with the northeasterly line of Permanent Parcel No. 133-15-41; thence southeasterly along said northeasterly line of said Permanent Parcel No. 133-15-41 and along its southeasterly extension to the center line of Jones Road, S.E.; thence northeasterly along said center line of Jones Road, S.E. to its intersection with the northwesterly extension of a line located one hundred (100) feet southwest of the southwesterly line of Broadway, S.E.; thence southeasterly along said line which is parallel to and one hundred (100) feet southwest of said southwesterly line of Broadway, S.E. to its intersection with the southeasterly line of Permanent Parcel No. 133-15-10; thence southwesterly along said southeasterly line of said Permanent Parcel No. 133-15-10 to its intersection with the easterly line thereof; thence southerly along said easterly line of said Permanent Parcel No. 133-15-10 to its intersection with the easterly line of Permanent Parcel No. 133-14-10; thence southerly along said easterly line of said Permanent Parcel No. 133-14-10 to its intersection with the northwesterly prolongation of the northeasterly line of Permanent Parcel No. 133-14-12; thence southeasterly along said northwesterly prolongation and along said northeasterly line of said Permanent Parcel No. 133-14-12 and along its southeasterly prolongation to the center line of Harvard Avenue, S.E.; thence easterly along said center line of Harvard Avenue, S.E. to the center line of East 81 Street; thence southerly along said center line of East 81 Street to its intersection with the westerly extension of a line located one hundred seventy five (175) feet south of the southerly line of Harvard Avenue, S.E.; thence easterly along said westerly extension and along said line which is parallel to and one hundred seventy five (175) feet south of said southerly line of Harvard Avenue, S.E. and along its easterly extension to the center line of East 82 Street; thence southerly along said center line of East 82 Street to its intersection with the westerly extension of the southerly line of Permanent Parcel No. 134-6-17; thence easterly along said westerly extension and along said southerly line of said Permanent Parcel No. 134-6-17 and along its easterly prolongation to its intersection with the southwesterly Right of Way line of the C & P Railroad line; thence southeasterly along said southwesterly Right of Way line of said C & P Railroad and continuing southerly along the westerly Right of Way line of said C & P Railroad and easterly along the southerly Right of Way line and

southerly along a westerly Right of Way line of said C & P Railroad and easterly along a southerly Right of Way line of said C & P Railroad to the center line of Turney Road, S.E.; thence southerly along said center line of Turney Road, S.E. to its intersection with the center line of Warner Road, S.E.; thence northeasterly along said center line of Warner Road, S.E. to its intersection with the northwesterly extension of the southwesterly Right of Way line of the C & P Railroad; thence southeasterly along said northwesterly extension and along said southwesterly Right of Way line of said C & P Railroad to its intersection with the southwesterly prolongation of the northwesterly line of Permanent Parcel No. 134-9-7; thence northeasterly along said southwesterly prolongation and along said northwesterly line of said Permanent Parcel No. 134-9-7 to its intersection with the northeasterly line thereof; thence southeasterly along said northeasterly line of said Permanent Parcel No. 134-9-7 to its intersection with the westerly line of Permanent Parcel No. 134-9-12; thence northerly along said westerly line of said Permanent Parcel No. 134-9-12 and along its northerly extension to the center line of Miles Avenue, S.E.; thence westerly along said center line of Miles Avenue, S.E. to its intersection with the southerly extension of the easterly line of Permanent Parcel No. 134-8-31; thence northerly along said southerly extension and along said easterly line of said Permanent Parcel No. 134-8-31 to its intersection with the northerly line thereof; thence westerly along said northerly line of said Permanent Parcel No. 134-8-31 and continuing westerly along the northerly line of Permanent Parcel No. 134-8-30 to its intersection with the westerly line of Permanent Parcel No. 134-8-19; thence northerly along said westerly line of said Permanent Parcel No. 134-8-19 to its intersection with the northwesterly line of Permanent Parcel No. 134-8-27; thence southwesterly along said northwesterly line of said Permanent Parcel No. 134-8-27 to its intersection with the easterly line of Permanent Parcel No. 134-8-22; thence northerly along said easterly line of said Permanent Parcel No. 134-8-22 and along its northerly extension to the center line of Miles Park Avenue, S.E.; thence southwesterly along said center line of Miles Park Avenue, S.E. to its intersection with the southeasterly extension of the southwesterly line of Permanent Parcel No. 134-6-43; thence northwesterly along said southeasterly extension and along said southwesterly line of said Permanent Parcel No. 134-6-43 to its intersection with the southeasterly line of Permanent Parcel No. 134-6-36; thence northeasterly along said southeasterly line of said Permanent Parcel No. 134-6-36 to its intersection with the northeasterly line thereof; thence northwesterly along said northeasterly line of said Permanent Parcel No. 134-6-36 to its intersection with the northwesterly line thereof; thence southwesterly along said northwesterly line of said Permanent Parcel No. 134-6-36 to its intersection with the southwesterly line of Permanent Parcel No. 134-6-72; thence northwesterly along said southwesterly line of said Permanent Parcel No. 134-6-72 and along its northwesterly extension to the center line of Walker

Avenue, S.E.; thence northeasterly along said center line of Walker Avenue, S.E. to its intersection with the southeasterly extension of the northeasterly line of Permanent Parcel No. 134-6-63; thence northwesterly along said southeasterly extension and along said northeasterly line of said Permanent Parcel No. 134-6-63 and along its northwesterly prolongation to the center line of Whitehead Avenue, S.E.; thence northerly along said center line of Whitehead Avenue, S.E. to the center line of Harvard Avenue, S.E.; thence westerly along said center line of Harvard Avenue, S.E. to the center line of East 86 Street; thence northwesterly along said center line of East 86 Street to its intersection with the easterly prolongation of the northerly line of Permanent Parcel No. 133-27-8; thence westerly along said easterly prolongation and along said northerly line of said Permanent Parcel No. 133-27-8 and along its westerly extension to the easterly line of Permanent Parcel No. 133-27-35; thence northerly along said easterly line of said Permanent Parcel No. 133-27-35 to its intersection with the northeasterly line thereof; thence northwesterly along said northeasterly line of said Permanent Parcel No. 133-27-35 and continuing northwesterly along the northeasterly line of Permanent Parcel Nos. 133-27-34, 133-27-1 and 133-27-2 and along its northwesterly extension to the center line of Jones Road, S.E.; thence southwesterly along said center line of Jones Road, S.E. to its intersection with the southeasterly extension of the southwesterly line of Permanent Parcel No. 133-13-2; thence northwesterly along said southeasterly extension and along said southwesterly line of said Permanent Parcel No. 133-13-2 and along its northwesterly extension to the center line of Wire Avenue, S.E.; thence southwesterly along said center line of Wire Avenue, S.E. to its intersection with the southwesterly extension of the northeasterly line of Permanent Parcel No. 133-12-17; thence northwesterly along said southwesterly extension and along said northeasterly line of said Permanent Parcel No. 133-12-17 to its intersection with a line located one hundred ninety eight (198) feet south of the southerly line of Burke Avenue, S.E.; thence westerly along said line which is parallel to and one hundred ninety eight (198) feet south of said southerly line of Burke Avenue, S.E. and along its westerly extension to the center line of East 78 Street; thence northeasterly along said center line of East 78 Street to its intersection with the southeasterly extension of the northeasterly line of Permanent Parcel No. 133-10-24; thence northwesterly along said southeasterly extension and along said northeasterly line of said Permanent Parcel No. 133-10-24 and southwesterly along the northwesterly line of said Permanent Parcel No. 133-10-24 to its intersection with the northeasterly line of Permanent Parcel No. 133-10-16; thence northwesterly along said northeasterly line of said Permanent Parcel No. 133-10-16 and continuing northwesterly along the northeasterly lines of Permanent Parcel Nos. 133-10-15, 133-10-14, 133-10-13, 133-10-12, 133-10-11, 133-10-10, and along its northwesterly extension to its intersection with the northeasterly line of Permanent Parcel No. 133-10-9; thence continu-

ing northwesterly along the northeasterly lines of Permanent Parcel Nos. 133-10-9, 133-10-48, 133-10-5 and 133-10-4 to its intersection with the easterly line of Permanent Parcel No. 133-10-46; thence northerly along said easterly line of said Permanent Parcel No. 133-10-46; and along its northerly extension to the center line of Marble Avenue, S.E.; thence easterly along said center line of Marble Avenue, S.E. to the center line of East 77 Street; thence northerly along said center line of East 77 Street to the center line of Osage Avenue, S.E.; thence westerly and southwesterly along said center line of Osage Avenue, S.E. to its intersection with the southeasterly extension of a line located one hundred ninety (190) feet northeast of the northeasterly line of Broadway, S.E.; thence northwesterly along said southeasterly extension and along said line which is parallel to and one hundred ninety (190) feet northeast of said northeasterly line of Broadway, S.E. and along its northwesterly extension to the center line of Fleet Avenue, S.E.; thence northeasterly and northerly along said center line of Fleet Avenue, S.E. to the center line of Aetna Road, S.E.; thence northwesterly along said center line of Aetna Road, S.E. to the center line of East 71 Street; thence northeasterly and northerly along said center line of East 71 Street; to the center line of Union Avenue, S.E.; thence westerly along said center line of Union Avenue, S.E. to its intersection with the southerly extension of a line located approximately two hundred ninety five (295) feet east of the easterly line of East 70 Street; thence northerly along said southerly extension and along said line which is parallel to and approximately two hundred ninety five (295) feet east of said easterly line of East 70 Street to its intersection with a line located one hundred thirty five (135) feet north of the northerly line of Union Avenue, S.E.; thence westerly along said line which is parallel to and one hundred thirty five (135) feet north of said northerly line of Union Avenue, S.E. to its intersection with a line located one hundred twenty five (125) feet east of said easterly line of East 70 Street; thence southerly along said line which is parallel to and one hundred twenty five (125) feet east of said easterly line of East 70 Street to its intersection with a line located one hundred twenty (120) feet south of the southerly line of Ivy Avenue, S.E.; thence westerly along said line which is parallel to and one hundred twenty (120) feet south of said southerly line of Ivy Avenue, S.E. and along its westerly extension to the center line of East 70 Street; thence northerly along said center line of East 70 Street to its intersection with the easterly extension of the northerly line of Permanent Parcel No. 125-33-72; thence westerly along said easterly extension and along said northerly line of said Permanent Parcel No. 125-33-72 and continuing westerly along the northerly line of Permanent Parcel No. 125-33-35 and along its westerly extension to the center line of East 69 Street; thence southerly along said center line of East 69 Street to its intersection with the easterly extension of a line located one hundred thirty (130) feet south of the southerly line of Consul Avenue,

S.E.; thence westerly along said easterly extension and along said line which is parallel to and one hundred thirty (130) feet south of said southerly line of Consul Avenue, S.E. to its intersection with a line located approximately one hundred eighteen and thirty six hundredths (118.36) feet west of the westerly line of East 69 Street; thence northerly along said line which is parallel to and approximately one hundred eighteen and thirty six hundredths (118.36) feet west of said westerly line of East 69 Street and along its northerly extension to the center line of Consul Avenue, S.E.; thence westerly along said center line of Consul Avenue, S.E. to its intersection with the northerly extension of a line located one hundred sixty (160) feet east of the easterly line of East 66 Street; thence southerly along said northerly extension and along said line which is parallel to and one hundred sixty (160) feet east of said easterly line of East 66 Street to its intersection with a line located one hundred thirty (130) feet south of said southerly line of Consul Avenue, S.E.; thence westerly along said line which is parallel to and one hundred thirty (130) feet south of said southerly line of Consul Avenue, S.E. and along its westerly extension to the center line of East 66 Street; thence northerly along said center line of East 66 Street to its intersection with the easterly extension of the center line of a ten (10) foot unnamed alley; thence westerly along said easterly extension and along said center line of said (10) foot unnamed alley and along its westerly extension to the center line of East 65 Street; thence southerly along said center line of East 65 Street to its intersection with the easterly extension of the center line of Hinde Court, S.E.; thence westerly along said easterly extension and westerly and northwesterly along said center line of Hinde Court, S.E. and along its northwesterly extension to the center line of Hinde Avenue, S.E.; thence northeasterly along said center line of Hinde Avenue, S.E. to its intersection with the southeasterly extension of the southwesterly line of Permanent Parcel No. 125-28-95; thence northwesterly along said southeasterly extension and along said southwesterly line of said Permanent Parcel No. 125-28-95 to its intersection with the southeasterly line of Permanent Parcel No. 125-28-93; thence southwesterly along said southeasterly line of said Permanent Parcel No. 125-28-93 to its intersection with the southwesterly line thereof; thence northwesterly along said southwesterly line of said Permanent Parcel No. 125-28-93 and along its northwesterly extension to the center line of Morton Avenue, S.E.; thence northwesterly along the southeasterly extension of the southwesterly line of Permanent Parcel No. 125-28-65 and along said southwesterly line of said Permanent Parcel No. 125-28-65 to its intersection with the northwesterly line thereof; thence northeasterly along said northwesterly line of said Permanent Parcel No. 125-28-65 to its intersection with the southwesterly line of Permanent Parcel No. 125-28-63; thence northwesterly along said southwesterly line of said Permanent Parcel No. 125-28-63 and along its northwesterly extension to the center line of Hillman Avenue, S.E.;

thence southwesterly along said center line of Hillman Avenue, S.E. to its intersection with the southeasterly extension of the northeasterly line of Permanent Parcel No. 125-26-21; thence northwesterly along said southeasterly extension and along said northeasterly line of said Permanent Parcel No. 125-26-21 and continuing northwesterly along the northeasterly lines of Permanent Parcel Nos. 125-26-20 and 125-26-19 to its intersection with the southeasterly line of Permanent Parcel No. 125-26-18; thence northeasterly along said southeasterly line of said Permanent Parcel No. 125-26-18 to its intersection with the northeasterly line thereof; thence northwesterly along said northeasterly line of said Permanent Parcel No. 125-26-18 and continuing northwesterly along the northeasterly line of Permanent Parcel No. 125-26-17 and along its northwesterly extension to the center line of Engle Avenue, S.E.; thence northeasterly along said center line of Engle Avenue, S.E. to its intersection with the southeasterly extension of the northeasterly line of Permanent Parcel No. 125-26-61; thence northwesterly along said southeasterly extension and along said northeasterly line of said Permanent Parcel No. 125-26-61 to its intersection with the northwesterly line thereof; thence southwesterly along said northwesterly line of said Permanent Parcel No. 125-26-61 and continuing southwesterly along the northwesterly lines of Permanent Parcel Nos. 125-26-60 and 125-26-59 to its intersection with said northeasterly line of Permanent Parcel No. 125-26-80 and along said northwesterly line to the place of beginning.

Section 4. That the designation of the area set forth in Section 1 hereof as the Broadway Corridor Business Revitalization District shall be noted on the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for such purpose by the City Planning Commission.

Section 5. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

FIRST READING EMERGENCY ORDINANCES READ IN FULL AND PASSED

Ord. No. 555-2000.

By Councilman Polensek.

An emergency ordinance authorizing the Clerk of Council to enter into various agreements for the improvement, renovation or modification of the offices of Cleveland City Council.

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

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

Section 1. That the Clerk of Council is hereby authorized to employ by contract or contracts one or more engineers; architects; telecommunications; security and other consultants in order to provide professional services necessary for the improvement, renovation or modification to the offices of Cleveland City Council. The selection of said consultant or consultants for such services shall be made by the Clerk of Council from a list of qualified consultants available for such

employment as may be determined after a full and complete canvass for the purpose of compiling such a list. The compensation to be paid for such services shall be fixed by the President of Council.

Section 2. That the Clerk of Council is hereby authorized to enter into an agreement with SecurityLink from Ameritech to provide for the design, installation and maintenance of access control and other security measures for the offices of Cleveland City Council.

Section 3. That the cost of any expenditures authorized by this ordinance shall be paid from Fund No. 01 SF 001.

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

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

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

Ord. No. 556-2000.

By Councilman Cimperman.

An emergency ordinance consenting and approving the issuance of a permit for a Walk for Youth, on Saturday, June 3, 2000, sponsored by the Neighborhood Centers Association.

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

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

Section 1. That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of a the Walk for Youth, sponsored by the Neighborhood Centers Association, on Saturday, June 3, 2000, beginning at the CSU Convocation Center, East 18th and Prospect Avenue, proceed up Prospect Avenue to Huron Road, veer to the left on Huron Road and take Huron to W. 9th Street, turn right on W. 9th Street and then right onto St. Clair Avenue, take St. Clair Avenue to W. 6th Street and turn right, take W. 6th St. to Lakeside Avenue and turn right, take Lakeside Avenue to E. 6th Street, and turn right, take E. 6th Street to Rockwell and turn right, then Rockwell to Ontario and turn left, then a left onto Euclid Avenue, take Euclid Avenue to E. 18th Street, turn right on E. 18th Street and conclude at E. 18th Street and Prospect Avenue — The convocation Center, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

Section 2. That this ordinance is hereby declared to be an emergency

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

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

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

Ord. No. 557-2000.

By Councilman Cimperman.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to CVS-Cleveland Marathon to stretch two banners one at 1737 Euclid Avenue & at Euclid Ave. & E. 22nd St. using utility poles (by separate permission) for the period of April 27, 2000 to May 1, 2000, inclusive for the CVS Marathon and 10K Races Start and Finish lines.

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

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

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio 1976, the Director of Public Service is hereby authorized and directed to issue a permit to the CVS-Cleveland Marathon, 29525 Chagrin Blvd. #316, Pepper Pike, Ohio 44122, to install, maintain and remove two banners to be stretched on Cleveland Public Power utility poles, (by separate permission) for the Start and Finish Marker Banners for the CVS-Cleveland Marathon and 10K Races, for the period of April 27, 2000 to May 1, 2000 inclusive, on the following address and pole numbers: 1737 Euclid Avenue, No Pole Number and NE 1056 (for Start Banner of Races); and Euclid and East 22nd Street, Alternate Pole Numbers B65-21 and BO-21-13, pole west of East 22nd Street, (for Finish Line of Races) and which banner shall be approved by the Director of Public Service in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner, and said banner shall be removed promptly upon the expiration of said permit.

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

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

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

Ord. No. 558-2000.**By Councilman O'Malley.**

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to Our Lady of Good Counsel to stretch banners at 4427 Pearl Road, for the period from May 23, 2000 to June 26, 2000, inclusive, publicizing the Church Festival.

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

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

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances, of Cleveland, Ohio, 1976, the Director of the Department of Public Service is hereby authorized and directed to issue a permit to Our Lady of Good Counsel to install, maintain and remove banners at 4427 Pearl Road publicizing the Church Festival, for the period from May 23, 2000 to June 26, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

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

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

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

Ord. No. 559-2000.**By Councilman Patmon.**

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to Cory United Methodist Church to stretch two banners at East 105th Street and Drexel Avenue using utility poles (by separate permission) for the period of April 25, 2000 to May 25, 2000, inclusive publicizing the Welcoming of the General Conference 2000.

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

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

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of the Department of Public Service is hereby authorized and directed to issue a permit to Cory United Methodist Church, 1117 East 105th Street, Cleveland, Ohio 44108, to install, maintain and remove two banners to be stretched on Cleve-

land Public Power utility poles, (by separate permission) for the Welcoming of the General Conference 2000, for the period of April 25, 2000 to May 25, 2000 inclusive, on the following address and pole numbers: East 105th Street — 2nd Pole South of Drexel (E), NE2-30-13; and 1st Pole South of Drexel (E), NE2-30-14 and which banners shall be approved by the Director of Public Service in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner, and said banner shall be removed promptly upon the expiration of said permit.

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

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

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

Ord. No. 560-2000.**By Councilman Sweeney.**

An emergency ordinance authorizing the Director of Community Development to enter an agreement with Bellaire-Puritas Development Corporation for a 50/50 Home Repair Program designed to fill the gap between a variety of agency and City programs for small home repairs through the use of Ward 20 Neighborhood Equity Funds.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with Bellaire-Puritas Development Corporation for a 50/50 Home Repair Program designed to fill the gap between a variety of agency and City programs for small home repairs through the use of Ward 20 Neighborhood Equity Funds.

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

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

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

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

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

FIRST READING EMERGENCY RESOLUTIONS READ IN FULL AND ADOPTED

Res. No. 561-2000.**By Councilman Polensek.**

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

Whereas, this Council objected to the transfer of location of a D1 and D2 Liquor Permit to 568 East 185 Street by Res. No. 195-2000 adopted by Council on February 7, 2000; and

Whereas, this Council wishes to withdraw its objection to the above transfer of location and consents to said transfer of location based upon and pursuant to a cooperation agreement signed March 22, 2000, a copy of which is in the file for this address with the City Law Department; and

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

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

Section 1. That objection to the transfer of location of a D1 and C2 Liquor Permit to 568 East 185th Street, be and the same is hereby withdrawn and Res. No. 195-2000, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate transfer of location thereof.

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

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

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

Res. No. 562-2000.**By Councilman Polensek.**

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

Whereas, this Council objected to the transfer of ownership of a D5 Liquor Permit to 768 East 200 Street, 1st Fl. & Bsmt. by Res. No. 1869-99, adopted by Council on October 18, 1999; and

Whereas, this Council wishes to withdraw its objection to the above transfer of ownership and consents to said transfer of ownership based upon and pursuant to a cooperation agreement signed March 22nd, 2000, a copy of which is in the file for this address with the City Law Department; and

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

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

Section 1. That objection to the transfer of ownership of a D5 Liquor Permit to 768 East 200th Street, 1st Fl. & Bsmt., be and the same is hereby withdrawn and Res. No. 1869-99, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate transfer of ownership thereof.

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

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

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

Res. No. 563-2000.

By Councilman Cintron.

An emergency resolution supporting Catholic Charities Facilities Corporation in its effort to develop a housing complex for the elderly on West 33rd Street.

Whereas, the Council of the City of Cleveland has recognized the need for affordable housing in our neighborhoods; and

Whereas, a special need has been identified for affordable housing designed specifically for the elderly; and

Whereas, the Catholic Charities Facilities Corporation has developed a comprehensive plan to identify those areas that would be appropriate for housing developments for the elderly; and

Whereas, the Catholic Charities Facilities Corporation has proposed a 44 unit apartment development located on West 33rd Street between St. Rocco Court and Roehl Avenue; and

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

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

Section 1. That the Council of the City of Cleveland is supportive of the efforts of Catholic Charities Facilities Corporation to develop a 44 unit apartment complex on West 33rd Street between St. Rocco Court and Roehl Avenue to provide affordable housing for our senior citizens and that this Council applauds the efforts of Catholic Charities Facilities Corporation to provide housing for the elderly in our neighborhoods.

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

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

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

Res. No. 564-2000.

By Councilman Patmon.

An emergency resolution objection to the transfer of ownership of a C2 and C2X Liquor Permit to 7300 St. Clair Avenue.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a C2 and C2X Liquor Permit from Permit No. 27394500070, First National Supermarkets Inc., DBA Tops, 7300 St. Clair Avenue, Cleveland, Ohio 44103, to Permit No. 89958620035, Tops Inc., DBA Tops, 7300 St. Clair Avenue, Cleveland, Ohio 44103; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a C2 and C2X Liquor Permit from Permit No. 27394500070, First National Supermarkets Inc., DBA Tops, 7300 St. Clair Avenue, Cleveland, Ohio 44103, to Permit No. 89958620035, Tops Inc., DBA Tops, 7300 St. Clair Avenue, Cleveland, Ohio 44103 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

Section 3. That this resolution is hereby declared to be an emergency

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

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

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

Res. No. 565-2000.

By Councilman Sweeney.

An emergency resolution supporting Catholic Charities Facilities Corporation in its effort to develop a housing complex for the elderly on Bennington Avenue.

Whereas, the Council of the City of Cleveland has recognized the need for affordable housing in our neighborhoods; and

Whereas, a special need has been identified for affordable housing designed specifically for the elderly; and

Whereas, the Catholic Charities Facilities Corporation has developed a comprehensive plan to identify those areas that would be appropriate for housing developments for the elderly; and

Whereas, the Catholic Charities Facilities Corporation has proposed a 44 unit apartment development located on Bennington Avenue between West 130th and West 127th Streets; and

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

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

Section 1. That the Council of the City of Cleveland is supportive of the efforts of Catholic Charities Facilities Corporation to develop a 44 unit apartment complex on Bennington Avenue between West 130th and West 127th Streets to provide affordable housing for our senior citizens and that this Council applauds the efforts of Catholic Charities Facilities Corporation to provide housing for the elderly in our neighborhoods.

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

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

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

Res. No. 566-2000.

By Councilman Westbrook.

An emergency resolution withdrawing objection to the renewal of a D1, D2, D3, D3A and D6 Liquor Permit to 11213-15 Detroit Avenue, 1st Fl., Bsmt. & Patio, and repealing Res. No. 1479-99 objecting to said renewal.

Whereas, this Council objected to the renewal of a D1, D2, D3, D3A and D6 Liquor Permit to 11213-15

Detroit Avenue, 1st Fl., Bsmt. & Patio, by Res. No. 1479-99 adopted by Council August 11, 1999; and

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

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

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

Section 1. That objection to the renewal of a D1, D2, D3, D3A and D6 Liquor Permit to 11213-15 Detroit Avenue, 1st Fl., Bsmt. & Patio, be and the same is hereby withdrawn and Res. No. 1479-99, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

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

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

SECOND READING EMERGENCY ORDINANCES

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

By Mayor White.

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

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

1. In Section 1, in Section 621.03, strike division (d) in its entirety, and insert in lieu thereof the following:

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

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

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

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

(4) a volunteer working on school property, whether public or private, or at a City-owned recreation center; and the court further determines that the victim was performing his or her official duties at the time of the offense, the court shall set the offender's fine at \$1,000.00 and in addition to said fine shall sentence the offender to not less than sixty (60) days' and not more than six (6) months' imprisonment. The minimum fine and imprisonment to be imposed by the court pursuant to this division (d) are mandatory. The court shall not suspend all or any portion of said fines and imprisonment."

2. Insert new Section 2 to read as follows:

"Section 2. That the Council shall receive quarterly reports from the Department of Public Safety, Division of Police, pertaining to the number of arrests and convictions under this ordinance. The reports shall specify the individual number of offenses against members of the City's Auxiliary Police Force, school crossing guards or their alternates and volunteers working on school property or at a cityowned recreation center."

3. Renumber existing Sections 2 and 3, respectively, to read **"Section 3"** and **"Section 4"**.

Amendments agreed to.

Ord. No. 255-2000.

By Councilman Patmon (by departmental request).

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

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

Ord. No. 271-2000.

By Councilmen Cintron and Patmon (by departmental request).

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

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

1. In the title, strike line 9 in its entirety and insert in lieu thereof the following: **"one year with a one-year option to renew."**

2. In Section 1, line 4, strike "two years" and insert in lieu thereof **"one year, with a one-year renewal option"**; in line 13, strike "two years" and insert in lieu thereof **"one year"**.

3. Insert new Section 2 to read as follows:

"Section 2. That the one year renewal option authorized herein may be exercised only if doing so would result in substantial savings to the City and such savings are reported to the Public Service Committee of City Council."

4. Renumber existing Section 2 and 3, respectively, to new **"Section 3"** and **"Section 4"**.

Amendments agreed to.

SECOND READING EMERGENCY RESOLUTION

Res. No. 1333-98.

By Councilman Coats.

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

Approved by Director of Law; Recommended by Committee on Public Safety; when amended as follows:

1. In Section 1, line 1 and in Section 2, line 2, strike "George Voinovich" and insert in lieu thereof **"Robert Taft"**.

2. In Section 2, line 3, at the end, strike the period and insert in lieu thereof the following: **"," and the Minority Leader of the Ohio Senate and House of Representatives."**

Amendments agreed to.

SECOND READING EMERGENCY ORDINANCES PASSED

Ord. No. 410-2000.

By Mayor White.

An emergency ordinance authorizing the Director of Public Safety and Public Service to cause payment of the City's share to the State of Ohio for the cost of the Lee Lorain Buckeye neighborhoods signalization project.

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

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

Ord. No. 518-2000.

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

An emergency ordinance to amend Section 1 of Ordinance No. 175-99, passed March 15, 1999 relating to the acquisition of property located on East 152nd Street, for the purpose of widening the public right-of-way.

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

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

THIRD READING EMERGENCY ORDINANCES PASSED

Ord. No. 1960-99.

By Councilmen Cintron and Patmon (by departmental request).

An emergency ordinance to amend Section 7 of Ordinance No. 1642-97, passed November 24, 1997, relating to the public improvement of rehabilitating Carter Road, Columbus Road, Center Street, West 3rd Street, Willow Avenue and Eagle Avenue lift bridges, and professional services relative thereto.

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 2120-99.

By Councilmen Rybka and Patmon (by departmental request).

An emergency ordinance authorizing the Directors of Parks, Recreation and Properties and Finance to enter into contract with the Cleveland Board of Education to conduct recreational, cultural and extracurricular programs for the benefit of school children during the 1999-2000 school year.

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 105-2000.

By Councilmen Rybka and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to solicit written proposals for the rental of golf carts for the Highland and Seneca golf courses, for the Department of Parks, Recreation and Properties.

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 136-2000.

By Councilmen Rybka and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter into an agreement with the Ohio

Department of Transportation in order to control vegetative growth along portions of I-90 from the East 185th Street interchange to the East 22nd Street interchange by mowing.
Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 165-2000.

By Councilmen Gordon and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Cuyahoga County Board of Health for the 2000 Cuyahoga County Health Promotion Project.

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 168-2000.

By Councilmen Rybka and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter into contract with City Year to perform community service work and to collaborate with various non-profit agencies.

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 169-2000.

By Councilmen Rybka and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter into contract with the Cleveland Municipal Football Association to conduct a City-wide football program.

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 170-2000.

By Councilmen Rybka and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter into a contract with the National Junior Tennis League of Cleveland to provide a summer tennis program.

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 171-2000.

By Councilmen Rybka and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of various pool chemicals, for the Division of Recreation, Department of Parks, Recreation and Properties.

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 173-2000.

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

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter into a fifteenth amendment to Lease Agreement No. 35620 to extend the term of the existing Lease Agreement for the rental of Broadway YMCA facilities at 11300 Miles Avenue; and to allow the City to utilize the Broadway YMCA gymnasium for a youth basketball program.

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 174-2000.

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

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter into contract with Salvation Army, for

administrating and facilitating recreational services in Ward 11, for the Department of Parks, Recreation and Properties.

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 211-2000.

By Councilmen Rybka and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to apply for and accept a grant from the Ohio Department of Education for the 2000 Summer Food Program; authorizing the purchase by requirement contract of breakfasts, lunches and snacks for said Program and for food, food products, beverages, condiments and paper products needed for a food service operation to be served at Camp George L. Forbes as part of said Program, and for the Division of Recreation, Department of Parks, Recreation and Properties; and authorizing said Director to contract with various non-profit organizations for the implementation of said Program.

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 212-2000.

By Councilmen Rybka and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter into contract with Boston Mills Ski Resort to provide youth ski lessons for the 2001 ski season, for the Division of Recreation, Department of Parks, Recreation and Properties.

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 252-2000.

By Councilman Patmon (by departmental request).

An emergency ordinance authorizing the Director of Finance to enter into a requirement contract without competitive bidding with East Ohio Gas Company for the purchase of natural gas transportation services, and authorizing the purchase by requirement contract of natural gas, for the various divisions of City government.

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 372-2000.

By Councilmen Melena and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Community Development to apply and accept a grant from the State of Ohio Department of Development to conduct the State Home Weatherization Assistance Program and to enter into contract with various organizations, individual landlords, tenants and contractors for the purpose of providing weatherization assistance to low income City residents through the State Home Weatherization Assistance Program.

Read third time. Passed. Yeas 20. Nays 0.

THIRD READING EMERGENCY RESOLUTIONS ADOPTED

Res. No. 825-97.

By Councilman Lewis.
An emergency resolution urging Governor Taft, the State Auditor, the Board of County Commissioners and the County Auditor to audit the tax payments of gas and oil well operators and collect delinquent

taxes for the benefit of the Cleveland public schools.

Read third time. Adopted. Yeas 20. Nays 0.

Res. No. 424-2000.

By Councilman Lewis.

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

Read third time. Adopted. Yeas 20. Nays 0.

Councilman Roosevelt Coats entered the meeting.

The Council adjourned at 8:20 p.m. to meet on Monday, April 17, 2000, at 7:00 p.m. in the Council Chambers.



Clerk of Council

THE CALENDAR

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

ORDINANCES

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

By Mayor White.

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

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

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

Section 1. That Section 621.03 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1713-96, passed September 16, 1996, is hereby amended to read as follows:

Section 621.03 Assault

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

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

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

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

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

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

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

(4) a volunteer working on school property, whether public or private, or at a City-owned recreation center; and the court further determines that the victim was performing his or her official duties at the time of the offense, the court shall set the

offender's fine at \$1,000.00 and in addition to said fine shall sentence the offender to not less than sixty (60) days' and not more than six (6) months' imprisonment. The minimum fine and imprisonment to be imposed by the court pursuant to this division (d) are mandatory. The court shall not suspend all or any portion of said fines and imprisonment.

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

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

Section 2. That the Council shall receive quarterly reports from the Department of Public Safety, Division of Police, pertaining to the number of arrests and convictions under this ordinance. The reports shall specify the individual number of offenses against members of the City's Auxiliary Police Force, school crossing guards or their alternates and volunteers working on school property or at a cityowned recreation center.

Section 3. That Section 621.03 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1713-96, passed September 16, 1996, 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.

Ord. No. 255-2000.

By Councilman Patmon (by departmental request).

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

Ord. No. 271-2000.

By Councilmen Cintron and Patmon (by departmental request).

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

Whereas, this ordinance constitutes an emergency measure providing for 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, with a one-year renewal option, of the necessary items of automobile and truck spring parts, including labor to install if necessary, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Motor Vehicle Maintenance, Department of Public Service. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than one year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. That the one year renewal option authorized herein may be exercised only if doing so would result in substantial savings to the City and such savings are reported to the Public Service Committee of City Council.

Section 3. 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 17520)

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

RESOLUTION

Res. No. 1333-98.

By Councilman Coats.

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

Whereas, it has been estimated that the costs attributable to alcohol problems in America exceed \$70 billion per year; and

Whereas, according to the Department of Health and Human Services, alcohol is implicated in nearly half of all deaths caused by motor vehicle crashes and fatal intentional injuries, and victims are intoxicated in approximately one-third of all homicides, drownings and boating deaths; and

Whereas, the use of alcohol has been shown to jeopardize physical, mental and social development during the formative years and to endanger the successful transition from school to the workplace; now, therefore,

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

Section 1. That this Council urges Governor Robert Taft and the state legislators to protect the

youth of Ohio by limiting their access and proximity to the use of alcohol by passing legislation prohibiting any sale of alcohol within 500 feet of any school or church or by passing legislation allowing municipalities to legislate such matters.

Section 2. That the Clerk of Council is hereby requested to transmit a copy of this Resolution to Governor Robert Taft, Richard Finan, President of the Ohio Senate, and JoAnn Davidson, Speaker of the Ohio House of Representatives, and the Minority Leader of the Ohio Senate and House of Representatives.

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.

BOARD OF CONTROL

April 5, 2000

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, April 5, 2000, at 11:00 a.m. with Director Carter presiding.

Present: Directors Carter, Brooks, Konicek, Sheffield-McClain, Acting Director Owens, Director Whitlow, Acting Director Smith, Directors Jackson, Hudecek, Patterson, Warren and Acting Director Alexander.

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. 216-00.

By Director Konicek.

Be it resolved, by the Board of Control of the City of Cleveland that all bids received on July 8, 1999, for Metering Equipment/Sheet Metal Fabrication, for the Division of Cleveland Public Power, Department of Public Utilities, pursuant to the authority of Section 129.26 of the Codified Ordinances of Cleveland, Ohio 1976, be and the same are hereby rejected.

Yeas: Directors Carter, Brooks, Konicek, Sheffield-McClain, Acting Director Owens, Director Whitlow, Acting Director Smith, Directors Jackson, Hudecek, Patterson, Warren and Acting Director Alexander.

Nays: None.

Absent: Mayor White.

Resolution No. 217-00.

By Director Sheffield-McClain.

Resolved, by the Board of Control of the City of Cleveland that the bid of Wiggins Interiors for an estimated quantity of labor and materials to re-carpet offices for the division of Cleveland Hopkins International Airport, Department of Port Control, for the period of one (1) year beginning with the date of execution of a contract, received on the 24th day of February 2000, pursuant to the authority of Ordinance No. 1227-98, passed on August 19, 1998,

which on the basis of the estimated quantity would amount to Thirty Thousand Seven Hundred Eleven and 00/100 Dollars (\$30,711.00) (2% 10, Net 30), is hereby affirmed and approved as the lowest and best bid, and the Director of Port Control is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 22159 which shall be certified against such contract in the sum of Thirty Thousand Seven Hundred Eleven and 00/100 Dollars (\$30,711.00).

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, Sheffield-McClain, Acting Director Owens, Director Whitlow, Acting Director Smith, Directors Jackson, Hudecek, Patterson, Warren and Acting Director Alexander.

Nays: None.

Absent: Mayor White.

Resolution No. 218-00.

By Director Ricchiuto.

Be it resolved by the Board of Control of the City of Cleveland, that pursuant to the authority of Ordinance No. 1655-99, passed by the Council of the City of Cleveland November 29, 1999, the firm of Finkbeiner, Pettis and Strout, Inc. ("Consultant") is hereby selected upon the nomination of the Director of Public Service from a list of qualified design consultants or firms of such consultants determined to be available after a full and complete canvass by the Director of Public Service, as the firm to be employed by contract for the purpose of supplementing the regularly employed staff of several departments of the City of Cleveland in order to furnish professional services necessary to prepare construction contract plans and specifications for the construction of Bessemer Avenue Extension Phase I.

Be it further resolved that the Director of Public Service hereby is authorized to enter into a written contract with Finkbeiner, Pettis and Strout, Inc. based upon its proposal dated January 7, 2000 which contract shall provide that the compensation to be paid shall not exceed \$293,468.65, shall be prepared by the Director of Law, and shall contain such other provisions as the Director of Law deems necessary to protect and benefit the public interest.

Be it further resolved that the employment of the following consultants by Finkbeiner, Pettis and Strout, Inc. for the design services authorized above hereby is approved:

Ralph C. Tyler, P.E., Inc.
1120 Chester Ave. #200
Cleveland, OH 44114
(MBE) 30%

MV Technologies, Inc.
2855 W. Market St., Ste. 214
Akron, OH 44333
(MBE) 6%

ASC Group, Inc.
3637 S. Green Road
Cleveland, OH 44122
(FBE) 50%

Yeas: Directors Carter, Brooks, Konicek, Sheffield-McClain, Acting Director Owens, Director Whitlow, Acting Director Smith, Directors Jackson, Hudecek, Patterson, Warren and Acting Director Alexander.

Nays: None.

Absent: Mayor White.

Resolution No. 219-00.

By Director Ricchiuto.

Resolved, by the Board of Control of the City of Cleveland that the bid of Valley Ford Truck Sales, Inc. for an estimated quantity of three (3) cab/chassis with USV body, medium, for the Division of Motor Vehicle Maintenance, Department of Public Service, for the period of one (1) year beginning with the date of execution of a contract, received on February 11, 2000, pursuant to the authority of Ordinance No. 1058-99, passed June 14, 1999, which on the basis of the estimated quantity would amount to approximately One Hundred Twenty-Seven Thousand Four Hundred Seventy-Six and 00/100 Dollars (\$127,476.00) (Net), 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. 17660 which shall be certified against such contract in the sum of One Hundred Twenty-Seven Thousand Four Hundred Seventy-Six and 00/100 Dollars (\$127,476.00).

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.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractor by Valley Ford Truck Sales, Inc., for the above mentioned purchase is hereby approved:

Logical Services Inc.
MBE — \$750.00 per truck

Yeas: Directors Carter, Brooks, Konicek, Sheffield-McClain, Acting Director Owens, Director Whitlow, Acting Director Smith, Directors Jackson, Hudecek, Patterson, Warren and Acting Director Alexander.

Nays: None.

Absent: Mayor White.

Resolution No. 220-00.

By Director Guzman.

Whereas, Resolution No. 737-99, adopted November 3, 1999, as amended by Resolution No. 800-99 adopted by this Board of Control December 8, 1999, pursuant to Ordinance No. 2839-90, passed January 28, 1991, approved the bid of Gardiner Service Co., d.b.a. The Gardiner Trane Company, as the lowest and best for purchase of two direct fired air make-up units; and

Whereas, in said Resolution Nos. 737-99 and 800-99, the bidder name was incorrectly stated as Gardiner Service Company, d.b.a. The Gardiner Trane Company; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that Board of Control Resolution Nos. 737-99 and 800-99, respectively adopted November 3, 1999 and December 8, 1999, affirming and approved the bid of Gardiner Service Company, d.b.a. The Gardiner Trane Company as the lowest and best for the purchase of two direct fired air make-up units for the Department of Public Safety, hereby are amended by substituting "The Trane Company c/o" for "Gardiner Service Company, d.b.a.", where appearing.

Be it further resolved that all other provisions of said Resolution Nos. 737-99 and 800-99 not expressly amended hereby shall remain in full force and effect.

Yeas: Directors Carter, Brooks, Konicek, Sheffield-McClain, Acting Director Owens, Director Whitlow, Acting Director Smith, Directors Jackson, Hudecek, Patterson, Warren and Acting Director Alexander.

Nays: None.

Absent: Mayor White.

Resolution No. 221-00.

By Director Guzman.

Whereas, by Resolution No. 161-00, adopted March 15, 2000, pursuant to Ordinance No. 582-99, passed June 7, 1999, this Board of Control approved Parr Emergency Product Sales, Inc. as the lowest and best bidder for the purchase of medical supplies, and

Whereas, in said Resolution No. 161-00, the contract period was incorrectly stated as one year; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that Board of Control Resolution No. 161-00, adopted March 15, 2000, affirming and approving Parr Emergency Product Sales, Inc. as the lowest and best bidder for the purchase of medical supplies, for the Division of Fire, Department of Public Safety, hereby is amended by changing the contract period to "two years".

Be it further resolved that all other provisions of said Resolution No. 161-00 not expressly amended hereby shall remain in full force and effect.

Yeas: Directors Carter, Brooks, Konicek, Sheffield-McClain, Acting Director Owens, Director Whitlow, Acting Director Smith, Directors Jackson, Hudecek, Patterson, Warren and Acting Director Alexander.

Nays: None.

Absent: Mayor White.

Resolution No. 222-00.

By Director Guzman.

Resolved by the Board of Control of the City of Cleveland, that all bids received on September 23, 1999 for Medical Supplies, item numbers: 7, 15, 17, 18, 20, 29, 50, 51, 55, 85, 138, 139, 148, 150, 156, 157, 165-169, 171, 177-192, 214, 215, 217 and 225, for the Division of Fire, Department of Public Safety, pursuant to the authority of Ordinance No. 582-99, passed June 7, 1999, be and the same are hereby rejected.

Yeas: Directors Carter, Brooks, Konicek, Sheffield-McClain, Acting Director Owens, Director Whitlow,

Acting Director Smith, Directors Jackson, Hudecek, Patterson, Warren and Acting Director Alexander.
 Nays: None.
 Absent: Mayor White.

Resolution No. 223-00.

By Directors Jackson and Patterson.

Be it resolved by the Board of Control of the City of Cleveland that, pursuant to Ordinance No. 107-2000 passed by the Council of the City of Cleveland on April 3, 2000, the firm of Snider-Blake Professional Services are hereby selected upon nomination of the Director of Parks, Recreation and Properties and the Director of Personnel and Human Resources from a list of complete canvass by the Director of Parks, Recreation and Properties and the Director of Personnel and Human Resources as the temporary employment "agency" to be employed by contract for the purpose of supplementing the regularly employed staff of several departments of the City of Cleveland in order to provide professional services necessary to supply temporary and seasonal personnel for the seasonal programs of the Department of Parks, Recreation and Properties.

Be it further resolved that the Director of Parks, Recreation and Properties and the Director of Personnel and Human Resources hereby are authorized to enter into a written contract with the Agency for a period ending December 31, 2000 based on its proposal submitted February 17, 2000, which contract shall be prepared by the Director of Law and shall include such additional provisions as deemed necessary to benefit and protect the public interest.

The fees for services to be performed under the contract authorized hereby shall be as stated in the Agency's proposal and shall be as follows, including a charge for drug testing:

- Project Clean Workers
\$7.10 an hour
- Park Maintenance Aides
\$7.10 an hour
- Park Maintenance Aides
\$7.82 an hour

Yeas: Directors Carter, Brooks, Konicek, Sheffield-McClain, Acting Director Owens, Director Whitlow, Acting Director Smith, Directors Jackson, Hudecek, Patterson, Warren and Acting Director Alexander.
 Nays: None.
 Absent: Mayor White.

Resolution No. 224-00.

By Directors Jackson and Patterson.

Be it resolved by the Board of Control of the City of Cleveland that, pursuant to Ordinance No. 107-2000 passed by the Council of the City of Cleveland on April 3, 2000, the firm of Flex-Tech Professional Services are hereby selected upon nomination of the Director of Parks, Recreation and Properties and the Director of Personnel and Human Resources from a list of complete canvass by the Director of Parks, Recreation and Properties and the Director of Personnel and Human Resources as the temporary employment "agency" to be employed by contract for the purpose of supple-

menting the regularly employed staff of several departments of the City of Cleveland in order to provide professional services necessary to supply temporary and seasonal personnel for the seasonal programs of the Department of Parks, Recreation and Properties.

Be it further resolved that the Director of Parks, Recreation and Properties and the Director of Personnel and Human Resources hereby are authorized to enter into a written contract with the Agency for a period ending December 31, 2000 based on its proposal submitted February 22, 2000, which contract shall be prepared by the Director of Law and shall include such additional provisions as deemed necessary to benefit and protect the public interest.

The fees for services to be performed under the contract authorized hereby shall be as stated in the Agency's proposal and shall be as follows, including a charge for drug testing:

- Golf Course Ranger
\$8.68 an hour
- Set-Up Personnel
\$8.33 an hour
- Seasonal Supervisor
\$8.54 an hour
- Seasonal Supervisor
\$9.23 an hour

Yeas: Directors Carter, Brooks, Konicek, Sheffield-McClain, Acting Director Owens, Director Whitlow, Acting Director Smith, Directors Jackson, Hudecek, Patterson, Warren and Acting Director Alexander.
 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

ANNOUNCEMENT - 2000

Announcement No.	Classification
27	Assistant Custodians (Open)
28	Budget & Management Analyst (Open)
29	Junior Personnel Assistant (Open)
30	Warehouse Inventory Manager (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. 27

ASSISTANT CUSTODIAN (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 \$16,559.28 to \$38,264.37 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, APRIL 10 UNTIL 4:30 P.M. ON MONDAY, APRIL 24, 2000.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON MONDAY, APRIL 24, 2000.

THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.

EXAMINATION INFORMATION

TYPE: WRITTEN EXAMINATION

DUTIES OF THE POSITION

Under direction, supervises facility cleaning, maintenance, and operations activities. Operates and/or trains employees to operate cleaning equipment and machinery. Orders janitorial supplies and prepares repair orders. Supervises seasonal workers, as required. Maintains records and prepares reports. Performs other job-related duties as required. Valid State of Ohio Driver's License.

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

Candidate must have a High School Diploma or G.E.D. If the candidate does not have a High School diploma or G.E.D., they will have 18 months from time of appointment to obtain one. Candidate must have at least two (2) years of full-time managerial experience in custodial work. Experience must include management of staff of 25-50 people.

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 appli-

cant'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. 28

BUDGET & MANAGEMENT ANALYST (Open)

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of an Open examination for the above mentioned classification.

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$18,627.62 to \$44,046.54 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, APRIL 10 UNTIL 4:30 P.M. ON MONDAY, APRIL 24, 2000.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON MONDAY, APRIL 24, 2000.

THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.

EXAMINATION INFORMATION

TYPE: WRITTEN EXAMINATION

DUTIES OF THE POSITION

Under general supervision, conducts various budget and other financial analyses. Prepares, or assists in preparation of, financial reports. Monitors financial problems areas and makes recommendations as necessary. 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:

Applicant must have a Bachelor's degree from an accredited college or university in Business, Government or Public Administration plus two years' work experience in budget-related activities.

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. 29

JUNIOR PERSONNEL ASSISTANT (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 \$30,030.78 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, APRIL 10 UNTIL 4:30 P.M. ON MONDAY, APRIL 24, 2000.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON MONDAY, APRIL 24, 2000.

THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.

EXAMINATION INFORMATION

TYPE: WRITTEN EXAMINATION

DUTIES OF THE POSITION

Under immediate supervision, provides assistance with routine duties in areas related to Human Resources, Payroll, and Civil Service. Assists with general clerical tasks. 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 High School Diploma or G.E.D. is required. Must also possess and demonstrate good written and verbal communication skills. One (1) year experience in Human Resources (Payroll, Personnel Administration and/or Labor Relations), Employee Training & Development, Public Relations, or other business related field; or any equivalent combination of education, training, and experience, which provides the requisite knowledge, skills and abilities for this job. Preferred skills include a typing speed of at least forty-five (45) words per minute, minimum two years of college education or possess an Associates Degree in a business related field.

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: Those persons who are residents of the City of Cleveland and who received passing scores shall have ten (10) additional points added to their grades. See accompanying list of acceptable form of proof of residency applicants need to present at the time of filing.

AN EQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C MINUTES
ANNOUNCEMENT NO. 30

WAREHOUSE INVENTORY MANAGER (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 \$22,333.40 to \$63,385.82 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, APRIL 10 UNTIL 4:30 P.M. ON MONDAY, APRIL 24, 2000.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON MONDAY, APRIL 24, 2000.

THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.

EXAMINATION INFORMATION

TYPE: WRITTEN EXAMINATION

DUTIES OF THE POSITION

Under general supervision, manages warehouse inventory operations for a City department or division. Orders materials and equipment for daily operations and special projects. Develops specifications for requisitions and requirement contracts. Assists in assessing material and equipment capabilities for meeting special applications requirements. Performs special projects, as directed. 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 High School Diploma or equivalent is required as well as five (5) years of warehouse or similar experience. Employee must be computer literate.

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

April 12, 2000

SCHEDULE OF THE BOARD OF ZONING APPEALS

MONDAY, APRIL 24, 2000

9:30 A.M.

Calendar No. 00-10: 3209-3305

Franklin Boulevard (Ward 14)
County of Cuyahoga, owner c/o Jay Ross, and the N.R.P. Group and Chris Auvil, agent, appeal to construct a 175' x 220' three-story, frame 48 dwelling unit elderly housing apartment building and accessory parking areas, all on a 155' x 241' irregular shaped acreage corner parcel located in a Two-Family District at the southwest corner of West 32nd Street and Franklin Boulevard at 3209-3305 Franklin Boulevard; said apartment building being contrary to the Residential District Requirements of Section 337.03 where a multi-unit elderly housing complex is not permitted in a Two-Family District but first permitted in a Multi-Family District and contrary to the Area Requirements Regulations of Section 355.04 where 55,140 sq. ft. maximum gross floor area is permitted and 56,820 sq. ft. is proposed and contrary to the Landscaping and Screening Requirements where a landscaping plan is required as stated in Section 352.123 of the Codified Ordinances.

Calendar No. 00-69: 3150 West 58th Street (Ward 17)

The West 58th Street Church of God, owner c/o Reverend Howard Black, appeals to construct an approximate 144' x 82' one-story sanctuary building addition to an existing one-story "T" shaped church building situated on an irregular shaped acreage corner parcel located in a Two-Family District on the northeast corner of Frontier Avenue and West 58th Street at 3150 West 58th Street; said construction addition being contrary to the Landscaping and Screening Requirements of Section 352.10, Section 352.11 and Section 352.12 where a 6' landscaping strip is required along Frontier Avenue and West 58th Street and where screening the parking lot from the adjacent residential lots is not shown and a wall, opaque fence or 4' landscaped strip is required as stated in Section 349.08 of the Codified Ordinances.

Calendar No. 00-70: 14822 Lakeshore Boulevard (Ward 11)

Christopher Adimibe, owner, and Martial Arts Federation, tenant, appeal to change the use of an existing approximate 31' x 44' retail building situated on a 100' x 100' irregular shaped parcel located in a Local Retail District on the south side of Lakeshore Boulevard at 14822 Lakeshore Boulevard; said change of use being contrary to the Business District Regulations of Section 343.01 where martial arts are not permitted in a Local Retail District but first permitted in a General Retail District as stated in Section 343.11 and contrary to the Off-Street Parking and Loading Requirements where 0 parking spaces are proposed and 4 are required as stated in Section 349.04(e) of the Codified Ordinances.

Calendar No. 00-71: 9226 St. Clair Avenue (Ward 13)

Bradley Construction Company, owner, appeal to construct an approximate 113' x 125' one-story masonry office, warehouse and storage building on an approximate 293' x 290' triangular corner parcel and situated in a Local Retail Business District on the southwest corner of East 93rd Street and St. Clair Avenue at 9226 St. Clair Avenue; said construction being contrary to the Business District Regulations of Section 343.01 where offices, warehouse and storage buildings are not permitted in a Local Retail District but first permitted in a General Retail District as stated in Section 343.11 and contrary to the Off-Street Parking and Loading Requirements of Section 349.07(a)(b) where all access and maintenance driveways and maneuvering areas shall be properly graded for drainage and wheel and bumper guards are required and contrary to the Landscaping and Screening Requirements of Section 352.10 where a 6' landscaped frontage strip is required for the proposed parking along East 93rd Street and 0' is provided and contrary to the Yards and Courts Requirements where a 30' front yard setback is required along East 93rd Street and 0' is proposed as stated in Section 357.04 of the Codified Ordinances.

Calendar No. 00-72: 10250 Shaker Boulevard (Ward 6)

Morning Star Baptist Church, owner c/o Reverend Preston, appeals to renovate the interior first floor (29,437 sq. ft.) and the second floor (6,280 sq. ft.) of an existing two-story masonry auto sales building into a church situated on a triangular acreage parcel on the west side of East 103rd Street between Buckeye Road and Shaker Boulevard and located in a General Retail Business District at 10250 Shaker Boulevard; said renovation being contrary to the Off-Street Parking and Loading Requirements of Section 349.05 where all parking spaces along Buckeye Road, East 103rd Street and Shaker Boulevard are within the setback and contrary to the Landscaping and Screening Requirements of Section 352.10 where a 6' landscaped frontage strip is required for the proposed parking along Buckeye Road and Shaker Boulevard and 4' is proposed, and Section 352.12 where a table containing landscape content plan is required, and contrary to the Yards and Courts Requirements where the existing building line sits within the 21' setback area of Shaker Boulevard and within the 5' setback area of East 103rd Street which is contrary to the specific building line requirements of Section 357.04 of the Codified Ordinances.

EUGENE CRANFORD, JR.,
Secretary

REPORT OF THE BOARD OF ZONING APPEALS

MONDAY, APRIL 10, 2000

At the meeting of the Board of Zoning Appeals on Monday, April 10, 2000, the following appeals were heard by the Board:

The following appeals were **Approved:**

Calendar No. 00-20: 4841 Broadway Avenue

Cuyahoga County appeals to construct a three-story masonry Day Care and Work Training Center building, situated on a "T" shaped parcel, located in split zoning for a General Retail and Two-Family District.

Calendar No. 00-50: 1260 West 4th Street

Owner and agent appeal to change the use of an existing six-story printing building to a store, residence units, office and assembly use, located in a limited Retail District.

The following appeals were **Postponed:**

Calendar No. 00-08: 1261 East 105th Street postponed to April 24, 2000.

Calendar No. 00-51: 3224 Payne Avenue postponed to May 22, 2000.

Calendar No. 00-6: 605-607 East 131 Street postponed to June 12, 2000.

The following appeal was **Dismissed:**

Calendar No. 00-38: 17325 Lorain Avenue

This case was postponed from the March 20, 2000 meeting at the request of the council representative for review of the proposed project by the Local Design Review Committee. Owner appeals to construct a 12' wide one-story addition to the north and west sides of an existing restaurant to provide added seating for dining, and this is situated on an irregular shaped parcel in a Local Retail District.

On Monday, April 10, 2000, in Executive Session:

The following appeals were heard on Monday, April 3, 2000 and said decisions were approved and adopted by the Board on April 10, 2000.

The following appeals were **Approved:**

Calendar No. 00-44: 5316 Fleet Ave.

Fortuna Funeral Home, owner c/o Michael Chmura, appealed to construct a 20' x 25' one-story addition to the rear southwest of an existing two-story funeral home located in split zoning between Local Retail and Two-Family Districts.

Calendar No. 00-48: 2304 Broadview Rd.

Alex Mirojevsky, owner, and Anthony Lender, prospective purchaser, appealed to change the use of an existing one-story retail building into a wood carving and showroom building for church furniture located in a Local Retail District; upon condition that appellant will pave and drain existing rear parking area within thirteen months.

Calendar No. 00-49: 10201-10203 Manor

Abbie A. Mahone, owner, and Robert Mahone, tenant, appealed to change the use of an existing two-

story masonry building into a bar and deli on the first floor and vacant space and apartments on the second floor in a Local Retail District.

Calendar No. 00-36: 1104 Prospect Ave.

Magnate Development Group, owners c/o Anthony Jerdine, appealed to change the use of an existing five-story masonry office building into offices and 38 apartments in a General Retail District.

EUGENE CRANFORD, JR.,
Secretary

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

NO MEETING

PUBLIC NOTICE

NONE

NOTICE OF PUBLIC HEARING

NONE

CITY OF CLEVELAND BIDS

For All Departments

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

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

187.10 Negotiated contracts; Notice required in Advertisement for Bids.

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

FRIDAY, APRIL 21, 2000

Motorcycle Repair Parts, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 2163-99, passed by the Council of the City of Cleveland, February 14, 2000.

April 5, 2000 and April 12, 2000

THURSDAY, APRIL 27, 2000

Plumbing and Heating Supplies, for the Division of Property Management, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 1956-98, passed by the Council of the City of Cleveland, December 7, 1998.

Lumber, for the Various Divisions of City Government, Department of Finance, as authorized by Ordinance No. 218-2000.

Thirteen (13) MSA Self-Contained Breathing Apparatus, for the Department of Public Safety, as authorized by Ordinance No. 1726-98, passed by the Council of the City of Cleveland, November 16, 1998.

April 5, 2000 and April 12, 2000

THURSDAY, APRIL 27, 2000

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

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

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

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

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

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

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

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

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

April 12, 2000 and April 19, 2000

FRIDAY, APRIL 28, 2000

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

April 12, 2000 and April 19, 2000

ADOPTED RESOLUTIONS AND ORDINANCES

Res. No. 661-99.
By Councilman Britt.
An emergency resolution supporting Ohio House Bill 56 to increase the Homestead Exemption eligibility requirements.

Whereas, residents of the City of Cleveland who are age 65 and older and those who are prevented from working due to a disability are especially vulnerable to changes in the economy; and

Whereas, there are over 300,000 people in Cuyahoga County that are disabled or over the age of 65 that are living on fixed incomes, many of whom are residents of the City of Cleveland; and

Whereas, real property taxes in Ohio have increased 88.5%, well above the growth of personal income during the decade ending in 1998; and

Whereas, the inflation rate over that ten year period increased 49% in Ohio, but eligibility rules for the Homestead Exemption have remained constant since 1995; and

Whereas, an additional 12,920 households in Cuyahoga County will have the ability to be relieved from an onerous real property tax burden if the Homestead Exemption eligibility ceiling is raised to \$25,000; and

Whereas, this Council of the City of Cleveland is supportive of Ohio House Bill 56 that would increase the Homestead Exemption eligibility; now, therefore,

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

Section 1. That the Council of the City of Cleveland is supportive of Ohio House Bill 56, sponsored by Representative Dale Miller, which seeks to implement and increase the income eligibility for the Homestead Exemption from \$20,800 to \$25,000 with corresponding adjustments to the intermediate brackets and urges the Ohio General Assembly to vote in favor of this legislative initiative.

Section 2. That the Clerk of Council is hereby requested to transmit a copy of this resolution to the following: Representative Dale Miller; Cuyahoga County Auditor Frank Russo; J. Donald Mottley, Chairperson of the Ways & Means Committee; and JoAnn Davidson, Speaker of the Ohio House of Representatives.

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

Adopted April 3, 2000.
 Effective April 10, 2000.

Res. No. 2180-99.
By Councilman Westbrook (by request).

An emergency resolution declaring the intention to vacate a portion of Tuscan Avenue N.W.

Whereas, this Council; is satisfied that there is good cause to vacate a portion of Tuscan Avenue N.W., as hereinafter described, and

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

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

Section 1. That it hereby declares its intention to vacate the following described real property:

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being all that portion of:

TUSCAN AVENUE N.W. (15.00 feet wide) extending Westerly from the Westerly line of West 111th Street (50.00 feet wide) to the Easterly line of West 112th Street (50.00 feet wide).

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 March 27, 2000.
 Effective April 6, 2000, without the signature of the Mayor.

Res. No. 486-2000.
By Councilman Cimperman.
An emergency resolution objecting to the transfer of ownership of a D5 and D6 Liquor Permit to 1946 St. Clair Avenue and Patio.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a D5 and D6 Liquor Permit from Permit No. 1587956, Code Blue Inc., DBA Code Blue, 1946 St. Clair Avenue & Patio, Cleveland, Ohio 44114 to Permit No. 1977726, Davis Russel Inc., DBA Club Out, 1946 St. Clair Avenue & Patio, Cleveland, Ohio 44114; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a D5 and D6 Liquor Permit from Permit No. 1587956, Code Blue Inc., DBA Code Blue, 1946 St. Clair Avenue & Patio, Cleveland, Ohio 44114 to Permit No. 1977726, Davis Russel Inc., DBA Club Out, 1946 St. Clair Avenue & Patio, Cleveland, Ohio 44114 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

Section 3. That this resolution is hereby declared to be an emergency

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

Adopted March 27, 2000.
 Effective April 6, 2000.

Res. No. 487-2000.
By Councilman Cimperman.
An emergency resolution objecting to the transfer of ownership of a C2 and C2X Liquor Permit to 1113-1115 Norwood Rd. 1st Fl. & Bsmt.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a C2 and C2X Liquor Permit from Permit No. 5673942, Mazona Inc., 1113-1115 Norwood Rd. 1st Fl. & Bsmt., Cleveland, Ohio 44103 to Permit No. 9612031, Richard T. Wiley, 1113-1115 Norwood Rd. 1st Fl. & Bsmt., Cleveland, Ohio 44103; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a C2 and C2X Liquor Permit from Permit No. 5673942, Mazona Inc., 1113-1115 Norwood Rd. 1st Fl. & Bsmt., Cleveland, Ohio 44103 to Permit No. 9612031, Richard T. Wiley, 1113-1115 Norwood Rd. 1st Fl. & Bsmt., Cleveland, Ohio 44103 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted March 27, 2000.
 Effective April 6, 2000.

Res. No. 488-2000.
By Councilman Coats.
An emergency resolution objecting to the issuance of a C1 Liquor Permit to 13302 St. Clair Avenue.

Whereas, Council has been notified by the Director of Liquor Control of an application for the issuance of a C1 Liquor Permit to Permit No. 4264088, Annie Jefferson, DBA Arr Mini Market, 13302 St. Clair Avenue, 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, property, safety and welfare pursuant to Section 4303.26 of the Ohio Revised Code. Council's objection to said permit must be received by the Director of Liquor Control within 30 days of notification; now, therefore,

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

Section 1. That Council does hereby record its objection to the issuance of a C1 Liquor Permit to Permit No. 4264088, Annie Jefferson, DBA Arr Mini Market, 13302 St. Clair Avenue, 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 hereby is directed to transmit two certified copies of this resolution, together with two copies of a letter of objection and two copies of a letter requesting that the hearing be held in Cleveland, Cuyahoga County.

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

Adopted March 27, 2000.

Effective April 6, 2000.

Res. No. 489-2000.

By Councilman Gordon.

An emergency resolution urging that State of Ohio capital budget include a grant to the Free Clinic of Greater Cleveland for certain capital improvements to its facilities.

Whereas, this Council is greatly concerned about the level of health care provided to the residents of the City of Cleveland; and

Whereas, the Free Clinic of Greater Cleveland provides cost-effective, quality services free of charge to individuals who lack access to adequate health care; and

Whereas, the Free Clinic of Greater Cleveland serves nearly 20,000 patients a year, 90% of whom are uninsured even though 75% of these patients are employed but do not have access to adequate health care; and

Whereas, the Free Clinic of Greater Cleveland is seeking to renovate 16,000 square feet of its existing space and to add 11,000 square feet of new construction on a parcel adjacent to its facility; and

Whereas, the Free Clinic of Greater Cleveland has sought a \$1 million grant from the State of Ohio to help finance these capital improvements; now, therefore

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

Section 1. That this Council of the City of Cleveland joins with the Free Clinic of Greater Cleveland in urging the State of Ohio allocate a \$1 million grant for capital improvements to its existing and expanded facilities to provide free of charge health care to individuals lacking access to adequate care.

Section 2. That the Clerk is hereby requested to forward a copy of this Resolution to Robert Taft, Governor of the State of Ohio.

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

Adopted March 27, 2000.

Effective April 6, 2000.

Res. No. 490-2000.

By Councilman Jones.

An emergency resolution objecting to the transfer of ownership of a C1, C2 and D6 Liquor Permit to 4501-03-05 Lee Road.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a C1, C2 and C6 Liquor Permit from Permit No. 5378719, MCSRetail Sales Inc., David O. Simon Trustee in Bkrcty, 4501-03-05 Lee Road, Cleveland, Ohio 44128, to Permit No. 86801350020, Suhad Inc., DBASuper One Market, 4501-03-05 Lee Road, Cleveland, Ohio 44128; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a C1, C2 and D6 Liquor Permit from Permit No. 5378719, MCSRetail Sales Inc., David O. Simon Trustee in Bkrcty, 4501-03-05 Lee Road, Cleveland, Ohio 44128, to Permit No. 86801350020, Suhad Inc., DBASuper One Market, 4501-03-05 Lee Road, Cleveland, Ohio 44128 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

Adopted March 27, 2000.

Effective April 6, 2000.

Res. No. 491-2000.

By Councilman Lewis.

An emergency resolution objecting to the transfer of ownership and location of a C2 and C2X Liquor Permit to 1453 East 66th Street.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership and location of a C2 and C2X Liquor Permit from Permit No. 4103044, I & R Enterprises, Inc., DBAGordon Square Food Centre, 5901 Detroit Avenue, Cleveland, Ohio 44102, c/o Issam Harb, to Permit No. 9957779, Zoeter Inc., 1453 East 66th Street, Cleveland, Ohio 44103; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership and location of a C2 and C2X Liquor Permit from Permit No. 4103044, I & R Enterprises, Inc., DBA Gordon Square Food Centre, 5901 Detroit Avenue, Cleveland, Ohio 44102, c/o Issam Harb, to Permit No. 9957779, Zoeter Inc., 1453 East 66th Street, Cleveland, Ohio 44103 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted March 27, 2000.
Effective April 6, 2000.

Res. No. 492-2000.

By Councilman Lewis.

An emergency resolution objecting to the issuance of a C2 Liquor Permit to 7041 Superior Avenue, Ground Fl.

Whereas, Council has been notified by the Director of Liquor Control of an application for the issuance of a C2 Liquor Permit to Permit No. 9419066, Earvin Washington, DBA Washingtons Groceries & Beverages, 7041 Superior Avenue, Ground Fl., Cleveland, Ohio 44103; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the

issuance of a C2 Liquor Permit to Permit No. 9419066, Earvin Washington, DBA Washingtons Groceries & Beverages, 7041 Superior Avenue, Ground Fl., Cleveland, Ohio 44103 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted March 27, 2000.
Effective April 6, 2000.

Res. No. 493-2000.

By Councilman Polensek.

An emergency resolution objecting to the transfer of ownership of a C1 and C2 Liquor Permit to 15220 Saranac Rd., 1st Fl. Only.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a C1 and C2 Liquor Permit from Permit No. 6494930, John V. Oblak Est. & Marie Oblak Extr., 15220 Saranac Rd., 1st Fl. Only, Cleveland, Ohio 44110 to Permit No. 89166070005, 3249 East 143rd Inc., DBA Milverton Food Mart, 15220 Saranac Rd., 1st Fl. Only, 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, property, safety and welfare pursuant to Section 4303.26 of the Ohio Revised Code. Council's objection to said permit must be received by the Director of Liquor Control within 30 days of notification; now, therefore,

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a C1 and C2 Liquor Permit from Permit No. 6494930, John V. Oblak Est. & Marie Oblak Extr., 15220 Saranac Rd., 1st Fl. Only, Cleveland, Ohio 44110 to Permit No. 89166070005, 3249 East 143rd Inc., DBA Milverton Food Mart, 15220 Saranac Rd., 1st Fl. Only, 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 hereby is directed to transmit two certified copies of this resolution, together with two copies of a letter of objection and two copies of a letter requesting that the hearing be held in Cleveland, Cuyahoga County.

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

Adopted March 27, 2000.
Effective April 6, 2000.

Res. No. 494-2000.

By Councilmen Jones, Robinson, White and Willis.

An emergency resolution urging the State of Ohio use funds from the tobacco settlement to convert Mt. Sinai-East, Mt. Sinai-University Circle, St. Michael, and Deaconess Hospital from for-profit-to-not-for-profit facilities.

Whereas, over the past recent weeks the Greater Cleveland community has seen the results of an antiquated regulatory health delivery system that has resulted in the proposed closure of Mt. Sinai-East, Mt. Sinai-University Circle, and St. Michael as well as the possible sale of Deaconess Hospital; and

Whereas, these proposed closings will have a detrimental impact in Cleveland inner city neighborhoods since the residents that reside in these communities must now travel outside their neighborhood to receive health care services at other suburban hospitals; and

Whereas, these hospital closings have resulted in the closure of emergency rooms and trauma centers, which drastically decrease the accessibility of emergency medical care to residents in the City of Cleveland; and

Whereas, these hospital closings have greatly reduced the accessibility of hospital care to the City's population of indigent, elderly, and working poor who reside in Cleveland and are in most need for medical services; and

Whereas, State Representative John E. Barnes has proffered a plan to eradicate an antiquated regulatory health delivery system that has resulted in hospital closings by proposing that specific funding streams be used for these hospitals in order to keep them open; and

Whereas, a resolution has been introduced in the State General Assembly by State Representative John E. Barnes urging the State of Ohio to use funds from the tobacco settlement to prevent to the closings of these hospitals; and

Whereas, this resolution calls for the State to use these specific funds for converting these hospitals from for-profit to not-for-profit facilities as well as providing direct capital assistance and bonds totaling \$100 million to implement such conversion; and

Whereas, this resolution also urges the State to set aside \$10 million from the Victims of Violent Crimes fund to reestablish the trauma care unit at Mt. Sinai-University Circle and emergency room care at other hospitals serving victims of violent crime and to establish Health and Economic Solvency Commissions to review long term implications of acquisitions that convert not-for-profit hospitals to for-profit hospitals; now therefore

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

Section 1. That the Council of the City of Cleveland supports the resolution proffered by Representative Barnes urging the State of Ohio to use funds from the tobacco settlement to convert Mt. Sinai-East, Mt. Sinai-University Circle, St. Michael, and Deaconess Hospitals from for-profit to not-for-profit facilities in order to keep these institutions open to serve the residents in their respective communities.

Section 2. That the Council of the City of Cleveland strongly urges Ohio Governor Robert Taft to support the House Resolution introduced by State Representative John E. Barnes.

Section 3. That the Clerk of Council is hereby requested to transmit a copy of this resolution to Ohio Governor Robert Taft, United States Congresspersons Dennis J. Kucinich, and Stephanie Tubbs Jones, United States Senators George V. Voinovich, and Michael DeWine, and the Cuyahoga County Delegation.

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

Adopted March 27, 2000.
Effective April 6, 2000.

Res. No. 532-2000.

By Councilman Britt.

An emergency resolution withdrawing objection to the renewal of a C2, C2X and D6 Liquor Permit to 9308 Chester Avenue, and repealing Res. No. 1323-99 objecting to said renewal.

Whereas, this Council objected to the renewal of a C2, C2X and D6 Liquor Permit to 9308 Chester Avenue, by Res. No. 1323-99 adopted by Council on July 14, 1999; and

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

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

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

Section 1. That objection to the renewal of a C2, C2X and D6 Liquor Permit to 9308 Chester Avenue, by and the same is hereby withdrawn and Res. No. 1323-99, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

Adopted April 3, 2000.
Effective April 10, 2000.

Res. No. 533-2000.

By Councilmen Coats and Jones.

An emergency resolution urging Cleveland business and community leaders to assist with the humanitarian relief efforts underway in Mozambique, Africa.

Whereas, Mozambique is a country located in central Africa; and

Whereas, the citizens of Mozambique recently experienced devastating loss to life and property due to unusual and severe flooding; and

Whereas, the citizens of Mozambique are in great need of supplies and financial assistance to aid in the clean-up and rebuilding effort in that country; and

Whereas, the American Red Cross is assisting the people of Mozambique in its efforts and is accepting contributions to aid in this mission; and

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

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

Section 1. That this Council of the City of Cleveland urges Cleveland business and community leaders and residents of Cleveland to support the humanitarian relief effort underway in Mozambique, Africa through donations to the American Red Cross.

Section 2. That this resolution is hereby declared to be an emergency measure and, provided it receives

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

Adopted April 3, 2000.
Effective April 10, 2000.

Res. No. 534-2000.

By Councilman Jones.

An emergency resolution withdrawing objection to the issuance of a C1 Liquor Permit to 15015 Ohio Avenue, and repealing Res. No. 1050-99 objecting to said issuance.

Whereas, this Council objected to issuance of a C1 Liquor Permit to 15015 Ohio Avenue, by Res. No. 1050-99 adopted by Council on June 7, 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 15015 Ohio Avenue, by and the same is hereby withdrawn and Res. No. 1050-99, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate issuance thereof.

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

Adopted April 3, 2000.
Effective April 10, 2000.

Res. No. 535-2000.

By Councilman Lewis.

An emergency resolution urging that the United States Congress conduct an investigation into the practices of landlords and other entities that benefit from the Section 8 voucher program administered by the U.S. Department of Housing and Urban Development.

Whereas, the Section 8 voucher program administered by the United States Department of Housing and Urban Development (HUD) is poorly administered and lacks sufficient oversight to guard against abuses; and

Whereas, it was recently announced that the United States Congress intends to conduct an investigation into alleged abuses and fraudulent practices by recipients of Section 8 vouchers; and

Whereas, while this Council of the City of Cleveland believes that such an investigation should be undertaken, Council recommends that the scope of this investigation

be broadened to include alleged malfeasance and abuses by landlords and other entities that benefit from the HUD administered voucher program; and

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

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

Section 1. That this Council of the City of Cleveland urges that the congressional investigation into the administration and utilization of the Section 8 voucher program administered by the United States Department of Housing and Urban Development be broadened to include an investigation into the practices of landlords and other entities that benefit from the program.

Section 2. That the Clerk of Council is hereby requested to transmit a copy of this resolution to the Cleveland congressional delegation.

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

Adopted April 3, 2000.

Effective April 10, 2000.

Res. No. 536-2000.
By Councilman Lewis.
An emergency resolution urging that Redell Avenue be renamed "Prevo Avenue."

Whereas, pursuant to Section 176 of the Charter of the City of Cleveland, the Council of the City of Cleveland may, by ordinance, change the name of any street in the City of Cleveland; and

Whereas, the families of Pedro and Ollie Prevo and their descendants have resided on Redell Avenue in Ward 7 for over fifty-five years and have dedicated themselves to improving their homes and neighborhood; and

Whereas, in honor of the Prevo families' outstanding service for betterment of the community, the residents of Redell Avenue, the Lane Metropolitan C.M.E. Church, the Masons and other residents of Ward 7 have requested that Redell Avenue be renamed "Prevo Avenue"; and

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

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

Section 1. That this Council of the City of Cleveland urges that Redell Avenue be renamed "Prevo Avenue" in honor of the outstanding service of the families of Pedro and Ollie Prevo for the betterment of Ward 7.

Section 2. That the Clerk of Council is hereby requested to transmit a copy of this resolution to the Director of Public Safety, Director

of Public Service and Director of City Planning for comment and review at which time Cleveland City Council will consider an ordinance to effectuate the name change.

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

Adopted April 3, 2000.

Effective April 10, 2000, without the signature of the Mayor.

Res. No. 537-2000.
By Councilmen Lewis and Jones.
An emergency resolution expressing disappointment with the decision of The Salvation Army of Greater Cleveland to bar census workers from its facility and urging them to permit workers to count its residents.

Whereas, a census count is mandated by the United States Constitution to occur once every ten years to ascertain a count of all residents of the country; and

Whereas, it is imperative that an accurate count be done in order to secure federal funding for social programs; and

Whereas, it was recently reported that The Salvation Army of Greater Cleveland denied admission to census workers who were attempting to reach those individuals residing at its facility; and

Whereas, it was also recently reported that response to the census in certain areas of the City of Cleveland is extremely low; and

Whereas, this Council of the City of Cleveland is extremely concerned that all residents of the City of Cleveland, including those homeless men and women, are included in the census count; 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 expresses disappointment with the decision of The Salvation Army of Greater Cleveland to bar census workers from its facility and urges them to permit workers to count its residents.

Section 2. That the Clerk of Council is hereby requested to transmit a copy of this resolution to the Director of The Salvation Army of Greater 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.

Adopted April 3, 2000.

Effective April 10, 2000, without the signature of the Mayor.

Res. No. 538-2000.

By Councilman Sweeney.

An emergency resolution withdrawing objection to the transfer of ownership and location of a D5 Liquor Permit 13835 Lorain Avenue, and repealing Res. No. 383-2000 objecting to said transfer of ownership and location.

Whereas, this Council objected to transfer of ownership and location of a D5 Liquor Permit to 13538 Lorain Avenue, by Res. No. 383-2000 adopted by Council on March 13, 2000; and

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

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

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

Section 1. That objection to the transfer of ownership and location of a D5 Liquor Permit to 13835 Lorain Avenue, by and the same is hereby withdrawn and Res. No. 383-2000, 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 April 3, 2000.

Effective April 10, 2000.

Ord. No. 1687-98.
By Councilmen Westbrook and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Port Control to enter into a concession agreement with Sky Sites, Inc. for the operation of an advertising concession for the various divisions of the Department of Port Control, for a period not to exceed five years.

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

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

Section 1. That the Director of Port Control is hereby authorized to enter into a concession agreement with Sky Sites, Inc. for the operation of an advertising concession for the various divisions of the Department of Port Control for a period not to exceed five (5) years. The agreement authorized herein shall be prepared by the Director of Law. The agreement shall contain such terms and conditions as said Director deems necessary to protect and benefit the public interest and shall specifically contain the following provisions: 1) that Sky Sites, Inc. shall provide the City with an annual minimum guarantee of sixty-five percent (65%) or one million dollars

(\$1,000,000), whichever is greater; 2) that the installation of signs and displays shall be in a type, number, and location consistent with Sky Sites, Inc.'s proposal dated May 7, 1999; 3) that Sky Sites, Inc. shall be required to have a local representative on-site at Cleveland Hopkins International Airport; and 4) that no elected official's name, picture, or likeness shall appear on any sign or display covered by this agreement with Sky Sites, Inc., except as part of a paid advertisement, provided that the paid advertisement is not advertising a ballot issue, a candidate for office, a partisan political activity or a position on a political issue.

That, notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Director of Port Control is hereby authorized to enter into a concession agreement on the basis of competitive proposals, for the operation of an advertising concession at Cleveland Hopkins International Airport for a period not to exceed ten (10) years. The selection of said concessionaire shall be made by the Board of Control upon the nomination of the Director of Port Control. The agreement authorized herein shall be prepared by the Director of Law and shall contain such terms and conditions as said director deems necessary to protect and benefit the public interest.

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

from and after the earliest period allowed by law.

Passed March 27, 2000.
Effective April 6, 2000, without the signature of the Mayor.

**Ord. No. 176-99.
By Councilman Melena (by request)**

An emergency ordinance authorizing the Director of Public Service to issue a permit to Advance Manufacturing Corp. to encroach into the right-of-way of Pear Avenue N.W. for a loading dock and other building expansion.

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

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

Section 1. That the Director of Public Service hereby is authorized to issue a permit, revocable at the will of Council, and assignable by the Permittee with the written consent of the Director of Public Service to Advance Manufacturing Corp., 6800 Madison Avenue, Cleveland, Ohio 44102, its successors and assigns, for the construction, use and maintenance of a 40-foot x 104-foot loading dock facility and other building expansion, which will encroach into the right-of-way of Pear Avenue N.W. at the locations more fully described herein.

LEGAL DESCRIPTION / LOADING DOCK & BUILDING EXPANSION:

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

Beginning on the Southerly line of Pear Avenue N.W. at a point distant

about 176.00 feet from the intersection of the Southerly line of Pear Avenue N.W. with the Westerly line of West 68th Street;

Thence Northerly at right angles to the Southerly line of Pear Avenue N.W. about 40.00 feet to a point;

Thence Westerly and parallel with the Southerly line of Pear Avenue N.W. about 104.00 feet to a point;

Thence Southerly at right angles to the last described line about 40.00 feet to the Southerly line of Pear Avenue N.W.;

Thence Easterly along the Southerly line of Pear Avenue N.W. to the place of beginning.

Section 2. That said loading dock and building expansion will be placed within the public rights-of-way as aforesaid in Section 1, and said loading dock and building expansion will be constructed in accordance with plans and specifications approved by the Commissioner of Engineering and Construction.

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

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

Passed March 27, 2000.
Effective April 6, 2000.

Ord. No. 323-99.

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

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Section 133.311 thereof, relating to rental fees for Camp George Forbes.

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

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

Section 1. That the Codified Ordinances of Cleveland, Ohio, 1976, are hereby supplemented by enacting new Section 133.311 thereof, to read as follows:

Section 133.311 Rental Fees for Camp George Forbes

(a) The Commissioner of Recreation may allow private parties to rent Camp George Forbes provided that said parties secure a permit from the Director pursuant to Section 133.03 and pay the fees specified in division (b) of this section.

(b) The Director of Parks, Recreation and Properties shall assess and collect the following fees for the rental of Camp George Forbes:

		City Residents	Non-City Residents
(1)	Great Room Rental:		
	Monday-Friday; 9:00 a.m. to 3:00 p.m.	\$ 250.00	\$ 275.00
	Monday-Friday; 5:00 p.m. to 12:00 a.m.	\$ 400.00	\$ 440.00
	Saturday-Sunday; All Day	\$ 400.00	\$ 440.00
(2)	Great Room and Class Room A Rental:		
	Monday-Friday; 9:00 a.m. to 3:00 p.m.	\$ 300.00	\$ 330.00
	Monday-Friday; 5:00 p.m. to 12:00 a.m.	\$ 500.00	\$ 550.00
	Saturday-Sunday; All Day	\$ 500.00	\$ 550.00
(3)	Class Room A Rental:		
	Monday-Friday; 9:00 a.m. to 3:00 p.m.	\$ 250.00	\$ 275.00
	Monday-Friday; 5:00 p.m. to 12:00 a.m.	\$ 400.00	\$ 440.00
	Saturday-Sunday; All Day	\$ 400.00	\$ 440.00

(4)	Class Room B or C Rental:		
	Monday-Friday; 9:00 a.m. to 3:00 p.m.	\$ 250.00	\$ 275.00
	Monday-Friday; 5:00 p.m. to 12:00 a.m.	\$ 400.00	\$ 440.00
	Saturday-Sunday; All Day	\$ 400.00	\$ 440.00
(5)	Dining Hall Room Rental:		
	Monday-Friday; 9:00 a.m. to 3:00 p.m.	\$ 300.00	\$ 330.00
	Monday-Friday; 5:00 p.m. to 12:00 a.m.	\$ 550.00	\$ 605.00
	Saturday-Sunday; All Day	\$ 550.00	\$ 605.00
(6)	Picnic Shelter Rental	\$ 220.00	\$ 265.00
(7)	Cabin Rental:		
	A. Friday 5:00 p.m. through Saturday 12:00 p.m.		
	Minimum of six (6) cabins	\$ 730.00	\$ 805.00
	Each additional cabin	\$ 100.00	\$ 100.00
	Ten (10) cabin package	\$1,000.00	\$1,100.00
	B. Saturday 12:00 p.m. through Sunday 12:00 p.m.		
	Minimum of six (6) cabins	\$ 880.00	\$ 970.00
	Each additional cabin	\$ 125.00	\$ 125.00
	Ten (10) cabin package	\$1,100.00	\$1,210.00
	C. Friday 5:00 p.m. through Sunday 12:00 p.m.		
	Minimum of six (6) cabins	\$1,370.00	\$1,510.00
	Each additional cabin	\$ 125.00	\$ 125.00
	Ten (10) cabin package	\$1,700.00	\$1,870.00
	D. Weekend package:		
	includes ten (10) cabins and use of Dining Hall	\$2,000.00	\$2,200.00
(8)	Swimming Pool Rental:		
	A. Pool only	\$ 300.00	\$ 300.00
	B. Pool with a room or cabin rental	\$ 150.00	\$ 150.00

(c) City of Cleveland certified lifeguards must be provided by the parties renting the pool with minimum of one lifeguard per 35 participants. Lifeguard rate is \$32.00 per guard.

(d) Rental of any part of the facility is based on a four-hour period including two hours prior to event for set up. There is a charge of \$50.00 per hour for each additional hour.

(e) In instances where private security services are required, it is the responsibility of the party renting the facility to provide such service. Security guards may be a member of a police department as defined in Ohio Revised Code Section 4117.01 (M) or be a person engaged for hire as a watchman, guard, private policeman or other person whose primary duty is to protect persons or property or both and is a class A or C licensee pursuant to Chapter 4749 of the Ohio Revised Code or a registered employee of the same and meets all requirements imposed by that Chapter, and also meets all requirements that may be imposed by Chapter 109 of the Ohio Revised Code and Chapter 709 of the Codified Ordinances of Highland Hills. It is the responsibility of the party renting the facility to ensure that such requirements are met.

Section 2. That all proceeds from the rental fees established by this ordinance will be used to fund capital improvement projects at Camp George Forbes and youth recreation programs.

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

Passed April 3, 2000.

Effective April 10, 2000.

Ord. No. 970-99.
By Councilmen White, Jackson,
Robinson and Johnson (by depart-
mental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 11308 Harvard Avenue to Christland Baptist Church.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 136-19-002 and 136-19-003, as more fully described in Section 2 below, to Christland Baptist Church.

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

P.P. No. 136-19-002

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

Ohio, and known as being Sublot No. 57 in William Jantzen's Subdivision of part of Original 100 Acre Lot No. 467, as shown by the recorded plat in Volume 15 of Maps, Page 24 of Cuyahoga County Records, and being 47.68 feet front on the Southerly side of Harvard Avenue, and extending back 143.67 feet deep on the Easterly line, 156.23 deep on the Westerly line and having a rear line of 46.00 feet along the Northerly line of Hayes Court, S.E. 20 feet wide, as appears by said plat, be the same more or less but subject to all legal highways.

P.P. No. 136-19-003

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 56 in William Jantzen's Subdivision of part of Original 100 Acre Lot No. 467, as shown by the recorded plat in Volume 15 of Maps, Page 24 of Cuyahoga County Records, and being 47.68 feet front on the Southerly side of Harvard Avenue, and extending back 131.12 feet on the Easterly line, 143.67 feet on the Westerly line, and having a rear line of 46 feet along the Northerly line of Hayes Court, S.E., 20 feet wide, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to zoning ordinances, if any.

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

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

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

Section 6. That the deed shall contain a provision granting reversionary rights to the City if the project and plans for development of the property are not reviewed and approved by the Department of Community Development and the City Planning Commission and if the constructed project does not conform to the approved plans.

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

Passed March 27, 2000.
Effective April 6, 2000.

Ord. No. 1425-99.
By Councilmen Zone, Coats, Robinson and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Public Safety to execute an easement granting to Ameritech certain easement rights in property located at W. 117th Street and Linnet Avenue and declaring said easement rights no longer needed for public use.

Whereas, Ameritech has requested the Director of Public Safety to convey certain easement rights in property located on W. 117th Street and Linnet Avenue, site of Fire Station No. 33; and

Whereas, Ameritech requires the easement rights for the purposes of constructing a controlled environment vault which will house remote electronic equipment needed to upgrade telecommunications and to allow for the deployment of fiber optics in the vicinity of the fire station; and

Whereas, the easement rights to be granted are no longer needed for public use; and

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

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

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

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Original Rockport Township Section No. 11:

Starting at the intersection of the Southerly line of Linnet Avenue, 50.00 feet wide, and the Westerly line of West 117th Street, 80.00 feet wide, as shown by The Crawford Land Co.'s Subdivision No. 3 of part of Original Rockport Township Section No. 11, recorded in Volume 64, Page 30 of Cuyahoga County Map Records;

Thence North 89° 15' 55" West along the said Southerly line of Linnet Avenue, 73.00 feet to the Principal Place of Beginning of the easement herein intended to be described;

Thence South 0° 44' 05" West, perpendicular to the said Southerly line of Linnet Avenue, 30.00 feet;

Thence North 89° 15' 55" West, parallel with the said Southerly line of Linnet Avenue, 25.00 feet;

Thence North 0° 44' 05" East, 30.00 feet to a point in the said Southerly line of Linnet Avenue;

Thence South 89° 15' 55" East along the said Southerly line of Linnet Avenue, 25.00 feet to the Principal Place of Beginning and containing 0.0115 acres of land as described on March 23, 1999 by R.M. Kole & Associates, Inc., Professional Land Surveyors.

Section 2. That the easement shall be non-exclusive and the purpose of the easement shall be to construct a controlled environment vault which

will house remote electronic equipment needed to upgrade telecommunications and to allow for the deployment of fiber optics in the vicinity of the fire station.

Section 3. That the easement shall contain a provision that the vault shall be situated immediately adjacent to the north side of Firehouse 33, and shall be properly concealed with landscaping to provide the maximum distance between the box and the south sidewalk of Linnet Avenue. It shall also contain a provision that no existing trees shall be removed for the placement of this vault.

Section 4. That by and at the direction of the Board of Control, the Commissioner of Purchases and Supplies is authorized to convey the above-described non-exclusive easement interest to Ameritech at a price of Four Thousand Dollars (\$4,000.00), which shall be credited to a special revenue fund created by the Director of Finance for improvements or expenses at Fire House 33, and an additional amount not exceeding Two Thousand Dollars (\$2,000.00), to be paid to the City on a reimbursement basis for shrubbery or landscaping, which additional amount shall be credited to the line item from which any such shrubbery or landscaping is purchased. The funds paid to the special revenue account created pursuant to this section are hereby appropriated for use of improvements or expenses at Fire House 33.

Section 5. That the duration of the easement shall be until such time as said easement should be abandoned by the Grantee by the removal of the controlled environment vault or cessation of use; that the easement may include reasonable access, ingress and egress rights; that the easement shall not be assignable without the consent of the Director; that the easement shall require the grantee to indemnify the City, provide reasonable insurance, maintain any Grantee improvements located within the easement, and pay any applicable taxes and assessments.

Section 6. That the conveyance referred to above shall be made by Official Deed of Easement prepared by the Director of Law and executed by the Director of Public Safety on behalf of the City of Cleveland. The Deed of Easement shall contain such additional terms and conditions as are required to protect the interest of the parties. The Directors of Public Safety and Law are authorized to execute such other documents, including without limitation, contracts for right of entry, as may be necessary to effect the construction of the controlled environment vault within the property described in Section 1.

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

Passed April 3, 2000.
Effective April 10, 2000.

Ord. No. 1749-99.
By Councilmen Cimperman, Jackson, Robinson and Johnson (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 1580-82 East 45th Street to Dorothy Childs.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 104-27-006, as more fully described in Section 2 below, to Dorothy Childs.

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

P. P. No. 104-27-006

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 126 in J.M. Hoyt's Subdivision of part of Original Ten Acre Lots Nos. 123 and 124, as shown by the recorded plat in Volume 1 of Maps, Page 20, Cuyahoga County Records, and being 40 feet front on the Westerly side of East 45th Street and extending back between equal lines 134.417 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

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

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

Section 5. That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of

Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest.

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

Passed March 27, 2000.

Effective April 6, 2000.

Ord. No. 1753-99.
By Councilmen White, Jackson, Robinson and Johnson (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 4065 East 131st Street to Greater Harvard Avenue Church.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 138-11-004, as more fully described in Section 2 below, to Greater Harvard Avenue Church.

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

P. P. No. 138-11-004

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 1 in Ford, Morgan and Frisbie's Allotment of part of Original One Hundred Acre Lots Nos. 470 and 462, as shown by the recorded plat in Volume 24 of Maps, Page 5 of Cuyahoga County Records, and being 40.10 feet on the Easterly side of East 131st Street, (formerly Windfall Avenue) and extending back of equal width 140 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 3. That all documents necessary to complete the conveyance authorized by this ordinance shall be executed within six (6) months of the effective date of this ordinance. If all of the documents are

not executed within six (6) months of the effective date of this ordinance, or such additional time as may be granted by the Director of Community Development, this ordinance shall be repealed and shall be of no further force or effect.

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

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

Section 6. That the deed shall contain a provision granting reversionary rights to the City if the project and plans for development of the property are not reviewed and approved by the Department of Community Development and the City Planning Commission and if the constructed project does not conform to the approved plans.

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

Passed March 27, 2000.

Effective April 6, 2000.

Ord. No. 1754-99.
By Councilmen White, Jackson, Robinson and Johnson (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 9222 Miles Avenue to Renee Stuart.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 134-09-016,

as more fully described in Section 2 below, to Renee Stuart.

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

P. P. No. 134-09-016

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as part of Sublot No. 76 in Newburgh Village Allotment of part of Original One Hundred Acre Lot No. 464, as shown by the recorded plat in Volume 2 of Maps, Page 20 of Cuyahoga County Records, and bounded and described as follows:

Beginning at a point on the Southerly line of Miles Avenue, S.E. at the Northwesterly corner of premises conveyed to James P. Murray and Anna R. Murray, by deed dated November 29, 1898, and recorded in Volume 708, Page 90 of Cuyahoga County Records, and 26-1/2 feet Westerly from the North-easterly corner of said Sublot No. 76; thence Southerly along the Westerly line of the premises conveyed by said Deed, 100 feet; thence Westerly and parallel with said Southerly line of Miles Avenue, S.E., 36 feet; thence Northerly and parallel with the said Westerly line of premises as afore-said, about 100 feet to the Southerly line of Miles Avenue S.E.; thence Easterly along the Southerly line of Miles Avenue S.E., about 37 feet to the place of beginning, be the same more or less, but subject to all legal highways.

Except the Northerly five feet of the above described premises which is included within the bounds of the Miles Avenue widening as recorded in Volume 11 of Maps, Page 14 of Cuyahoga County Records.

Also subject to all zoning ordinances, if any.

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

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

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

Section 6. That the deed shall contain a provision granting reversionary rights to the City if the project and plans for development of the property are not reviewed and approved by the Department of Community Development and the City Planning Commission and if the constructed project does not conform to the approved plans.

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

Passed March 27, 2000.

Effective April 6, 2000.

Ord. No. 1757-99.
By Councilmen White, Jackson, Robinson and Johnson (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 9026 Harvard Avenue to House of Our Redeemer Missionary Baptist Church.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 134-06-002, as more fully described in Section 2 below, to House of Our Redeemer Missionary Baptist Church.

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

P. P. No. 134-06-002

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublots Nos. 34 and 35 in Newburgh Village plat of part of Original One Hundred Acre Lot No. 464, as shown by the recorded plat in Volume 2 of Maps, Page 20 of Cuyahoga County Records, bounded and described as follows:

Beginning on the Southerly line of Harvard Avenue, S.E., (formerly Hamilton Street), at a point 60 feet Westerly, measured along said Southerly line from its intersection with the Westerly line of East 91st Street (formerly Walnut Street); thence Westerly along the Southerly line of Harvard Avenue, S.E., 56.5 feet; thence Southerly parallel with the Westerly line of East 91st Street, 115.5 feet; thence Easterly parallel with the Southerly line of Harvard Ave., S.E., 56.5 feet; thence Northerly parallel with the Wester-

ly line of East 91st Street, 115.5 feet to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

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

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

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

Section 6. That the deed shall contain a provision granting reversionary rights to the City if the project and plans for development of the property are not reviewed and approved by the Department of Community Development and the City Planning Commission and if the constructed project does not conform to the approved plans.

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

Passed March 27, 2000.

Effective April 6, 2000.

Ord. No. 1896-99.
By Councilmen Britt, Jackson, Robinson and Johnson.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 8011, 8115, 8117-019 and 8121-23 Quincy Avenue to Fairfax Renaissance Development Corporation.

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

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

Codified Ordinances of the City of Cleveland, 1976; and

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 119-26-006, 119-26-010, 119-26-011 and 119-26-012, as more fully described in Section 2 below, to Fairfax Renaissance Development Corporation.

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

P. P. No. 119-26-006

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Easterly 8 feet of Sublot No. 35 and the Westerly 35 feet of Sublot No. 34 in Holden and Judson's Subdivision of part of Original One Hundred Acre Lot No. 407, as shown by the recorded plat in Volume 3 of Maps, Page 59 of Cuyahoga County Records, and together forming a parcel of land having a frontage of 43 feet on the Northerly side of Quincy Avenue, S.E., and extending back of equal width 140 feet to the Southerly line of Emanuel Court, S.E., as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

P. P. No. 119-26-010

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 29 in Holden and Judson's Allotment of part of Original One Hundred Acre Lot No. 407, as shown by the recorded plat of said Allotment in Volume 3 of Maps, Page 59 of Cuyahoga County Records. Said Sublot No. 29 has a frontage of 40 feet on the Northerly side of Quincy Avenue, S.E., (formerly Wade Street) and extends back between parallel lines 140 feet, as appears by said plat.

Also subject to all zoning ordinances, if any.

P. P. No. 119-26-011

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 28 in Holden and Judson's Subdivision, of part of Original One Hundred Acre Lot No. 407, as shown by the recorded plat of said Subdivision in Volume 3 of Maps, Page 59 of Cuyahoga County Records, and being 42 feet front on the Northerly side of Quincy Avenue, S.E., (formerly Wade Street), and extending back 140 feet on the Easterly line, 140 feet on the Westerly line, and having a rear line of 42 feet 9 inches, as appears by said plat, be the same more or less, but subject to all legal highways.

P. P. No. 119-26-012

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

Ohio, and known as being Sublot No. 27 in Holden and Judson's Subdivision of part of Original One Hundred Acre Lot No. 407, as shown by the recorded plat in Volume 3 of Maps, Page 59 of Cuyahoga County Records, and being 45 feet front on the Northerly side of Quincy Avenue, S.E., and extending back of equal width 140 feet along the Northerly side of East 82nd Street, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

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

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

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

Section 6. That the deed shall contain a provision granting reversionary rights to the City if the project and plans for development of the property are not reviewed and approved by the Department of Community Development and the City Planning Commission and if the constructed project does not conform to the approved plans.

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

Passed April 3, 2000.

Effective April 10, 2000.

Ord. No. 1962-99.

By Councilman Cimperman (by request).

An emergency ordinance to change the name of Railway Avenue S.W. to "University Road S.W."

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

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

Section 1. That the name of that portion of Railway Avenue S.W. (50.00 feet wide) extending Westerly from the Westerly line of Liter-

ary Road S.W. (60.00 feet wide) to the Easterly line of West 11th Street (100.00 feet wide); be and the same is hereby changed to "University Road S.W."

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

Passed March 27, 2000.

Effective April 6, 2000.

Ord. No. 1965-99.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 2190 East 68th Street to Lila Mills.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 118-23-014, as more fully described in Section 2 below, to Lila Mills.

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

P. P. No. 118-23-014

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublots Nos. 71 and 72 and the Northerly 10 feet of Sublot No. 73 in James H. Clark and Harriet Clark's Allotment of part of Original One Hundred Acre Lot No. 335, as shown by the recorded plat in Volume 9 of Maps, Page 17 of Cuyahoga County Records, and together forming a parcel of land 90 feet front on the Westerly side of East 68th Street (formerly Harriet Street) and extending back 127 feet 5 inches on the Northerly line, about 127 feet 7 1/2 inches on the Southerly line, and having a rear line of about 90 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

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

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

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

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

Passed March 27, 2000.
Effective April 6, 2000.

Ord. No. 1966-99.
By Councilmen Jackson, Melena, Cimperman and Patmon (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at Bessemer Avenue to William and Ernestine Weatherspoon.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 127-12-059,

as more fully described in Section 2 below, to William and Ernestine Weatherspoon.

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. 127-12-059

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 46 in the J. Paton Allotment of a part of Original One Hundred Acre Lot No. 440, as shown by the recorded plat in Volume 5 of Maps, Page 59 of Cuyahoga County Records, said Sublot No. 46 has a frontage of 40 feet on the Southerly side of Bessemer Avenue, S.E., and extending back between parallel lines 211 9/12 feet as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

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

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

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

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

Passed March 27, 2000.
Effective April 6, 2000.

Ord. No. 1967-99.
By Councilmen Jackson, Melena, Cimperman and Patmon (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 3006 East 77th Street to Reginald Madgett.

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

Whereas, real property acquired under the City's Land Reutiliza-

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 125-19-034, as more fully described in Section 2 below, to Reginald Madgett.

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. 125-19-034

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 31 in Whiting and Burt's Subdivision of part of Original One Hundred Acre Lot No. 327, as shown by the recorded plat of said Subdivision in Volume 5 of Maps, Page 6 of Cuyahoga County Records, and being 40 feet front on the Westerly side of East 77th Street and extending back of equal width 135 feet deep as appears by said plat, be the same more or less, but subject to all legal highways.

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

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

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

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

Passed March 27, 2000.
Effective April 6, 2000.

Ord. No. 1968-99.
By Councilmen Jackson, Melena, Cimperman and Patmon (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 9017 Union Avenue to Ivy O. Greenidge.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s), 127-14-015, as more fully described in Section 2 below, to Ivy O. Greenidge.

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. 127-14-015

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 8 in Sherban H. Wightman's Subdivision of part of Original One Hundred Acre Lot No. 440 as shown by the recorded plat in Volume 3 of Maps, Page 41 of Cuyahoga County Records and being 48.2 feet front on the Northerly side of Union Avenue, S.E., and extending back of equal width 179.88 feet deep, be the same more or less, but subject to all legal highways.

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

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

Section 5. That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain

such provisions as may be necessary to protect and benefit the public interest.

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

Passed March 27, 2000.

Effective April 6, 2000.

Ord. No. 1969-99.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 2622 and 2616 Woodhill Road to Walter L. Cox, Sr.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s), 126-16-047 and 126-16-049, as more fully described in Section 2 below, to Walter L. Cox, Sr.

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

P. P. No. 126-16-047

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original One Hundred Acre Lot No. 417, bounded and described as follows:

Beginning on the Northwesterly side of Woodhill Road, S.E., (80 feet wide), at a point distant Northeasterly, measured along said Northwesterly side 43.33 feet from its intersection with the Northerly side of Kennedy Avenue, S.E. (45 feet wide); thence Southwesterly along the Northwesterly side of Woodhill Road, S.E., 43.33 feet to the Northerly side of Kennedy Avenue, S.E.; thence Westerly along said Northerly side, 95.61 feet to the Easterly line of a parcel of land conveyed to Frank D. Morrow by deed recorded in Volume 788, Page 91 of Cuyahoga

County Records; thence Northerly along the Westerly line of said parcel so conveyed, 40.15 feet; thence Easterly parallel with the Northerly side of Kennedy Avenue, S.E., 108.80 feet to the place of beginning, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

P. P. No. 126-16-049

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original One Hundred Acre Lot No. 417 and bounded and described as follows:

Beginning at a point in the Westerly side of Woodhill Road, S.E.; distance Northeasterly 86.66 feet from the intersection of the Westerly line of Woodhill Road, S.E., with the Northerly line of Kennedy Avenue, S.E.; thence Westerly along a line drawn parallel with the Northerly line of Kennedy Avenue, S.E., 121.98 feet to a point in the Easterly line of land deeded to Frank D. Morrow by deed recorded in Volume 788, Page 91 of Cuyahoga County Records, said point being distant Northeasterly along said Easterly line of lands deeded to Frank D. Morrow, 80.30 feet from the Northerly line of Kennedy Avenue, S.E., thence Northeasterly along said Easterly line of land deeded to Frank D. Morrow, 37.07 feet; thence Easterly along a line parallel with the Northerly line of Kennedy Avenue, S.E., 134.16 feet to the Westerly line of Woodhill Road, S.E., thence Southwesterly along the Westerly line of Woodhill Road, S.E., 40 feet to the place of beginning.

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original One Hundred Acre Lot No. 417 and bounded and described as follows:

Beginning at a point in the Westerly line of Woodhill Road, S.E., 80 feet wide, distant Northeasterly 86.41 feet from the intersection of the Westerly line of Woodhill Road, S.E., with the Northerly line of Kennedy Avenue, S.E., 45 feet wide; Course No. 1: Thence Westerly and parallel with the Northerly line of Kennedy Avenue, S.E., 121.90 feet to a point in the Easterly line of land deeded to Frank D. Morrow by deed recorded in Volume 788, Page 91 of Cuyahoga County Records, and point being distant Northeasterly along said Easterly line of land so deeded to Frank D. Morrow, 80.07 feet from the Northerly line of Kennedy Avenue, S.E., Course No. 2: Thence Northeasterly along said Easterly line of land deeded to Frank D. Morrow, 0.23 feet to a point Course No. 3: Thence Easterly and parallel with said Northerly line of Kennedy Avenue, S.E., 121.98 feet to a point in the Westerly line of Woodhill Road, S.E., as aforesaid. Course No. 4: Thence Southwesterly along the Westerly line of Woodhill Road, S.E. as aforesaid, 0.25 feet to the place of beginning, according to the monuments and lines used in a survey by the Bauer Surveys Company, dated September 19, 1936, be the same more or less, but subject to all legal highways.

Schedule B

Restrictions contained in an instrument dated February 9, 1909 and recorded in Volume 1102, Page 455 of Cuyahoga County Records (2) Restrictions contained in an instrument dated May 27, 1915 and recorded in Volume 1675, Page 115 of Cuyahoga County Records. (3) Easement contained in Warranty Deed dated May 17, 1974 and recorded in Volume 6852, Page 219 of Cuyahoga County Records.

Also subject to all zoning ordinances, if any.

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

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

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

Section 6. That the deed shall contain a provision granting reversionary rights to the City if the project and plans for development of the property are not reviewed and approved by the Department of Community Development and the City Planning Commission and if the constructed project does not conform to the approved plans.

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

Passed April 3, 2000.
Effective April 10, 2000.

Ord. No. 1970-99.
By Councilmen Johnson, Melena, Cimperman and Patmon (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 9431 and 9505 Holton Avenue to Marion C. English.

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

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 126-25-013 and 126-25-014, as more fully described in Section 2 below, to Marion C. English.

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

P. P. No. 126-25-013

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublots Nos. 13 and 14 in Elizabeth and J.M. Hower's Subdivision of part of Original One Hundred Acre Lots Nos. 424 and 425 the plat of which is recorded in Volume 5 of Maps, Page 2 of Cuyahoga County Records; and bounded and described as follows:

Beginning at the Southeast corner of said Sublot No. 13; thence Northerly, along Ambler Street, 101-5/12 feet to the Northerly line of a proposed alley; thence Westerly, parallel with Holton Avenue and along the Northerly line of said proposed alley, 60 feet; thence Southerly, parallel with Ambler Street, 101-5/12 feet to the Northerly line of Holton Avenue, thence Easterly, along the Northerly line of Holton Avenue, 60 feet to the place of beginning and being 60 feet front on the Northerly side of Holton Avenue, and extending back of equal width, along Ambler Street, 101-5/12 feet.

Subject to Zoning Ordinances, if any.

P. P. No. 126-25-014

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being parts of Sublot No. 14 and 15 in Elizabeth and J.M. Hower's Subdivision of parts of Original One Hundred Acre Lots 424 and 425, the plat of which is recorded in Volume 5 of Maps, Page 2 of Cuyahoga County Records, and bounded and described as follows:

Beginning in the Northerly line of Holton Avenue, 60 feet Westerly of the Westerly line of Ambler Street; thence Northerly, parallel with Ambler Street, 101-5/12 feet to the Northerly line of a proposed alley; thence Westerly, parallel with Holton Avenue and along the North side of said proposed alley, 30 feet; thence Southerly, parallel with Ambler Street, 101-5/12 feet to the Northerly line of Holton Avenue; thence Easterly, along the Northerly side of Holton Avenue, 30 feet to the place of beginning, and being 30

feet front on the Northerly side of Holton Avenue, and extending back of equal width, parallel with Ambler Street, 101-5/12 feet, be the same more or less, but subject to all legal highways.

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

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

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

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

Passed March 27, 2000.
Effective April 6, 2000.

Ord. No. 1972-99.
By Councilmen Lewis, Melena, Cimperman and Patmon (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 1391 East 90th Street to Elvira Jackson.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the

Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 107-15-239, as more fully described in Section 2 below, to Elvira Jackson.

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

P. P. No. 107-15-239

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 81 in Cody Bro's Subdivision of part of Original 100 Acre Lot No. 384 as shown by the recorded plat in Volume 16 of Maps, Page 28 of Cuyahoga County Records and being 30 feet front on the Easterly side of East 90th Street and extending back between parallel lines 91.13 feet deep on the Northerly line, 78.63 feet deep on the Southerly line and 32.50 feet in the rear, as appears by said plat, be the same more or less, but subject to all legal highways.

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

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

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

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

Passed March 27, 2000.

Effective April 6, 2000.

Ord. No. 1973-99.
By Councilmen Lewis, Melena, Cimperman and Patmon (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 8804 Meridian Avenue to Hallie F. Smith.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 107-16-135, as more fully described in Section 2 below, to Hallie F. Smith.

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

P. P. No. 107-16-135

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 118 in W.J. Crawford and James Parmelee's Subdivision or a part of Original One Hundred Acre Lot No. 392, as shown by the recorded plat in Volume 14 of Maps, Page 19 of Cuyahoga County Records, and being a parcel of land bounded and described as follows:

Beginning on the Southerly line of Meridian Avenue, N.E., (formerly Meridian Street), at the Northwesterly corner of Sublot No. 118; thence Easterly along said Southerly line of Meridian Avenue, N.E., 26 feet; thence Southerly at the right angles to said Southerly line of Meridian Avenue, N.E., 76-47/100 feet to the Southeastly line of said Sublot No. 118; thence Southwesterly along said Southeastly line of said Sublot No. 118, 45 61/100 feet to the most Southerly corner of said Sublot No. 118; thence Northerly along the Westerly line of said Sublot No. 118, 113 95/100 feet to the place of beginning, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

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

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

Section 5. That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of

Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest.

Section 6. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its 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 March 27, 2000.

Effective April 6, 2000.

Ord. No. 1974-99.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 1753 East 47th Street to Cordis Bray and Shirley Bray.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 104-28-040, as more fully described in Section 2 below, to Cordis Bray and Shirley Bray.

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

P. P. No. 104-28-040

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 1 in Rufus L. Willard's Subdivision of part of Original Ten Acre Lot No. 99, as shown by the recorded plat in Volume 4 of Maps, Page 42 of Cuyahoga County Records and bounded and described as follows:

Beginning on the Easterly line of East 47th Street (formerly Willard Street) at the Northwesterly corner of said Sublot No. 1; thence Easterly along the Northerly line of Sublot No. 1, about 181 feet; thence Southerly parallel with the Easterly line of said Sublot No. 1, 30 feet; thence Westerly parallel with the said Northerly line of Sublot No. 1 about 177 feet to the said Easterly line of

East 47th Street; thence Northerly along said Easterly line of East 47th Street, about 30 feet to the place of beginning, be the same more or less, but subject to all legal highways.

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

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

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

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

Passed March 27, 2000.
Effective April 6, 2000.

Ord. No. 1975-99.
By Councilmen Lewis, Melena, Cimperman and Patmon (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 1388 East 89th Street to Nora J. Woods and Samuel L. Garrett.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordina-

nances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 107-15-148, as more fully described in Section 2 below, to Nora J. Woods and Samuel L. Garrett.

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

P. P. No. 107-15-148

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being all of Sublot No. 24, in Cody Brothers Subdivision of part of Original One Hundred Acre Lot No. 384, as shown by the recorded plat in Volume 16 of Maps, Page 28 of Cuyahoga County Records, and being 30 feet front on the Westerly side of East 89th Street (formerly Claremont Street) and extending back of equal width 85 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

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

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

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

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

Passed March 27, 2000.
Effective April 6, 2000.

Ord. No. 1977-99.
By Councilmen White, 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 10709 Elmarge Road, S.E. to Sharifa D. Mitchell and Andrae J. Bush.

Whereas, the City of Cleveland has elected to adopt and implement the procedures under Chapter 5722

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 136-24-068, as more fully described in Section 2 below, to Sharifa D. Mitchell and Andrae J. Bush.

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

P. P. No. 136-24-068
Parcel No. 1

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Block "B" in A.J. Gaehr's Subdivision of part of Original One Hundred Acre Lot No. 466, as shown by the recorded plat in Volume 42 of Maps, Page 12 of Cuyahoga County Records and bounded and described as follows:

Beginning on the Northerly line of Emarge Road 40 feet Easterly from the Southwesterly corner of said Block "B"; thence Northerly parallel with the Westerly line of said Block "B" 96 22/100 feet; thence South 45° 53' East 81.92 to the Northwesterly line of said Elmarge Road; thence Southwesterly along said Northwesterly line of Elmarge Road, which is a curved line deflecting to the right having a radius of 80 feet and a chord which bears South 66° 07' 45" West 64 74/100 feet, a distance of 66 66/100 feet; thence Westerly along the Northerly line of Elmarge Road, 13 feet to the place of beginning.

Parcel No. 2

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Block "B" in A.J. Gaehr's Subdivision of part of Original One Hundred Acre Lot No. 466, as shown by the recorded plat in Volume 42 of Maps, Page 12 of Cuyahoga County Records and bounded and described as follows:

Beginning at the most Westerly corner of parcel of land conveyed to Lloyd Hagerty, by deed dated February 17, 1913 and recorded in Volume 1444, Page 328 of Cuyahoga County Records; thence from said place of beginning South 89° 14' 50" East along Lloyd Hagerty's North line, 13.40 feet; thence South, parallel with the Westerly line of Block "B" 12.81 feet to the Northeasterly line of land deeded to Gideon W.

Lippencott, by deed dated April 3, 1913 and recorded in Volume 1472, Page 397 of Cuyahoga County Records; thence Northwesterly along Gideon W. Lippencott's Northeastly line, 18.66 feet to the place of beginning.

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

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

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

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

Passed March 27, 2000.
Effective April 6, 2000.

Ord. No. 2092-99.
By Councilmen O'Malley, Polensek and Dolan.

An emergency ordinance to amend Sections 698.01 and 698.99 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 1290-A-43, passed October 22, 1945, relating to ticket brokers.

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

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

Section 1. That Sections 698.01 and 698.99 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 1290-A-43, passed October 22, 1945, is hereby amended to read as follows:

Section 698.01 Definitions

As used in this chapter:

(a) "Ticket broker" means any person, firm or corporation engaged in conducting, managing or carrying on the business of buying, selling or otherwise dealing in tickets of admission, or any other evidence of right of entry to a theater, place of amusement or entertainment, or other place where public exhibitions, games, contests or performances are held within the City, at a price

greater than the price printed on the ticket, or procuring or reserving theater or amusement admissions for a fee or compensation in addition to the box office price.

(b) "Engaged in conducting, managing or carrying on the business of ticket broker" means the sale of two or more tickets of admission or other evidence of right of entry to, or the procuring or reserving of two or more admissions to any of the places of amusement set forth in the definition of ticket brokers, within any calendar year.

Section 698.99 Penalty

Whoever violates any of the provisions of this chapter shall be guilty of a misdemeanor of the fourth degree and fined not more than two hundred and fifty dollars (\$250.00), or imprisoned not more than 30 days, or both, for the first offense. Whoever violates any of the provisions of this chapter within two years of the first conviction hereunder shall be guilty of a misdemeanor of the second degree for a second or subsequent offense and shall be fined not more than seven hundred and fifty dollars (\$750.00), or imprisoned not more than 90 days, or both. Each day's violation constitutes a separate offense.

Section 2. That existing Sections 698.01 and 698.99 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 1290-A-43, passed October 22, 1945, is hereby repealed.

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

Passed March 27, 2000.
Effective April 6, 2000.

Ord. No. 2156-99.

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

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

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

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

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

Section 2. That the Director of Public Utilities is hereby authorized to enter into contract for the making of the above public improvement with the lowest responsible bidder

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

Section 3. That the cost of said improvement hereby authorized shall be paid from Fund No. 54 SF 001, Request No. 11379.

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 March 27, 2000.
Effective April 6, 2000.

Ord. No. 2157-99.

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

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

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

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

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

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

Section 3. That the cost of said improvement hereby authorized shall be paid from Fund No. 54 SF 001, Request No. 11380.

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 March 27, 2000.
Effective April 6, 2000.

**Ord. No. 2159-99.
By Councilmen Brady, Sweeney,
Dolan, Cintron, Cimperman and Pat-
mon (by departmental request).**

An emergency ordinance authorizing the Director of Public Service to cause payment of the City of Cleveland's share to the County of Cuyahoga for the cost of the rehabilitation of West 140th Street.

Whereas, in Ordinance No. 2039-91, passed December 9, 1991, this Council gave consent to the County of Cuyahoga for the rehabilitation of West 140th Street from Puritas Road to Lakewood Heights Boulevard; and

Whereas, this Council authorized the City to cooperate with the County in the cost of such improvement; and

Whereas, the City's share of the cost of such improvement is approximately \$200,000.00; and

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

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

Section 1. That this Council hereby authorizes payment to the County of Cuyahoga of the City's share of the cost of the improvement of rehabilitating West 140th Street from Puritas Road to Lakewood Heights Boulevard. (RL 4454)

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

Passed March 27, 2000.
Effective April 6, 2000.

**Ord. No. 2166-99.
By Councilmen Jones, White,
Robinson, Cintron, Cimperman and
Patmon (by departmental request).**

An emergency ordinance giving consent of the City of Cleveland for the rehabilitation of Harvard Avenue from East 116th Street to East 154th Street to the County of Cuyahoga; authorizing the Director of Public Service to enter into any agreements relative thereto; and to apply for and accept an allocation of County Motor Vehicle License Tax Funds for the improvement.

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

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

Section 1. That it is declared to be in the public interest that the consent of the City of Cleveland is hereby given to the County of Cuyahoga (the "County") to construct the following improvement in accordance with plans, specifications and estimates approved by the County: The rehabilitation of Harvard Avenue from East 116th Street to East 154th Street (the "Improvement").

Section 2. That the City hereby proposes to cooperate with the County in the cost of the Improvement

by assuming and contributing the entire cost and expense of the Improvement less any funds administered by the Ohio Public Works Commission which are used for the Improvement, and less the County's portion of the cost of the Improvement.

Section 3. That the Director of Public Service is hereby authorized to enter into such agreements with the County as are necessary to complete the planning and construction of the Improvement.

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

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

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

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

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

e) Prohibit all parking within the limits of the roadway which is a part of the Improvement in accordance with Section 4511.66 of the Ohio Revised Code, unless otherwise controlled by City ordinance or resolution.

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

b) That in the event any additional rights-of-way are required for the Improvement, the County will arrange for acquisition thereof.

c) That the County shall continue to maintain the structural elements of any bridge (defined as a structure with a span of twenty (20) feet or greater) within the limits of the Improvement in accordance with applicable sections of the Ohio Revised Code.

d) That the street within the limits of the Improvement is hereby designated a through highway within the meaning of Section 4511.07(F) of the Ohio Revised Code.

e) That arrangements have been or will be made with and agreements obtained from all public utility companies whose lines or structures will be affected by the Improvement, that said companies have agreed to make any and all necessary rearrangements in such manner as to be clear of any construction called for by the plans for the Improvement and that said companies have agreed to make such necessary rearrangements immediately after notification by the City or the County.

f) That the City, at its own expense, shall make all rearrangements of water mains, service lines, fire hydrants, valve boxes, sanitary sewers or other City-owned utilities and appurtenances thereto which do

not comply with the provisions of ODOT Directive No. 28-A, whether inside or outside the corporate limits of the City, as may be necessary to conform to the Improvement, and that said rearrangements shall be done at such time as requested by the County.

g) That the County will participate in the costs of alterations of governmentally-owned utility facilities which come within the provisions of ODOT Directive No. 28-A to the same extent that it participates in the other costs of the Improvement, provided that such participation will not extend to additions or betterments of existing facilities.

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

i) That the City hereby agrees that the County shall be and hereby is saved harmless from any and all damages or claims arising from or growing out of the certification or obligations made or agreed to in divisions a), b), e), f), and h), of this section.

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

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

Section 6. That the Council of the City hereby requests the Board to County Commissioners to proceed with the Improvement.

Section 7. That the Director of Public Service is hereby authorized to enter into an agreement with the Board of Commissioners of the County concerning the financing of the Improvement. Each such agreement shall contain without limitations terms substantially similar to the following:

a) That the County will arrange for the preparation of construction plans and specifications for the Improvement, including necessary engineering reports, under current County Engineer standards for construction of County roads and bridges.

b) That the County will arrange for the supervision and administration of the construction contract for the Improvement, and will review the construction plans for conformance with division a) of this section and make an inspection of the completed project.

c) That if, by ordinance of this Council, the City requests the County to include in the Improvement the

construction of sanitary sewers, water lines, sewers for drainage of the area surrounding the Improvement, sidewalks, alternate bid items or other items that are in addition to those now existing in the plans for the Improvement and not provided for elsewhere in the agreement, the County will do so, provided that the construction of such additional items is approved by the County and the City, and provided further that the City agrees to pay or cause to be paid the cost of said construction and of preliminary and design engineering therefor, but the City shall not be responsible for the cost of supervision of said construction.

d) That the City hereby agrees to participate with the County in the cost of the Improvement by an allocation from the County Motor Vehicle License Tax fund to pay the County portion of the project.

e) That if the project is financed as a Federal-aid project, eligible costs of the Improvement shall be financed from the aforesaid funds.

f) That within the corporate limits of the City, the City hereby agrees to contribute twenty percent (20%) of the cost of construction, construction supervision, right-of-way, and incidentals and forty percent (40%) of the cost of preparation of plans and specifications. That the City hereby agrees to deposit with the Treasurer of Cuyahoga County the City's share of the estimated cost of the project or the Director of Public Service is hereby authorized to enter into an escrow agreement with the Board of County Commissioners prior to an award of a contract for the improvement.

Section 8. That the Director of Public Service is hereby authorized to apply to the County for an allocation from the County Motor Vehicle License Tax fund to pay the County portion of the project, and to enter into such agreements with the County as are necessary to finance the Improvement.

Section 9. That the Director of Public Service is hereby authorized to apply to the County Board of Commissioners for approval to use County Motor Vehicle License Tax funds to pay for the Improvement, to accept said funds and to file all papers and execute all documents necessary to receive said funds; and that said funds be and are hereby appropriated for the purposes set forth above.

Section 10. That the Clerk of Council is hereby authorized and directed to transmit to the Director of ODOT and to the County three (3) certified copies of this ordinance immediately upon the taking effect thereof, and it shall become the basis for proceeding with the Improvement.

Section 11. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its 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 March 27, 2000.
Effective April 6, 2000.

Ord. No. 2168-99.
By Councilmen O'Malley, Patmon Cintron, Cimperman (by departmental request).

An emergency ordinance determining the method of making the public improvement of renovating and rehabilitating the Ridge Road Service Center, the Glenville Service Center and Glenville Streets Facility, and authorizing the Director of Public Service to enter into contract for the making of such improvement.

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

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

Section 1. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of renovating and rehabilitating the Ridge Road Service Center, the Glenville Service Center and Glenville Streets Facility, for the Division of Architecture, Department of Public Service, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.

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

Section 3. That the cost of said improvement hereby authorized shall be paid from Fund No. 20 SF 362, Request No. 4313.

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 March 27, 2000.
Effective April 6, 2000.

Ord. No. 56-2000.
By Councilmen Polensek and Patmon (by departmental request).

An emergency ordinance determining the method of making the public improvement of renovating various Department of Public Safety buildings; authorizing the Director of Public Safety to enter into contract for the making of such improvement; authorizing said director to employ one or more professional consultants to design the public improvement; and authorizing the purchase by requirement contract of equipment, supplies and fixtures, necessary to implement the improvement.

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of

a municipal department; now, therefore,

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

Section 1. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of renovating various Department of Public Safety buildings, for the Department of Public Safety, by contract duly let to the lowest responsible bidder after competitive bidding for a gross price for the improvement.

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

Section 3. That the Director of Public Safety is hereby authorized to employ by contract one or more design consultants or one or more firms of design consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to design the public improvement authorized above.

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

Section 4. That the Director of Public Safety is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of equipment, supplies and fixtures, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Department of Public Safety. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than 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.

That the cost of said contract shall be charged against the proper

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

Section 5. That the cost of said improvement and services hereby authorized shall be paid from Fund No. 20 SF 362, Request No. 3694.

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

Passed April 3, 2000.
Effective April 10, 2000.

**Ord. No. 61-2000.
By Councilmen Polensek, Melena, Cimperman and Patmon (by departmental request).**

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 15808 Damon Avenue to Northeast Shores Development Corporation or designee.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 113-14-011, as more fully described in Section 2 below, to Northeast Shores Development Corporation or designee.

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

P. P. No. 113-14-011

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and bounded and described as follows, to wit: and known as being the Westerly 10 feet from front to rear of Sublot No. 396 and all of Sublots Nos. 394 and 395 in Eastwood Subdivision of part of Original Euclid Township Tract No. 16, as shown by the recorded plat in Vol-

ume 31 of Maps, Page 27 of Cuyahoga County Records, and together forming a parcel of land 60 feet front on the Southerly side of Damon Avenue, and extending back of equal width 101 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

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

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

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

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

Passed March 27, 2000.
Effective April 6, 2000.

**Ord. No. 107-2000.
By Councilmen Rybka, White and Patmon (by departmental request).**

An emergency ordinance authorizing the Directors of Parks, Recreation and Properties and Personnel and Human Resources to employ one or more temporary employment agencies, to provide professional services to supply temporary and seasonal personnel for the Department of Parks, Recreation and Properties and Personnel and Human Resources for a period of one year.

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

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

Section 1. That the Directors of Parks, Recreation and Properties and Personnel and Human Resources are hereby authorized to employ by contract one or more temporary employment agency or agencies 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 supply temporary and sea-

sonal personnel for a period of one year for the Departments of Parks, Recreation and Properties and Personnel and Human Resources from a list of qualified consultants available for such employment as may be determined after a full and complete canvass by the Directors of Parks, Recreation and Properties and Personnel and Human Resources 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 Directors of Parks, Recreation and Properties and Personnel and Human Resources, and certified by the Director of Finance.

Section 2. That the costs for such services herein contemplated shall be paid from Fund Nos. 13 SF 716, 13 SF 708, 13 SF 800, 62 SF 001, 63 SF 001, 67 SF 500, 67 SF 001 and 01-701200-638000, Request No. 05038.

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

Passed April 3, 2000.
Effective April 10, 2000.

**Ord. No. 133-2000.
By Councilmen Britt, Melena, Cimperman and Patmon (by departmental request).**

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 2239, 2237, 2233, 2229 East 83rd Street to Fairfax Renaissance Development Corporation or designee.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 119-29-168 as more fully described in Section 2 below, to Fairfax Renaissance Development Corporation or designee.

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

P. P. No. 119-29-168

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southerly 1/2 front and rear of Sublot No. 62 in Clewell, Worely and Robinson's Subdivision of Original One Hundred Acre Lot No. 407, as shown by the recorded plat in Volume 3 of Maps, Page 56 of Cuyahoga County Records, and being 25 feet front on the Easterly side of East 83rd Street (formerly Lincoln Street), extending back 172.75 feet on the Northerly line, 172.80 feet on the Southerly line, and having a rear line of 25 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 3. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 119-29-169 as more fully described in Section 4 below, to Fairfax Renaissance Development Corporation or designee.

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

P. P. No. 119-29-169

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Northerly 1/2 of Sublot No. 62 in Clewell and Worley's Subdivision of part of Original One Hundred Acre Lot No. 407 as shown by the recorded plat of said Subdivision in Volume 3 of Maps, Page 56 of Cuyahoga County Records. Said part of Sublot No. 62 has a front of 25 feet on the Easterly side of East 83rd Street (formerly Lincoln Avenue) and extends back of equal width 172-7/10 feet on the North line, 172-75/100 feet on the South line and being 25 feet in the rear as appears by said plat, be the same more or less, but subject to all legal highways.

Section 5. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 119-29-170 as more fully described in Section 6 below, to Fairfax Renaissance Development Corporation or designee.

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

P. P. No. 119-29-170

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 63 in Messrs. Clewell and Worley Subdivision of part of Original One Hundred Acre Lot No. 407 as shown by the recorded plat in Volume 3 of Maps, Page 56 of Cuyahoga County Records, 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. 119-29-171 as more fully described in Section 8 below, to Fairfax Renaissance Development Corporation or designee.

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

P. P. No. 119-29-171

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 64 in Clewell and Worley's Subdivision of part of Original One Hundred Acre Lot No. 407, as shown by the recorded plat in Volume 3 of Maps, Page 56 of Cuyahoga County Records, and being 50 feet front on the Easterly side of East 83rd Street, and extending back 172.6 feet on the Northerly line, 172.7 feet on the Southerly line, and has a rear line of 50 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

Section 9. That 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 10. 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 11. That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest.

Section 12. That the deed shall contain a provision granting reversionary rights to the City if the project and plans for development of the property are not reviewed and approved by the Department of Community Development and the City Planning Commission and if the constructed project does not conform to the approved plans.

Section 13. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its 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 March 27, 2000.
Effective April 6, 2000.

Ord. No. 166-2000.

By Councilmen Gordon and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Cuyahoga County Solid Waste District for the 2000 Solid Waste Disposal Program.

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

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

Section 1. That the Director of Public Health is hereby authorized to apply for and accept a grant in the approximate amount of \$96,160, and any other funds as they become available during the grant term, from the Cuyahoga County Solid Waste District, to conduct the 2000 Solid Waste Disposal Program, for the purposes set forth in the application and according thereto; that the Director of Public Health is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the application for said grant.

Section 2. That the Director of Public Health shall provide the Public Health Committee with a report, on a regular basis, describing the inspections and services performed pursuant to the 2000 Solid Waste Disposal Program and shall work in cooperation with City Council on the 2000 Solid Waste Disposal Program.

Section 3. That the application for said grant, File No. 166-2000-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

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 March 27, 2000.
Effective April 6, 2000.

Ord. No. 256-2000.

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

An emergency ordinance authorizing the Director of Public Utilities to employ one or more professional consultants to provide engineering design services and preparation of construction plans for the East 71st Street sewer project.

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

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

Section 1. That the Director of Public Utilities is hereby authorized to employ by contract one or more engineering design consultants or one or more firms of engineering

design consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to prepare the engineering design and preparation of construction plans for the East 71st Street sewer project.

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

Section 2. That the costs for such services herein contemplated shall be paid from Fund No. 54 SF 001, Request No. 11410.

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 March 27, 2000.
Effective April 6, 2000.

Ord. No. 274-2000.
By Councilmen Johnson, Melena, Cimperman and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Kinsman Development Corporation to provide economic development assistance to partially finance the acquisition of personal property for operation of a McDonalds restaurant located at 9101 Kinsman Avenue, Cleveland, Ohio.

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

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

Section 1. That the Director of Economic Development is hereby authorized to enter into a contract with Kinsman Development Corporation to provide economic development assistance to partially finance the acquisition of personal property for operation of a McDonalds restaurant located at 9101 Kinsman Avenue, Cleveland, Ohio.

Section 2. That the term of said loan shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 274-2000-A.

Section 3. That the costs of said contract shall not exceed One Hundred Seventy-Two Thousand Dollars (\$172,000), and shall be paid from Fund No. 17 SF 008, Request No. 1034.

Section 4. That the Director of Economic Development is hereby authorized to accept the collateral as set forth in the Executive Summary contained in the file referenced in Section 2 of this ordinance in order to secure repayment of said loan. Any security instrument shall be prepared and approved by the Director of Law.

Section 5. That the Director of Economic Development is hereby authorized to accept monies in repayment of the loan and to deposit said monies in Fund No. 17 SF 006.

Section 6. That the Director of Economic Development is hereby authorized to charge and accept fees in an amount not to exceed the maximum allowable fees under federal regulations and expend such fees to cover costs incurred in the preparation of the loan application, closing and servicing of the loan. Such fees shall be deposited to and expended from Fund No. 17 SF 305, Loan Fees Fund.

Section 7. That the Director of Law is hereby authorized to prepare said contract and such other documents as may be appropriate to complete the transaction.

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

Passed April 3, 2000.
Effective April 10, 2000.

Ord. No. 365-2000.
By Councilmen Gordon and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of animal trappings and pest control services, for the Division of Environment, Department of Public Health, for a period not to exceed one year.

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

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

Section 1. That the Director of Public Health is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year of the necessary items of animal trappings and pest control services, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Environment, Department of Public Health. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than one year

may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. That the cost of said contract shall not exceed \$60,000 and 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 6780)

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

Passed April 3, 2000.
Effective April 10, 2000.

Ord. No. 374-2000.
By Councilmen White and Patmon (by departmental request).

An emergency ordinance to amend Section 171.07 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 525-99, passed March 29, 1999, relating to longevity pay.

Whereas, this ordinance constitutes an emergency measure providing for 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 171.07 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 525-99, passed March 29, 1999, is hereby amended to read as follows:

Section 171.07 Longevity Pay

Beginning in 2000 and continuing each calendar year thereafter, all regular full-time employees of the City, when the agreement includes a longevity payment schedule, except employees covered by a collective bargaining agreement, where the agreement includes a longevity payment schedule, members of boards and commissions, members of the building trades paid on the basis of building trades' prevailing wages and employees whose longevity pay is established by other sections of the Codified Ordinances, shall receive longevity pay on or before March 31 of the current year in the amount set forth below, based upon the length of the person's service with the City on or before March 1 of the current year, as follows:

Years	Annual Payment
5 through 9	\$250.00
10 through 14	425.00
15 through 19	525.00
20 through 24	650.00
Over 24	750.00

Section 2. That existing Section 171.07 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 525-99, passed March 29, 1999, is hereby repealed.

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

Passed April 3, 2000.

Effective April 10, 2000.

Ord. No. 375-2000.
By Councilmen White and Patmon
(by departmental request).

An emergency ordinance to amend Section 171.071 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 3190-83, passed December 22, 1983, relating to longevity pay for Division of Police and Division of Fire.

Whereas, this ordinance constitutes an emergency measure providing for 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 171.071 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 3190-83, passed December 22, 1983, is hereby amended to read as follows:

Section 171.071 Longevity Pay for Division of Police and Division of Fire

Beginning in 2000 and continuing each calendar year thereafter, all uniform members of the Division of Police and the Division of Fire shall receive longevity pay to reward length of City service, pursuant to the following schedule:

Years of Service	Annual Payment
Under 5	\$ 0
5 - 9	\$250.00
10 - 14	\$425.00
15 - 19	\$525.00
20 - 24	\$650.00
25 and over	\$750.00

Section 2. That existing Section 171.071 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 3190-83, passed December 22, 1983, is hereby repealed.

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

Passed April 3, 2000.

Effective April 10, 2000.

Ord. No. 376-2000.
By Councilmen White and Patmon
(by departmental request).

An emergency ordinance authorizing the Director of Personnel and Human Resources to enter into contracts with Medical Mutual of Ohio, Medical Life Insurance Company, HMO Health Ohio, Kaiser Permanente, Aetna USHealthcare, Inc. to provide medical and life insurance coverage for City employees; and to enter into contract with Medical Mutual of Ohio to provide group dental insurance for City employees.

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

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

Section 1. That notwithstanding any Codified Ordinance of Cleveland, Ohio, 1976, to the contrary, the Director of Personnel and Human Resources is hereby authorized to enter into a contract with Medical Mutual of Ohio for SuperMed Plus group preferred provider medical insurance coverage for City of Cleveland employees for a one year term commencing April 1, 2000, on the basis of its proposal dated February 3, 2000.

Section 2. That notwithstanding any Codified Ordinance of Cleveland, Ohio, 1976, to the contrary, the Director of Personnel and Human Resources is hereby authorized to enter into a contract with Medical Mutual of Ohio for SuperMed Select point of service-style health insurance coverage for City of Cleveland employees for a one year term commencing April 1, 2000, on the basis of its proposal dated February 3, 2000.

Section 3. That notwithstanding any Codified Ordinance of Cleveland, Ohio, 1976, to the contrary, the Director of Personnel and Human Resources is hereby authorized to enter into a contract with Medical Life Insurance Company for group term life insurance coverage for City of Cleveland employees for a one year term commencing April 1, 2000, and for voluntary additional group term life insurance coverage at no additional cost to the City, through Mutual Health Services Company, Section 125 Premium Pass Through services.

Section 4. That notwithstanding any Codified Ordinance of Cleveland, Ohio, 1976, to the contrary, the Director of Personnel and Human Resources is hereby authorized to enter into a contract with HMO Health Ohio for health maintenance organization-style group health insurance coverage for City of Cleveland employees for a one year term commencing April 1, 2000, on the basis of its proposal dated February 3, 2000.

Section 5. That notwithstanding any Codified Ordinance of Cleveland, Ohio, 1976, to the contrary, the Director of Personnel and Human Resources is hereby authorized to enter into a contract with Kaiser Permanente for health maintenance organization-style group health insurance coverage for City of Cleveland employees for a one year term commencing April 1, 2000.

Section 6. That notwithstanding any Codified Ordinance of Cleveland, Ohio, 1976, to the contrary, the Director of Personnel and Human Resources is hereby authorized to enter into a contract with Aetna U.S. Healthcare, Inc. for health maintenance organization-style group health insurance coverage for City of Cleveland employees for a one year term commencing April 1, 2000, on the basis of its proposal dated January 21, 2000.

Section 7. That notwithstanding any Codified Ordinance of Cleveland, Ohio, 1976, to the contrary, the Director of Personnel and Human Resources is hereby authorized to contract with Medical Mutual of Ohio to provide group dental insurance coverage for eligible City of Cleveland employees and officers for a one year term commencing April 1, 2000.

Section 8. That the Director of Personnel and Human Resources shall present legislation to City Council requesting authorization to enter into contracts for the provision of medical and life insurance coverage for City employees by February 1st of each calendar year.

Section 9. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed April 3, 2000.

Effective April 10, 2000.

Ord. No. 481-2000.
By Councilmen Cintron and Melena.
An emergency ordinance consenting and approving the issuance of a permit for a Kids 5K Run/5K Walk, on Saturday, May 20, 2000, sponsored by the West Side Ecumenical Ministry.

Whereas, this ordinance constitutes an emergency measure providing for 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 Kids 5K Run/5K Walk, sponsored by the West Side Ecumenical Ministry, on Saturday, May 20, 2000, with the participants in the 5K Walk and 5K Run leaving the WSEM Administrative Building located on 5209 Detroit Avenue, turn right onto West 52nd Street and will head south on West 52nd Street until they reach Bridge Avenue, then turn left onto Bridge Avenue from West 52nd Street and will head east on Bridge Avenue, then turn left onto Fulton Avenue from Bridge Avenue and will head north on Fulton Avenue, then turn left onto Franklin Avenue from Fulton Avenue and will head west on Franklin Avenue, then follow Franklin Avenue all the way to West 65th Street, at West 65th Street

participants will turn right and head north on West 65th Street to West Clinton Avenue, then turn right onto West Clinton Avenue from West 65th Street and will head east on West Clinton Avenue, then turn left onto West 58th Street from West Clinton Avenue and will head north on West 58th Street then turn right onto Detroit Avenue from West 58th Street and will head east on Detroit Avenue, then turn right on West 52nd Street from Detroit Avenue and will head south on West 52nd Street to the Finish Line located at the WSEM Administrative Building off of West 52nd Street, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

Passed March 27, 2000.
Effective April 6, 2000.

Ord. No. 482-2000.
By Councilman Jones.
An emergency ordinance authorizing certain persons to engage in peddling in Ward 1. (Efat Sharifi-Rahneemoo)

Whereas, pursuant to Section 675.08 of the Codified Ordinances of Cleveland, Ohio, 1976, (the "Codified Ordinances") the consent of Council, expressed by ordinance, is a prerequisite to mobile peddling upon the public rights of way outside of the Central Business District; and

Whereas, this Council has considered the requests of certain persons to engage in peddling outside of the Central Business District, and has determined that it is in the public interest to allow each of said persons to peddle in Ward 1; and

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

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

Section 1. That this Council consents, as required by Section 675.08 of the Codified Ordinances, to allow each person named below to engage in mobile peddling in the public rights of way of Ward 1: Efat Sharifi-Rahneemoo.

Section 2. That all of the requirements of Chapter 675 of the Codified Ordinances shall apply to the persons named in Section 1 of this ordinance.

Section 3. That the privilege granted herein may be revoked at any time by this Council.

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

Passed March 27, 2000.
Effective April 6, 2000, without the signature of the Mayor.

Ord. No. 483-2000.
By Councilman Patmon.
An emergency ordinance authorizing the Director of Personnel and Human Resources to enter into contract amendments to extend by thirty days the existing contracts for the provision of medical, life and group dental insurance coverage for City of Cleveland employees.

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

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

Section 1. That the Director of Personnel and Human Resources is authorized to enter into contract amendments to extend by thirty days, on the same terms and conditions, the existing contracts with Medical Mutual of Ohio, Medical Life Insurance Company, HMO Health Ohio, Kaiser Permanente, Aetna US Healthcare, Inc. and Medical Mutual of Ohio for the provision of medical, life and group dental insurance coverage for City of Cleveland employees.

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

Passed March 27, 2000.
Effective April 6, 2000.

Ord. No. 484-2000.
By Councilman Westbrook.
An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Cudell Improvement for support for the Clifton Arts Festival and the Madison Merchant Beautification Program through the use of Ward 18 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 Cudell Improvement for support for the Clifton Arts Festival and the Madison Merchant Beautification Program.

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

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

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

Passed March 27, 2000.
Effective April 6, 2000.

Ord. No. 485-2000.
By Councilman Willis.
An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the Hessler Neighborhood Association to hang a banner at 1961 Ford Drive using a utility pole (by separate permission) for the period of May 16, 2000 to May 22, 2000, inclusive.

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

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

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio 1976, the Director of Public Service is hereby authorized and directed to issue a permit to the Hessler Neighborhood Association, 11326 Hessler Road, Cleveland, Ohio 44106, to install, maintain and remove a banner to be hung on Cleveland Public Power utility poles, (by separate permission) publicizing a special event in their area, for the period of May 16, 2000 to May 22, 2000, inclusive, on the following address and pole number: 1961 Ford Drive on Pole Number NE4-22A-1-7-1-2; and which banner shall be approved by the Director of Public Service in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner, and said banner shall be removed promptly upon the expiration of said permit.

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

Passed March 27, 2000.
Effective April 6, 2000.

Ord. No. 529-2000.**By Mayor White.**

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to Cleveland Community Relations Board to stretch three (3) banners on Cleveland Public Power utility poles (by separate permission) publicizing "CLEVELAND UNITY DAY", for the period of April 10, 2000 through May 5, 2000 inclusive.

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

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

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio 1976, the Director of Public Service is hereby authorized and directed to issue a permit to the Cleveland Community Relations Board to install, maintain and remove three (3) banners on Cleveland Public Power utility poles (by separate permission) at Euclid Avenue on the 3rd pole E. of E. 9th St. (S) #B61-10, and the 4th pole E. of E. 9th St. (S) #B60-10; and on Stokes Boulevard South of Carnegie (W) #88329, and South of Carnegie (E) #88330; and on 1936 W. 25th Street #AOM-125 and 1947 W. 25th Street No Tag; for the period of April 10, 2000 through May 5, 2000 inclusive, publicizing "Cleveland Unity Day". Said banners shall be approved by the Director of Public Service in consultation with the Director of Public Safety, as to type, method of affixing and location so as not interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banners and said banners shall be removed promptly upon the expiration of said permit.

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

Passed April 3, 2000.

Effective April 10, 2000.

Ord. No. 530-2000.**By Councilman Cimperman.**

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Tremont West Development Corporation for various neighborhood programs and improvements including housing programs,

improvements to Lincoln Park, a streetscape project, an elementary school newspaper project, community arts programming and senior and youth recreation opportunities 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 Tremont West Development Corporation for various neighborhood programs and improvements including housing programs, improvements to Lincoln Park, a streetscape project, an elementary school newspaper project, community arts programming and senior and youth recreation opportunities through the use of Ward 13 Neighborhood Equity Funds.

Section 2. That the costs of said contract shall be in an amount not to exceed \$81,500 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 April 3, 2000.

Effective April 10, 2000.

Ord. No. 531-2000.**By Councilman Patmon.**

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to Cory United Methodist Church to stretch banners across East 105th at Drexel Avenue, for the period from April 25, 2000 to May 25, 2000, inclusive, publicizing the 125th Anniversary of the Church and the General Conference.

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

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

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances, of Cleveland, Ohio, 1976, the Director of the Department of Public Service is hereby authorizes and director to issue a permit to Cory United Methodist Church to install, maintain and remove banners across East 105th at Drexel Avenue pub-

licizing the 125th Anniversary of the Church and the General Conference (1st pole S. of Drexel (E) #NE-30-14 and 2nd pole S. of Drexel (E) #NE2-30-23), for the period from April 25, 2000 to May 25, 2000, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

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

Passed April 3, 2000.

Effective April 10, 2000.

COUNCIL COMMITTEE MEETINGS

Monday, April 10, 2000

Employment, Affirmative Action and Training Committee: 11:00 a.m.—Present: White, Chairman; Lewis, Vice Chairman; Cintron, Coats, Gordon, Johnson, Jones.

Finance Committee: 2:00 p.m.—Present: Patmon, Chairman; Rybka, Vice Chairman; Cintron, Dolan, Johnson, Lewis, O'Malley, Polensek, Robinson, Sweeney. Excused: Mele-na.

Tuesday, April 11, 2000

Public Health Committee: 1:30 p.m.—Present: Gordon, Chairman; Robinson, Vice Chairman; Brady, Cimperman, Westbrook, Willis. Excused: Jackson.

Wednesday, April 12, 2000

Aviation and Transportation Committee: 10:00 a.m.—Present: Dolan, Chairman; O'Malley, Vice Chairman; Patmon, Robinson, Rybka, Sweeney, Jones.

City Planning (Zoning) Committee: 1:00 p.m.—Present: Cimperman, Chairman; Rybka, Vice Chairman; Dolan, Jackson, O'Malley, Robinson, White.

City Planning Committee: 1:30 p.m.—Present: Cimperman, Chairman; Rybka, Vice Chairman; Dolan, Jackson, O'Malley, Robinson, White.

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Bold figures—Final Publication; D—Defeated; R—Reprint; T—Tabled; V—Vetoed;
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