

# The City Record

Official Publication of the City of Cleveland


December the Twenty-Seventh, Two Thousand

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

Containing	PAGE
City Council	3
The Calendar	3
Board of Control	3
Civil Service	7
Board of Zoning Appeals	7
Board of Building Standards and Building Appeals	7
Public Notices	7
Public Hearings	8
City of Cleveland Bids	8
Adopted Resolutions and Ordinances	8
Committee Meetings	53
Index	54

PRESORTED STANDARD  
U. S. POSTAGE PAID  
CLEVELAND, OHIO  
Permit No. 1372

RECYCLE.....Save the Future

 Printed on Recycled Paper.....Council Cares

# DIRECTORY OF CITY OFFICIALS

## CITY COUNCIL—LEGISLATIVE

President of Council—Michael D. Polensek

Ward	Name	Residence	
1	Joseph T. Jones .....	4691 East 177th Street	44128
2	Robert J. White .....	3760 East 126th Street	44105
3	Zachary Reed.....	3232 East 119th Street	44120
4	Kenneth L. Johnson .....	2948 Hampton Road	44120
5	Frank G. Jackson .....	2327 East 38th Street	44115
6	Patricia J. Britt .....	12402 Britton Drive	44120
7	Fannie M. Lewis.....	7416 Star Avenue	44103
8	William W. Patmon .....	867 East Boulevard	44108
9	Craig E. Willis .....	11906 Beulah Avenue	44106
10	Roosevelt Coats.....	1775 Cliffview Road	44112
11	Michael D. Polensek .....	17855 Brian Avenue	44119
12	Edward W. Rybka .....	6832 Indiana Avenue	44105
13	Joe Cimperman.....	3053 West 12th Street	44113
14	Nelson Cintron, Jr.....	3004 Vega Avenue	44113
15	Merle R. Gordon.....	1700 Denison Avenue	44109
16	Michael C. O'Malley.....	6710 Brookside Drive	44144
17	Timothy J. Melena.....	6110 West Clinton Avenue	44102
18	Jay Westbrook .....	10513 Clifton Boulevard	44102
19	Dona Brady.....	3466 Bosworth Road	44111
20	Martin J. Sweeney.....	3632 West 133rd Street	44111
21	Michael A. Dolan .....	16519 West Park Road	44111

### MAYOR – Michael R. White

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

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

**DEPT. OF FINANCE –** Ronald E. Brooks, Director, Room 104;  
 Frank Badalamenti, Manager, Internal Audit  
**DIVISIONS –** Accounts – Marilyn Henderson, Commissioner, Room 19  
 City Treasury – Algeron Walker, Treasurer, Room 115  
 Assessments and Licenses – Robert C. Brown, Commissioner, Room 122  
 Purchases and Supplies – Myrna Branche, Commissioner, Room 128  
 Printing and Reproduction – Diante Fritzgerald, Acting Commissioner, 1735 Lakeside Avenue  
 Taxation – Nassim Lynch, Tax Administrator, 1701 Lakeside Avenue  
 Financial Reporting and Control – Robert Dolan, Controller, Room 18  
 Information Systems Services – Daniel Jarvis, Commissioner, 1404 E. 9th St.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

# The City Record



OFFICIAL PUBLICATION OF THE CITY OF CLEVELAND

Vol. 87

WEDNESDAY, DECEMBER 27, 2000

No. 4542

## CITY COUNCIL

MONDAY, DECEMBER 25, 2000

### The City Record

Published weekly under authority  
of the Charter of the  
City of Cleveland

Subscription (by mail) \$75.00 a year  
January 1 to December 31

Interim subscriptions prorated  
\$6.25 per month

Address all communications to

**RUBY F. MOSS**

Clerk of Council  
216 City Hall

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

#### MONDAY

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

#### MONDAY—Alternating

11:00 A.M.—**Public Service Commit-  
tee:** Cintron, Chairman; Sweeney,  
Vice Chairman; Britt, Coats, John-  
son, Melena, O'Malley, Westbrook,  
Willis.

11:00 A.M.—**Employment, Affirma-  
tive Action & Training Committee:**  
White, Chairman; Lewis, Vice Chair-  
man; Cintron, Coats, Gordon, John-  
son, Jones.

#### MONDAY

2:00 P.M.—**Finance Committee:** Pat-  
mon, Chairman; Rybka, Vice Chair-  
man; Cintron, Dolan, Johnson,  
Lewis, Melena, O'Malley, Polensek,  
Sweeney.

#### TUESDAY

9:30 A.M.—**Community and Eco-  
nomic Development Committee:**  
Melena, Chairman; Lewis, Vice  
Chairman; Brady, Cimperman, Cin-  
tron, Jackson, Jones, Willis.

#### TUESDAY—Alternating

1:00 P.M.—**Public Health Commit-  
tee:** Gordon, Chairman; \_\_\_\_\_,  
Vice Chairman; Brady, Cimperman,  
Jackson, Westbrook, Willis.

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

#### WEDNESDAY—Alternating

10:00 A.M.—**Aviation & Trans-  
portation Committee:** Dolan, Chair-  
man; O'Malley, Vice Chairman;  
Jones, Patmon, \_\_\_\_\_, Rybka,  
Sweeney.

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

#### WEDNESDAY—Alternating

1:30 P.M.—**Public Utilities Com-  
mittee:** O'Malley, Chairman; Pat-  
mon, Vice Chairman; Britt, Coats,  
Dolan, Melena, Polensek, Westbrook,  
Willis.

1:30 P.M.—**City Planning Commit-  
tee:** Cimperman, Chairman; Rybka,  
Vice Chairman; Dolan, Jackson,  
O'Malley, \_\_\_\_\_, White.

The following Committee is sub-  
ject to the Call of the Chairman:  
**Mayor's Appointment Committee:**  
O'Malley, Chairman; Britt, Cimper-  
man, Patmon, Sweeney.

### OFFICIAL PROCEEDINGS CITY COUNCIL

NO MEETING

### THE CALENDAR

The following measures will be on  
their final passage at the next meet-  
ing:

NONE

### BOARD OF CONTROL

December 20, 2000

The regular meeting of the Board  
of Control convened in the Mayor's  
office on Wednesday, December 20,  
2000, at 11:00 a.m. with Acting Direc-  
tor Carr presiding.

Present: Acting Director Carr,  
Directors Brooks, Konicek, Sheperd,  
Ricchiuto, Whitlow, Guzman, Miller,  
Hudecek, Patterson, Warren and  
Alexander.

Absent: Mayor White.

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

On motion, the following resolu-  
tions were adopted.

#### Resolution No. 835-00.

By Director Brooks.

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

bids received on December 13, 2000  
for First Aid Supplies, for the Divi-  
sion of Various City Governments,  
Department of Finance, pursuant to  
the authority of Ordinance No. 315-  
2000, passed by the Council of the  
City of Cleveland on April 17, 2000,  
be and the same are hereby reject-  
ed.

Yeas: Acting Director Carr, Direc-  
tors Brooks, Konicek, Sheperd, Ric-  
chiuto, Whitlow, Guzman, Miller,  
Hudecek, Patterson and Alexander.  
Nays: None.

Absent: Mayor White, Director  
Warren.

#### Resolution No. 836-00.

By Director Konicek.

Whereas, pursuant to Section  
129.24 of the Codified Ordinances of  
Cleveland, Ohio, 1976, and Board of  
Control Resolution No. 470-99, adopt-  
ed July 21, 1999, the City of Cleve-  
land ("City") entered into a contract  
with Calgon Corporation ("Contractor")  
for the purchase of corrosion  
control chemicals (items 1 and 2)  
for the Division of Water, Depart-  
ment of Public Utilities, Contract  
No. 55170; and

Whereas, by its letter dated  
December 5, 2000, Calgon Corpora-  
tion has notified the City that it has  
ceased doing business as Calgon  
Corporation and has begun doing  
business as Nalco Chemical Compa-  
ny; now, therefore,

Be it resolved by the Board of  
Control of the City of Cleveland  
Cleveland that pursuant to Calgon  
Corporation's letter, this Board  
hereby acknowledges the change of  
name effective July 1, 2000, and  
consents to and the assignment of  
Contract No. 55170 from Calgon Cor-  
poration to Nalco Chemical Compa-  
ny.

Be it further resolved that the  
Director of Public Utilities is here-  
by authorized to execute any docu-  
ments necessary to effect and rec-  
ognize the name change under and  
assignment of said Contract No.  
55170 respectively acknowledged  
and authorized herein.

Yeas: Acting Director Carr, Direc-  
tors Brooks, Konicek, Sheperd, Ric-  
chiuto, Whitlow, Guzman, Miller,  
Hudecek, Patterson and Alexander.

Nays: None.

Absent: Mayor White, Director  
Warren.

#### Resolution No. 837-00.

By Director Konicek.

Be it resolved by the Board of  
Control of the City of Cleveland  
that the bid of Woodhill Supply for  
an estimated quantity of bypass fit-  
tings, piping, and valves (item nos.  
7, 8, 9, 10, 11, 12, 14, 15, 26, 27, 29,  
30, 33, 42, 45, 46, 47, 49, 50, 58, 59, 60,

61, 62, 63, and 68) for the Division of Water, Department of Public Utilities, for a period of two (2) years beginning with the date of execution of a contract, received on the 18th day of October 2000, pursuant to the authority of Section 129.25 of the Codified Ordinances of Cleveland Ohio, 1976, which on the basis of the estimated quantity would amount to Twenty-Two Thousand Nine Hundred Sixty-One Dollars and 75/100 (\$22,961.75) (3%/10 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

**Requisition No. 33534**

which shall be certified against such contract in the sum of One Thousand One Hundred Forty-Eight and 09/100 Dollars (\$1,148.09).

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

Yeas: Acting Director Carr, Directors Brooks, Konicek, Sheperd, Ricciuto, Whitlow, Guzman, Miller, Hudecek, Patterson and Alexander.  
Nays: None.

Absent: Mayor White, Director Warren.

**Resolution No. 838-00.**

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of J. F. Good Company for an estimated quantity of bypass fittings, piping, and valves (item nos. 1, 2, 3, 4, 5, 6, 13, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 28, 31, 32, 34, 35, 36, 37, 38, 39, 40, 41, 43, 44, 48, 51, 52, 53, 54, 55, 56, 57, 64, 65, 66, and 67) for the Division of Water, Department of Public Utilities, for a period of two (2) years beginning with the date of execution of a contract, received on the 18th day of October 2000, pursuant to the authority of Section 129.25 of the Codified Ordinances of Cleveland Ohio, 1976, which on the basis of the estimated quantity would amount to Eight Thousand Four Hundred Sixty Eight and 47/100 Dollars (\$8,468.47) (2%/10 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

**Requisition No. 33535**

which shall be certified against such contract in the sum of Four Hundred Twenty-Three and 42/100 Dollars (\$423.42).

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

under subsequent requisitions separately certified against said contract.

Yeas: Acting Director Carr, Directors Brooks, Konicek, Sheperd, Ricciuto, Whitlow, Guzman, Miller, Hudecek, Patterson and Alexander.

Nays: None.

Absent: Mayor White, Director Warren.

**Resolution No. 839-00.**

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Underground Pipe & Valve for an estimated quantity of adjustable valve boxes (item no. 4) for the Division of Water, Department of Public Utilities, for a period of two (2) years beginning with the date of execution of a contract, received on the 25th day of October, 2000, pursuant to the authority of Section 129.25 of the Codified Ordinances of Cleveland Ohio, 1976, which on the basis of the estimated quantity would amount to Fifty-Four Thousand Six Hundred Dollars (\$54,600.00) (Net), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

**Requisition No. 33515**

which shall be certified against such contract in the sum of Two Thousand Seven Hundred Thirty and 00/100 Dollars (\$2,730.00).

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

Yeas: Acting Director Carr, Directors Brooks, Konicek, Sheperd, Ricciuto, Whitlow, Guzman, Miller, Hudecek, Patterson and Alexander.

Nays: None.

Absent: Mayor White, Director Warren.

**Resolution No. 840-00.**

By Director Sheperd.

Whereas, the International Women's Air and Space Museum, Inc. wishes to utilize the west concourse, lobby and banquet room at Burke Lakefront Airport (the "Airport") for an Air and Space Career Fair (the "Event") on April 25, 2001; and

Whereas, the City is willing to grant the International Women's Air and Space Museum, Inc. the privilege, permit and license to conduct the Event at the Airport; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.04 of the Codified Ordinances of Cleveland, Ohio 1976, the Director of the Department of Port Control is hereby authorized to enter into an agreement (the "Agreement") granting the International Women's Air and Space Museum, Inc. the privilege, permit and license to conduct the Event at the Burke Lakefront Air-

port from 9:30 a.m. to 8:30 p.m. on April 25, 2001, and to use and occupy the rooms for such period of time before the Event as necessary for preparation. The International Women's Air and Space Museum, Inc. shall pay the City a \$1,150.00 fee, shall reimburse the City for the cost of two (2) City employees to perform custodial and building maintenance work related to the conduct of the Event, shall arrange for the conduct of the Event and such other activities as may be approved, appropriate and incidental to the Event, and shall be responsible for providing traffic control, security and clean up.

Be it further resolved that the Agreement authorized hereby shall be prepared by the Director of Law and shall contain such other provisions as the Director deems necessary to benefit and protect the public interest.

Yeas: Acting Director Carr, Directors Brooks, Konicek, Sheperd, Ricciuto, Whitlow, Guzman, Miller, Hudecek, Patterson, Warren and Alexander.

Nays: None.

Absent: Mayor White.

**Resolution No. 841-00.**

By Director Sheperd.

Whereas, Premier Expositions, Inc. wishes to utilize the banquet room at Burke Lakefront Airport (the "Airport") for a fundraising reception (the "Event") on December 31, 2000; and

Whereas, the City is willing to grant Premier Expositions, Inc. the privilege, permit and license to conduct the Event at the Airport; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.04 of the Codified Ordinances of Cleveland, Ohio 1976, the Director of the Department of Port Control is hereby authorized to enter into an agreement (the "Agreement") granting Premier Expositions, Inc. the privilege, permit and license to conduct the Event at the Burke Lakefront Airport from 6:00 p.m. to 2:00 a.m. on December 31, 2000, and to use and occupy the room for such period of time before the Event as necessary for preparation. Premier Expositions, Inc. shall pay the City a \$650.00 fee, shall reimburse the City for the cost of two (2) City employees to perform custodial and building maintenance work related to the conduct of the Event, shall arrange for the conduct of the Event and such other activities as may be approved, appropriate and incidental to the Event, and shall be responsible for providing traffic control, security and clean up.

Be it further resolved that the Agreement authorized hereby shall be prepared by the Director of Law and shall contain such other provisions as the Director deems necessary to benefit and protect the public interest.

Yeas: Acting Director Carr, Directors Brooks, Konicek, Sheperd, Ricciuto, Whitlow, Guzman, Miller, Hudecek, Patterson, Warren and Alexander.

Nays: None.

Absent: Mayor White.

**Resolution No. 842-00.**

By Director Sheperd.

Whereas, Life Publishing wishes to utilize the banquet room at Burke Lakefront Airport (the "Airport") for an awards ceremony (the "Event") on February 22, 2001; and

Whereas, the City is willing to grant Life Publishing the privilege, permit and license to conduct the Event at the Airport; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.04 of the Codified Ordinances of Cleveland, Ohio 1976, the Director of the Department of Port Control is hereby authorized to enter into an agreement (the "Agreement") granting Life Publishing the privilege, permit and license to conduct the Event at the Burke Lakefront Airport from 6:00 p.m. to 9:00 p.m. on February 22, 2001, and to use and occupy the room for such period of time before the Event as necessary for preparation. Life Publishing shall pay the City a \$350.00 fee, shall reimburse the City for the cost of two (2) City employees to perform custodial and building maintenance work related to the conduct of the Event, shall arrange for the conduct of the Event and such other activities as may be approved, appropriate and incidental to the Event, and shall be responsible for providing traffic control, security and clean up.

Be it further resolved that the Agreement authorized hereby shall be prepared by the Director of Law and shall contain such other provisions as the Director deems necessary to benefit and protect the public interest.

Yeas: Acting Director Carr, Directors Brooks, Konicek, Sheperd, Ricchiuto, Whitlow, Guzman, Miller, Hudecek, Patterson, Warren and Alexander.

Nays: None.

Absent: Mayor White.

**Resolution No. 843-00.**

By Director Sheperd.

Whereas, Our Lady of the Wayside, Inc. wishes to utilize the parking facility at Burke Lakefront Airport (the "Airport") for the Great American Rib Cook-Off (the "Event") between May 21 and May 29, 2001; and

Whereas, the City is willing to grant Our Lady of the Wayside, Inc. the privilege, permit and license to conduct the Event at the Airport; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.04 of the Codified Ordinances of Cleveland, Ohio 1976, the Director of the Department of Port Control is hereby authorized to enter into a concession agreement (the "Agreement") granting Our Lady of the Wayside, Inc. the privilege, permit and license to conduct the Event at the Burke Lakefront Airport between May 21 and May 29, 2001. Our Lady of the Wayside, Inc. shall pay the City a guaranteed minimum concession fee in the amount of \$3,000.00 or twelve and four-tenths percent (12.4%) of

total ticket sales, whichever is greater, but in no case more than \$12,000.00, for use of the parking facility.

Be it further resolved that the Agreement authorized hereby shall be prepared by the Director of Law and shall contain such other provisions as the Director deems necessary to benefit and protect the public interest.

Yeas: Acting Director Carr, Directors Brooks, Konicek, Sheperd, Ricchiuto, Whitlow, Guzman, Miller, Hudecek, Patterson, Warren and Alexander.

Nays: None.

Absent: Mayor White.

**Resolution No. 844-00.**

By Director Ricchiuto.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of R & R Mack Sales, Inc. for an estimated quantity of E. Z. Pack packer parts and labor if necessary (all items), 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 September 29, 2000, pursuant to the authority of Ordinance No. 269-2000, passed by the Council of the City of Cleveland on May 8, 2000, which on the basis of the estimated quantity would amount to Forty Thousand and no/100 Dollars (\$40,000.00) (0% Net 30 Days), 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. 29346**

which shall be certified against such contract in the sum of Three Thousand and no/100 Dollars (\$3,000.00).

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

Yeas: Acting Director Carr, Directors Brooks, Konicek, Sheperd, Ricchiuto, Whitlow, Guzman, Miller, Hudecek, Patterson, Warren and Alexander.

Nays: None.

Absent: Mayor White.

**Resolution No. 845-00.**

By Director Ricchiuto.

Be it resolved by the Board of Control of the City of Cleveland that the bid of D.L.T. Solutions, Inc., for the purchase of Auto Cad Software, installation, support, and training for the Division of Engineering and Construction, Department of Public Service, received on December 6, 2000, pursuant to the authority of Ordinance No. 1833-96, passed December 2, 1996, which on the basis of the order quantities would amount to Twenty Two Thousand Eight

Hundred Ninety Seven and 40/100 (\$22,897.40), (Net - 30 Days) is hereby affirmed and approved as the lowest and best bid; and the Director of Public Service is hereby requested to enter into a contract for such items.

Yeas: Acting Director Carr, Directors Brooks, Konicek, Sheperd, Ricchiuto, Whitlow, Guzman, Miller, Hudecek, Patterson, Warren and Alexander.

Nays: None.

Absent: Mayor White.

**Resolution No. 846-00.**

By Director Guzman.

Resolved by the Board of Control of the City of Cleveland that the bid of Atwell's Police and Fire Equipment Co., for an estimated quantity of Ballistic Vests, for the Division of Police, Department of Public Safety, for the period of one (1) year beginning with the date of execution of a contract, received on November 2, 2000, pursuant to the authority of Section 135.06 of the Codified Ordinance of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to Two Hundred Seven Thousand, Six Hundred and 00/100 Dollars (\$207,600) (Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Safety is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

**Requisition No. 32256**

as specified, which shall be certified against such contract in the sum of Fifty One Thousand and 00/100 Dollars (\$51,000.00).

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

Yeas: Acting Director Carr, Directors Brooks, Konicek, Sheperd, Ricchiuto, Whitlow, Guzman, Miller, Hudecek, Patterson, Warren and Alexander.

Nays: None.

Absent: Mayor White.

**Resolution No. 847-00.**

By Director Guzman.

Resolved by the Board of Control of the City of Cleveland, that all bids received on October 13, 2000, for an estimated quantity of fire pumpers for the Division of Fire, Department of Public Safety, pursuant to the authority of Ordinance No. 904-2000, passed by the Council of the City of Cleveland on August 7, 2000, be and the same are hereby rejected.

Yeas: Acting Director Carr, Directors Brooks, Konicek, Sheperd, Ricchiuto, Whitlow, Guzman, Miller, Hudecek, Patterson, Warren and Alexander.

Nays: None.

Absent: Mayor White.

**Resolution No. 848-00.**

By Director Guzman.

Resolved by the Board of Control of the City of Cleveland, that all bids received on November 3, 2000, for an estimated quantity of cab/chassis with heavy duty rescue squad for the Division of Fire, Department of Public Safety, pursuant to the authority of Ordinance No. 904-2000, passed by the Council of the City of Cleveland on August 7, 2000, be and the same are hereby rejected.

Yeas: Acting Director Carr, Directors Brooks, Konicek, Sheperd, Richiuto, Whitlow, Guzman, Miller, Hudecek, Patterson, Warren and Alexander.

Nays: None.

Absent: Mayor White.

**Resolution No. 849-00.**

By Director Hudecek.

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

Whereas, City has acquired Permanent Parcel No. 128-03-014 under said Land Reutilization Program; and

Whereas, Ordinance No. 850-2000 passed November 27, 2000, authorized the sale of said parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, The Pentecostal Faith Holiness Church of God has proposed to the City to purchase and develop said parcel; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 850-2000 passed November 27, 2000, by the Cleveland City Council, the Mayor is hereby authorized to execute an official deed for and on behalf of the City of Cleveland with The Pentecostal Faith Holiness Church of God for the sale and development of Permanent Parcel No. 128-03-014, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Yeas: Acting Director Carr, Directors Brooks, Konicek, Sheperd, Richiuto, Whitlow, Guzman, Miller, Hudecek, Patterson, Warren and Alexander.

Nays: None.

Absent: Mayor White.

**Resolution No. 850-00.**

By Director Hudecek.

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

Whereas, City has acquired Permanent Parcel No. 119-30-021 under

said Land Reutilization Program; and

Whereas, Ordinance No. 849-2000 passed November 27, 2000, authorized the sale of said parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Diocese of Cleveland Bishop Anthony Pilla (St. Adalbert Church) has proposed to the City to purchase and develop said parcel; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 849-2000 passed November 27, 2000, by the Cleveland City Council, the Mayor is hereby authorized to execute an official deed for and on behalf of the City of Cleveland with Diocese of Cleveland Bishop Anthony Pilla (St. Adalbert Church) for the sale and development of Permanent Parcel No. 119-30-021, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Yeas: Acting Director Carr, Directors Brooks, Konicek, Sheperd, Richiuto, Whitlow, Guzman, Miller, Hudecek, Patterson, Warren and Alexander.

Nays: None.

Absent: Mayor White.

**Resolution No. 851-00.**

By Director Hudecek.

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

Whereas, City has acquired Permanent Parcel Nos. 142-27-061, 142-27-062, 142-27-063, 142-27-064, and 142-26-083 under said Land Reutilization Program; and

Whereas, Ordinance No. 1641-2000 passed November 27, 2000, authorized the sale of said parcels for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Amistad Development Corporation or designee has proposed to the City to purchase and develop said parcels; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 1641-2000 passed November 27, 2000, by the Cleveland City Council, the Mayor is hereby authorized to execute an official deed for and on behalf of the City of Cleveland with Amistad Development Corporation or designee for the sale and development of Permanent Parcel Nos. 142-27-061, 142-27-062, 142-27-063, 142-27-064, and 142-26-083, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Yeas: Acting Director Carr, Directors Brooks, Konicek, Sheperd, Richiuto, Whitlow, Guzman, Miller, Hudecek, Patterson, Warren and Alexander.

Nays: None.

Absent: Mayor White.

**Resolution No. 852-00.**

By Director Warren.

Be it resolved by the Board of Control of the City of Cleveland that Resolution No. 478-00, adopted by this Board of Control on July 12, 2000, pursuant to authority of Ordinance No. 944-2000, passed on June 19, 2000, as amended by Ordinance No. 1687-2000, passed December 4, 2000, directing the Commissioner of Purchases and Supplies to sell certain City-owned property no longer needed for public use, described therein and also known as being a portion of Block "A-5" (PN 142-23-005) of the Lee-Seville/Cleveland Industrial Park, to Scovil-Hanna Realty, LLC, d.b.a. Arrowhead Industries Corp., and is hereby amended by deleting "Erievue Metal Treating Company" and replacing it with "Trio Diversified Company" wherever it appears.

Be it resolved that all other provisions of said Resolution No. 478-00 not expressly amended shall remain unchanged and in full force and effect.

Yeas: Acting Director Carr, Directors Brooks, Konicek, Sheperd, Richiuto, Whitlow, Guzman, Miller, Hudecek, Patterson, Warren and Alexander.

Nays: None.

Absent: Mayor White.

**Resolution No. 853-00.**

By Director Miller and Director Brooks.

Be it resolved by the Board of Control of the City of Cleveland that Board of Control Resolution No. 803-00, adopted by the Board of Control on November 29, 2000, authorizing the Director of Parks, Recreation and Properties to enter into a concession agreement with AMPCO System Parking for the operation of the Gateway Garages, is hereby amended by inserting "and Director of Finance" after "Properties" and before "is", by deleting "is" and substituting therefor "are", by deleting "concession" and substituting therefor "management" and by deleting "Section 183.04 of the Codified Ordinances of the Cleveland, Ohio, 1976," and substituting therefor "Ordinances Nos. 328-92 and 1023-96, passed February 24, 1992 and June 18, 1996, respectively,".

Be it further resolved that all other provisions of said Resolution No. 803-00 not expressly amended hereby shall remain unchanged and in full force and effect.

Yeas: Acting Director Carr, Directors Brooks, Konicek, Sheperd, Richiuto, Whitlow, Guzman, Miller,

Hudecek, Patterson, Warren and Alexander.

Nays: None.  
Absent: Mayor White.

**Resolution No. 854-00.**

By Director Patterson and Director Warren.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Envirocom Construction, Inc., base bid only, for the One Stop Career Center Interior Renovations for the Department of Personnel and Human Resources and the Department of Economic Development, received on February 16, 2000, pursuant to the authority of Ordinance No. 1495-97 passed August 13, 1997, which on the basis of the order quantities would amount to One Hundred Forty Eight Thousand Seven Hundred and No/100 Dollars (\$148,700.00), is hereby affirmed and approved as the lowest and best bid; and the Director of Personnel and Human Resources and the Director of Economic Development are hereby requested to enter into a contract for such items.

Be it further resolved, that the employment of the following subcontractor to Envirocom Construction, Inc. is hereby approved:

MAC Mechanical — FBE 22%

Yeas: Acting Director Carr, Directors Brooks, Konicek, Sheperd, Richiuto, Whitlow, Guzman, Miller, Hudecek, Patterson, Warren and 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

**SCHEDULE OF THE BOARD  
OF ZONING APPEALS**

**MONDAY, JANUARY 8, 2001**

**9:30 A.M.**

**Calendar No. 00-338:** 17608 Euclid Avenue (Ward 10)

PVA Circle of Homes, owner c/o Tom Lewins, appeals to change the use of an existing irregular shaped office building into bingo recreation use situated on an approximate 369' x 719' acreage parcel located in a Multi-Family District on the south side of Euclid Avenue at 17608 Euclid Avenue; said change of use being contrary to the Residential District Requirements of Section 337.08 where bingo recreation is not permitted in a Multi-Family District but first permitted in a General Retail District as stated in the Business District Requirements of Section 343.11(b)(2)(L) and contrary to the Specific Uses Regulations of Section 347.12(a), where a bingo hall is required to be 500' away from a church and a residence district, and the proposed use is located in a residence district and within 500' of a church and contrary to the expansion of non-conforming use limitations of Section 359.01 of the Codified Ordinances.

**Calendar No. 00-349:** 11720 Brighton Avenue (Ward 19)

Donald Lewis, owner, appeals to install approximately 52 linear feet of 6' high wooden privacy fencing to the east and west of a 40' x 105' parcel located in a Two-Family District on the north side of Brighton Avenue at 11720 Brighton Avenue; said installation being contrary to the Residential District Regulations where a fence at an interior side yard may be no higher than the least distance between such fence and residential building on an adjacent lot and a 6' high fence is proposed and the distance between the neighboring house and proposed fence is 3'-2" and the maximum height of fencing permitted is 3'2" as stated in Section 337.23(a)(6) of the Codified Ordinances.

**Calendar No. 00-350:** 607-609 East 125th Street (Ward 10)

Maurice Foster, owner, appeals to change the use of an existing one-story beauty salon building into a barber shop situated on a 40' x 126' parcel located in a Two-Family District on the east side of East 125th Street at 607-609 East 125th Street; said change of use being contrary to the Residential District Regulations of Section 337.03 where a barber shop is not permitted in a Two-Family District but first permitted in a Local Retail Business District as stated in the Business District Requirements of Section 343.01 and contrary to the Off-Street Parking and Loading Requirements where zero parking spaces are provided and 3 are required as stated in Section 349.04(g) of the Codified Ordinances.

**Calendar No. 00-351:** 6947 St. Clair Avenue (Ward 13)

Dana Nicholas, owner, and Farid Mohamed, tenant, and Century Sign, agent, appeal to install a 20'-6" high sign pole to the southeast corner of an approximate 182' x 189' irregular shaped corner parcel located in a Local Retail District at the northwest corner of East 70th Street and St. Clair Avenue at 6947 St. Clair Avenue; said installation being contrary to the Sign Regulations where a 20'-6" high free standing sign is proposed and a free standing sign in a Local Retail District cannot exceed 12' in height as stated in Section 350.14(b) of the Codified Ordinances.

**Calendar No. 00-352:** 10645 Leuer Avenue (Ward 8)

Liberty Self Storage, owner, and Cicogna Electric Company c/o George Dragon, appeal to install a 40' high sign pole with an 8' high x 12' wide sign cabinet on an acreage parcel located in a Semi-Industry District on the south side of Leuer Avenue at 10645 Leuer Avenue; said installation being contrary to the Sign Regulations of Section 350.15(b) where a free standing sign in a Semi-Industry District cannot exceed 25' in height and 40' is proposed and a free standing sign in a Semi-Industry District is to be located 5' in from the side and rear property line as stated in Section 350.15(c) of the Codified Ordinances.

**Calendar No. 00-353:** 4207 Ardmore Avenue (Ward 16)

Maurice Burch, owner, appeals to enclose a 24' x 7.8' existing front porch of a one-story two family dwelling house situated on an approximate 38' x 139' parcel located in a Two-Family District on the south side of Ardmore Avenue at 4207 Ardmore Avenue; said enclosure being contrary to the Yards and Courts Requirements of Section 357.04 where the permitted front yard setback is 25' and 22' is proposed and where a 7.8' projection is proposed and 4' is permitted as stated in Section 357.13(b)(4) of the Codified Ordinances.

EUGENE CRANFORD, JR.,  
Secretary

**REPORT OF THE BOARD  
OF ZONING APPEALS**

**TUESDAY, DECEMBER 26, 2000**  
NO MEETING

**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, JANUARY 12, 2001**

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

December 20, 2000 and December 27, 2000

**WEDNESDAY, JANUARY 17, 2001**

**Powdered Activated Carbon**, for the Division of Water, Department of Public Utilities, as authorized by Section 129.24 of the Codified Ordinances of the City of Cleveland, 1976.

December 20, 2000 and December 27, 2000

**THURSDAY, JANUARY 18, 2001**

**Paper Products**, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 827-2000, passed by the Council of the City of Cleveland, June 12, 2000.

A PRE-BID MEETING WILL BE HELD ON THURSDAY, JANUARY 11, 2001, 10:00 A.M. AT CLEVELAND PUBLIC POWER, 1300 LAKESIDE AVENUE, CLEVELAND, OHIO 44114. **ATTENDANCE IS MANDATORY.**

December 20, 2000 and December 27, 2000

**FRIDAY, JANUARY 19, 2001**

**Runway Brooms and Replacement Heads**, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 1685-2000.

December 20, 2000 and December 27, 2000

**FRIDAY, JANUARY 26, 2001**

**One (1) Cab and Chassis with Heavy-Rescue Body**, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 904-2000, passed by the Council of the City of Cleveland, August 7, 2000.

December 20, 2000 and December 27, 2000

**THURSDAY, FEBRUARY 8, 2001**

**Mobile Autotransformer Substation Unit and Mobil Zigzag Grounding Transformer Unit**, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 1391-2000, passed by the Council of the City of Cleveland, October 9, 2000.

A PRE-BID MEETING WILL BE HELD ON WEDNESDAY, JANUARY 17, 2001, 10:00 A.M. AT CLEVELAND PUBLIC POWER, 1300 LAKESIDE AVENUE, CLEVELAND, OHIO 44114. **ATTENDANCE IS MANDATORY.**

December 20, 2000 and December 27, 2000

**ADOPTED RESOLUTIONS AND ORDINANCES**

**Res. No. 1436-99.**  
**By Councilman Cimperman (by departmental request).**  
**An emergency resolution declaring the intention to vacate all that portion of East 33rd Street.**

Whereas, this Council; is satisfied that there is good cause to vacate all that portion of East 33rd Street, 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:

EAST 33RD STREET (66.00 feet wide), extending Northerly from the Northerly line of St. Clair Avenue N.E. (99.00 feet wide) to the Southerly line of Hamilton Avenue N.E. (66.00 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 December 18, 2000.

Effective December 27, 2000.

**Res. No. 2122-2000.**

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

**An emergency resolution requesting the County Auditor to make tax advances during the year 2001 pursuant to Section 321.34, Ohio Revised Code.**

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

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

**Section 1.** That the County Auditor be and he hereby is requested to draw, and the County Treasurer to pay on such draft to the Treasury of the City of Cleveland such money as may be in the County Treasury from time to time during the year 2001 to the account of the City of Cleveland and lawfully applicable to the purpose of the current fiscal year in which such request is made, such payments to be made from time to time as the Director of Finance or the Mayor of the City of Cleveland may request.

**Section 2.** That the Clerk of Council be and she hereby is directed to transmit a certified copy of this resolution to the Auditor of 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 December 18, 2000.

Effective December 20, 2000.



**Res. No. 2123-2000.**

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

**An emergency resolution accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies certifying them to the County Auditor.**

Whereas, this Council, in accordance with the provisions of law, has previously adopted a Tax Budget, for the fiscal year commencing January 1, 2001; and

Whereas, the Budget Commission of Cuyahoga County, Ohio, has certified its action thereon to this Council together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this Council and what part thereof is without and what part within the 10-Mill limitation; and

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

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

**Section 1.** That the amounts and rates as determined by the Budget Commission in its certification be and the same are hereby accepted.

**Section 2.** That there be and is hereby levied on the tax duplicate of the City of Cleveland the rate of each tax necessary to be levied within and without the 10-Mill limitation, as follows:

**SCHEDULE A**

**SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED BY BUDGET COMMISSION AND COUNTY AUDITOR'S ESTIMATED TAX RATES**

	Amount to be Derived From Levies Outside 10-Mill Limitation	Amount Approved By Budget Commission Inside 10-Mill Limitation	County Auditor's Estimate of Tax Rate To Be Levied	
	Column II	Column IV	Inside 10-Mill Limit Column V	Outside 10-Mill Limit Column VI
GENERAL FUND				7.75
BOND RETIREMENT FUND			4.35	
POLICE PENSION FUND				0.30
FIRE PENSION FUND			0.05	0.25
<b>TOTAL</b>			<b>4.40</b>	<b>8.30</b>

**Section 3.** That the Clerk of Council be and she hereby is directed to certify a copy of this resolution to the County Auditor of said County.

**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 December 18, 2000.

Effective December 20, 2000.

**Res. No. 2327-2000.**

**By Councilman Cimperman.**

**An emergency resolution objecting to the transfer of ownership and location of a D5 and D6 Liquor Permit to 6611 St. Clair Avenue.**

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership and location of a D5 and D6 Liquor Permit from Permit No. 8644681, Eric Stringfield, DBA Eroc's Underground, 1127 Euclid Avenue, Basement Only, Cleveland, Ohio 44114 to Permit No. 2434398, Carla D. Edeh, DBA Club Nijer, 6611 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 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 preserva-

tion 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 ordained 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 D5 and D6 Liquor Permit from Permit No. 8644681, Eric Stringfield, DBA Eroc's Underground, 1127 Euclid Avenue, Basement Only, Cleveland, Ohio 44114 to Permit No. 2434398, Carla D. Edeh, DBA Club Nijer, 6611 St. Clair Avenue, Cleveland, Ohio 44103 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

**Section 2.** That the Clerk of Council be and she is hereby directed to transmit two certified copies of this

resolution, together with two copies of a letter of objection and two copies of a letter requesting that the hearing be held in Cleveland, Cuyahoga County.

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

Adopted December 18, 2000.

Effective December 27, 2000.

**Res. No. 2328-2000.**

**By Councilman Cimperman.**

**An emergency resolution objecting to the stock transfer of a D2, D2X, D3, D3A and D6 Liquor Permit to 2000 Lakeside Avenue, 1st Fl., Bsmt. & Patio.**

Whereas, Council has been notified by the Director of Liquor Control of an application for the stock transfer of a D2, D2X, D3, D3A and D6 Liquor Permit to Permit No. 2288380, Dow Lak Inc., 2000 Lakeside Avenue, 1st Fl. Bsmt. & Paton, 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, 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 ordained by the Council of the City of Cleveland:

**Section 1.** That Council does hereby record its objection to the stock transfer of a D2, D2X, D3, D3A and D6 Liquor Permit to Permit No. 2288380, Dow Lak Inc., 2000 Lakeside Avenue, 1st Fl. Bsmt. & Paton, 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 is hereby directed to transmit two certified copies of this resolution, together with two copies of a letter of objection and two copies of a letter requesting that the hearing be held in Cleveland, Cuyahoga County.

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

Adopted December 18, 2000.

Effective December 27, 2000.

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

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

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

Whereas, pursuant to Ordinance No. 1025-A-95, passed June 28, 1995, tax revenues from levying the parking facility tax and increases in the motor vehicle lessor tax and the admissions tax can be used to fund recreational, cultural and extracurricular programs within the Cleveland School system; and

Whereas, the Joint Board established by Ordinance No. 1025-A-95 has recommended that a portion of the tax proceeds be used to fund a number of recreational, cultural and extracurricular programs for City school children during the 2000-2001 school year, including dance, drama, instrumental, vocal, cheerleading, aquatic, sports and academic enrichment programs; and

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

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

**Section 1.** That the Directors of Parks, Recreation and Properties and Finance are hereby authorized to enter into contract with the Board of Education of the Cleveland City School District to conduct various recreational, cultural and extracurricular programs for the benefit of City school children, in accordance with the program description contained in File No. 596-2000-B, for an amount not to exceed \$2,000,000, payable from the fund or funds to which are credited the proceeds of the taxes levied pursuant to Ordinance No. 1025-A-95, passed June 28, 1995, under such terms and conditions as are acceptable to the Director of Law.

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

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

Passed December 18, 2000.

Effective December 27, 2000.

**Ord. No. 1118-2000.**

**By Councilmen Brady and Westbrook.**

**An ordinance establishing the Clifton Road / West Boulevard Historic Landmark District Extension (Map Change No. 2014, Sheet Nos. 1 & 2)**

Whereas, the Cleveland Landmarks Commission has determined that the Clifton Road / West Boulevard Historic Landmark District represents an important aspect of Cleveland's cultural, economic, social and historic heritage and in consideration of that history, its architecture and other features of the area, the Cleveland Landmarks Commission finds the proposed Clifton Road / West Boulevard Historic Landmark District meets the criteria for Landmark designation; and

Whereas, the owners of the properties within the boundaries of the proposed Clifton Road / West Boulevard Historic Landmark District have been properly notified in accordance with Section 161.04 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 outlined in red on the map hereto attached be and the same is hereby designated the Clifton Road / West Boulevard Landmark District extension;

Beginning at the intersection of the center line of Madison Avenue, N.W. and the center line of West 98 Street; thence southerly along said center line of West 98 Street to its intersection with the easterly extension of the northerly line of Permanent Parcel No. 5-23-120 (said northerly line of said Permanent Parcel No. 5-23-120 being located approximately one hundred ten (110) feet south of the southerly line of Madison Avenue, N.W.); thence westerly along said easterly extension and along said northerly line of said Permanent Parcel No. 5-23-120 and continuing westerly along the northerly line of Permanent Parcel No. 5-23-117 and along its westerly extension to the center line of West 99 Street; thence northerly along said center line of West 99 Street to its intersection with the easterly extension of the northerly line of Permanent Parcel No. 5-23-138; thence westerly along said easterly extension and along said northerly line of said Permanent Parcel No. 5-23-138 to its intersection with the easterly line of Permanent Parcel No. 5-23-75; thence northerly along said easterly line of said Permanent Parcel No. 5-23-75 to its intersection with the northerly line thereof; thence westerly along said northerly line of said Permanent Parcel No. 5-23-75 and along its westerly extension to the center line of West 100 Street; thence continuing westerly along the easterly extension of a line located sixty (60) feet south of the southerly line of Madison Avenue, N.W. and along said line which is parallel to and sixty (60) feet south of said southerly line of Madison Avenue, N.W. to its inter-

section with a line located one hundred thirty six and fifteen hundredths (136.15) feet west of the westerly line of West 100 Street; thence southerly along said line which is parallel to and one thirty six and fifteen hundredths (136.15) feet west of said westerly line of West 100 Street to its intersection a line located one hundred forty and two hundredths (140.02) feet south of said southerly line of Madison Avenue, N.W.; thence westerly along said line which is parallel to and one hundred forty and two hundredths (140.02) feet south of said southerly line of Madison Avenue, N.W. and along its westerly extension to the center line of West 101 Street; thence southerly along said center line of West 101 Street to its intersection with the easterly extension of the northerly line of Permanent Parcel No. 5-23-13; thence westerly along said easterly extension and along said northerly line of said Permanent Parcel No. 5-23-13 to its intersection with a line located one hundred fifty (150) feet east of the easterly line of West Boulevard; thence southerly along said line which is parallel to and one hundred fifty (150) feet east of said easterly line of West Boulevard and along its southerly prolongation crossing Western Avenue, N.W. and continuing to its intersection with the center line of an unnamed alley located approximately one hundred five (105) feet northwest of the northwesterly line of Lorain Avenue; thence southwestwardly along said center line of said unnamed alley and along its southwestwardly extension to the center line of West Boulevard; thence southeasterly along said center line of West Boulevard to the center line of Lorain Avenue and continuing southeasterly along said center line of West Boulevard to its intersection with the westerly extension of the northerly line of Permanent Parcel No. 17-9-35; thence easterly along said westerly extension and along said northerly line of said Permanent Parcel No. 17-9-35 to its intersection with the easterly line thereof; thence southerly along the easterly line of Permanent Parcel No. 17-9-35 and continuing southerly along the easterly lines of Permanent Parcel Nos. 17-9-34, 17-9-33, 17-9-32, 17-9-31, 17-9-30, 17-9-29, 17-9-28, 17-9-27, 17-9-26 and 17-9-25, 17-11-31, 17-11-32, 17-11-33, 17-11-34, 17-11-35, 17-11-36, 17-11-37 and 17-11-38 to its intersection with the southerly line thereof; thence westerly along said southerly line of said Permanent Parcel No. 17-11-38 to its intersection with the westerly line of Permanent Parcel No. 17-11-64; thence southerly along said westerly line of said Permanent Parcel No. 17-11-64 and along its southerly extension to the center line of Almira Avenue, S.W.; thence westerly along said center line of Almira Avenue, S.W. to its intersection with the northerly extension of the westerly line of Permanent Parcel No. 17-11-63; thence southerly along said northerly extension and along said westerly line of said Permanent Parcel No. 17-11-63 to its intersection with a line located one hundred thirty (130) feet north of the northerly line of Fidelity Avenue, S.W.; thence westerly along said line which is parallel to and one hundred thirty (130) feet north of said northerly line of Fidelity Avenue, S.W. to its intersection with

the westerly line of Permanent Parcel No. 17-11-45; thence southerly along said westerly line of said Permanent Parcel No. 17-11-45 and along its southerly extension to the center line of Fidelity Avenue, S.W.; thence westerly along said center line of Fidelity Avenue, S.W. to its intersection with the northerly extension of the westerly line of Permanent Parcel No. 17-13-5; thence southerly along said northerly extension and along said westerly line of said Permanent Parcel No. 17-13-5 to its intersection with a line located one hundred seventy five (175) feet southeast of the southeasterly line of West Boulevard; thence southwestwardly along said line which is parallel to and one hundred seventy five (175) feet southeast of said southeasterly line of West Boulevard and along its southwestwardly prolongation to the center line of Adelaide Avenue, S.W.; thence westerly along said center line of Adelaide Avenue, S.W. to its intersection with the northerly extension of the center line of an unnamed alley; thence southerly along said northerly extension and along said center line of said unnamed alley and along its southerly extension to the center line of Loretta Avenue, S.W.; thence easterly along said center line of Loretta Avenue, S.W. to its intersection with the northwesterly extension of a line located one hundred seventy five (175) feet northeast of the northeasterly line of West Boulevard; thence southeasterly along said northwesterly extension and along said line which is parallel to and one hundred seventy five (175) feet northeast of said northeasterly line of West Boulevard to its intersection with a line located sixty (60) feet northwest of the northwesterly line of Unity Avenue, S.W.; thence southwestwardly along said line which is parallel to and sixty (60) feet northwest of said northwesterly line of Unity Avenue, S.W. to its intersection with a line located one hundred forty five (145) feet northeast of said northeasterly line of West Boulevard; thence southeasterly along said line which is parallel to and one hundred forty five (145) feet northeast of said northeasterly line of West Boulevard and along its southeasterly extension to the center line of Unity Avenue, S.W.; thence northeasterly along said center line of Unity Avenue, S.W. to its intersection with the northwesterly extension of a line located one hundred seventy five (175) feet northeast of said northeasterly line of West Boulevard; thence southeasterly along said northwesterly extension and along said line which is parallel to and one hundred seventy five (175) feet northeast of said northeasterly line of West Boulevard and along its southeasterly extension to the center line of Curran Avenue, S.W.; thence southwestwardly along said center line of Curran Avenue, S.W. to its intersection with the northwesterly extension of a line located one hundred sixty (160) feet northeast of said northeasterly line of West Boulevard; thence southeasterly along said northwesterly extension and along said line which is parallel to and one hundred sixty (160) feet northeast of said northeasterly line of West Boulevard to its intersection with a line located sixty (60) feet southeast of the south-

easterly line of Curran Avenue, S.W.; thence southwestwardly along said line which is parallel to and sixty (60) feet southeast of said southeasterly line of Curran Avenue, S.W. to its intersection with the northeasterly line of Permanent Parcel No. 17-15-52; thence southeasterly along said northeasterly line of said Permanent Parcel No. 17-15-52 to its intersection with the northwesterly line of Permanent Parcel No. 17-15-51; thence northeasterly along said northwesterly line of said Permanent Parcel No. 17-15-51 to its intersection with the northeasterly line thereof; thence southeasterly along said northeasterly line of said Permanent Parcel No. 17-15-51 and along its southeasterly extension to its intersection with a line located one hundred fifty (150) feet south of the southerly line of Curran Avenue, S.W.; thence easterly along said line which is parallel to and one hundred fifty (150) feet south of said southerly line of Curran Avenue, S.W. to its intersection with the easterly line of Permanent Parcel No. 17-15-49; thence southerly along said easterly line of Permanent Parcel No. 17-15-49 and continuing southerly along the easterly lines of Permanent Parcel Nos. 17-15-48, 17-15-47 and along its southerly extension to the center line of Walford Avenue, S.W.; thence easterly along said center line of Walford Avenue, S.W. to its intersection with the center line of the C.C.C. and St. L. Railroad tracks; thence southwestwardly along said C.C.C. and St. L. Railroad tracks to its intersection with the southeasterly extension of the southwestwardly line of Permanent Parcel No. 17-17-38; thence northwesterly along said southeasterly extension of said southwestwardly line of said Permanent Parcel No. 17-17-38 and along said southwestwardly line of said Permanent Parcel No. 17-17-38 and along its northwesterly extension to the center line of Jasper Avenue, S.W.; thence easterly and northeasterly along said center line of Jasper Avenue, S.W. to the center line of West Boulevard; thence northerly along said center line of West Boulevard to its intersection with the southeasterly extension of the southwestwardly line of Permanent Parcel No. 17-17-46; thence northwesterly along said southeasterly extension and along said southwestwardly line of said Permanent Parcel No. 17-17-46 to its intersection with a line located one hundred forty (140) feet east of the easterly line of West 102 Street; thence northerly along said line which is parallel to and one hundred forty (140) feet east of said easterly line of West 102 Street and along its northerly extension to the center line of Thrush Avenue, S.W.; thence westerly along said center line of Thrush Avenue, S.W. to its intersection with the southerly extension of a line located eight hundred thirty five (835) feet east of the easterly line of West 105 Street; thence northerly along said southerly extension and along said line which is parallel to and eight hundred thirty five (835) feet east of said easterly line of West 105 Street and along its northerly extension to the center line of Dale Avenue, S.W.; thence easterly along said center line of Dale Avenue, S.W. to its intersection with the southerly extension of the easterly line of Per-

manent Parcel No. 17-22-82; thence northerly along said southerly extension and along said easterly line of said Permanent Parcel No. 17-22-82 to its intersection with the northeasterly line thereof; thence northwesterly along said northeasterly line of said Permanent Parcel No. 17-22-82 and continuing northwesterly along the northeasterly lines of Permanent Parcel Nos. 17-22-83 and 17-22-68 and along its northwesterly extension to the center line of Linnet Avenue, S.W.; thence northeasterly along said center line of Linnet Avenue, S.W. to its intersection with the southeasterly extension of the southwesterly line of Permanent Parcel No. 17-14-113; thence northwesterly along said southeasterly extension and along said southwesterly line of said Permanent Parcel No. 17-14-113 to its intersection with a line located three hundred (300) feet southeast of the southeasterly line of Fortune Avenue, S.W.; thence southwesterly along said line which is parallel to and three hundred (300) feet southeast of said southeasterly line of Fortune Avenue, S.W. to its intersection with a line located one hundred seventy five (175) feet southwest of the southwesterly line of West Boulevard; thence northwesterly along said line which is parallel to and one hundred seventy five (175) feet southwest of said southwesterly line of West Boulevard to its intersection with a line located sixty (60) feet southeast of said southeasterly line of Fortune Avenue, S.W.; thence northeasterly along said line which is parallel to and sixty (60) feet southeast of said southeasterly line of Fortune Avenue, S.W. to its intersection with a line located one hundred thirty (130) feet southwest of said southwesterly line of West Boulevard; thence northwesterly along said line which is parallel to and one hundred thirty (130) feet southwest of said southwesterly line of West Boulevard and along its northwesterly extension to the center line of Fortune Avenue, S.W.; thence southwesterly and westerly along said center line of Fortune Avenue, S.W. to its intersection with the southerly extension of the westerly line of Permanent Parcel No. 18-14-107; thence northerly along said southerly extension and along said westerly line of said Permanent Parcel No. 18-14-107 to its intersection with the northwesterly line thereof; thence northeasterly along said northwesterly line of said Permanent Parcel No. 18-14-107 to its intersection with a line located approximately one hundred thirty five (135) feet southwest of said southwesterly line of West Boulevard; thence northwesterly along said line which is parallel to and approximately one hundred thirty five (135) feet southwest of said southwesterly line of West Boulevard to its intersection with the southeasterly line of Permanent Parcel No. 17-14-104; thence southwesterly along said southeasterly line of said Permanent Parcel No. 17-14-104 to its intersection with a line located one hundred seventy five (175) feet southwest of said southwesterly line of West Boulevard; thence northwesterly along said line which is parallel to and one hundred seventy five (175) feet southwest of said southwesterly line of West Boulevard and along its

northwesterly extension to the center line of West 105 Street; thence southerly along said center line of West 105 Street to the center line of St. Mark Avenue, S.W.; thence westerly along said center line of St. Mark Avenue, S.W. to its intersection with the southerly extension of a line located one hundred twenty three and eighty four hundredths (123.84) feet west of the westerly line of West 105 Street; thence northerly along said southerly extension and along said line which is parallel to and one hundred twenty three and eighty four hundredths (123.84) feet west of said westerly line of West 105 Street and along its northerly extension to the center line of Governor Avenue, S.W.; thence northerly along said center line of Governor Avenue, S.W. to its intersection with the southerly extension of the easterly line of Permanent Parcel No. 18-14-107; thence northerly along said southerly extension and along said easterly line of said Permanent Parcel No. 18-14-107 to its intersection with a line located one hundred twenty six (126) feet north of the northerly line of Governor Avenue, S.W.; thence westerly along said line which is parallel to and one hundred twenty six (126) feet north of said northerly line of Governor Avenue, S.W. to its intersection with the easterly line of Permanent Parcel No. 18-14-13; thence northerly along said easterly line of said Permanent Parcel No. 18-14-13 and along its northerly extension to the center line of Florian Avenue, S.W.; thence easterly along said center line of Florian Avenue, S.W. to the center line of Parkhurst Drive, S.W.; thence southeasterly along said center line of Parkhurst Drive, S.W. to its intersection with the southwesterly extension of the northwesterly line of Permanent Parcel No. 18-11-10; thence northeasterly along said southwesterly extension and along said northwesterly line of said Permanent Parcel No. 18-11-10 to its intersection with the northerly line thereof; thence easterly along said northerly line of said Permanent Parcel No. 18-11-10 and along its easterly extension to the center line of West 105 Street; thence northerly along said center line of West 105 Street to its intersection with the southwesterly extension of a line located one hundred seventy five (175) feet northwest of the northwesterly line of West Boulevard; thence northeasterly along said southwesterly extension and along said line which is parallel to and one hundred seventy five (175) feet northwest of said northwesterly line of West Boulevard and along its northeasterly extension to the center line of Fidelity Avenue, S.W.; thence easterly along said center line of Fidelity Avenue, S.W. to its intersection with the southerly extension of a line located four hundred eighty (480) feet east of the easterly line of West 105 Street; thence northerly along said southerly extension and along said line which is parallel to and four hundred eighty (480) feet east of said easterly line of West 105 Street to its intersection with a line located one hundred thirty (130) feet south of the southerly line of Almira Avenue, S.W.; thence easterly along said line which is parallel to and one hundred thirty (130) feet south

of said southerly line of Almira Avenue, S.W. to its intersection with a line located six hundred (600) feet east of said easterly line of West 105 Street; thence northerly along said line which is parallel to and six hundred (600) feet east of said easterly line of West 105 Street to its intersection with a line located sixty five (65) feet south of said southerly line of Almira Avenue, S.W.; thence easterly along said line which is parallel to and sixty five (65) feet south of said southerly line of Almira Avenue, S.W. to its intersection with a line located six hundred forty five (645) feet east of said easterly line of West 105 Street; thence northerly along said line which is parallel to and six hundred forty five (645) feet east of said easterly line of West 105 Street and along its northerly extension to the center line of Almira Avenue, S.W.; thence easterly along said center line of Almira Avenue, S.W. to its intersection with the southerly extension of the easterly line of Permanent Parcel No. 17-10-17; thence northerly along said southerly extension and along said easterly line of said Permanent Parcel No. 17-10-17 to its intersection with the southerly line of Permanent Parcel No. 17-10-15; thence easterly along said southerly line of said Permanent Parcel No. 17-10-15 to its intersection with the easterly line thereof; thence northerly along said easterly line of said Permanent Parcel No. 17-10-15 to its intersection with a line located sixty five (65) feet south of the southerly line of Bernard Avenue, S.W.; thence easterly along said line which is parallel to and sixty five (65) feet south of said southerly line of Bernard Avenue, S.W. to its intersection with a line located eight hundred thirty and fifty four hundredths (830.54) feet east of said easterly line of West 105 Street; thence northerly along said line which is parallel to and eight hundred thirty and fifty four hundredths (830.54) feet east of said easterly line of West 105 Street and along its northerly extension to the center line of Bernard Avenue, S.W.; thence easterly along said center line of Bernard Avenue, S.W. to its intersection with the southerly extension of a line located eight hundred forty five (845) feet east of said easterly line of West 105 Street; thence northerly along said southerly extension and along said line which is parallel to and eight hundred forty five (845) feet east of said easterly line of West 105 Street to its intersection with a line located sixty five (65) feet north of the northerly line of Bernard Avenue, S.W.; thence westerly along said line which is parallel to and sixty five (65) feet north of said northerly line of Bernard Avenue, S.W. to its intersection with a line located eight hundred (800) feet east of said easterly line of West 105 Street; thence northerly along said line which is parallel to and eight hundred (800) feet east of said easterly line of West 105 Street and along its northerly extension to the center line of Joan Avenue, S.W.; thence continuing northerly along the southerly extension of a line located one hundred sixty six and twenty hundredths (166.20) feet west of the westerly line of West Boulevard and along said line which is parallel to and one hundred sixty six and

twenty hundredths (166.20) feet west of said westerly line of West Boulevard and along its northerly extension to the center line of Ignatius Avenue, S.W.; thence westerly along said center line of Ignatius Avenue, S.W. to its intersection with the southerly extension of the westerly line of Permanent Parcel No. 17-9-57; thence northerly along said southerly extension and along said westerly line of said Permanent Parcel No. 17-9-57 to its intersection with the southwesterly line of Permanent Parcel No. 17-9-1; thence northwesterly along said southwesterly line of said Permanent Parcel No. 17-9-1 and along its northwesterly extension to the center line of Lorain Avenue; thence southwesterly along said center line of Lorain Avenue to the center line of West 103 Street; thence northerly along said center line of West 103 Street to its intersection with the southwesterly extension of the center line of Regina Court; thence northeasterly along said southwesterly extension and along said center line of Regina Court to its intersection with a line located one hundred (100) feet east of the easterly line of West 103 Street; thence northerly along said line which is parallel to and one hundred (100) feet east of said easterly line of West 103 Street to the center line of Western Avenue, N.W. and continuing northerly along the southerly extension of and along said line to its intersection with a line located one hundred (100) feet south of the southerly line of Madison Avenue, N.W.; thence easterly along said line which is parallel to and one hundred (100) feet south of said southerly line of Madison Avenue, N.W. to its intersection with the westerly line of Permanent Parcel No. 5-18-206; thence northerly along said westerly line of said Permanent Parcel No. 5-18-206 and along its northerly extension to the center line of Madison Avenue, N.W.; thence easterly along said center line of Madison Avenue, N.W. to the center line of West 102 Street; thence northerly along said center line of West 102 Street to its intersection with the westerly extension of a line located one hundred twenty (120) feet north of the northerly line of Madison Avenue, N.W.; thence easterly along said westerly extension and along said line which is parallel to and one hundred twenty (120) feet north of said northerly line of Madison Avenue, N.W. to its intersection with a line located seventy (70) feet east of the easterly line of West 102 Street; thence southerly along said line which is parallel to and seventy (70) feet east of said easterly line of West 102 Street and along its southerly extension to the center line of Madison Avenue, N.W.; thence easterly along said center line of Madison Avenue, N.W. to the place of beginning.

**Section 2.** That the designation of the area set forth in Section 1 hereof as the Clifton Road / West Boulevard Historic Landmark District Extension 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 Com-

mission by the appropriate person designated for such purpose by the City Planning Commission, further, a copy of map attached hereto shall be available for public inspection in the office of the Cleveland Landmarks Commission.

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

Passed December 18, 2000.  
Effective January 27, 2001.

**Ord. No. 1304-2000.  
By Councilmen Brady, Polensek,  
Patmon and Dolan.**

**An emergency ordinance to amend Section 181.19 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 848-83, passed June 13, 1983, relating to excess personal property.**

Whereas, this ordinance constitutes an emergency measure providing for 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 181.19 of the Codified Ordinances of Cleveland, Ohio, 1976, as by enacting Ordinance No. 848-83, passed June 13, 1983 is hereby amended to read as follows:

**Section 189.19 Excess Personal Property; Use by Other Departments; Sale**

(a) Except as provided in Section 181.15, all personal property of the City not needed by the department or office in whose charge such property is, shall be turned over to the Commissioner of Purchases and Supplies. If any such property is suitable to be used by any other department or office of the City, the Commissioner shall, when so directed, sell such property at its current value to such other department or office, or shall place it in the City storerooms or warehouses until such time as it may be needed by some department or office of the City. If such property is not needed or is not suitable for the use of any department or office of the City, when so directed by the Board of Control it shall be sold by the Commissioner and the proceeds of such sale shall be turned in to the fund of the City from which such property was paid for. Such sale shall be posted and advertised in every case in like manner as are purchases in amounts equal to the anticipated receipts from such sales. However, in the event the Board so directs, the Commissioner may sell such property at public auction, to be held at a place to be designated by the Commissioner, and named in the advertisement of sale to be posted and advertised for two consecutive weeks prior to the date of such sale.

(b) When the Director of Public Safety makes a determination in accordance with Section 101 of the Charter with respect to the service weapon of a police officer with more than twenty-three (23) years of service in the Division of Police or with respect to the helmet of a fire fighter with more than twenty-three (23) years of service in the Division of Fire, or with respect to the badge of an EMT/Paramedic with more than twenty-three (23)

years of service, such weapon, helmet and/or badge shall be turned over to the Commissioner of Purchases and Supplies. Military service time purchased by an officer, fire fighter or EMT/Paramedic following twenty (20) years of service shall be applied to the service time necessary for this provision. This provision shall apply to any officer, fire fighter or EMT/Paramedic under disability retirement. The Commissioner of Purchases and Supplies shall, when so directed by the Board of Control, offer to sell such service weapon, helmet and/or badge to such police officer, fire fighter or EMT/Paramedic for its fair market value. In lieu of paying cash for the weapon, helmet, and/or badge, such police officer, firefighter, or EMT/Paramedic may elect to forego all or any portion of any uniform or uniform maintenance allowance to which he is entitled at the time of the purchase; provided, however, that the sum of any cash payment and the allowances devoted to the purchase shall equal the fair market value of the item or items.

**Section 2.** That existing Section 181.19 of the Codified Ordinances of Cleveland, Ohio, 1976, as by enacting Ordinance No. 848-83, passed June 13, 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 December 18, 2000.  
Effective December 27, 2000.

**Ord. No. 1592-2000.  
By Councilmen Polensek, Lewis  
and Patmon (by departmental request).**

**An emergency ordinance to amend Sections 403.99 and 433.01 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by various ordinances, to revise the misdemeanor classifications and penalties for traffic code offenses, and to amend the offense of driving or physical control while under the influence of alcohol or drugs.**

Whereas, this ordinance constitutes an emergency measure providing for 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 following Sections of the Codified Ordinances of Cleveland, Ohio, 1976:

Section 403.99, as amended by Ordinance No. 268-A-99, passed December 15, 1999, and

Section 433.01, as amended by Ordinance No. 91-96, passed March 18, 1996,

are hereby amended to read, respectively, as follows:

**403.99 Traffic Code Misdemeanor Classifications and Penalties**

(a) Misdemeanor Classifications

(1) General classification. Whoever violates any provision of this Traffic Code or any regulation lawfully adopted pursuant thereto, for

which violation no penalty is otherwise provided, is guilty of a minor misdemeanor on a first offense; on a second offense within one year after the first offense, such person is guilty of a misdemeanor of the fourth degree; on each subsequent offense within one year after the first offense such person is guilty of a misdemeanor of the third degree. When any person is found guilty of a first offense for violation of Section 433.03, upon a finding that he operated a motor vehicle in excess of the posted speed limit by ten miles an hour or more, such person is guilty of a misdemeanor of the fourth degree. (RC 4511.99(D), 4513.99(C)). When any person is found guilty of a violation of division (b)(8) of Section 433.07, in addition to all other penalties provided by law, such person shall be fined two times the usual amount imposed for the violation.

(2) Driving under the influence. Whoever violates division (a)(1), (a)(2), (a)(3) or (a)(4) of Section 433.01, in addition to the license suspension or revocation provided in RC 4507.16 and any disqualification imposed under RC 4506.16 shall be punished as provided in division A., B., or C. of this section. Whoever violates division (a)(5), (a)(6), or (a)(7) of Section 433.01 of the Revised Code, in addition to the license suspension or revocation provided in Section 4507.16 of the Revised Code and any disqualification imposed under section 4506.16 of the Revised Code, shall be punished as provided in division D., E., or F. of this section.

(A) Except as otherwise provided in division B. or C. of this section, the offender is guilty of a misdemeanor of the first degree, and the court shall sentence the offender to a term of imprisonment of three consecutive days and may sentence the offender pursuant to division (b) of Section 403.99 to a longer term of imprisonment. In addition, the court shall impose upon the offender a fine of not less than two hundred fifty dollars (\$250.00) nor more than one thousand dollars (\$1,000).

The court may suspend the execution of the mandatory three consecutive days of imprisonment that it is required to impose by this division, if the court, in lieu of the suspended term of imprisonment, places the offender on probation and requires the offender to attend, for three consecutive days, a drivers' intervention program that is certified pursuant to RC 3793.10. The court also may suspend the execution of any part of the mandatory three consecutive days of imprisonment that it is required to impose by this division, if the court places the offender on probation for part of the three consecutive days; requires the offender to attend, for that part of the three consecutive days, a drivers' intervention program that is certified pursuant to RC 3793.10; and sentences the offender to a term of imprisonment equal to the remainder of the three consecutive days that the offender does not spend attending the drivers' intervention program. The court may require the offender, as a condition of probation, to attend and satisfactorily complete any treatment or education programs that comply with the minimum standards adopted pursuant to RC Chapter 3793, by the Director of

Alcohol and Drug Addiction Services, in addition to the required attendance at a drivers' intervention program, that the operators of the drivers' intervention program determine that the offender should attend and to report periodically to the court on his progress in the programs. The court also may impose any other conditions of probation on the offender that it considers necessary.

B. Except as otherwise provided in division D. of this section and except as provided in this division, if, within six years of the offense, the offender has been convicted of or pleaded guilty to one violation of division (a) or (b) of Section 433.01, division (A) or (B) of RC 4511.19, a municipal ordinance relating to operating a vehicle while under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse, a municipal ordinance relating to operating a vehicle with a prohibited concentration of alcohol in the blood, breath, or urine, RC 2903.04 in a case in which the offender was subject to the sanctions described in Division (D) of that section, or RC 2903.06, 2903.07, or 2903.08 or a municipal ordinance that is substantially similar to RC 2903.07 in a case in which the jury or judge found that the offender was under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse, or a statute of the United States or of any other state or a municipal ordinance of a municipal corporation located in any other state that is substantially similar to division (A) or (B) of RC 4511.19, the offender is guilty of a misdemeanor of the first degree and, except as provided in this division, the court shall sentence the offender to a term of imprisonment of ten consecutive days and may sentence the offender pursuant to division (b) of Section 403.99 to a longer term of imprisonment. In addition, the court shall impose upon the offender a fine of not less than three hundred fifty dollars (\$350.00) nor more than one thousand five hundred dollars (\$1,500).

In addition to any other sentence that it imposes upon the offender, the court may require the offender to attend a drivers' intervention program that is certified pursuant to RC 3793.10. If the officials of the drivers' intervention program determine that the offender is alcohol dependent, they shall notify the court, and the court shall order the offender to obtain treatment through an alcohol and drug addiction program authorized by RC 3793.02. The cost of the treatment shall be paid by the offender.

C. Except as otherwise provided in division D. of this section and except as provided in this division, if, within six years of the offense, the offender has been convicted of or pleaded guilty to two violations of division (a) or (b) of Section 433.01, RC 4511.19, a municipal ordinance relating to operating a vehicle while under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse, a municipal ordinance relating to operating a vehicle with a prohibited concentration of alcohol in the blood, breath, or urine, RC 2903.04 in a case in which the offender was subject to the sanctions described in Division (D) of that section, or RC 2903.06,

2903.07, or 2903.08 or a municipal ordinance that is substantially similar to RC 2903.07 in a case in which the jury or judge found that the offender was under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse, or a statute of the United States or of any other state or a municipal ordinance of a municipal corporation located in any other state that is substantially similar to division (A) or (B) of RC 4511.19, except as provided in this division, the court shall sentence the offender to a term of imprisonment of thirty consecutive days and may sentence the offender pursuant to division (b) of Section 403.99 to a longer term of imprisonment. In addition, the court shall impose upon the offender a fine of not less than five hundred fifty dollars (\$550.00) and not more than two thousand five hundred dollars (\$2,500).

In addition to any other sentence that it imposes upon the offender, the court shall require the offender to attend a drivers' intervention program that is certified pursuant to RC 3793.10. If the officials of the drivers' intervention program determine that the offender is alcohol dependent, they shall notify the court, and the court shall order the offender to obtain treatment through an alcohol and drug addiction program authorized by RC 3793.02. The cost of the treatment shall be paid by the offender.

D. Except as otherwise provided in division E. or F. of this section, the offender is guilty of a misdemeanor of the first degree, and the court shall sentence the offender to one of the following:

1. A term of imprisonment of at least three consecutive days and a requirement that the offender attend, for three consecutive days, a drivers' intervention program that is certified pursuant to Section 3793.10 of the Revised Code;

2. If the Court determines that the offender is not conducive to treatment in the program, if the offender refuses to attend the program, or if the place of imprisonment can provide a drivers' intervention program, a term of imprisonment of at least six consecutive days.

In addition, the court shall impose upon the offender a fine of not less than two hundred fifty dollars (\$250.00) and not more than one thousand dollars.

The court may require the offender, as a condition of probation, to attend and satisfactorily complete any treatment or education programs that comply with the minimum standards adopted pursuant to Chapter 3793. Of the Revised Code by the Director of Alcohol and Drug Addiction Services, in addition to the required attendance at a drivers' intervention program, that the operators of the drivers' intervention program determine that the offender should attend and report periodically to the court on the offender's progress in the programs. The court also may impose any other conditions of probation on the offender that it considers necessary.

E. Except as otherwise provided in this division, if, within six years of the offense, the offender has been convicted of or pleaded guilty to one violation of division (a) or (b) of Section 433.01, division (A) or (B) of Section 4511.19 of the Revised Code,

a municipal ordinance relating to operating a vehicle while under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse, a municipal ordinance relating to operating a vehicle with a prohibited concentration of alcohol in the blood, breath, or urine, RC 2903.04 in a case in which the offender was subject to the sanctions described in Division (D) of that section, or RC 2903.06, 2903.07, or 2903.08 or a municipal ordinance that is substantially similar to RC 2903.07 in a case in which the jury or judge found that the offender was under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse, or a statute of the United States or of any other state or a municipal ordinance of a municipal corporation located in any other state that is substantially similar to division (A) or (B) of RC 4511.19, except as provided in this division, the court shall sentence the offender to a term of imprisonment of twenty consecutive days and may sentence the offender pursuant to division (b) of Section 403.99 to a longer term of imprisonment. In addition, the court shall impose upon the offender a fine of not less than three hundred fifty dollars (\$350.00) and not more than one thousand five hundred dollars (\$1,500).

In addition to any other sentence that it imposes upon the offender, the court may require the offender to attend a drivers' intervention program that is certified pursuant to section 3793.10 of the Revised Code. If the officials of the drivers' intervention program determine that the offender is alcohol dependent, they shall notify the court, and the court shall order the offender to obtain treatment through an alcohol and drug addiction program authorized by section 3793.02 of the Revised Code. The offender shall pay the cost of the treatment.

F. Except as otherwise provided in this division, if, within six years of the offense, the offender has been convicted of or pleaded guilty to two violations of division (a) or (b) of Section 433.01, division (A) or (B) of Section 4511.19 of the Revised Code, a municipal ordinance relating to operating a vehicle while under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse, a municipal ordinance relating to operating a vehicle with a prohibited concentration of alcohol in the blood, breath, or urine, RC 2903.04 in a case in which the offender was subject to the sanctions described in Division (D) of that section, or RC 2903.06, 2903.07, or 2903.08 or a municipal ordinance that is substantially similar to RC 2903.07 in a case in which the jury or judge found that the offender was under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse, or a statute of the United States or of any other state or a municipal ordinance of a municipal corporation located in any other state that is substantially similar to division (A) or (B) of RC 4511.19, except as provided in this division, the court shall sentence the offender to a term of imprisonment of sixty consecutive days and may sentence the offender pursuant to division (b) of Section 403.99 to a longer term of imprisonment. In addition, the court shall impose upon the

offender a fine of not less than five hundred fifty dollars (\$550.00) and not more than two thousand five hundred dollars (\$2,500).

In addition to any other sentence that it imposes upon the offender, the court shall require the offender to attend an alcohol and drug addiction program authorized by section 3793.02 of the Revised Code. The offender shall pay the cost of the treatment. If the court determines that the offender is unable to pay the cost of attendance at the treatment program, the court may order that payment of the cost of the offender's attendance at the treatment program be made from that court's indigent drivers alcohol treatment fund.

G. A portion of each fine imposed pursuant to divisions (a)(2)A., B., C., D., or E. of this section, shall be deposited into the indigent drivers alcohol treatment fund of the court, created pursuant to division (N) of RC 4511.191, the amount of which shall be the same as that specified by Section 4511.99 of the Revised Code to be deposited in said fund for the substantively similar state offense.

H. Except as otherwise provided in this division, upon a showing that imprisonment would seriously affect the ability of an offender sentenced pursuant to divisions (a)(2)A. to F. of this section to continue his employment, the court may authorize that the offender be granted work release from imprisonment after the offender has served the three, six, ten, twenty, thirty, or sixty consecutive days of imprisonment that the court is required by divisions (a)(2)A. to F. of this section to impose. No court shall authorize work release from imprisonment during the three, six, ten, twenty, thirty, or sixty consecutive days of imprisonment that the court is required by divisions (a)(2)A. to F. of this section to impose. The duration of the work release shall not exceed the time necessary each day for the offender to commute to and from the place of employment and the place of imprisonment and the time actually spent under employment.

I. Notwithstanding any section of the Revised Code or this Traffic Code that authorizes suspension of the imposition or execution of a sentence or the placement of an offender in any treatment program in lieu of imprisonment, no court shall suspend the ten, twenty, thirty, or sixty consecutive days of imprisonment required to be imposed by divisions (a)(2)B. to F. of this section or place an offender who is sentenced pursuant to division (a)(2)B. to F. of this section in any treatment program in lieu of imprisonment until after the offender has served the ten, twenty, thirty, or sixty consecutive days of imprisonment required to be imposed pursuant to division (a)(2)B. to F. of this section.

Notwithstanding any section of the Revised Code or this Traffic Code that authorizes the suspension of the imposition or execution of a sentence or the placement of an offender in any treatment program in lieu of imprisonment, no court, except as specifically authorized by division (a)(2)A. or D. of this section, shall suspend the three consecutive days of imprisonment required to be imposed by division

(a)(2)A. of this section or place an offender who is sentenced pursuant to division (a)(2)A. or D. of this section in any treatment program in lieu of imprisonment until after the offender has served the three consecutive days of imprisonment required to be imposed pursuant to division (a)(2)A. or D. of this section.

J. No court shall sentence an offender to an alcohol treatment program pursuant to division (a)(2)A. to F. of this section unless the treatment program complies with the minimum standards adopted pursuant to RC Chapter 3793. by the Director of Alcohol and Drug Addiction Services. (RC 4511.99(A)).

K. As used in this section, "three consecutive days" means seventy-two consecutive hours. (RC 4511.991)

(3) Physical control. Whoever violates division (b) of Section 433.01 is guilty of a misdemeanor of the first degree.

(4) Street racing. Whoever violates Section 433.07 is guilty of a misdemeanor of the first degree.

(5) Licensing drivers. Whoever violates any provision of Sections 435.01 to 435.07, inclusive, is guilty of a misdemeanor of the first degree.

(6) Accidents. Whoever violates any provision of Sections 435.15 to 435.17, inclusive, is guilty of a misdemeanor of the first degree.

(7) Willfully fleeing a police officer. Whoever violates division (b) of Section 403.02 is guilty of a misdemeanor of the first degree.

(8) Stopping for school buses. Whoever violates division (a) of Section 431.38 may be fined not more than five hundred dollars (\$500.00).

(9) Placing dangerous material on streets. Whoever violates division (e) of Section 411.01 is guilty of a misdemeanor of the first degree.

(b) Penalties. Whoever is convicted of or pleads guilty to a violation of this Traffic Code shall be imprisoned for a definite term or fined, or both, which term of imprisonment and fine shall be fixed by the court as provided in this section.

Misdemeanor Classification	Maximum Imprisonment Term	Maximum Fine
1st degree	6 months	\$1,000.00
2nd degree	90 days	750.00
3rd degree	60 days	500.00
4th degree	30 days	250.00
Minor	None	100.00

(RC 2929.21)

(c) License Suspension.

(1) The trial judge of the Cleveland Municipal Court, in addition to or independent of all other penalties provided by law or ordinance, shall suspend for not less than thirty days nor more than three years or revoke the driver's or commercial driver's license or permit or nonresident operating privileges of any person who is convicted of or pleads guilty to any of the following:

A. Division (a) of Section 431.38;

B. Sections 435.01 to 435.07, inclusive;

The trial judge, in addition to suspensions or revocations of licenses, permits, or privileges pursuant to this division and in addition to or independent of all other penalties provided by law or by ordinance, shall impose a suspended jail sen-

tence of not to exceed six months, if that imprisonment was not imposed for the offense for which the person was convicted.

(2) The trial judge of the Cleveland Municipal Court, in addition to or independent of all other penalties provided by law or ordinance, shall suspend or revoke the driver's or commercial driver's license or permit or nonresident operating privileges of any person who is convicted of or pleads guilty to a violation of division (b) of Section 433.01. The length of the suspension or revocation imposed by the trial judge upon a person who is convicted or pleads guilty to a violation of division (b) of Section 433.01 shall be the same as that imposed pursuant to division (B) of RC 4507.16 upon a person who is convicted of or pleads guilty to a violation of RC 4511.19, or a municipal ordinance relating to operating a vehicle while under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse, or a municipal ordinance relating to operating a vehicle with a prohibited concentration of alcohol in the blood, breath, or urine.

(3) The trial judge of the Cleveland Municipal Court may, in addition to or independent of all other penalties provided by law, suspend the license of any person for not more than fifteen days who is convicted of or pleads guilty to a violation of operating a motor vehicle faster than five miles per hour in excess of the prima-facie speed limits specified in Section 433.03 relating to passing a school building or grounds or operating a motor vehicle in a residential district.

For any subsequent conviction of any such provision, the trial judge shall, in addition to or independent of all other penalties provided by law, suspend the license of any person for not more than thirty days who is convicted of or pleads guilty to any offense specified in this division. The first five days may not be suspended by the Court.

**Section 433.01 Driving or Physical Control While Under the Influence: Evidence**

(a) Operation. No person shall operate any vehicle within the City, if any of the following apply:

(1) The person is under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse;

(2) The person has a concentration of ten-hundredths of one percent (0.10%) or more but less than seventeen-hundredths of one percent by weight of alcohol in the person's blood;

(3) The person has a concentration of ten-hundredths (0.10) of one gram or more but less than seventeen-hundredths of one gram by weight of alcohol per 210 liters of the person's breath;

(4) The person has a concentration of fourteen-hundredths (0.14) of one gram or more but less than two hundred thirty-eight thousandths of one gram by weight of alcohol per 100 milliliters of the person's urine.

(5) The person has a concentration of seventeen-hundredths of one percent or more by weight of alcohol in the person's blood.

(6) The person has a concentration of seventeen-hundredths of one gram or more by weight of alcohol

per two hundred ten liters of the person's breath.

(7) The person has a concentration of two hundred thirty-eight thousandths of one gram by weight of alcohol per 100 milliliters of the person's urine. RC 4511.19(A)

This division shall not apply whenever the conduct prohibited by this division constitutes a felony under Section 4511.99 of the Revised Code.

(b) Physical Control. No person shall be in actual physical control of any vehicle within the City, if any of the following apply:

(1) The person is under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse;

(2) The person has a concentration of ten-hundredths of one percent (0.10%) or more by weight of alcohol in his blood;

(3) The person has a concentration of ten-hundredths (0.10) of one gram or more by weight of alcohol per 210 liters of his breath;

(4) The person has a concentration of fourteen-hundredths (0.14) of one gram or more by weight of alcohol per 100 milliliters of his urine.

(c) Operation — Juveniles. No person under twenty-one (21) years of age shall operate any vehicle within the City, if any of the following apply:

(1) The person has a concentration of at least two-hundredths of one percent (0.02%) but less than ten-hundredths of one percent (0.10%) by weight of alcohol in his blood.

(2) The person has a concentration of at least two-hundredths (0.02) of one gram but less than ten-hundredths (0.10) of one gram by weight of alcohol per 210 liters of his breath;

(3) The person has a concentration of at least twenty-eight one-thousandths (0.028) of one gram but less than fourteen-hundredths (0.14) of one gram by weight of alcohol per one hundred milliliters of his urine.

(d) In any proceeding arising out of one incident, a person may be charged with a violation of division (a)(1) and a violation of division (b)(1), (2), or (3) of this section, but he may not be convicted of more than one violation of these divisions.

(e) Evidence; Tests; Immunity. In any criminal prosecution for a violation of this section, the court may admit evidence on the concentration of alcohol, drugs of abuse, or alcohol and drugs of abuse in the defendant's blood, breath, urine or other bodily substance at the time of the alleged violation as shown by chemical analysis of the defendant's blood, urine, breath other bodily substance withdrawn within two hours of the time of the alleged violation.

When a person submits to a blood test at the request of a police officer under RC 4511.191, only a physician, a registered nurse or a qualified technician or chemist shall withdraw blood for the purpose of determining its alcohol, drug, or alcohol and drug content. This limitation does not apply to the taking of breath or urine specimens. A physician, a registered nurse or a qualified technician or chemist may refuse to withdraw blood for the

purpose of determining the alcohol, drug, or alcohol and drug content of the blood, if in his opinion the physical welfare of the person would be endangered by the withdrawing of blood.

Such bodily substance shall be analyzed in accordance with methods approved by the Ohio Director of Health by an individual possessing a valid permit issued by the Director of health pursuant to RC 3701.143.

If there was at the time the bodily substance was withdrawn a concentration of less than ten-hundredths of one percent (0.10%) by weight of alcohol in the defendant's blood, less than ten-hundredths (0.10) of one gram by weight of alcohol per 210 liters of his breath or less than fourteen-hundredths (0.14) of one gram by weight of alcohol per 100 milliliters of his urine, such fact may be considered with other competent evidence in determining the guilt or innocence of the defendant. This paragraph does not limit or affect a criminal prosecution for a violation of division (c) of this section relating to operating a vehicle with a prohibited concentration of alcohol in the blood, breath or urine.

Upon the request of the person who was tested, the results of the chemical test shall be made available to him, his attorney or agent, immediately upon the completion of the chemical test analysis.

The person tested may have a physician, a registered nurse or a qualified technician or chemist of this own choosing administer a chemical test or tests in addition to any administered at the request of a police officer, and shall be so advised. The failure or inability to obtain an additional chemical test by a person shall not preclude the admission of evidence relating to the chemical test or tests taken at the request of a police officer.

Any physician, registered nurse or qualified technician or chemist who withdrawn blood from a person pursuant to this section, and any hospital, first-aid station or clinic at which blood is withdrawn from a person pursuant to this section, is immune from criminal liability, and from civil liability that is based upon a claim of assault and battery or based upon any other claim that is not in the nature of a claim of malpractice, for any act performed in withdrawing blood from a person. (RC 4511.19(B) to (D)).

**Section 2.** That the following existing Sections of the Codified Ordinances of Cleveland, Ohio, 1976: Section 403.99, as amended by Ordinance No. 268-A-99, passed December 15, 1999, and

Section 433.01, as amended by Ordinance No. 91-96, passed March 18, 1996,

are hereby repealed.

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

Passed December 18, 2000.  
Effective December 27, 2000.



**Ord. No. 1593-2000.**  
**By Councilmen Polensek, Lewis and**  
**Patmon (by departmental request).**

**An emergency ordinance to amend Sections 405.02, 459.01 and 459.11 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by various ordinances, relating to the definition of parking infraction and the penalty for improper use of reserved handicapped parking spaces.**

Whereas, this ordinance constitutes an emergency measure providing for 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 459.01 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1452-91, passed October 21, 1991, and Section 459.11 thereof, as amended by Ordinance 1010-91, passed June 17, 1991 are hereby amended to read, respectively, as follows:

**Section 459.01 Definitions**

The following words and phrases, when used in this Chapter of the Traffic Code, shall have the meanings respectively ascribed to them by this section.

(a) "Parking Infraction" means a violation of the following sections of the Codified Ordinances of Cleveland, Ohio, 1976:

- 203.08 Parking Waste Collection Vehicles;
  - 343.20 Service Station Parking Restrictions;
  - 451.03 Statutory Prohibited Standing or Parking Places;
  - 451.04 Manner of Parallel Parking;
  - 451.041 Physically Handicapped Parking, division (h) only
  - 451.05 Manner of Angle Parking;
  - 451.08 Narrow Roadways and Alleys;
  - 451.09 Hydrant Side of Street;
  - 451.10 Hazardous Traffic Obstructions;
  - 451.11 Hospital Grounds;
  - 451.12 City Property;
  - 451.13 Distance from Theaters;
  - 451.15 Fire Lanes on Public and Private Property;
  - 451.16 Street Cleaning;
  - 451.17 Snow Emergency;
  - 451.18 Bus Stops and Taxi Cab Stands;
  - 451.19 Motor Carriers;
  - 451.20 Truck Zones;
  - 451.21 Trucks and Commercial Vehicles;
  - 451.22 Between Sidewalk and Set-back Line;
  - 451.23 Tree Lawn and Private Driveway;
  - 451.24 Private Driveway or Private Property;
  - 451.25 Abandoned Vehicles;
  - 451.28 Reserved Street Parking for U.S. Marshal;
  - 451.33 Valet Parking/Passenger Drop off-Pick up Zones Established; Violations, divisions (e) and (f) only;
  - 453.01 Parking Regulations in Parking Meter Zones;
  - 453.02 Parking Violations;
  - 455.05 Parking Regulations;
  - 455.061 Reserved Parking Spaces at Willard Park Garage;
  - 455.07 Violations, divisions (a), (b), (c) and (d) only;
  - 461.15 Prohibitions, division (a) only; and
  - 571.37 Parking Areas;
- of said Codified Ordinances.
- (b) "Vehicles" has the same meaning as in Section 4511.01 of the Revised Code.

(c) "Violations Clerk" means the Clerk of the Cleveland Municipal Court.

(d) "Parking Violations Bureau" means the bureau established by the Council of the City of Cleveland pursuant to Section 4521.04 of the Revised Code and Section 459.03 hereof.

(e) "Law Enforcement Officer" has the same meaning as in Section 601.01(d) of the Codified Ordinances of Cleveland, Ohio, 1976 and shall also mean City employees whose duties include the issuance of parking infraction tickets while engaged in such duty.

(f) "Notification of Infraction" means the notice mailed to the owner or operator of a vehicle involved in a parking infraction pursuant to Section 4521.07 of the Revised Code and Section 459.06 hereof.

(g) "Rush Hour Parking Infraction" means a violation of division (n) of Section 451.03 of the Codified Ordinances of Cleveland, Ohio, 1976, occurring on the streets and roadways during the times specified in Rule Nos. 3, 3-A, 3-B, 4, and 4-A adopted by the Director of Public Safety, as the same may be amended from time to time.

(h) "Court" or "Municipal Court" means the Cleveland Municipal Court, unless specifically identified as another court, in which case it means the specifically identified court.

**Section 459.11 Parking Infraction Fines**

(a) The fine for committing a parking infraction, unless another fine is established by divisions (b) or (c) of this section, is hereby established to be twenty dollars (\$20.00), except that the fine for a rush hour parking infraction shall be thirty dollars (\$30.00).

(b) The fine for violating each of the following sections of the Codified Ordinances of Cleveland, Ohio, 1976, whether or not committed during rush hour, is hereby established to be fifty dollars (\$50.00):

- 451.03 Statutory Prohibited Standing or Parking Places, division (e) only;
- 451.22 Between Sidewalk and Set-back Line;
- 451.23 Tree Lawn and Private Driveway, division (a) only;
- 451.25 Abandoned Vehicles; and
- 451.17 Snow Emergency.

(c) The fine for violating each of the following sections of the Codified Ordinances of Cleveland, Ohio, 1976, whether or not committed during rush hour, is hereby established to be one hundred dollars (\$100.00):

- 451.21 Trucks and Commercial Vehicles, division (b) only;
- 451.041 Physically Handicapped Parking, division (h) only.

**Section 2.** That Section 459.01 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1452-91, passed October 21, 1991, and existing Section 459.11 thereof, as amended by Ordinance 1010-91, passed June 17, 1991 are hereby repealed.

**Section 3.** That Section 405.02 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 91-96, passed March 18, 1996, is hereby amended to read as follows:

**Section 405.02 Impounding of Vehicles**

Police officers are authorized to provide for the removal of a vehicle under the following circumstances:

(a) When any vehicle is left unattended upon any street, alley or bridge and constitutes an unreasonable hazard or obstruction to the normal movement of traffic or unreasonably interferes with street cleaning or snow removal operations, or when any vehicle is left on any street or public property for more than seventy-two hours.

(b)(1) Upon complaint of any person adversely affected, when any motor vehicle, other than an abandoned junk motor vehicle as defined in RC 4513.63, has been left on private residential or agricultural property as defined in RC 4513.60 for more than four hours without the permission of the person having the right to the possession of the property. (RC 4513.60(A)(1))

(2) When any motor vehicle, other than an abandoned junk motor vehicle as defined in RC 4513.63, has been left on a public street or other property open to the public for the purposes of vehicular travel, or upon or within the right-of-way of any road or highway, for forty-eight hours or longer without notification to the Chief of Police of the reasons for leaving the motor vehicle in such place. (RC 4513.61)

(3) When any motor vehicle is an abandoned junk motor vehicle as defined in RC 4513.63 and removal is authorized by that Section. (RC 4513.63)

(4) When any junk motor vehicle as defined in RC 4513.65 has not been either covered by being housed in a garage or other suitable structure, or removed from the property, within ten days of the date of receipt of a notice meeting the requirements of division (b) of Section 451.27 by the person having the right to possession of the property on which the junk motor vehicle is left.

(c) When any vehicle has been stolen or operated without the consent of the owner.

(d) When any vehicle is parked on any street or other public property and displays illegal plates or fails to display the current lawfully required license plates.

(e) When any vehicle has been used in or connected with the commission of procuring, soliciting, prostitution, soliciting drug sales in violation of Section 607.20, or any felony.

(f) When any vehicle has been damaged or wrecked so as to be inoperable or violates equipment provisions of this Traffic Code, whereby its continued operation would constitute a condition hazardous to life, limb or property.

(g) When any vehicle is left unattended due to the removal of an ill, injured or arrested operator.

(h) When any vehicle has been operated by any person who failed to stop in case of accident or collision.

(i) When any vehicle has been operated by any person who is driving without a lawful license or while his license has been suspended or revoked.

(j) When any vehicle is found standing or parked in violation of the provisions of Section 451.04, 451.05, 451.06, 451.11, 451.13, 453.01, 453.02, 455.05, 455.06 or 455.07 of these Codified Ordinances and such vehicle has four or more parking infraction judgments or previously issued outstanding criminal citations or notices of violation of any of the provisions of the Traffic Code.

(k) When any vehicle constitutes an unreasonable hazard to persons or property at the scene of a fire, accident, disaster, riot or emergency of any kind.

(l) When any vehicle is found standing or parked in violation of the provisions of Sections 451.03, 451.041, 451.08 through 451.10, 451.12, 451.15 through 451.25, division (e) or division (f) of Section 451.33, or division (a) of Section 461.15.

(m) When any vehicle is ordered immobilized pursuant to RC Chapters 4503., 4507. or 4511.

(n) When any vehicle that is subject to an order of immobilization and impoundment pursuant to RC 4503.233 is found being operated on any street or highway.

**Section 4.** That Section 405.02 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 91-96, passed March 18, 1996, is hereby repealed.

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

Passed December 18, 2000.  
Effective December 27, 2000.

**Ord. No. 1643-2000.**  
**By Councilman Jones.**  
**An ordinance establishing the Lee-Harvard Business Revitalization District (BRD). (Map Change No. 2017, Sheet No. 10).**

Whereas, the Board of Trustees of Miles Ahead Development Corporation and Amistad Development Corporation have submitted a written request dated June 2, 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 Lee-Harvard Business Revitalization District.

Beginning at the intersection of the westerly line of Sublot No. 1 in the Registered Land Co. Subdivision No. 1 as recorded in Volume 76, Page 24 of the Cuyahoga County Map Records and the City of Cleveland Boundary line; thence easterly along said City of Cleveland Boundary line to its intersection with a line located approximately one hundred thirty (130) feet east of the easterly line of Lee Road, S.E.; thence southerly along said line which is parallel to and approximately one hundred thirty (130) feet east of said easterly line of Lee Road, S.E. and along its southerly prolongation to its intersection with a line located approximately one hundred thir-

ty (130) feet south of the southerly line of Throckley Avenue, S.E.; thence westerly along said line which is parallel to and approximately one hundred thirty (130) feet south of said southerly line of Throckley Avenue, S.E. to its intersection with a line located approximately one hundred twenty five (125) feet east of said easterly line of Lee Road, S.E.; thence southerly along said line and along its southerly prolongation to its intersection with the southerly line of Sublot No. 456 in the Shaker Lee Subdivision as recorded in Volume 98, Page 8 of the Cuyahoga County Map Records; thence easterly along said southerly line of said Sublot No. 456 to its intersection with the easterly line of Sublot No. 457 in said Shaker Lee Subdivision; thence southerly along said easterly of said Sublot No. 457 and along its southerly extension to the center line of Glendale Avenue, S.E.; thence continuing southerly along the northerly extension of the easterly line of Sublot No. 548 in said Shaker Lee Subdivision and along said easterly line of said Sublot No. 548 to its intersection with the southerly line thereof; thence westerly along said southerly line of said Sublot No. 548 to its intersection with a line located approximately one hundred twenty five (125) feet east of said easterly line of Lee Road, S.E.; thence southerly along said line which is parallel to and approximately one hundred twenty five (125) feet east of said easterly line of Lee Road, S.E.; and along its southerly extension to the center line of Biltmore Avenue, S.E.; thence southerly along said center line of Biltmore Avenue, S.E. to its intersection with the northeasterly extension of the southeasterly line of Sublot No. 640 in said Shaker Lee Subdivision; thence southwestwardly along said northeasterly extension and along said southeasterly line of said Sublot No. 640 to its intersection with the southerly line thereof; thence westerly along said southerly line of said Sublot No. 640 to its intersection with the easterly line of Sublot No. 660 in said Shaker Lee Subdivision; thence southerly along said easterly line of said Sublot No. 660 and along its southerly extension to the center line of Stockbridge Avenue, S.E.; thence westerly along said center line of Stockbridge Avenue, S.E. to its intersection with the northerly extension of a line located approximately one hundred twenty five (125) feet east of said easterly line of Lee Road, S.E.; thence southerly along said northerly extension and along said line which is parallel to and approximately one hundred twenty five (125) feet east of easterly line of Lee Road, S.E. and along its southerly prolongation to its intersection with a line located approximately one hundred ten (110) feet north of the northerly line of Harvard Avenue, S.E.; thence easterly along said line which is parallel to and approximately one hundred ten (110) feet north of said northerly line of Harvard Avenue, S.E. to its intersection with a line located approximately one hundred twenty (120) feet west of the westerly line of East 176 Street; thence northerly along said line which is parallel to and approximately one hundred twenty (120) west of said westerly line of East 176 Street to its intersection with a line located approximately one hundred twenty

(120) feet north of said northerly line of Harvard Avenue, S.E.; thence easterly along said line which is parallel to and approximately one hundred twenty (120) feet north of said northerly line of Harvard Avenue, S.E.; thence easterly along said line which is parallel to and approximately one hundred twenty (120) feet north of said northerly line of Harvard Avenue, S.E. and along its easterly prolongation to its intersection with a line located one hundred twenty (120) feet east of the easterly line of East 176 Street; thence southerly along said line which is parallel to and one hundred twenty (120) feet east of said easterly line of East 176 Street and along its southerly extension to said center line of Harvard Avenue, S.E.; thence westerly along said center line of Harvard Avenue, S.E. to its intersection with the northerly extension of the center line of East 176 Street; thence southerly along said northerly extension and along said center line of East 176 Street to its intersection with the easterly extension of a line located one hundred fifty (150) feet south of the southerly line of Harvard Avenue, S.E.; thence westerly along said easterly extension and along said line which is parallel to and one hundred fifty (150) feet south of said southerly line of Harvard Avenue, S.E. to its intersection with the easterly line of Sublot No. 33 in the Kolar Hanus Subdivision as recorded in Volume 104, Page 40 of the Cuyahoga County Map Records; thence southerly along said easterly line of said Sublot No. 33 to its intersection with the southerly line thereof; thence westerly along said southerly line of said Sublot No. 33 and along its westerly extension to the center line of East 175 Street; thence northerly along said center line of East 175 Street to its intersection with the easterly extension of the northerly line of Sublot No. 4 in said Kolar Hanus Subdivision; thence westerly along said easterly extension and along said northerly line of said Sublot No. 4 to its intersection with the westerly line thereof; thence southerly along said westerly line of said Sublot No. 4 and continuing southerly along the westerly lines of Sublots Nos. 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16 and 17 in said Kolar Hanus Subdivision to its intersection with the northeasterly line of Sublot No. 57 in the Adler Subdivision as recorded in Volume 149, Page 10 of the Cuyahoga County Map Records; thence northwesterly along said northeasterly line of said Sublot No. 57 and continuing northwesterly along the northeasterly line of Sublot No. 69 in said Adler Subdivision and along its northwesterly extension to the center line of East 173 Street; thence continuing along the southeasterly extension of the northeasterly line of Sublot No. 70 in said Adler Subdivision and along the northeasterly lines of Sublots Nos. 77, 78, 84, 85, 86, and 95 in said Adler Subdivision and its westerly extension to the center line of East 169 Street; thence continuing northwesterly along the southeasterly extension of the northeasterly line of Sublot No. 96 in said Adler Subdivision and continuing northwesterly along the northeasterly lines of Sublots Nos. 96, 105, 106, 107 and 108 in said Adler Subdivision to its intersection with the westerly line thereof; thence southerly along said westerly line of

Sublot No. 108 and continuing southerly along the westerly lines of Sublots Nos. 109 and 110 in said Adler Subdivision and along its southerly extension to the center line of Judson Drive, S.E.; thence northwesterly along said center line of Judson Drive, S.E. to its intersection with the northerly extension of the westerly line of Sublot No. 1 in said Adler Subdivision; thence southerly along said northerly extension and along said westerly line of said Sublot No. 1 to its intersection with the northerly line of Sublot No. 3 in the Cortland Heights (Jos. Laronge Co.) Subdivision as recorded in Volume 106, Page 8 of the Cuyahoga County Map Records; thence westerly along said northerly line of said Sublot No. 3 and continuing westerly along the northerly line of Sublot No. 2 in said Cortland Heights (Jos. Laronge Co.) Subdivision to its intersection with the westerly line thereof; thence southerly along said westerly line of said Sublot No. 2 and along its southerly extension to the center line of Lotus Drive, S.E.; thence westerly along said center line of Lotus Drive, S.E. to its intersection with the northerly extension of the westerly line of Sublot No. 109 in said Cortland Heights (Jos. Laronge Co.) Subdivision; thence southerly along said northerly extension and along said westerly line of said Sublot No. 109 to its intersection with a line located one hundred eighteen (118) feet north of the northerly line of Holly Hill Drive, S.E.; thence easterly along said line which is parallel and one hundred eighteen (118) feet north of said northerly line of Holly Hill Drive, S.E. to its intersection with a line located one hundred thirty (130) feet east of the easterly line of Lee Road, S.E.; thence southerly along said line which is parallel to and one hundred thirty (130) feet east of said easterly line of Lee Road, S.E. and along its southerly extension to the center line of Holly Hill Drive, S.E.; thence westerly along said center line of Holly Hill Drive, S.E. to its intersection with the northerly extension of a line located six hundred nine (609) feet west of the westerly line of East 169 Street; thence southerly along said northerly extension and along said line which is parallel to and six hundred nine (609) feet west of said westerly line of East 169 Street to its intersection with the northerly line of Permanent Parcel No. 143-17-36; thence easterly along said northerly line of said Permanent Parcel No. 143-17-36 to its intersection with the easterly line thereof; thence southerly along said easterly line of said Permanent Parcel No. 143-17-36 to its intersection with a line located one hundred (100) feet north of the northerly line of Deforest Avenue, S.E.; thence westerly along said line which is parallel to and one hundred (100) feet north of said northerly line of Deforest Avenue, S.E. to its intersection with a line located two hundred forty (240) feet east of said easterly line of Lee Road, S.E.; thence southerly along said line which is parallel to and two hundred forty (240) feet east of said easterly line of Lee Road, S.E. and along its southerly extension to the center line of Deforest Avenue, S.E.; thence easterly along said center line of Deforest Avenue, S.E. to the center line of East 167 Street; thence southerly along said center line of

East 167 Street to its intersection with the westerly extension of a line located approximately one hundred ninety five (195) feet south of the southerly line of Deforest Avenue, S.E. at a point located four hundred fifty five (455) feet east of said easterly line of Lee Road, S.E.; thence southerly along said line which is parallel to and four hundred fifty five (455) feet east of said easterly line of Lee Road, S.E. to its intersection with the northerly line of Permanent Parcel No. 143-5-8; thence easterly along said northerly line of said Permanent Parcel No. 143-5-8 to its intersection with the southeasterly line thereof; thence southwesterly along said southeasterly line of said Permanent Parcel No. 143-5-8 and continuing southwesterly along the southeasterly lines of Permanent Parcels Nos. 143-5-9, 143-5-10, 143-5-11 and 143-5-13 to its intersection with the westerly line of Sublot No. 257 in the Lee Miles Subdivision as recorded in Volume 102, Page 22 of the Cuyahoga County Map records; thence southerly along said westerly line of said Sublot No. 257 to its intersection with the southwesterly line thereof; thence southeasterly along said southwesterly line of said Sublot No. 257 and along its southeasterly extension to the center line of East 167 Street; thence southwesterly along said center line of East 167 Street to its intersection with the northwesterly extension of the center line of a twenty (20) foot unnamed alley; thence southeasterly along said northwesterly extension and along said center line of said unnamed alley crossing Wyatt Road, S.E. to its intersection with the northeasterly extension of the southeasterly line of Sublot No. 292 in said Lee Miles Subdivision; thence southwesterly along said northeasterly extension and along said southeasterly line of said Sublot No. 292 and along its southwesterly extension to the center line of Miles Avenue, S.E.; thence southeasterly along said center line of Miles Avenue, S.E. to its intersection with the northeasterly extension of the southeasterly line of Sublot No. 38 in the SeaBoyne Non Recorded Allotment; thence southwesterly along said northeasterly extension and along said southeasterly line of said Sublot No. 38 to its intersection with the southwesterly line thereof; thence northwesterly along said southwesterly line of said Sublot No. 38 and continuing northwesterly along the southwesterly lines of Sublots Nos. 37, 36, 35, 34, 33, 32, 31, 30, 29, 28, 27, 26, 25, 24, 23, 22, 21, 20, 19, 18, 17, 16, 15, 14, 13, 12, 11, 10, 9, and 1 in said Seabourne Non Recorded Allotment and along its northwesterly extension to the center line of Lee Road, S.E.; thence southerly along said center line of Lee Road, S.E. to its intersection with the southeasterly extension of the southwesterly line of Permanent Parcel No. 142-15-7; thence northwesterly along said southeasterly extension and along said southwesterly line of said Permanent Parcel No. 142-15-7 to its intersection with the westerly line thereof; thence northerly along said westerly line of said Permanent Parcel No. 142-15-7 to its intersection with the southwesterly line of Permanent Parcel No. 142-15-3; thence southeasterly along said southwesterly line of said Permanent Parcel No. 142-15-3 to its intersection with the easterly line thereof; thence

northerly along said easterly line of said Permanent Parcel No. 142-15-3 and along its northerly extension to the center line of Miles Road, S.E.; thence southeasterly along said center line of Miles Road, S.E. to the center line of East 163 Street; thence northerly along said center line of East 163 Street to its intersection with the northwesterly extension of the center line of an unnamed twelve (12) foot alley; thence southeasterly along said northwesterly and along said center line of said twelve (12) foot unnamed alley to its intersection with the westerly extension of the northerly line of Sublot No. 157 in the Sorrento Park Subdivision as recorded in Volume 15, Page 13 of the Cuyahoga County Map Records; thence easterly along said westerly extension and along said northerly line of said Sublot No. 157 and along its easterly extension to the center line of East 164 Street; thence southerly along said center line of East 164 Street to its intersection with the northwesterly extension of said center line of said twelve (12) foot unnamed alley; thence southeasterly along said northwesterly extension and along said center line of said twelve (12) foot unnamed alley to its intersection with a twelve (12) foot unnamed alley; thence northerly along said twelve (12) foot unnamed alley to its intersection with the easterly extension of the southerly line of Sublot No. 152 in said Sorrento Park Subdivision; thence westerly along said easterly extension and along said southerly line of said Sublot No. 152 and along its westerly extension to the center line of East 164 Street; thence northerly along said center line of East 164 Street to its intersection with the westerly extension of the northerly line of Sublot No. 148 in said Sorrento Park Subdivision; thence easterly along said westerly extension and along said northerly line of said Sublot No. 148 and along its easterly extension to said center line of said twelve (12) foot unnamed alley; thence northerly along said center line of said twelve (12) foot unnamed alley and along its northerly prolongation to its intersection with the easterly extension of the northerly line of Sublot No. 122 in said Sorrento Park Subdivision; thence westerly along said easterly extension and along said northerly line of said Sublot No. 122 and along its westerly extension to said center line of East 164 Street; thence northerly along said center line of East 164 Street to its intersection with the westerly extension of the southerly line of Sublot No. 120 in said Sorrento Park Subdivision; thence easterly along said westerly extension and along said southerly line of said Sublot No. 120 and along its easterly extension to the center line of a twelve (12) foot unnamed alley; thence northerly along said center line of said twelve (12) foot unnamed alley to its intersection with the southerly line of Sublot No. 599 in the Miles-Harvard Subdivision No. 5 as recorded in Volume 88, Page 26 of the Cuyahoga County Map Records; thence easterly along said southerly line of said Sublot No. 599 to its intersection with the easterly line thereof; thence northerly along said easterly line of said Sublot No. 599 and along its northerly extension to the center line of South Lotus Drive, S.E.; thence easterly along said center

line of South Lotus Drive, S.E. to its intersection with the southerly extension of the easterly line of Sublot No. 606 in said Miles-Harvard Park Subdivision No. 5; thence northerly along said southerly extension and along said easterly line of said Sublot No. 606 to its intersection with the northerly line thereof; thence westerly along said northerly line of said Sublot No. 606 to its intersection with the easterly line of Sublot No. 696 in said Miles-Harvard Subdivision No. 5; thence northerly along said easterly line of said Sublot No. 696 and along its northerly extension to the center line of Lotus Drive, S.E.; thence easterly along said center line of Lotus Drive, S.E. to its intersection with the southerly extension of the easterly line of Sublot No. 700 in said Miles-Harvard Park Subdivision No. 5; thence northerly along said southerly extension and along said easterly line of said Sublot No. 700 to its intersection with the northerly line thereof; thence westerly along said northerly line of said Sublot No. 700 and continuing westerly along the northerly line of Sublot No. 701 in said Miles-Harvard Park Subdivision No. 5 to its intersection with the westerly line of Sublot No. 270 in the Lee-Harvard Square Re Subdivision (Helper-Hart Realty Co.) as recorded in Volume 94, Page 8 of the Cuyahoga County Map Records; thence northerly along said westerly line of said Sublot No. 270 and along its northerly extension to the center line of Judson Drive, S.E.; thence easterly along said center line of Judson Drive, S.E. to its intersection with the southerly extension of a line located one hundred thirty five (135) feet west of the westerly line of Lee Road, S.E.; thence northerly along said southerly extension and along said line which is parallel to and one hundred thirty five (135) feet west of said westerly line of Lee Road, S.E. and along its northerly extension to the center line of Westview Avenue, S.E.; thence westerly along said center line of Westview Avenue, S.E. to its intersection with the southerly extension of a line located one hundred seventy five (175) feet west of said westerly line of Lee Road, S.E.; thence northerly along said southerly extension and along said line which is parallel to and one hundred seventy five (175) feet west of said westerly line of Lee Road, S.E. and along its northerly extension to the center line of Cloverside Avenue, S.E.; thence westerly along said center line of Cloverside Avenue, S.E. to its intersection with the southerly extension of a line located two hundred (200) feet west of said westerly line of Lee Road, S.E.; thence northerly along said southerly extension and along said line which is parallel to and two hundred (200) feet west of said westerly line of Lee Road, S.E. to its intersection with a line located one hundred fifty (150) feet south of the southerly line of Harvard Avenue, S.E.; thence westerly along said line which is parallel to and one hundred fifty (150) feet south of said southerly line of Harvard Avenue, S.E. to its intersection with a line located two hundred forty (240) feet west of said westerly line of Lee Road, S.E.; thence northerly along said line which is parallel to and two hundred forty (240) feet west of said westerly line of Lee Road, S.E.

and along its northerly extension to the center line of Harvard Avenue, S.E.; thence westerly along said center line of Harvard Avenue, S.E. to its intersection with the southerly extension of the westerly line of Sublot No. 1029 in the Shaker-Lee Subdivision No. 3 as recorded in Volume 113, Page 10 of the Cuyahoga County Map Records; thence northerly along said southerly extension and along said westerly line of said Sublot No. 1029 to its intersection with the northerly line thereof; thence easterly along said northerly line of said Sublot No. 1029 and continuing easterly along the northerly line of Sublot No. 1028 in said Shaker-Lee Subdivision No. 3 to its intersection with the westerly line of Sublot No. 1021 in said Shaker Lee Subdivision No. 3; thence northerly along said westerly line of said Sublot No. 1021 and along its northerly extension to the center line of Eldamere Avenue, S.E.; thence southwestwardly along said center line of Eldamere Avenue, S.E. to its intersection with the southeasterly extension of the northeasterly line of Sublot No. 965 in said Shaker-Lee Subdivision No. 3; thence northwestwardly along said southeasterly extension and along said northeasterly line of said Sublot No. 965 to its intersection with the northwesterly line thereof; thence southwestwardly along said northwesterly line of said Sublot No. 965 to its intersection with the northeasterly line of Sublot No. 957 in said Shaker-Lee Subdivision No. 3; thence northwestwardly along said northeasterly line of said Sublot No. 957 and along its northwestwardly extension to the center line of Stockbridge Avenue, S.E.; thence southwestwardly along said center line of Stockbridge Avenue, S.E. to its intersection with the southeasterly extension of the southwestwardly line of Sublot No. 907 in said Shaker-Lee Subdivision No. 3; thence northwestwardly along said southeasterly extension and along said southwestwardly line of said Sublot No. 907 to its intersection with the northwesterly line thereof; thence northeasterly along said northwesterly line of said Sublot No. 907 and along its northeasterly extension to the center line of Delrey Avenue, S.E.; thence southeasterly along said center line of Delrey Avenue, S.E. to its intersection with the southwestwardly extension of the southeasterly line of Sublot No. 856 in said Shaker-Lee Subdivision No. 3; thence northeasterly along said southwestwardly extension and along said southeasterly line of said Sublot No. 856 to its intersection with the easterly line thereof; thence northerly along said easterly line of said Sublot No. 856 and continuing northerly along the easterly line of Sublot No. 857 in said Shaker-Lee Subdivision No. 3 to its intersection with the northerly line thereof; thence westerly along said northerly line of said Sublot No. 857 and continuing westerly along the northerly line of Sublot No. 858 in Shaker-Lee Subdivision No. 3 to its intersection with the westerly line of Sublot No. 131 in the Lee-Harvard Subdivision as recorded in Volume 88, Page 34 of the Cuyahoga County Map Records; thence northerly along said westerly line of said Sublot No. 131 and along its northerly extension to the center line of Biltmore Avenue, S.E.; thence easterly along said center line of Biltmore Avenue, S.E. to its intersection

with the southerly extension of the easterly line of Sublot No. 72 in said Lee-Harvard Subdivision; thence northerly along said southerly extension and along said easterly line of said Sublot No. 72 and continuing northerly along the easterly line of Sublot No. 65 in said Lee-Harvard Subdivision and along its northerly extension to the center line of Glendale Avenue, S.E.; thence westerly along said center line of Glendale Avenue, S.E. to its intersection with the southerly extension of the easterly line of Sublot No. 4 in said Lee-Harvard Subdivision; thence northerly along said southerly extension and along said easterly line of said Sublot No. 4 to its intersection with the northerly line thereof; thence westerly along said northerly line of said Sublot No. 4 to its intersection with the southerly line of Sublot No. 175 in the Villa Park Subdivision No. 1 as recorded in Volume 92, Page 6 of the Cuyahoga County Map Records; thence westerly along said southerly line of said Sublot No. 175 to its intersection with the westerly line thereof; thence northerly along said westerly line of said Sublot No. 175 and along its northerly extension to the center line of Talford Avenue, S.E.; thence easterly along said center line of Talford Avenue, S.E. to its intersection with the southerly extension of the easterly line of Sublot No. 107 in said Villa Park Subdivision No. 1; thence northerly along said southerly extension and along said easterly line of Sublot No. 107 and continuing northerly along the easterly line of Sublot No. 106 in said Villa Park Subdivision No. 1 and along its northerly extension to the center line of Walden Avenue, S.E.; thence westerly along said center line of Walden Avenue, S.E. to its intersection with the southerly extension of the easterly line of Sublot No. 10 in said Villa Park Subdivision No. 1; thence northerly along said southerly extension and along said easterly line of said Sublot No. 10 and continuing northerly along the easterly line of Sublot No. 179 in the Lee Road Subdivision as recorded in Volume 96, Page 6 of the Cuyahoga County Map Records and along its northerly extension to the center line of Throckley Avenue, S.E.; thence easterly along said center line of Throckley Avenue, S.E. to its intersection with the southerly extension of the easterly line of Sublot No. 101 in said Lee Road Subdivision; thence northerly along said southerly extension and along said easterly line of said Sublot No. 101 and continuing northerly along the easterly line of Sublot No. 92 in the Registered Land Co. Subdivision No. 1 as recorded in Volume 76, Page 24 of the Cuyahoga County Map Records and along its northerly extension to the center line of Invermere Avenue, S.E.; thence westerly along said center line of Invermere Avenue, S.E. to its intersection with the southerly extension of the easterly line of Sublot No. 4 in said Registered Land Co. Subdivision No. 1; thence northerly along said southerly extension and along said easterly line of said Sublot No. 4 to the place of beginning.

**Section 2.** That the designation of the area set forth in Section 1 hereof as the Lee-Harvard Business Revitalization District (BRD) and shall be noted on the Building Zone Maps of the City of Cleveland and on file in the office of the City Plan-

ning Commission by the appropriate person designated for such purpose by the City Planning Commission.

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

Passed December 18, 2000.  
Effective January 27, 2001.

**Ord. No. 1761-A-2000 (As a substitute for Ord. No. 1761-2000).**

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

**An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 4618, 4700 Lester Avenue to Slavic Village Development Corporation or designee.**

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

Whereas, real property acquired under the City's Land Reutilization Program is acquired, held, administered and disposed 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). 123-20-095 and 123-21-031, as more fully described in Section 2 below, to Slavic Village Development Corporation or designee.

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

P. P. No. 123-20-095

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Northwesterly 39 feet 8 inches of Sublot No. 15 and the Southeasterly 5 feet of Sublot No. 16 in Jabesh Gallup's Subdivision of part of Original One Hundred Acre Lot No. 282, as shown by the recorded plat in Volume 4 of Maps, Page 52 of Cuyahoga County Records, and together forming a parcel of land 44 feet 8 inches front on the Southwesterly side of Lester Avenue, S.E., 120 feet deep on the Southeasterly line, which is also the Northwesterly line of Finn Avenue, S.E., 120 feet on the Northwesterly line and 44 feet 8 inches wide in the rear, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any

P. P. No. 123-21-031

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 11 in Cannon and Fowler's Subdivision of part of Original One Hundred Acre Lots Nos. 324 and 282, as shown

by the recorded plat in Volume 5 of Maps, Page 5 of Cuyahoga County Records and being 33 feet front on the Southwesterly side of Lester Street, S.E., and extending back 111 feet 0-3/4" deep on the Southeasterly side, 111 feet 0-3/4" deep on the Northwesterly side which is also the Southeasterly line of Finn Avenue, S.E., 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 including such restrictive covenants and reversionary interests as may be specified by the Board of Control, the Director of Community Development or the Director of Law.

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

Passed December 18, 2000.  
Effective December 27, 2000.

**Ord. No. 1762-2000.**

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

**An emergency ordinance authorizing the Director of Parks, Recreation and Properties to employ one or more professional consultants to design the improvement of rehabilitating the Convention Center to comply with the Americans with Disabilities Act requirements and authorizing the purchase by contract of labor and materials necessary to install a moveable wall.**

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

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

**Section 1.** That, provided the City of Cleveland sells the general obligation bonds of the City of Cleveland authorized by Ordinance No. 897-2000, passed June 19, 2000, the Director of Parks, Recreation and Properties is hereby authorized to employ by contract one or more consultants or one or more firms of con-

sultants 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 of rehabilitating the Convention Center to comply with the Americans with Disabilities Act requirements, for the Division of Convention Center and Stadium, Department of Parks, Recreation and Properties.

The selection of said consultants for such services shall be made by the Board of Control upon the nomination of the Director of Parks, Recreation and Properties from a list of qualified consultants available for such employment as may be determined after a full and complete canvass by the Director of Parks, Recreation and Properties for the purpose of compiling such a list. The compensation to be paid for such services shall not exceed \$50,000.00 and 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 Parks, Recreation and Properties, and certified by the Director of Finance.

**Section 2.** That, provided the City of Cleveland sells the general obligation bonds of the City of Cleveland authorized by Ordinance No. 897-2000, passed June 19, 2000, the Director of Parks, Recreation and Properties is hereby authorized to make a written contract, in an amount not to exceed \$20,000.00, in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: labor and materials necessary to install a moveable wall, to be purchased by the Commissioner of Purchases and Supplies for a gross price for the Division of Convention Center and Stadium, Department of Parks, Recreation and Properties.

**Section 3.** That the cost of said professional services and purchases hereby authorized shall be paid from the fund or funds to which are credited the proceeds of the sale of general obligation bonds of the City of Cleveland issued for this purpose and authorized by Ordinance No. 897-2000, passed June 19, 2000, Request No. 5075.

**Section 4.** That the agreement for professional design services authorized herein shall provide for review by the City Planning Commission.

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

Passed December 18, 2000.  
Effective December 27, 2000.

**Ord. No. 1763-2000.**

**By Councilman Brady.**

**An ordinance to change the Use, Area and Height Districts on both sides of Lorain Avenue, N.W. between W. 119 Street and W. 115 Street and both sides of West 117 Street between Triskett Road, N.W. and Governor Avenue, S.W. (Map Change No. 2020, Sheet Nos. 2 & 12)**

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

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

Beginning at the intersection of the center line of Governor Avenue, S.W. and the center line of West 117 Street; thence northerly along said center line of West 117 Street to its intersection with the easterly extension of the northerly line of Sublot No. 3 in the Crawford Land Company No. 1 Subdivision as recorded in Volume 60, Page 8 of the Cuyahoga County Map Records; thence westerly along said easterly extension and along said northerly line of said Sublot No. 3 to its intersection with the westerly line thereof; thence southerly along said westerly line of said Sublot No. 3 to its intersection with the northerly line of Sublot No. 4 in said Crawford Land Company No. 1 Subdivision; thence westerly along said northerly line of said Sublot No. 4 and continuing westerly along the northerly line of Sublot No. 93 in said Crawford Land Company No. 1 Subdivision and along its westerly extension to the center line of West 118 Street; thence southerly along said center line of West 118 Street to its intersection with the easterly extension of the northerly line of Sublot No. 101 in said Crawford Land Company No. 1 Subdivision; thence westerly along said easterly extension and along said northerly line of said Sublot No. 101 and continuing westerly along the northerly line of Sublot No. 188 in said Crawford Land Company No. 1 Subdivision and along its westerly extension to the center line of West 119th Street; thence northerly along said center line of West 119th Street to the center line of Lorain Avenue; thence northeasterly along said center line of Lorain Avenue to the center line of West 119 Street; thence northwesterly along said center line of West 119 Street to its intersection with the southwestwesterly extension of a line located one hundred forty (140) feet northwest of the northwesterly line of Lorain Avenue; thence northeasterly along said southwestwesterly extension and along said line which is parallel to and one hundred forty (140) feet northwest of said northwesterly line of Lorain Avenue and along its northeasterly extension to said center line of West 118 Street; thence northerly along said center line of West 118 Street to the center line of Geraldine Avenue, N.W.; thence easterly along said center line of Geraldine Avenue, N.W. to its intersection with the southerly extension of a line located approximately one hundred fifty four (154) feet west of the westerly line of West 117 Street; thence northerly along said southerly extension and along said line which is parallel to and approximately one hundred fifty four (154) feet west of said westerly line of West 117 Street and along its northerly extension to the center line of Triskett Road, N.W.; thence easterly along said center line of Triskett Road, N.W. to its intersection with the northerly extension of a line located approximately one hundred forty (140) feet west of the westerly line of West 116 Street; thence southerly along said northerly extension and along said line which is parallel to and approximately one hundred forty (140) feet west of said westerly line of West 116 Street to its intersection with the southerly line of Sublot No. 638

in the Lorain Heights No. 2 (Conger-Helper Realty Co.) as recorded in Volume 57, Sheet No 22 of the Cuyahoga County Map Records; thence easterly along said southerly line of said Sublot No. 638 and along its easterly extension to the center line of West 116 Street; thence northerly along said center line of West 116 Street to its intersection with the westerly extension of the southerly line of Sublot No. 631 in said Lorain Heights No. 2 (Conger-Helper Realty Co.) Subdivision; thence easterly along said westerly extension and along said southerly line of said Sublot No. 631 to its intersection with the easterly line thereof; thence northerly along said easterly line of said Sublot No. 631 to its intersection with the southerly line of Sublot No. 498 in said Lorain Heights No. 2 (Conger-Helper Realty Co.) Subdivision; thence easterly along said southerly line of said Sublot No. 498 and along its easterly extension to the center line of West 115 Street; thence southerly along said center line of West 115 Street to the center line of Lorain Avenue; thence southwestwesterly along said center line of Lorain Avenue to the center line of Bosworth Road, S.W.; thence southeastwesterly along said center line of Bosworth Road, S.W. to its intersection with the easterly extension of a line located approximately two hundred thirty (230) feet north of the northerly line of Fidelity Avenue, S.W.; thence westerly along said easterly extension and along said line which is parallel to and approximately two hundred thirty (230) feet north of said northerly line of Fidelity Avenue, S.W. to its intersection with the easterly line of Sublot No. 9 in the Lorain Street & Denison Avenue Land Co. Subdivision as recorded in Volume 31, Page 3 of the Cuyahoga County Map Records; thence southerly along said easterly line of said Sublot No. 9 to its intersection with a line located one hundred thirty (130) feet north of said northerly line of Fidelity Avenue, S.W.; thence westerly along said line which is parallel to and one hundred thirty (130) feet north of said northerly line of Fidelity Avenue, S.W. to its intersection with the westerly line of Sublot No. 12 in the Dunham Heights Re-Subdivision as recorded in Volume 47, Page 26 of the Cuyahoga County Map Records; thence southerly along said westerly line of said Sublot No. 12 and along its southerly extension to the center line of Fidelity Avenue, S.W.; thence westerly along said center line of Fidelity Avenue, S.W. to its intersection with the northerly extension of the westerly line of Sublot No. 30 in said Dunham Heights Re-Subdivision; thence southerly along said northerly extension and along said westerly line of said Sublot No. 30 and continuing southerly along the westerly line of Sublot No. 38 in said Dunham Heights Re-Subdivision and along its southerly extension to the center line of Headley Avenue, S.W.; thence westerly along said center line of Headley Avenue, S.W. to its intersection with the northerly extension of the westerly line of Sublot No. 75 in said Dunham Heights Re-Subdivision; thence southerly along said northerly extension and along said westerly line of said Sublot No. 75 and continuing southerly along the westerly line of Sublot No. 83 in said Dun-

ham Heights Re-Subdivision and along its southerly extension to the center line of Florian Avenue, S.W.; thence westerly along said center line of Florian Avenue, S.W. to its intersection with the northerly extension of the westerly line of Sublot No. 128 in said Dunham Heights Re-Subdivision; thence southerly along said northerly extension and along said westerly line of said Sublot No. 128 and continuing southerly along the westerly line of Sublot No. 135 in said Dunham Heights Re-Subdivision and along its southerly extension to the center line of Governor Avenue, S.W.; thence westerly along said center line of Governor Avenue, S.W. to the place of beginning, and as outlined in red on the map hereto attached be and the same are hereby changed to a Local Retail Use District, a 'C' Area District and a '1' Height District.

**Section 2.** That said changed designation of lands described in Section 1 shall be identified as Map Change No. 2020, Sheet Nos. 2 & 12 and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for such purpose by the City Planning Commission.

**Section 3.** That the Use, Area and Height Districts of lands bounded and described as follows,

Beginning at the intersection of the center line of West 117 Street and the center line of Governor Avenue, S.W.; thence westerly along said center line of Governor Avenue, S.W. to its intersection with the southerly extension of a line located one hundred five (105) feet west of the westerly line of West 117 Street; thence northerly along said southerly extension and along said line which is parallel to and one hundred five (105) feet west of said westerly line of West 117 Street to its intersection with the northerly line of Sublot No. 4 in said Crawford Land Company No. 1 Subdivision; thence easterly along said northerly line of said Sublot No. 4 to its intersection with said westerly line of said Sublot No. 3 in said Crawford Land Company Subdivision; thence northerly along said westerly line of said Sublot No. 3 to its intersection with the northerly line thereof; thence easterly along said northerly line of said Sublot No. 3 and along its easterly extension to the center line of West 117 Street; thence southerly along said center line of West 117 Street to the place of beginning, and as outlined in green on the map hereto attached be and the same are hereby changed to a Two Family Use District, a 'B' Area District and a '1' Height District.

**Section 4.** That said changed designation of lands described in Section 3 shall be identified as Map Change No. 2020, Sheet Nos. 2 & 12 and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for such purpose.

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

Passed December 18, 2000.  
Effective January 27, 2001.

**Ord. No. 1801-2000.****By Councilman Jackson (by request).**

**An emergency ordinance authorizing the Director of Public Service to issue a permit to Dunham Tavern Museum to encroach into the right-of-way of Chester Avenue with the two remaining of the four requested double sided banners to be attached to utility poles on Euclid and Chester Avenues (by separate permission) to celebrate and identify the Museum's 175 years in existence.**

Whereas, this ordinance constitutes an emergency measure providing for 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 Dunham Tavern Museum, 6709 Euclid Avenue, Cleveland, Ohio 44103, its successors and assigns, for the construction, use and maintenance of two (2) remaining double sided banners of the four (4) banners requested to be attached to Cleveland Electric Illuminating Company utility poles on Chester Avenue (by separate permission) to celebrate the Museum's 175 years in existence and identifying their location, and which banners will encroach into the public right-of-way of Chester Avenue at the location more fully described as follows:

LOCATION:	POLE NUMBER:	POLE OWNER:
Chester Avenue (behind 6709 Euclid Ave.)	CEI, 49-40-4	C.E.I.
Chester Avenue (behind 6709 Euclid Ave.)	CEI, 49-50-3	C.E.I.

**Section 2.** That said banners will be placed within the public right-of-way as aforesaid in Section 1, and will be constructed in accordance with plans and specifications approved by the Commissioner of Engineering and Construction. That all other required permits, including a building Permit, shall be obtained before said banners are installed.

**Section 3.** That nothing in this ordinance grants or shall be considered to grant to Permittee any right, privilege or permission to use or to attach or affix any object to poles described in Section 1 of this ordinance.

**Section 4.** That this permit herein authorized shall be prepared by the Director of Law and shall be issued only when in the opinion of the Director of Law, the City of Cleveland has been properly indemnified against any and all loss which may result from said permit.

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

Passed December 18, 2000.

Effective December 27, 2000.

**Ord. No. 1802-2000.****By Mayor White and Councilman Polensek.**

**An emergency ordinance to amend Section 503.99 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 519-91, passed March 11, 1991, relating to penalty regarding street and sidewalk areas.**

Whereas, this ordinance constitutes an emergency measure providing for 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 503.99 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 519-91, passed March 11, 1991, is hereby amended to read as follows:

**Section 503.99 Penalty**

(a) Whoever makes any opening or removes the pavement in any street, alley, avenue or public grounds of the City without having first obtained a permit from the Director of Public Service and deposited with him the estimated cost of repairing the work, as provided in this chapter, shall be guilty of a misdemeanor of the first degree. Each opening made without such permit shall constitute a separate offense; provided that any person who, because of an emergency, makes such an opening or removes such pavement outside of the hours during which the Division of Streets is open for business shall have until the close of business on the next business day to obtain a permit and deposit the estimated cost of repairing the work.

(b) Every person, firm or corporation violating Section 503.03 shall

be fined not more than one hundred dollars (\$100.00). The existence of a single post, pole or other structure in the streets or sidewalks contrary to the provisions of Section 503.03 constitutes a separate offense. Each day that such post, pole or other structure is allowed to exist in the streets or sidewalks contrary to the provisions of Section 503.03 constitutes a separate offense.

(c) Whoever violates any provision of Sections 503.05 to 503.07 shall be fined not less than one hundred dollars (\$100.00) not more than five hundred dollars (\$500.00), and imprisoned for not more than sixty (60) days, or both. A separate offense shall be deemed committed each day during or on which an offense occurs or continues.

(d) Whoever violates Section 503.09 shall be fined not more than twenty-five dollars (\$25.00).

(e) Every day a gas company neglects or fails to comply with the notice provided for in Section 503.11, it shall be fined ten dollars (\$10.00).

(f) Whoever violates Section 503.12 shall be fined not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00) for the first offense. A subsequent offense by the same party in the same area of responsibility shall be fined not less than two hundred dollars (\$200.00) nor more than one thousand dollars (\$1,000.00). Any further offense by the same party in the same area of responsibility shall result in imprisonment for not less than three nor more than ten days.

**Section 2.** That Section 503.99 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 519-91, passed March 11, 1991, 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 December 18, 2000.

Effective December 27, 2000.

**Ord. No. 1810-2000.****By Councilmen Jones, Melena, Cimperman and Patmon (by departmental request).**

**An emergency ordinance authorizing the Director of Economic Development to enter into an Enterprise Zone Agreement with Trio Diversified Company to provide for a ten year abatement for certain tangible personal property and real estate taxes as an incentive to improve its facility with the renovation and construction of real property and the acquisition of personal property located at 4465 Johnston Parkway, located in the Cleveland Area Enterprise Zone.**

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

Whereas, in August, 1995, the Director of Development of the State of Ohio determined that the Zone contains the characteristics set forth in Section 5709.61(A) of the Revised Code and certified said

area as an "Urban Jobs and Enterprise Zone" pursuant to Chapter 5709 of the Revised Code; and

Whereas, Trio Diversified Company (the "Enterprise") has proposed to improve its facility with the renovation and construction of real property and the acquisition of personal property located at 4465 Johnston Parkway, located in the Cleveland Area Enterprise Zone; and

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

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

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

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

**Section 2.** That the Director of Economic Development is authorized to enter into an Enterprise Zone Agreement with the Enterprise to provide for a ten (10) year abatement for certain tangible personal property and real estate taxes as an incentive to improve its facility with the renovation and construction of real property located at 4465 Johnston Parkway, located in the Cleveland Area Enterprise Zone; said abatement shall be subject to annual review of the Tax Incentive Review Council.

**Section 3.** That the terms of said tax abatement shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 1810-2000-A. The terms of said file notwithstanding, the terms of the tax abatement shall not be amended, nor shall the tax abatement be assignable or transferrable to any entity, without the prior legislative authorization by Cleveland City Council.

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

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

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

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

Passed December 18, 2000.  
Effective December 27, 2000.

**Ord. No. 1868-2000.  
By Councilmen Cintron and Patmon (by departmental request).  
An emergency ordinance authorizing the purchase by requirement contract or contracts of solid waste disposal services, for the Division of Waste Collection and Disposal, Department of Public Service.**

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

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

**Section 1.** That the Director of Public Service is hereby authorized to make a written requirement contract or contracts in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements of the necessary solid waste disposal services, including but not limited to bulk waste disposal, processing of recyclables and tire disposal, and the provision, as the Board of Control shall determine, of the necessary landfill, transfer station and/or material recovery facility requirements, in the approximate amount for each year of the term as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Waste Collection and Disposal, Department of Public Service. The contract or contracts hereby authorized shall have an initial term of two years. The City shall have two one-year options, exercisable by the Director of Public Service, to renew and extend the term. Bids shall be taken in such manner as to permit an award to be made for all items of services as a single contract, or by separate contracts for each or any combination of said items as the Board of Control shall determine.

Bids shall also be taken so as to permit an award to be made for provision of such services citywide or by separate contracts for the districts determined by the Director of Public Service. Alternate bids for a period less than the initial term may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire period.

**Section 2.** That notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Director of Public Service may require that each bid be accompanied by a single bond securing both the execution of a contract and the performance of the initial one-year term of each contract. If a single bond securing both execution and performance is required by the Director, it shall be substantially in accordance with the form attached hereto as Exhibit "A". Each bond, whether to secure the execution of a contract, its performance, or both, shall be in an amount determined by the Director of Public Service. The Director may also require that the performance of each contract be secured in any option year by a performance bond or bonds, each in an

amount determined by the Director. Each bond submitted to secure the contract or contracts authorized by this ordinance shall be executed by a surety authorized to do business in the State of Ohio and shall be acceptable to the Director of Law.

**Section 3.** That the cost of such contract or contracts authorized hereby shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 21179)

**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.

**BID GUARANTY AND CONTRACT BOND**

KNOW ALL MEN BY THESE PRESENTS, that we the \_\_\_\_\_

(Name and Address)

as Principal and \_\_\_\_\_  
(Name of Surety)

as Surety are hereby held and firmly bound unto the City of Cleveland, hereinafter called the Oblige, in the penal sum hereinafter stated, pertaining to the bid submitted by the Principal to the Oblige on \_\_\_\_\_ (date) to undertake the project known \_\_\_\_\_

The penal sum referred to herein shall be \_\_\_\_\_

For the payment of the penal sum well and truly to be made, we hereby jointly and severally bind ourselves, our heirs, executors, administrators, successors, and assigns.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, that whereas the above named Principal has submitted a bid on the above referred project;

NOW, THEREFORE, if the Oblige accepts the bid of the Principal and the Principal fails to enter into a proper contract in accordance with the bid, plans, details, specifications, and bills of material; and in the event the Principal pays to the Oblige the difference not to exceed ten percent of the penalty hereof between the amount specified in the bid and such larger amount for which the Oblige may in good faith contract with the next lowest and best bidder to perform the work covered by the bid; or in the event the Oblige does not award the contract to the next lowest and best bidder and resubmits the project for bidding, the Principal will pay the Oblige the difference not to exceed ten percent of the penalty hereof between the amount specified in the bid, or the costs in connection with



the resubmission, of printing new contract documents, required advertising, and printing and mailing notices to prospective bidders, whichever is less, then this obligation shall be void, otherwise to remain in full force and effect. If the Obligee accepts the bid of the Principal and the Principal within ten days after the awarding of the contract and submitting to the Principal a contract for execution, enters into a proper contract in accordance with the bid, plans, details, specifications, and bills of material, which said contract is made a part of this bond the same as though set forth herein; and

IF THE SAID Principal shall well and faithfully perform each and every condition of such contract; and indemnify the Obligee against all damage suffered by failure to perform such contract according to the provisions thereof and in accordance with the plans, details, specifications, and bills of material therefor; and shall pay all lawful claims of subcontractors, materialmen, and laborers for labor performed and materials furnished in the carrying forward, performing, or completing said contract; we agreeing and assenting that this undertaking shall be for the benefit of any materialman or laborer having a just claim as well as for the Obligee herein; then this obligation shall be void; otherwise the same shall remain in full force and effect; it being expressly understood and agreed that the liability of the Surety for any and all claims hereunder shall in no event exceed the penal amount of this obligation as herein stated.

THE SAID Surety hereby stipulates and agrees that no modifications, omissions, or additions, in or to the terms of said contract or in or to the plans and specifications therefor shall in any wise affect the obligations of said Surety on this bond, and it does hereby waive notice of any such modifications, omissions or additions to the terms of the contract or to the work or to the specifications.

SIGNED AND SEALED this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

PRINCIPAL: \_\_\_\_\_ SURETY: \_\_\_\_\_

BY: \_\_\_\_\_ BY: \_\_\_\_\_  
Attorney-in-Fact

TITLE: \_\_\_\_\_

SURETY COMPANY ADDRESS:

\_\_\_\_\_  
Street

\_\_\_\_\_  
City State ZIP

SURETY AGENT'S ADDRESS:

\_\_\_\_\_  
Agency Name

\_\_\_\_\_  
Street

\_\_\_\_\_  
City State ZIP

"Exhibit A"

Passed December 18, 2000.  
Effective December 27, 2000.

**Ord. No. 1869-2000.**  
**By Councilmen Cintron and Patmon (by departmental request).**  
**An emergency ordinance authorizing the Director of Public Service to employ one or more professional consultants necessary to design the rehabilitation of Martin Luther King, Jr. Drive/East 116th Street.**

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

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

**Section 1.** That the Director of Public Service is hereby authorized to employ by contract one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to design the rehabilitation of Martin Luther King, Jr. Drive/East 116th Street between the Stokes/Fairhill intersection and Buckeye Road.

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

**Section 2.** That the cost of said services herein authorized shall be paid from Fund Nos. 20 SF 322 and 20 SF 412, Request No. 26565.

**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 December 18, 2000.  
Effective December 27, 2000.

**Ord. No. 1873-2000.**  
**By Councilmen Lewis, Westbrook, Cintron, Jones, Rybka, Dolan, Patmon, Polensek, O'Malley, Brady, Melena, Jackson and Robinson.**  
**An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Section 135.043 relating to notification of sexual predators.**

Whereas, Chapter 2950 of the Ohio Revised Code requires the registration of sexual offenders, as defined by state law, with the sheriff or chief of police in area in which the sexual offender resides; and

Whereas, pursuant to Revised Code Section 2950.02, the general assembly determined that it is in the interest of public safety that the public is provided adequate notice and information about sexual predators that reside in their community since sexual predators pose a high risk of engaging in further offenses even after being released from imprisonment; and

Whereas, pursuant to the Ohio Revised Code, certain individuals and entities, such as the chief of police, adjacent neighbors, school administrators, and day care centers within a "specified geographical notification area" are notified of the address of the sexual offender; and

Whereas, in the interest of safeguarding the residents of the City of Cleveland for the reasons articulated by the general assembly in R.C. Section 2950.02, this Council of the City of Cleveland desires to receive notification from the Chief of Police for the City of Cleveland of the presence of a sexual offender in our neighborhoods; and

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

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

**Section 1.** That the Codified Ordinances of Cleveland, Ohio, 1976, are hereby supplemented by enacting new Section 135.043 thereof, to read as follows:

**Section 135.043 Notification of Sexual Offenders**

Upon receiving notice of the residency of a sexual offender in the City of Cleveland pursuant to the Ohio Revised Code, the Chief of Police, unless prohibited by state or federal law, shall provide written notification of the residency of a sexual offender, as defined by the Ohio Revised Code, to the District Commander and member of Council in whose ward the sexual offender is located. The notice shall include the following information: (1) the offender's name; (2) the address or addresses at which the offender resides; (3) the sexually oriented offense of which the offender was convicted or to which the offender pleaded guilty; and (4) a statement that the offender has been adjudicated as being a sexual predator and that, as of the date of the notice, the court has not entered a determination that the offender no longer is a sexual predator, or a statement that the sentencing or reviewing judge has determined that the offender is a habitual sexual offender.

**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 December 18, 2000.  
Effective December 27, 2000.

**Ord. No. 1879-2000.**  
**By Councilmen Cimperman, Melena and Patmon (by departmental request).**

**An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Diner 55, Inc. to provide economic development assistance to partially finance the acquisition and construction of real property and the acquisition of personal property, including machinery, equipment, furniture and fixtures, located at 1328 East 55th Street, Cleveland, Ohio.**

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

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

**Section 1.** That the Director of Economic Development is hereby authorized to enter into a contract with Diner 55, Inc. to provide economic development assistance to partially finance the acquisition and construction of real property and the acquisition of personal property, including machinery, equipment, furniture and fixtures, located at 1328 East 55th Street, 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. 1879-2000-A.

**Section 3.** That the costs of said contract shall not exceed One Hundred Thousand Dollars (\$100,000), and shall be paid from Fund No. 17 SF 008, Request No. 26627.

**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 the agreement or agreements shall provide for review by the City Planning Commission of any plans for the development of the property.

**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 December 18, 2000.  
Effective December 27, 2000.

**Ord. No. 1880-2000.**  
**By Councilmen Cintron, Melena, Cimperman and Patmon (by departmental request).**

**An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Conveyer & Caster Corporation to provide economic development assistance to partially finance leasehold improvements and the acquisition of machinery, equipment, furniture and fixtures, located at 3407-3501 Detroit 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 Conveyer & Caster Corporation to provide economic development assistance to partially finance leasehold improvements and the acquisition of machinery, equipment, furniture and fixtures, located at 3407-3501 Detroit 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. 1880-2000-A.

**Section 3.** That the costs of said contract shall not exceed Fifty Three Thousand Two Hundred Dollars (\$53,200.00), and shall be paid from Fund No. 17 SF 008, Request No. 26632.

**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 above 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 December 18, 2000.  
Effective December 27, 2000.

**Ord. No. 1882-2000.**  
**By Councilman Melena.**  
**An ordinance to change the Use District of lands located on the northwesterly corner of West 54 Street and Bridge Avenue, N.W. (Map Change No. 2021, Sheet No. 1)**

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

**Section 1.** That the Use District of lands bounded and described as follows:

Beginning in the centerline of Bridge Avenue, N.W. at its intersection with the centerline of West 54th Street;

Thence North 88 degrees, 33 minutes, 55 seconds West along the centerline of Bridge Avenue, N.W., about 165.70 feet to its intersection with the Southerly extension of the Easterly line of a parcel of land conveyed to Donna J. Graham by deed dated May 17, 1999 and recorded in Auditors File No. 199905170821 of Cuyahoga County Records;

Thence North 1 degrees, 02 minutes, 04 seconds East along said Southerly extension and Easterly line, 116.49 feet to a point therein;

Thence South 88 degrees, 33 minutes, 55 seconds East and parallel to the line of Bridge Avenue, N.W., 164.42 feet to a point in the centerline of West 54th Street;

Thence Due South along said centerline of West 54th Street, about 116.52 feet to the place of beginning.

and as outlined in red on the map hereto attached, be and is hereby changed to an RA2 Use District.

**Section 2.** That said changed designation of lands described in Section 1 shall be identified as Map Change No. 2021, Sheet No. 1 and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for such purpose by the City Planning Commission.

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

Passed December 18, 2000.  
Effective January 27, 2001.

**Ord. No. 1959-2000.**  
**By Councilmen O'Malley and Patmon (by departmental request).**  
**An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to repair and maintain pump stations, for the Division of Water Pollution Control, Department of Public Utilities.**

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

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

**Section 1.** That the Director of Public Utilities is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of labor and materials necessary to repair and maintain pump stations in the approximate amount as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Division of Water

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

**Section 2.** That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 22605)

**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 December 18, 2000.  
Effective December 27, 2000.

**Ord. No. 1966-2000.**

**By Councilman Jackson (by request).**

**An emergency ordinance authorizing the Director of Public Service to issue a permit to The City Mission to encroach into the right-of-way of Carnegie Avenue, East 55th Street and Cedar Avenue with an on-going banner program consisting of five (5) banners.**

Whereas, this ordinance constitutes an emergency measure providing for 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 The City Mission, 5310 Carnegie Avenue, Cleveland, Ohio 44103-4360, its successors and assigns, for the construction, use and maintenance of an on-going banner program consisting of five (5) banners, which will encroach into the public right-of-way of Carnegie Avenue, East 55th Street and Cedar Avenue at the locations described as follows:

<u>BANNER LOCATION:</u>	<u>POLE NUMBER:</u>	<u>POLE OWNER:</u>
5310 Carnegie Avenue (on Carnegie)	69014	C.P.P.
5310 Carnegie Avenue (on Carnegie)	69016	C.P.P.
5310 Carnegie Avenue (on Carnegie)	NE2-11-35-1	C.P.P.
5310 Carnegie Avenue (on East 55th)	NE2-117-361-A	C.P.P.
5310 Carnegie Avenue (on Cedar)	E2-87	C.P.P.

**Section 2.** That said banners will be placed within the public right-of-way as aforesaid in Section 1, and will be constructed in accordance with plans and specifications approved by the Commissioner of Engineering and Construction. That all other required permits, including a building Permit, shall be obtained before said banners are hung.

**Section 3.** That nothing in the ordinance grants or shall be considered a grant to Permittee any right, privilege or permission to use or to attach or affix any object to poles described in Section 1 of this ordinance.

**Section 4.** That this permit herein authorized shall be prepared by the Director of Law and shall be issued only when in the opinion of the Director of Law, the City of Cleveland has been properly indemnified against any and all loss which may result from said permit.

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

Passed December 18, 2000.  
Effective December 27, 2000.

**Ord. No. 1967-2000.**

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

**An emergency ordinance authorizing the Director of Public Service to lease a tub grinder to the Greater Cleveland Ecology Association to implement a Christmas tree recycling program for City of Cleveland residents, for a period not to exceed three months.**

Whereas, the City of Cleveland owns a tub grinder which is suitable for lease and operation by another party for a public use; and

Whereas, the Greater Cleveland Ecology Association has proposed to lease said property from the City for use in a Christmas tree recycling program for City of Cleveland residents in exchange for grinding Christmas trees delivered by the Division of Waste Collection at no cost to the City; 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, the Director of Public Service is authorized to lease to the Greater Cleveland Ecology Association, a tub grinder for the purpose of grinding Christmas trees collected from the residents of the City of Cleveland by the Division of Waste Collection.

**Section 2.** That the term of the lease authorized by this ordinance shall commence December 27, 2000, and end March 5, 2001.

**Section 3.** That the property described in this ordinance shall be

leased to the Greater Cleveland Ecology Association at no rental fee, and in exchange, they shall grind Christmas trees collected by the Division of Waste Collection from City of Cleveland residents, at no cost to the City of Cleveland.

**Section 4.** That the lease shall be prepared by the Director of Law and shall contain such authorized terms and conditions as are required to protect the interests of the City.

**Section 5.** That the Director of Public Service and the Director of Law, and other appropriate City officials, are authorized to execute such other documents and certificates, and take such other actions as may be necessary or appropriate to effect the lease authorized by this ordinance.

**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 December 18, 2000.  
Effective December 27, 2000.

**Ord. No. 2018-2000.**

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

**An emergency ordinance to amend Sections 1 and 2 of Ordinance No. 1004-91, passed July 24, 1991, as amended by Ordinance No. 324-97, passed June 2, 1997, and to amend Section 4 of Ordinance No. 1004-91, passed July 24, 1991, relating to consent of the City of Cleveland for participation in the repair and resurfacing of Rocky River Drive, thereto, to cause payment of Cleveland's share.**

Whereas, this ordinance constitutes an emergency measure providing for 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 1 and 2 of Ordinance No. 1004-91, passed July 24, 1991, as amended by Ordinance No. 324-97, passed June 2, 1997, are hereby amended to read, respectively, as follows:

**Section 1.** That it is declared to be in the public interest that the consent of the City be and such consent is hereby given to the Director of Transportation of the State of Ohio to participate in the design and construction of the following improvement in accordance with plans, specifications and estimates approved by said Director: the design, repair and resurfacing of Rocky River Drive from Brookpark Road to the northern corporation line at Hogs Back Lane, including, but not limited to, replacing the decorative retaining wall at the westerly boundary of Rocky River Drive from Edgecliffe Road north to McKinley Avenue (the "Improvement").

**Section 2.** That, provided the City of Cleveland sells the general obligation bonds authorized by Ordinance No. 885-91, passed April 22, 1991, the City shall cooperate with the State of Ohio in the design and construction of the Improvement by assuming and contributing the entire cost and expense of the Improvement less the amount of Federal-aid funds set aside by the Director of Transportation for the financing of the Improvement from funds allocated by the Federal Highway Administration, United States Department of Transportation and less the amount of State Highway Funds determined to be eligible and set aside for the Improvement. In addition, the City agrees to assume and contribute 100% of the cost of any items included in the construction contract, at the requirement of the City, which are determined by the Director not to be reliable or made necessary by the Improvement.

**Section 2.** That Sections 1 and 2 of Ordinance No. 1004-91, passed July 24, 1991, as amended by Ordinance No. 324-97, passed June 2, 1997, are hereby repealed.

**Section 3.** That Section 4 of Ordinance No. 1004-91, passed July 24, 1991, is hereby amended to read as follows:

**Section 4.** That, provided the City of Cleveland sells the general obligation bonds authorized by Ordinance No. 885-91, passed April 22, 1991, the Director of Public Service is hereby authorized to cause payment to the State of Ohio of the City's share of the cost of the Improvement from Fund Nos. 20 SF 146, 20 SF 353, 20 SF 883, and also Fund No. 20 SF 190, which is the fund to which will be credited the proceeds of the sale of general obligation bonds of the City of Cleveland authorized by Ordinance No. 885-91, passed April 22, 1991, Request No. 14281 and 22509.

**Section 4.** That Section 4 of Ordinance No. 1004-91, passed July 24, 1991, is hereby repealed.

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

Passed December 18, 2000.  
Effective December 27, 2000.

**Ord. No. 2019-2000.**

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

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

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

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

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

**Section 2.** That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subse-

quent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 17938)

**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 December 18, 2000.  
Effective December 27, 2000.

**Ord. No. 2020-2000.**

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

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

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

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

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

**Section 2.** That the cost of said contract shall not exceed \$30,000 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 17937)

**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 December 18, 2000.  
Effective December 27, 2000.

**Ord. No. 2021-2000.**

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

**An emergency ordinance authorizing the purchase by requirement contract of Ford tractor, mower and construction equipment parts, including labor if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service.**

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

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

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

**Section 2.** That the cost of said contract shall not exceed \$225,000 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 17935)

**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 December 18, 2000.  
Effective December 27, 2000.

**Ord. No. 2022-2000.**

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

**An emergency ordinance authorizing the purchase by requirement contract of Cushman-Ransomes equipment parts, including labor if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service.**

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

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

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

**Section 2.** That the cost of said contract shall 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 17936)

**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 December 18, 2000.  
Effective December 27, 2000.

**Ord. No. 2023-2000.**

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

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

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

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

**Section 1.** That the Director of Public Service is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of diesel fuel in the approximate amount as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the

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

**Section 2.** That the cost of said contract shall not exceed \$1,100,000 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 17939)

**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 December 18, 2000.  
Effective December 27, 2000.

**Ord. No. 2024-2000.**

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

**An emergency ordinance to amend Section 1 of Ordinance No. 1301-97, passed August 13, 1997, relating to the cause payment of the City of Cleveland's share to the County of Cuyahoga and the State of Ohio for the cost of rehabilitating and reconstructing West 53rd Street Bridge; Denison Avenue Bridge, Harvard Avenue Bridge, West 65th Street Bridge and the West 74th Street Bridge.**

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

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

**Section 1.** That Section 1 of Ordinance No. 1301-97, passed August 13, 1997, is hereby amended to read as follows:

Section 1. That this Council hereby authorizes payment to the State of Ohio and the County of Cuyahoga of the City's share of the cost of rehabilitating and reconstructing West 53rd Street Bridge over N/S and RTA, Denison Avenue Bridge over Conrail and N/S, Harvard Avenue Bridge over Wheeling & Lake Erie, West 65th Street Bridge over N/S and RTA, and the West 74th Street Bridge from Fund Nos. 20 SF 190, 20 SF 302, 20 SF 312, 20 SF 322, 20 SF 334, 20 SF 353, 20 SF 373, 52 SF 001, 58 SF 223 and from the fund and subfunds to which are credited the proceeds of the sale of the general obligation bonds authorized by Ordinance No. 920-97, passed June 9, 1997, Request No. 21947.

**Section 2.** That Section 1 of Ordinance No. 1301-97, passed August 13, 1997, is hereby repealed.

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

Passed December 18, 2000.  
Effective December 27, 2000.

**Ord. No. 2025-2000.**  
**By Councilmen Gordon, Polensek, Rybka, Lewis and Patmon (by departmental request).**

**An emergency ordinance to amend various sections of Chapter 241 of the Codified Ordinances of Cleveland, Ohio, as amended and enacted by various ordinances; to repeal Section 241.231 as amended by Ordinance No. 1587-90, passed December 17, 1990; to repeal Sections 243.01 through and including 243.17 of said codified ordinances, as amended and enacted by various ordinances and to enact new Section 243.01; to supplement said codified ordinances by enacting new Sections 241.041 and 241.051 thereof; and to repeal Sections 245.01 through and including 245.19 and to enact new Sections 245.01 to 245.12, all relating to licensing and sanitation of food shops.**

Whereas, this ordinance constitutes an emergency measure providing for 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 following sections of the Codified Ordinances of Cleveland, Ohio, 1976:

Sections 241.03 and 241.04, as enacted by Ordinance No. 511-76, passed June 14, 1976.

Section 241.05, as amended by Ordinance No. 2015-95, passed December 18, 1995, and

Sections 241.09, 241.20, 241.21, 241.22, 241.26 and 241.27, as enacted by Ordinance No. 511-76, passed June 14, 1976,

are hereby amended, to read, respectively, as follows:

**Section 241.03 Definitions**

As used in this chapter:

(a) "Food," "drug," "device," "cosmetic," "label," "labeling," "adulterated," and "misbranded," shall have the meaning established in Chapter 3715 of the Revised Code. "Food service operation" and "retail food establishment" shall have the meaning established in Section 3717.01 of the Revised Code.

(b) "Food handling establishment" means a business establishment or vehicle, where food is either prepared, manufactured, compounded, stored, mixed, packed, demonstrated, given away, peddled, vended, dispensed, delivered from, offered for sale or sold with the exceptions of "food service operations" and "retail food establishments" as defined by State law.

(c) "Wholesale" shall have the meaning established in Section 3715.021 of the Revised Code.

(d) "Food shop" applies to "food-handling establishment," "retail food establishment" and "food service operation."

**Section 241.04 Quality and Labeling Standards**

(a) The definitions and standards of identity, the standard of quality, the standard of fill of container and the labeling requirements for any food sold or manufactured in the City shall be those established for interstate commerce by the United States Food and Drug Administration and Ohio Department of Agriculture.

(b) Unless otherwise specified in this chapter, the definitions and standards of identity and the labeling requirements for meat, meat by-products and meat food products sold or manufactured in the City shall be those of the Ohio Department of Agriculture.

**Section 241.05 Food Shop Licenses and Fees; Food Vehicle Permit**

(a) No food shop shall be operated without the person, firm, association or corporation conducting such business first applying for and obtaining an annual license issued by the Commissioner of Assessments and Licenses. No business vehicle used regularly for the transportation, delivery, vending or peddling of food except a commercial carrier transporting food incidental to other deliveries, shall transport, deliver, vend or peddle food in the City without the owner obtaining an annual food vehicle permit for such vehicle.

(b) For food handling establishments, the annual fee shall be twenty-five dollars (\$25.00) for less than 2,500 square feet of floor space. For floor space in excess of 2,500 square feet, the fee shall be thirty-five dollars (\$35.00).

(c) For a food vehicle permit the annual fee shall be ten dollars (\$10.00).

(d) Food handling licenses and food vehicle permits shall expire not later than the last day of February of the next ensuing year after issuance, and they shall not be transferable except in accordance with Section 3717.46 of the Revised Code.

(e) The holder of a food service operation license as defined by state law shall not be required to obtain a retail food establishment license except when the activities of a retail food establishment and a food service operation are carried on within the same facility by the same person or entity, then the determination of what license applies shall be made according to the primary business of the person or entity as determined by the licensor, the City of Cleveland Director of Public Health as described in Section 3717.44 of the Revised Code.

(f) The holder of a food service operation license or retail food establishment license shall not be required to obtain a food handling license.

(g) For a mobile food service operations, the annual fee shall be Two Hundred Sixty-Three Dollars (\$263.00).

(h) For a vending food service operation, the annual fee shall be Twenty-Nine Dollars (\$29.00).

(i) For a temporary food service operation or a Temporary Food Establishment, the fee shall be Twenty Dollars (\$20.00).

(j) The Commissioner of Assessments and Licenses may also collect fees for collection and bacteriological examination of samples taken from a food shop in an amount equal to the cost of such collection

and examination as determined by the Commissioner of Environment.

(k) The Commissioner of Assessments and Licenses may also collect fees for plan reviews of food shops of an amount equal to thirty percent (30%) of the food shop license fee for said shops, except for plans pertaining to mobile or temporary food service operations or vending locations.

(l) The Commissioner shall submit all applications for a food shop license to the City of Cleveland Director of Public Health for approval or disapproval of such application.

(m) The Commissioner is authorized to collect license fees for retail food establishments and food service operations and deposit such fees into a fund created pursuant to Sections 3717.25 and Section 3717.45 of the Revised Code.

(n) The Commissioner is authorized to collect license fees for food handlers and all food handlers' license fees and deposits shall be retained by the licensor.

(o) For purposes of this Section, noncommercial organizations are defined as organizations such as churches, or non-profit organizations operated exclusively for charitable purposes as defined in division (B)(12) of Section 5739.02 of the Revised Code, provided that displayed foods are not displayed for more than seven (7) consecutive days or more than fifty-two (52) separate days per year.

(p) A penalty of twenty five percent (25%) of any license fee required by this section must be paid prior to the issuance of the license if the required license fee is not paid on or before the date it is due.

**Section 241.09 Food Shop Premises to be Free of Insects and Rodents**

All buildings and portions of buildings in which food is prepared, stored or served shall be of rat-proof construction and insect and rodent free. When flies are prevalent, all openings to the outer air shall be effectively screened and doors shall be self-closing unless other effective means are provided to prevent their entrance.

**Section 241.20 Transportation**

No food shall be transported unless it is so covered that it is protected from dust, dirt, insects and other contaminating substances. Every vehicle transporting food shall be kept in a clean, sanitary condition.

**Section 241.21 Display**

No food shall be displayed in, upon or over any street, alley, sidewalk, or other public place in the City, except in districts designated by the City as market districts. Produce or other foodstuffs displayed outside on the food shop's property shall be displayed so as to be protected from contamination.

**Section 241.22 Licensing Outdoor Restaurants; Procedure and Fee**

(a) To provide for issuance of annual licenses by the Commissioner of Assessments and Licenses and to direct the Director of Public Health to develop rules for such operations not inconsistent with state statutes and regulations, application shall be accepted by the Commissioner of Assessments and Licenses from restaurants, the

approval of which will allow them to serve food and beverages outdoors.

(b) Each license application shall have included with it a sketch of the premises showing what outdoor areas are proposed to be used for the serving of food and beverages.

(c) Before any food shop may expand its operation to an outdoor area, it must submit a new application and new sketch of the premises to the Commissioner of Assessments and Licenses and obtain approval as required herein.

(d) This section shall in no way supercede any applicable portions of City or state health regulations.

(e) On the approval of the application by the Commissioner of Environmental Health, the Commissioner of Assessments and Licenses shall issue the food shop license. Denial of a food shop license may be appealed to the Board of Zoning Appeals.

(f) After issuance of the food shop license, each applicant must submit an application for a permit pursuant to Chapter 513 of these codified ordinances.

**Section 241.26 Health of Food Shop Personnel**

(a) No person shall be permitted to work in a food shop unless he or she is free from disease in a communicable form or a carrier state. When reasonable cause exists to suspect the possibility of transmission of disease from any person handling food, the Commissioner of Environmental Health may exclude immediately such person from food handling until such time as he or she is satisfied that such person is free from the possibility of transmitting disease.

(b) No person shall be permitted to work in a food shop if they are known or suspected of having a disease in a communicable form or a carrier state in any capacity in which food is handled.

**Section 241.27 Drug Stores**

All drug stores shall be maintained in a clean, sanitary manner and in accordance with the rules established for retail food establishments in Chapter 3717 of the Ohio Revised Code.

**Section 2.** That the existing sections of the Codified Ordinances of Cleveland, Ohio, 1976:

Sections 241.03 and 241.04, as enacted by Ordinance No. 511-76, passed June 14, 1976,

Section 241.05, as amended by Ordinance No. 2015-95, passed December 18, 1995, and

Sections 241.09, 241.20, 241.21, 241.22, as enacted by Ordinance No. 511-76, passed June 14, 1976

Section 241.231, as amended by Ordinance No. 1598-90, passed December 17, 1990,

Sections 241.26 and 241.27, as enacted by Ordinance No. 511-76, passed June 14, 1976, are hereby repealed.

**Section 3.** That the Codified Ordinances are hereby supplemented by enacting new Sections 241.041 and 241.051, to read, respectively, as follows:

**Section 241.041 Safe food Sanitation Standards**

The definitions and standards for safe sanitation in retail food establishments and food service operations shall be any established as the Ohio Uniform Food Safety Code, pro-

mulgated by The Ohio Director of Agriculture and Ohio Public Health Council pursuant to Section 3717.05 of the Revised Code.

**Section 241.051 Categories and Fees**

(a) Each application to the Commissioner of Licenses and Assessments for a food service operation license required pursuant to Section 3717.43 of the Revised Code, or for a retail food establishment license required pursuant to Section 3717.21 of the Revised Code shall be accompanied by a combined license and inspection fee as follows:

(1) Food Service Operations and Retail Food Establishments less than 10,000 square feet of floor space:

Risk Level	Fee
Level I	\$ 140.00
Level II	177.00
Level III	398.00
Level IV	450.00
Level V	495.00

(2) Food Service Operations and Retail Food Establishments in excess of 10,000 square feet of floor space:

Risk Level	Fee
Level I	\$ 219.00
Level II	260.00
Level III	889.00
Level IV	942.00
Level V	964.00

(3) Non-Commercial Food Service Operations and Non-Commercial Retail Food Establishments less than 10,000 square feet of floor space:

Risk Level	Fee
Level I	\$ 70.00
Level II	88.00
Level III	199.00
Level IV	225.00
Level V	247.00

(4) Non-Commercial Food Service Operations and Non-Commercial Retail Food Establishments in excess of 10,000 square feet of floor space:

Risk Level	Fee
Level I	\$ 109.00
Level II	130.00
Level III	444.00
Level IV	471.00
Level V	482.00

(b) The risk level categories described herein shall have the meaning established in any rules promulgated pursuant to Chapter 3717 of the Ohio Revised Code.

**Section 4.** That the following sections of the Codified Ordinances of Cleveland, Ohio, 1976:

Sections 243.01 and 243.02, as enacted by Ordinance No. 1460-64, passed June 29, 1964,

Section 243.03, as amended by ordinance No. 2301-80, passed March 2, 1981, and

Sections 243.04, 243.05, 243.06, 243.07, 243.08, 243.09, 243.10, 243.11, 243.12, 243.13, 243.14, 243.15, 243.16, 243.17, are hereby repealed.

**Section 5.** That the Codified Ordinances of Cleveland, Ohio, 1976, are hereby supplemented by enacting new Section 243.01 thereof to read as follows:

**CHAPTER 243**

**OHIO UNIFORM FOOD SAFETY CODE**

**Section 243.01 Ohio Uniform Food Safety Code**

The Ohio Uniform Food Safety Code as promulgated by the Ohio Director of Agriculture and Ohio Public Health Council pursuant to Section 3717.05 of the Revised Code, is hereby adopted and incorporated by the City of Cleveland as fully as if set forth herein.

**Section 6.** That Sections 245.01, through and including 245.19 of the Codified Ordinances, as enacted by Ordinance No. 1461-64, passed June 29, 1964, are hereby repealed.

**Section 7.** That the Codified Ordinances of Cleveland, Ohio, 1976, are hereby supplemented by enacting new Sections 245.01 to 245.12 to read, respectively, as follows:

**CHAPTER 245**

**FROZEN DESSERTS**

**Section 245.01 Definitions**

(a) "Frozen desserts" means ice cream, frozen custard, milk sherbet, ice or ice sherbet, imitation ice cream, frozen dairy dessert, ice milk and similar frozen or partially frozen dairy food products.

(b) "Mix" means the unfrozen combination of the ingredients of a frozen dessert.

**Section 245.02 License or Permit Required**

No person, firm or corporation shall manufacture, package, sell or distribute within the City any frozen desserts or mixes, without first obtaining a license pursuant to Section 241.05 of these codified ordinances.

**Section 245.03 Standards and Labeling**

All frozen desserts and mixes shall conform in standards to the definitions of such products as set forth in the Ohio Revised Code, or in the regulations of the Ohio Department of Agriculture. All frozen desserts and mixes shall be properly labeled as required by law, and such label shall include the name and address of the manufacturer, packager or distributor. In the event the name and address is that of the distributor, or the manufacturer has more than one plant, the processing plant must be identified on the label in a manner acceptable to the Commissioner of Environmental Health. Labeling and identity requirements need not apply to retail manufacturers who do not harden and store frozen desserts for sale or distribution. Labels shall not be misleading.

**Section 245.04 Protection from Contamination**

All places where frozen desserts and mixes are manufactured or handled shall be thoroughly clean. Operations shall be located and conducted to prevent any contamination of food, equipment or containers. Spilled, overflowed or leaked product shall be discarded. All milk, milk products or mix drained from equipment at the end of a run shall be handled in a sanitary manner.

**Section 245.05 Sanitary Facilities**

All places where frozen desserts and mixes are manufactured or handled shall be in conformance with City ordinances regarding toilet facilities and hand washing facilities, and the water supply shall be easily accessible, adequate and of a safe, sanitary quality.

**Section 245.06 Design, Construction and Sanitizing of Equipment**

(a) All equipment, piping and containers used for the processing, conducting and storing of frozen desserts and mixes shall be of sanitary design and construction and shall be handled in a sanitary manner.

(b) Equipment and multi-use containers shall be thoroughly cleaned and sanitized after each use, and adequate facilities shall be provided for cleaning and sanitizing equipment and containers. Empty containers shall be thoroughly cleaned before being returned to the manufacturer of frozen desserts and mixes. Single use containers shall not be reused. Dippers and other utensils used intermittently for dispensing frozen desserts shall be kept in running water with adequate velocity and volume to cleanse them.

**Section 245.07 Vehicle Regulations**

All vehicles used in transporting, delivering or peddling frozen desserts or mixes shall be clean, well constructed and properly insulated. Such vehicles shall be licensed and properly identified.

**Section 245.08 Transferring and Dispensing**

No ice cream or mix shall be packaged, dispensed or transferred except in a clean, sanitary manner.

**Section 245.09 Personnel Health and Cleanliness**

All persons engaged in the processing of frozen desserts or mixes shall be clean in person and habits and shall wear clean, washable clothing and caps. They shall not use tobacco in any form while working. All such persons shall be free of contagious or infectious disease in active or carrier state, and shall submit to an annual physical examination, the record of which shall be kept on file and exhibited upon demand of the Commissioner of Environmental Health or his agent.

**Section 245.10 Peddling of Frozen Desserts**

No person, firm or corporation shall peddle frozen desserts within the City unless the following requirements are complied with:

(a) All such products shall be completely wrapped or packaged in a licensed place of business and all such wrappings or packages shall be labeled with:

(1) Name of the product;  
(2) Name and address of the manufacturer;

(3) Net contents by weight or volume.

(b) All such products shall be properly refrigerated to inhibit bacterial growth.

(c) All persons employed as peddlers shall be at least sixteen years of age and:

(1) Be in the regular employment of the licensee;

(2) Wear clean, washable garments or uniforms;

(3) Maintain himself in a clean and personable condition.

(d) All frozen desserts shall be transported in sanitary containers, which must be washed after each day's use. Such containers shall be used for no other purpose than the transportation of frozen desserts and shall be stored only at the place of business of the licensee. Such containers shall conspicuously display the name of the licensee.

(e) All vehicles used to peddle frozen desserts shall be stored or parked in clean surroundings when not in use.

**Section 245.11 Noise from Peddlers**

No peddler of frozen dessert shall cry his wares in a loud voice or use any noise-producing device other than a soft chime, the limit of audibility of which shall be one hundred (100) feet from the source of such sounds, and otherwise shall be in conformity with the provisions of Section 605.12 of the codified ordinances.

**Section 245.12 Prohibited Places**

No peddler of frozen desserts shall manufacture his wares on any City street, sell his wares in areas designated by the Commissioner of Traffic Engineering and Parking as a congested area or peddle frozen desserts in or on City property without the written consent of the Director of Parks, Recreation and Properties.

**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 December 18, 2000.  
Effective December 27, 2000.

**Ord. No. 2027-2000.**

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

**An emergency ordinance authorizing the Director of Public Utilities to enter into one or more Concession Agreements with the Ohio Rehabilitation Services Commission, Bureau of Services for the Visually Impaired for the operation of a snack bar and vending machines at the Carl B. Stokes Building and the Cleveland Public Power Building.**

Whereas, this ordinance constitutes an emergency measure providing for 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 Public Utilities is hereby authorized to enter into one or more Concession Agreements with the Ohio Rehabilitation Services Commission, Bureau of Services for the Visually Impaired, for the operation of a snack bar and installation of vend-

ing machines at the Carl B. Stokes Building located at 1201 Lakeside Avenue and for the operation of vending machines at the Cleveland Public Power Building located at 1300 Lakeside Avenue, for a period not to exceed three (3) years.

**Section 2.** That the Concession Agreements authorized herein shall be prepared by the Director of Law, and shall contain such additional provisions as he deems necessary to protect and benefit the public interest.

**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 December 18, 2000.  
Effective December 27, 2000.

**Ord. No. 2028-2000.**

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

**An emergency ordinance authorizing the Director of Economic Development to enter into an Enterprise Zone Agreement with The Revere Group to provide for a five year abatement for certain tangible personal property taxes as an incentive to acquire personal property located at 2000 Sycamore, Cleveland, Ohio 44113.**

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

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

Whereas, The Revere Group (the "Enterprise") has proposed to acquire personal property located at 2000 Sycamore, Cleveland, Ohio 44113; and

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

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

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



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

**Section 2.** That the Director of Economic Development is authorized to enter into an Enterprise Zone Agreement with the Enterprise to provide for a five (5) year abatement for certain tangible personal property taxes as an incentive to acquire personal property located at 2000 Sycamore, Cleveland, Ohio 44113; said abatement shall be subject to annual review of the Tax Incentive Review Council.

**Section 3.** That the terms of said tax abatement shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 2028-2000-A. The terms of said file notwithstanding, the terms of the tax abatement shall not be amended, nor shall the tax abatement be assignable or transferrable to any entity, without the prior legislative authorization by Cleveland City Council.

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

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

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

Passed December 18, 2000.  
Effective December 27, 2000.

**Ord. No. 2029-2000.**  
**By Councilmen Melena and Patmon (by departmental request).**

**An emergency ordinance to amend Section 5 of Ordinance No. 159-98, passed June 15, 1998, relating to a Tax Increment Financing Agreement with Third Federal Savings and Loan Association; to supplement said ordinance by adding new Section 6; and to renumber existing Sections 6 and 7 to new Sections 7 and 8.**

Whereas, this ordinance constitutes an emergency measure providing for 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 5 of Ordinance No. 159-98, passed June 15,

1998, is hereby amended to read as follows:

**Section 5.** That the balance of the service payments collected pursuant to Section 3 hereof shall be distributed by the Cuyahoga County Treasurer to the Treasurer of the City of Cleveland and deposited in Fund No. 10 SF 501 and Fund No. 17 SF 008 to recover expenditures from the Neighborhood Development Investment Fund ("NDIF") and the UDAG Repayments Fund ("UDAGR") in an amount equal to NDIF and UDAGR funds, plus interest, authorized pursuant to Section 6 hereof, and appropriated by Ordinance No. 241-98, passed June 15, 1998, as amended to those public improvements and such other purposes more fully described in such appropriating legislation. Said appropriation of NDIF funds shall not exceed \$2,000,000.00; appropriation from UDAGR funds shall not exceed \$220,000.

**Section 2.** That existing Section 5 of Ordinance No. 159-98, passed June 15, 1998, is hereby repealed.

**Section 3.** That Ordinance No. 159-98, passed June 15, 1998, is hereby supplemented by adding new Section 6 to read as follows:

**Section 6.** That the Director of Economic Development is hereby authorized to enter into a contract with Third Federal to provide financial assistance to partially finance a neighborhood land-bank program operated by Third Federal within the Area, as more fully described in File No. \_\_\_\_\_; the costs of said contract shall not exceed the amount of UDAGR funds appropriated pursuant to Ordinance No. 241-98, as amended, less the amount expended for those public improvements authorized pursuant to Ordinance No. 241-98.

**Section 4.** That existing Sections 6 and 7 of Ordinance No. 159-98, passed June 15, 1998, are hereby renumbered, respectively, to new "Section 7" and "Section 8".

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

Passed December 18, 2000.  
Effective December 27, 2000.

**Ord. No. 2030-2000.**

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

**An emergency ordinance to amend Section 5 of Ordinance No. 241-98, passed June 15, 1998, relating to the rehabilitating Broadway Avenue and Aetna Avenue, including but not limited to streetscape and roadway improvements.**

Whereas, this ordinance constitutes an emergency measure providing for 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 5 of Ordinance No. 241-98, passed June 15, 1998, is hereby amended to read as follows:

**Section 5.** That the cost of the improvement hereby authorized shall be paid from Fund No. 10 SF 501 in an amount not to exceed \$2,000,000, Fund No. 17 SF 008 in an amount not to exceed \$220,000 and from the fund or funds to which are credited the proceeds of the grant and gift money accepted pursuant, respectively, to Sections 3 and 4 of this ordinance, Request No. 23340.

**Section 2.** That the existing Section 5 of Ordinance No. 241-98, passed June 15, 1998, 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 December 18, 2000.  
Effective December 27, 2000.

**Ord. No. 2032-2000.**

**By Councilman Dolan.**

**An emergency ordinance authorizing the Director of Community Development to enter into a grant agreement with the owner of the rental unit at 14200 Rainbow Avenue using Community Development Block Grant funds to provide an emergency one-time three month housing rental subsidy to a low/moderate income family meeting the requirements for Community Development Block Grant Public Services Subsistence Payment.**

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

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

**Section 1.** That the Director of Community Development is hereby authorized to enter into a grant agreement with the owner of the rental unit at 14200 Rainbow Avenue, in the City of Cleveland, Ward 21, using Community Development Block Grant funds to provide an emergency one-time three month housing rental subsidy to a low/moderate income family meeting the requirements of Community Development Block Grant Public Services Subsistence Payment.

**Section 2.** That the amount of the grant agreement authorized herein shall not exceed \$2070.00 and shall be paid for from Fund No. 14 sub class 026, RL 20698.

**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 December 18, 2000.  
Effective December 27, 2000.

**Ord. No. 2094-2000.****By Councilman Patmon (by departmental request).**

**An emergency ordinance to make additional appropriations of Eight Million Six Hundred Forty One Thousand Dollars (\$8,641,000) of the General Fund, Three Million Three Hundred Thirty Four Thousand Six Hundred Seventy Five Dollars (\$3,334,675) of the Special Revenue Fund, Two Million One Hundred Forty Six Thousand Three Hundred Fifty One Dollars (\$2,146,351) of the Internal Service Funds, Four Hundred Eighty-Five Thousand Dollars (\$485,000) of the Enterprise Fund and Three Hundred Thousand (\$300,000) of the Debt Service Fund.**

Whereas, there remains an unappropriated balance in the various funds, the sum of Fourteen Million Nine Hundred Seven Thousand Twenty Six Dollars (\$14,907,026) which is available for additional appropriation; 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 there is hereby appropriated the additional revenue as set forth in the Amended Official Certificate of Estimated Resources received from the Budget Commission of Cuyahoga County for the year 2000, dated October 26, 2000, previously unappropriated as follows:

GENERAL FUND		\$8,641,000
SPECIAL REVENUE FUNDS		\$3,334,675
INTERNAL SERVICE FUNDS		\$2,146,351
ENTERPRISE FUNDS		\$ 485,000
DEBT SERVICE FUND		\$ 300,000
GENERAL FUND		
DEPARTMENT OF PUBLIC SAFETY		
Division of Police		\$ 1,271,000
I Personnel and Related Expenses	\$ 731,000	—
II Other Expenses	540,000	—
Division of Fire		\$ 1,920,000
I Personnel and Related Expenses	\$ 1,575,000	—
II Other Expenses	345,000	—
TOTAL DEPARTMENT OF PUBLIC SAFETY	\$ 3,191,000	\$ 3,191,000
DEPARTMENT OF PUBLIC SERVICE		
Division of Waste Collection and Disposal		\$ 1,000,000
I Personnel and Related Expenses	—	—
II Other Expenses	1,000,000	—
TOTAL DEPARTMENT OF PUBLIC SERVICE	\$ 1,000,000	\$ 1,000,000
DEPARTMENT OF PUBLIC HEALTH		
Division of Correction		\$ 350,000
II Other Expenses	\$ 350,000	—
TOTAL DEPARTMENT OF PUBLIC HEALTH	\$ 350,000	\$ 350,000
DEPARTMENT OF LAW		
Law		\$ 4,100,000
I Personnel and Related Expenses	—	—
II Other Expenses	\$ 4,100,000	—
TOTAL LEGAL ADMINISTRATION	\$ 4,100,000	\$ 4,100,000
TOTAL GENERAL FUND	\$ 8,641,000	\$ 8,641,000
SPECIAL REVENUE FUND		
Restricted Income Tax		\$ 734,675
I Capital	\$ 734,675	—
Schools Recreation & Cultural Activities		\$ 2,000,000
II Other Expenses	\$ 2,000,000	—
Street Construction, Maintenance and Repair		\$ 600,000
I Personnel and Related Expenses	\$ —	—
II Other Expenses	600,000	—
TOTAL SPECIAL REVENUE FUND	\$ 3,334,675	\$ 3,334,675
INTERNAL SERVICE FUND		
Motor Vehicle Maintenance		\$ 946,351
I Personnel and Related Expenses	\$ —	—
II Other Expenses	946,351	—
Telecommunications		\$ 1,200,000
I Personnel and Related Expenses	\$ —	—
II Other Expenses	1,200,000	—
TOTAL INTERNAL SERVICE FUNDS	\$ 2,146,351	\$ 2,146,351

## ENTERPRISE FUNDS

## DEPARTMENT OF PUBLIC UTILITIES

Utilities Administration		\$	215,000
I Personnel and Related Expenses	\$	—	—
II Other Expenses		215,000	—
TOTAL DEPARTMENT OF PUBLIC UTILITIES	\$	215,000	\$ 215,000

## DEPARTMENT OF PARKS, RECREATION, AND PROPERTIES

Division of Cemeteries		\$	80,000
II Other Expenses		80,000	—
Division of West Side Market		\$	190,000
II Other Expenses		190,000	—
TOTAL PARKS, RECREATION, & PROPERTIES	\$	270,000	\$ 270,000
TOTAL ENTERPRISE FUNDS	\$	485,000	\$ 485,000

## DEBT SERVICE FUND

Sinking Fund Commission		\$	300,000
III Debt Service	\$	300,000	—
TOTAL DEBT SERVICE FUND	\$	300,000	\$ 300,000
TOTAL GENERAL AND OTHER FUNDS	\$	14,907,026	\$ 14,907,026

**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 December 18, 2000.

Effective December 19, 2000.

**Ord. No. 2095-2000.**

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

**An emergency ordinance to provide the transfer of the sum of Five Million Nine Hundred Fifty-Six Thousand Dollars (\$5,956,000) within various divisions of the General Fund, Five Million Three Hundred Thousand Dollars (\$5,300,000) within the Special Revenue Fund, Sixty-six Thousand (\$66,000) within the Internal Service Fund, One Million (\$1,000,000) within the Enterprise Fund.**

Whereas, in accordance with Section 41 of the Charter, the Mayor has recommended in writing the within transfer; and

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

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

**Section 1.** That the sum of Twelve Million Three Hundred Twenty-Two Thousand (\$12,322,000) be same and hereby transferred as follows:

## GENERAL FUND

## MUNICIPAL COURT

	FROM	TO
Judicial Division		
I Personnel and Related Expenses	\$ 10,000	\$ —
II Other Expenses	—	10,000
Clerks Division		
I Personnel and Related Expenses	\$ 250,000	\$ —
II Other Expenses	—	250,000
Housing Division		
I Personnel and Related Expenses	\$ 35,000	\$ —
II Other Expenses	—	35,000
TOTAL MUNICIPAL COURT	\$ 295,000	\$ 295,000

## DEPARTMENT OF PUBLIC SAFETY

Public Safety Administration		\$	—
I Personnel and Related Expenses	\$	345,000	—
II Other Expenses		—	72,000
Division of Emergency Medical Services		\$	200,000
II Other Expenses	\$	—	—
Division of Traffic Engineering		\$	—
I Personnel and Related Expenses	\$	150,000	—
II Other Expenses		—	150,000
TOTAL DEPARTMENT OF PUBLIC SAFETY	\$	495,000	\$ 422,000

## COMMUNITY RELATIONS BOARD

Division of Community Relation Board		
I Personnel and Related Expenses	\$ 42,000	\$ —
II Other Expenses	—	42,000
TOTAL COMMUNITY RELATIONS BOARD	\$ 42,000	\$ 42,000

## DEPARTMENT OF PUBLIC SERVICE

Division of Waste Collection and Disposal		
I Personnel and Related Expenses	\$ 250,000	\$ —
II Other Expenses	—	250,000
Division of Engineering and Construction		
I Personnel and Related Expenses	\$ 200,000	\$ —
II Other Expenses	—	—
TOTAL DEPARTMENT OF PUBLIC SERVICE	\$ 450,000	\$ 250,000

## DEPARTMENT OF PARKS, RECREATION, AND PROPERTIES

Division of Property Management		
I Personnel and Related Expenses	\$ 300,000	\$ —
II Other Expenses	—	300,000
Division of Park Maintenance and Properties		
I Personnel and Related Expenses	\$ 500,000	\$ —
II Other Expenses	—	500,000
TOTAL PARKS, RECREATION, AND PROPERTIES	\$ 800,000	\$ 800,000

## URBAN PLANNING AND DEVELOPMENT

## DEPARTMENT OF COMMUNITY DEVELOPMENT

Division of Building and Housing		
I Personnel and Related Expenses	\$ 1,592,000	\$ —
II Other Expenses	—	1,592,000
TOTAL COMMUNITY DEVELOPMENT	\$ 1,592,000	\$ 1,592,000

## DEPARTMENT OF ECONOMIC DEVELOPMENT

Economic Development		
I Personnel and Related Expenses	\$ 150,000	\$ —
TOTAL URBAN PLANNING AND DEVELOPMENT	\$ 1,742,000	\$ 1,592,000

## DEPARTMENT OF PUBLIC HEALTH

Health Administration		
II Other Expenses	\$ —	\$ 50,000
Division of Correction		
I Personnel and Related Expenses	\$ 125,000	\$ —
Division of Health		
I Personnel and Related Expenses	\$ 280,000	\$ —
Division of Environment		
I Personnel and Related Expenses	\$ 115,000	\$ —
II Other Expenses	—	115,000
TOTAL DEPARTMENT OF PUBLIC HEALTH	\$ 520,000	\$ 165,000

## FINANCIAL AND LEGAL ADMINISTRATION

Division of Accounts		
I Personnel and Related Expenses	\$ —	\$ 60,000
II Other Expenses	—	205,000
Bureau of Internal Audit		
I Personnel and Related Expenses	\$ —	\$ 130,000
II Other Expenses	62,000	—
TOTAL DEPARTMENT OF FINANCE	\$ 62,000	\$ 395,000
Office of Budget and Mgmt.—Budget Admin.		
I Personnel and Related Expenses	\$ —	\$ —
II Other Expenses	—	—
Law		
I Personnel and Related Expenses	\$ 1,500,000	\$ —
II Other Expenses	—	1,500,000
TOTAL FINANCE AND LEGAL ADMINISTRATION	\$ 1,562,000	\$ 1,895,000

## PERSONNEL ADMINISTRATION

Office of Personnel		
II Other Expenses	\$ —	\$ 119,000
TOTAL PERSONNEL ADMINISTRATION	\$ —	\$ 119,000

City Planning Commission		
I Personnel and Related Expenses	\$ —	\$ 10,000
II Other Expenses	—	35,000

Office of Equal Opportunity		
I Personnel and Related Expenses	\$ 50,000	\$ —
II Other Expenses	—	3,000

Board of Building Standards		
II Other Expenses	\$ —	\$ 12,000

Board of Zoning Appeals		
II Other Expenses	\$ —	\$ 16,000

## NONDEPARTMENTAL

Transfers to Other Funds		
II Other Expenses	\$ —	\$ 300,000

TOTAL NONDEPARTMENTAL	\$ —	\$ 300,000
-----------------------	------	------------

TOTAL SUPPORT FUNCTIONS	\$ 1,612,000	\$ 2,390,000
-------------------------	--------------	--------------

TOTAL GENERAL FUND	\$ 5,956,000	\$ 5,956,000
--------------------	--------------	--------------

## SPECIAL REVENUE FUND

Restricted Income Tax		
I Capital	\$ —	\$ 4,500,000
II Debt Service	4,500,000	

Street Construction, Maintenance and Repair		
I Personnel and Related Expenses	\$ 800,000	\$ —
II Other Expenses	—	800,000

TOTAL SPECIAL REVENUE FUND	\$ 5,300,000	\$ 5,300,000
----------------------------	--------------	--------------

## INTERNAL SERVICE FUND

Division of Printing and Reproduction		
I Personnel and Related Expenses	\$ 66,000	\$ —
II Other Expenses	—	66,000

TOTAL INTERNAL SERVICE FUNDS	\$ 66,000	\$ 66,000
------------------------------	-----------	-----------

## ENTERPRISE FUNDS

## DEPARTMENT OF PORT CONTROL

Port Control Administration		
I Personnel and Related Expenses	\$ 1,000,000	\$ —
II Other Expenses	—	1,000,000

TOTAL DEPARTMENT OF PORT CONTROL	\$ 1,000,000	\$ 1,000,000
----------------------------------	--------------	--------------

TOTAL ENTERPRISE FUNDS	\$ 1,000,000	\$ 1,000,000
------------------------	--------------	--------------

TOTAL GENERAL AND OTHER FUNDS	\$ 12,322,000	\$ 12,322,000
-------------------------------	---------------	---------------

**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 December 18, 2000.

Effective December 19, 2000.

**Ord. No. 2103-2000.**  
By Councilmen O'Malley and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by contract of labor and materials necessary to repair or replace Unit #3 First High Service motor at Crown Water Plant, for the Division of Water, Department of Public Utilities.

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

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

**Section 1.** That the Director of Public Utilities is hereby authorized to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: labor and materials necessary to repair or replace Unit #3 First High Service motor at Crown Water Plant, to be purchased by the Commissioner of Purchases and Supplies for a gross price for the Division of Water, Department of Public Utilities.

**Section 2.** That the cost of said contract hereby authorized shall be paid from Fund No. 52 SF 001, Request No. 33366.

**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 December 18, 2000.

Effective December 27, 2000.

**Ord. No. 2107-2000.**  
By Councilmen O'Malley and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by contract of labor and materials necessary to upgrade ideal motor Unit 29E at the Morgan Water Plant, for the Division of Water, Department of Public Utilities.

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

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

**Section 1.** That the Director of Public Utilities is hereby authorized to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: labor and materials necessary to upgrade ideal motor Unit 29E at the Morgan Water Plant, to be purchased by the Commissioner of Purchases and Supplies for a gross price for the Division of Water, Department of Public Utilities.

**Section 2.** That the cost of said contract hereby authorized shall be paid from Fund No. 52 SF 001, Request No. 33365.

**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 December 18, 2000.

Effective December 27, 2000.

**Ord. No. 2118-2000.**  
By Councilmen Johnson, Melena and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into a First Amendment to Contract No. 56087 with Shaker Square of Ohio LLC to provide a grant to finance construction costs relating to the Shaker Square planned retail center.

Whereas, Ordinance No. 2176-99, passed by the Council of the City of Cleveland on January 10, 2000, authorized the Director of Economic Development to enter into various agreements relating to the provision of economic development financial assistance for the rehabilitation and development of the Shaker Square Commercial District ("Project") and authorized the Director of Economic Development to enter into one or more contracts for financial assistance for the Project; and

Whereas, pursuant to the authority of Ordinance No. 2176-99, the Director of Economic Development entered into City Contract No. 56087 with Shaker Square of Ohio LLC to provide financial assistance for the Project, which includes the Shaker Square planned retail center; and

Whereas, it is necessary to enter into a First Amendment to Contract No. 56087 with Shaker Square of Ohio LLC to provide additional services under that contract; and

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

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

**Section 1.** That the Director of Economic Development is hereby authorized to enter into a First Amendment to Contract No. 56087 with Shaker Square of Ohio LLC to provide a grant in the amount of \$300,000 to finance construction costs relating to the Shaker Square planned retail center. Said grant shall be paid from Fund Nos. 10 SF 166 and 17 SF 008, Request No. 26640.

**Section 2.** That this First Amendment shall be prepared and approved by the Director of Law and shall contain such provisions as he deems necessary to protect the public interest.

**Section 3.** That this ordinance is hereby declared to be an emergency measure and provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its 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 December 18, 2000.

Effective December 27, 2000.

**Ord. No. 2119-2000.**  
By Councilmen Rybka, Melena, Cimperman and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with C & K Meats, Inc. to provide economic development assistance to partially finance the acquisition of real and personal property including construction and renovation of real property improvements located at 7700 Harvard Avenue, Cleveland, Ohio, 44105.

Whereas, this ordinance constitutes an emergency measure providing for 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 C & K Meats, Inc. to provide economic development assistance to partially finance the acquisition of real and personal property including construction and renovation of real property improvements located at 7700 Harvard Avenue, Cleveland, Ohio, 44105.

**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. 2119-2000-A.

**Section 3.** That the costs of said contract shall not exceed One Hundred Forty-Four Thousand Dollars (\$144,000.00), and shall be paid from Fund No. 17 SF 008, Request No. 26638.

**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 above 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 Ordinance No. 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 December 18, 2000.

Effective December 27, 2000.

**Ord. No. 2120-2000.**  
By Councilmen Rybka, Melena, Cimperman and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with The Feckanin Group LLC to provide economic development assistance to partially finance the acquisition of real property located at 5618 Hamlet Avenue, Cleveland, Ohio, 44127.

Whereas, this ordinance constitutes an emergency measure providing for 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 The Feckanin Group LLC to provide economic development assistance to partially finance the acquisition of real property, located at 5618 Hamlet Avenue, Cleveland, Ohio 44127.

**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. 2120-2000-A.

**Section 3.** That the costs of said contract shall not exceed Thirty Thousand Dollars (\$30,000.00), and shall be paid from Fund No. 17 SF 008, Request No. 26633.

**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 above 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 December 18, 2000.  
Effective December 27, 2000.

**Ord. No. 2154-2000.**  
By Councilmen Gordon and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Public Health to consent to assignment of Contract Nos. 56573 and 56577 from the AIDS Housing Council of Greater Cleveland, Inc. to the AIDS Taskforce of Greater Cleveland.

Whereas, this ordinance constitutes an emergency measure providing for 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 consent to the request of the AIDS Housing Council of Greater Cleveland, Inc. ("AHC") and the AIDS Taskforce of Greater Cleveland ("ATGC") to assign the delivery obligations of AHC under Contract Nos. 56573 and 56577 to ATGC for the provision of AIDS-related services.

**Section 2.** That the Director of Public Health is hereby authorized to execute all documents and do all things necessary and appropriate to effect such consent to the assignments. A copy of each assignment shall be filed in the office of the Commissioner of Accounts.

**Section 3.** That these assignments shall be prepared and approved by the Director of Law and shall contain such provisions as he deems necessary to protect and benefit the public interest.

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

Passed December 18, 2000.  
Effective December 27, 2000.

**Ord. No. 2155-2000.**  
By Councilman O'Malley.

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter into an agreement with Deaconess Hospital, LLC to maintain, improve and adopt certain real estate belonging to the City; and authorizing the Director of Public Utilities to lease certain City-owned property to the Cleveland Area Soap Box Derby Association, for a term not to exceed twenty years, with two five-year options to renew both for general recreation purposes.

Whereas, the City of Cleveland owns certain property which is suitable for Deaconess Hospital, LLC to maintain, improve and adopt such property for general recreation purposes; and

Whereas, the City of Cleveland owns certain property which is suitable for lease and operation by the Cleveland Area Soap Box Derby Association for general recreation purposes; and

Whereas, this ordinance constitutes an emergency measure provid-

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

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

**Section 1.** Notwithstanding and as an exception to Section 133.24 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Parks, Recreation and Properties is authorized to enter into an agreement with Deaconess Hospital, LLC to maintain, improve and adopt the following real estate for general recreation purposes belonging to the City of Cleveland:

P. P. No. 014-15-010

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as Sublot No. 71 in the Charles & John Henritze's allotment of part of Original Brooklyn Township Lots Nos. 58 and 63, as shown by the recorded plat in Volume 19 of Maps, Page 14 of Cuyahoga County Records, and being 40 feet front on the Northerly side of Henritze Avenue and extending back of equal width 122 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

P. P. No. 014-15-011

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as Sublot No. 72 in the Charles & John Henritze's allotment of part of Original Brooklyn Township Lots Nos. 58 and 63, as shown by the recorded plat in Volume 19 of Maps, Page 14 of Cuyahoga County Records, and being 40 feet front on the Northerly side of Henritze Avenue and extending back of equal width 122 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Such property adoption as authorized herein shall not be construed as the conveyance of any right, title or interest in public property but merely as the grant of a privilege, revocable at will.

**Section 2.** That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Utilities is authorized to lease to the Cleveland Area Soap Box Derby Association, certain property which is determined to be not needed for public use for the term of the lease and which is suitable for operation by the Lessee for the recreational purpose of constructing and maintaining a soap box derby track. Such property is described in File No. 2155-2000-A.

**Section 3.** That the term of the lease authorized by this ordinance shall not exceed twenty years, with two (2) options exercisable by the Director of Public Utilities, to renew for additional five-year terms, and cancellable upon thirty days, written notice by said Director.

**Section 4.** That the property shall be leased at a rental of \$1.00 per year.

**Section 5.** That the lease may authorize the Lessee to make improvements to the leased premises subject to the approval of appropriate City agencies and officials.

**Section 6.** That the lease shall be prepared by the Director of Law and shall contain such authorized terms and conditions as are required to protect the interests of the City.

**Section 7.** That the Director of Public Utilities and the Director of Law, and other appropriate City officials, are authorized to execute such other documents and certificates, and take such other actions as may be necessary or appropriate to effect the lease authorized by this ordinance.

**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 December 18, 2000.

Effective December 27, 2000.

**Ord. No. 2156-2000.**

**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 2001 Summer Food Program; authorizing the purchase by requirement contract of breakfasts, lunches and snacks for said Program and for food, food products, beverages, condiments and paper products needed for a food service operation to be served at Camp George L. Forbes as part of said Program, and for the Division of Recreation, Department of Parks, Recreation and Properties; and authorizing said Director to contract with various non-profit organizations for the implementation of said Program.**

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

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

**Section 1.** That the Director of Parks, Recreation and Properties is hereby authorized to apply for and accept a grant in the approximate amount of \$250,000.00, from the Ohio Department of Education, to conduct the 2001 Summer Food Program for the purposes set forth in the program description and according thereto; that the Director of Parks, Recreation and Properties is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant, and that said funds be and they hereby are appropriated for the purposes set forth in the program description for said grant.

**Section 2.** That the program description for said grant, File No. 2156-2000-A, made a part hereof as if fully rewritten herein is hereby approved in all respects.

**Section 3.** That the Director of Parks, Recreation and Properties is hereby authorized to make a written requirement contract in accordance with the Charter and the

Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of three months (June, July and August, 2001) for the breakfast, lunch and snack program to be served at nineteen City recreation centers and various non-profit agencies and such other agencies or recreation facilities as determined by the Director, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Recreation, Department of Parks, Recreation and Properties. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine.

**Section 4.** The cost of said contract shall be charged against the proper appropriation account, and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 32601)

**Section 5.** That provided the agencies meet the eligibility requirements of the Ohio Department of Education, the Director of Parks, Recreation and Properties is hereby authorized to make written contracts with the following agencies and such additional agencies as determined by said Director for implementation of the 2001 Summer Food Program:

Broken Pieces Fellowship Church  
Emile deSauze  
El Centro Hispano deJouenes  
New Bethlehem Baptist Church  
St. Paul AME  
2nd Calvary Baptist Church

**Section 6.** That the cost of said contract hereby authorized shall be paid from the funds or funds to which are credited the proceeds of the grant accepted pursuant to Section 1 of this ordinance, Request No. 32601.

**Section 7.** That the Director of Parks, Recreation and Properties is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of various natural foods, food products, beverages, condiments and paper products as set forth in detail on file in the Office of the Division of Purchases and Supplies and attached to Request No. 32601, to be served as part of the meal program at Camp George L. Forbes, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Recreation, Department of Parks, Recreation and Properties. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine.

**Section 8.** The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 32601)

**Section 9.** That, notwithstanding the provisions of Section 181.24 of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, bidders for the contracts authorized by this ordinance shall be required to submit a bid bond in the amount of five percent of the amount of the bid, as required by United States Treasury Circular 570.

**Section 10.** That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed December 18, 2000.

Effective December 27, 2000.

**Ord. No. 2157-2000.**

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

**An emergency ordinance authorizing the Director of Economic Development to enter into Enterprise Zone Agreements with Pubco Corporation, Kelley Avenue Partnership and Smith Corona Corporation to provide for ten year abatements for certain tangible personal property and real estate taxes as an incentive to acquire machinery and equipment, to transfer and acquire inventory, and to make improvements to real property at 3830 Kelley Avenue located in the Cleveland Area Enterprise Zone.**

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

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

Whereas, Pubco Corporation, Kelley Avenue Partnership and Smith Corona Corporation (the "Enterprises") have proposed to acquire machinery and equipment, to transfer and acquire inventory, and to make improvements to real property at 3830 Kelley Avenue; and

Whereas, the Enterprises have certified to the City that, but for abatement of personal property and real estate taxes the Enterprises would be at competitive disadvan-



tages by operating at this location; and

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

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

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

**Section 2.** That the Director of Economic Development is authorized to enter into Enterprise Zone Agreements with the Enterprises to provide for ten (10) year abatements for certain tangible personal property and real estate taxes as an incentive to acquire machinery and equipment, to transfer and acquire inventory, and to make improvements to real property at 3830 Kelley Avenue; said abatements shall be subject to annual review of the Tax Incentive Review Council.

**Section 3.** That the terms of said tax abatements shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 2157-2000-A. The terms of said file notwithstanding, the terms of the tax abatements shall not be amended, nor shall the tax abatements be assignable or transferrable to any entity, without the prior legislative authorization by Cleveland City Council.

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

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

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

Passed December 11, 2000.  
Effective December 27, 2000.

**Ord. No. 2158-2000.**

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

**An emergency ordinance authorizing the Director of Economic Development to enter into an Empowerment Zone Section 108 loan and an Economic Development Initiative Grant Agreement with Famicos Foundation to provide economic development assistance to partially finance the renovation of real property located at 1325 Ansel Road, Cleveland, Ohio 44106.**

Whereas, this ordinance constitutes an emergency measure providing for 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 an Empowerment Zone Section 108 loan with Famicos Foundation to provide economic development assistance to partially finance the renovation of real property located at 1325 Ansel Road, Cleveland, Ohio (the "Improvement").

**Section 2.** That the Director of Economic Development is hereby authorized to enter into an Economic Development Initiative Grant Agreement with Famicos Foundation to provide Economic Development Initiative Grant funds to partially finance the above-described Improvement.

**Section 3.** That the terms of said loan and grant shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 2158-2000-A.

**Section 4.** That the costs of said contract shall not exceed a loan amount of \$200,000 and a grant amount of \$50,000. The loan shall be paid from Fund Nos. 18 SF 001 and 18 SF 003 and the grant shall be paid from Fund No. 18 SF 003, Request No. 13138.

**Section 5.** That the Director of Economic Development is hereby authorized and directed to accept collateral as set forth in the Executive Summary contained in the file referenced in this ordinance in order to secure repayment of said loan. Any security instrument shall be prepared and approved by the Director of Law.

**Section 6.** 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. 18 SF 002.

**Section 7.** 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 and expended from Fund No. 18 SF 004.

**Section 8.** 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 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 December 18, 2000.  
Effective December 27, 2000.

**Ord. No. 2159-2000.**

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

**An emergency ordinance authorizing the Director of Economic Development to enter into an Empowerment Zone Section 108 loan and an Economic Development Initiative Grant Agreement with Strowder's Funeral Chapel, Inc. to provide economic development assistance to partially finance the acquisition and renovation of real property located at 796-818 East 105th Street, Cleveland, Ohio 44108.**

Whereas, this ordinance constitutes an emergency measure providing for 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 an Empowerment Zone Section 108 loan with Strowder's Funeral Chapel, Inc. to provide economic development assistance to partially finance the acquisition and renovation of real property located at 796-818 East 105th Street, Cleveland, Ohio (the "Improvement").

**Section 2.** That the Director of Economic Development is hereby authorized to enter into an Economic Development Initiative Grant Agreement with Strowder's Funeral Chapel, Inc. to provide Economic Development Initiative Grant funds to partially finance the above-described Improvement.

**Section 3.** That the terms of said loan and grant shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 2159-2000-A.

**Section 4.** That the costs of said contract shall not exceed a loan amount of \$600,000 and a grant amount of \$150,000. The loan shall be paid from Fund Nos. 18 SF 001 and 18 SF 003 and the grant shall be paid from Fund No. 18 SF 003, Request No. 13140.

**Section 5.** That the Director of Economic Development is hereby authorized and directed to accept collateral as set forth in the Executive Summary contained in the file referenced in this ordinance in order to secure repayment of said loan. Any security instrument shall be prepared and approved by the Director of Law.

**Section 6.** 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. 18 SF 002.

**Section 7.** 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 and expended from Fund No. 18 SF 004.

**Section 8.** 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 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 December 18, 2000.  
Effective December 27, 2000.

**Ord. No. 2199-2000.**  
**By Councilman Patmon (by departmental request).**

**An emergency ordinance authorizing the purchase by contract of a MICR laser check printing system, including but not limited to ancillary devices, training and maintenance for a period of one year, for the Department of Finance, on behalf of the Cleveland Municipal Court.**

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

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

**Section 1.** That the Director of Finance, on behalf of the Cleveland Municipal Court, is hereby authorized to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: a MICR laser check printing system, including but not limited to ancillary devices, training and maintenance for a period of one year, to be purchased by the Commissioner of Purchases and Supplies for a gross price for the Department of Finance, on behalf of the Cleveland Municipal Court.

**Section 2.** That the cost of said contract hereby authorized shall be paid from Fund No. 01-011601-641400, Request No. 7954.

**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 December 18, 2000.  
Effective December 27, 2000.

**Ord. No. 2206-2000.**  
**By Councilmen Gordon, Lewis and Patmon (by departmental request).**

**An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Section 141.28 thereof, relating to authorizing the Director of Public Health to enter into contract with educational institutions for training of corrections officers employed by the Division of Corrections.**

Whereas, this ordinance constitutes an emergency measure providing for 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 141.28 thereof to read as follows:

**Section 141.28 Correctional Officer Training**

The Director of Public Health is hereby authorized to enter into agreements with educational institutions to provide training for corrections officers employed by the Division of Corrections that meets the requirements of the Ohio Peace Officer Training Academy for such officers.

**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 December 18, 2000.  
Effective December 27, 2000.

**Ord. No. 2209-2000.**  
**By Councilmen Polensek and Patmon (by departmental request).**

**An emergency ordinance authorizing the purchase by requirement contract of DARE supplies, for the Division of Police, Department of Public Safety.**

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

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

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

**Section 2.** That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subse-

quent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 6145)

**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 December 18, 2000.  
Effective December 27, 2000.

**Ord. No. 2211-2000.**  
**By Councilmen Polensek and Patmon (by departmental request).**

**An emergency ordinance authorizing the purchase by contract of service and maintenance of the MGE UPS system and equipment at the Third District Police Station, for the Division of Police, Department of Public Safety.**

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

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

**Section 1.** That the Director of Public Safety is hereby authorized to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: service and maintenance of the MGE UPS system and equipment at the Third District Police Station, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Police, Department of Public Safety.

**Section 2.** That the cost of said contract hereby authorized shall be paid from Fund No. 01-600108-611800, Request No. 15275.

**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 December 18, 2000.  
Effective December 27, 2000.

**Ord. No. 2213-2000.**  
**By Councilmen Cimperman, Melena and Patmon (by departmental request).**

**An emergency ordinance authorizing the Director of Economic Development to enter into a contract with B & S Realty Associates to provide economic development assistance to partially finance the acquisition and improvement of real property and the acquisition of personal property located at 6017 Superior Avenue, Cleveland, Ohio 44103.**

Whereas, this ordinance constitutes an emergency measure provid-

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

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

**Section 1.** That the Director of Economic Development is hereby authorized to enter into a contract with B & S Realty Associates to provide economic development assistance to partially finance the acquisition and improvement of real property and the acquisition of personal property located at 6017 Superior Avenue, Cleveland, Ohio 44103.

**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. 2213-2000-A.

**Section 3.** That the costs of said contract shall not exceed Two Hundred Eighty Thousand Dollars (\$280,000.00), and shall be paid from Fund No. 17 SF 008, Request No. 26636.

**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 above 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 December 18, 2000.

Effective December 27, 2000.

---

**Ord. No. 2214-2000.**

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

**An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Mark A. Rivera Production, Inc. to provide economic development assistance to partially finance the acquisition and renovation of the F.L. Thompson Building located at 3101 West 25th Street, Cleveland, Ohio.**

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of

a municipal department; now, therefore,

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

**Section 1.** That the Director of Economic Development is hereby authorized to enter into a contract with Mark A. Rivera Production, Inc. to provide economic development assistance to partially finance the acquisition and renovation of the F.L. Thompson Building located at 3101 West 25th Street, 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. 2214-2000-A.

**Section 3.** That the costs of said contract shall not exceed One Hundred Twelve Thousand Five Hundred Dollars (\$12,500.00), and shall be paid from Fund No. 17 SF 008, Request No. 26642.

**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 above 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 December 18, 2000.

Effective December 27, 2000.

---

**Ord. No. 2215-2000.**

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

**An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Twisted Pine LLC to provide economic development assistance to partially finance the acquisition, construction and making of site improvements at Parcels 1 and 2 located in the Walworth Run Industrial Park, 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 Twisted Pine LLC to provide economic development assistance to partially finance the acquisition, construction and making of site improvements at Parcels 1 and 2 located in the Walworth Run Industrial Park, 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. 2215-2000-A.

**Section 3.** That the costs of said contract shall not exceed Three Hundred Thousand Dollars (\$300,000), and shall be paid from Fund No. 17 SF 008, Request No. 26641.

**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 above 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 the design of the project authorized herein shall be reviewed by the Design Review Committee and the City Planning Commission.

**Section 9.** That a condition of the agreement authorized herein shall be that Twisted Pine LLC shall make certain improvements to Permanent Parcel Nos. 006-20-068 and 006-20-140, which improvement work shall begin no later than April 2001 and shall be completed no later than May 2001. The certain improvements shall include, but shall not be limited to, the following:

a) install storm sewer in accordance with originally approved plans;

b) regrade existing aggregate parking area to shape of 17 car parking lot. Install an aggregate leveling course and apply a finish of ODOT Item 409 bituminous seal and cover aggregate with concrete cures;

c) remove and replace existing concrete apron sidewalk entry to the new parking lot;

d) install a six foot tall board fence along the southern property

line with plantings beyond the fence line and a five foot fence along W. 45th Pl. in front of guardrail;

e) install a five foot tall decorative metal fence and gate along W. 45th St. property line with plantings; and

f) remaining areas to be graded and planted with grass.

**Section 10.** That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed December 18, 2000.

Effective December 27, 2000.

**Ord. No. 2216-2000.**

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

**An emergency ordinance authorizing the Director of Economic Development to enter into Enterprise Zone Agreements with Twisted Pine LLC and Great Lakes Merchant Services to provide for ten year abatements for certain tangible personal property and real estate taxes as an incentive to acquire machinery and equipment and to lease real property at 4507 Lorain Avenue and improve real property on Walworth Avenue and to acquire personal property to be located on 4507 Lorain Avenue and Walworth Avenue located in the Cleveland Area Enterprise Zone.**

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

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

Whereas, Twisted Pine LLC and Great Lakes Merchant Services (the "Enterprises") have proposed certain economic development activities within the Zone; and

Whereas, Twisted Pine LLC has proposed to acquire and improve real property at Parcel 1 and 2 on Walworth Avenue in Walworth Industrial Park; and

Whereas, Great Lakes Merchant Services has proposed to acquire personal property to be located at 4507 Lorain Avenue and at Parcel 1 and 2 on Walworth Avenue in Walworth Industrial Park; and

Whereas, the Enterprises have certified to the City that, but for abatement of personal property and real estate taxes the Enterprises would be at competitive disadvantages by operating at this location; and

Whereas, this ordinance constitutes an emergency measure in that the same provides for the immediate

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

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

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

**Section 2.** That the Director of Economic Development is authorized to enter into an Enterprise Zone Agreement with Twisted Pine LLC to provide for a sixty percent (60%) ten (10) year abatement for real estate taxes as an incentive to acquire and improve real property at Parcel 1 and 2 on Walworth Avenue in Walworth Industrial Park. Also, that the Director of Economic Development is authorized to enter into an Enterprise Zone Agreement with Great Lakes Merchant Services to provide for a sixty percent (60%) ten (10) year abatement for certain tangible personal property taxes as an incentive to acquire personal property to be located at 4507 Lorain Avenue and at Parcel 1 and 2 on Walworth Avenue in Walworth Industrial Park; said abatements shall be subject to annual review of the Tax Incentive Review Council.

**Section 3.** That the terms of said tax abatements shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 2216-2000-A. The terms of said file notwithstanding, the terms of the tax abatements shall not be amended, nor shall the tax abatements be assignable or transferrable to any entity, without the prior legislative authorization by Cleveland City Council.

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

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

**Section 6.** That a condition of the agreement authorized herein shall be that Twisted Pine LLC shall make certain improvements to Permanent Parcel Nos. 006-20-068 and 006-20-140, which improvement work shall begin no later than April 2001 and shall be completed no later than May 2001. The certain improvements

shall include, but shall not be limited to, the following:

a) install storm sewer in accordance with originally approved plans;

b) regrade existing aggregate parking area to shape of 17 car parking lot. Install an aggregate leveling course and apply a finish of ODOT Item 409 bituminous seal and cover aggregate with concrete cures;

c) remove and replace existing concrete apron sidewalk entry to the new parking lot;

d) install a six foot tall board fence along the southern property line with plantings beyond the fence line and a five foot fence along W. 45th Pl. in front of guardrail;

e) install a five foot tall decorative metal fence and gate along W. 45th St. property line with plantings; and

f) remaining areas to be graded and planted with grass.

**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 December 18, 2000.

Effective December 27, 2000.

**Ord. No. 2263-A-2000 (As a substitute for Ord. No. 2263-2000).**

**By Councilman Patmon.**

**An emergency ordinance requiring the Manager of the Division of Internal Audit to provide to the Council President and the Council Finance Committee Chairman all reports, information and data obtained in the course of his or her duties as Manager of the Division of Internal Audit.**

Whereas, this ordinance constitutes an emergency measure providing for 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 Codified Ordinances of the City of Cleveland, 1976, the Manager of the Division of Internal Audit is hereby required to provide to the Council President and the Council Finance Committee Chairman all reports, information and data obtained in the course of his or her duties as Manager of the Division of Internal Audit. Said reports, information and data shall be provided to the Council contemporaneously with the information given to the administration of the City.

**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 December 18, 2000.

Effective December 27, 2000, without the signature of the Mayor.

**Ord. No. 2264-2000.****By Councilman Patmon (by departmental request).****An emergency ordinance to make temporary appropriation for the current payrolls and other ordinary expenses of the City of Cleveland for the period from January 1, 2001 until the effective date of the annual appropriation ordinance for the fiscal year ending December 31, 2001.**

Whereas, it is desired to postpone the passage of the annual appropriation ordinance until the amended certificate is received, based on the actual balances as the same may be determined by the Director of Finance and the County Budget Commission; 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.** To provide for the current payrolls, sinking fund and other ordinary expenses of the City of Cleveland for the period from January 1, 2001, until the effective date of the Annual Appropriation Ordinance for the fiscal year ending December 31, 2001, there be and there is hereby appropriated for the period from January 1, 2001, to the effective date of the Annual appropriation Four hundred nine million seven hundred seventeen thousand five dollars (\$409,717,005) out of taxes due the City of Cleveland and any other revenues accrued or occurring during said period of time and said funds are respectively appropriated as follows:

## GENERAL FUND

## LEGISLATIVE BRANCH

Council and Clerk of Council		\$1,382,890
I. Personnel and Related Expenses	\$918,830	
II. Other Expenses	464,060	

TOTAL LEGISLATIVE BRANCH	\$1,382,890	\$1,382,890
--------------------------	-------------	-------------

## MUNICIPAL COURT

Judicial Division		\$5,435,819
I. Personnel and Related Expenses	\$4,311,434	
II. Other Expenses	1,124,384	

Clerks Division		\$3,670,502
I. Personnel and Related Expenses	\$2,390,874	
II. Other Expenses	1,279,628	

Housing Division		\$577,221
I. Personnel and Related Expenses	\$543,986	
II. Other Expenses	33,236	

TOTAL MUNICIPAL COURT	\$9,683,542	\$9,683,542
-----------------------	-------------	-------------

## EXECUTIVE BRANCH

Office of the Mayor		\$522,780
I. Personnel and Related Expenses	\$423,007	
II. Other Expenses	99,773	

TOTAL EXECUTIVE BRANCH	\$522,780	\$522,780
------------------------	-----------	-----------

## DEPARTMENT OF PUBLIC SAFETY

Public Safety Administration		\$3,776,440
I. Personnel and Related Expenses	\$3,434,807	
II. Other Expenses	341,633	

Division of Police		\$60,859,155
I. Personnel and Related Expenses	\$55,834,370	
II. Other Expenses	5,024,785	

Division of Fire		\$28,428,213
I. Personnel and Related Expenses	\$26,823,804	
II. Other Expenses	1,604,410	

Division of Emergency Medical Services		\$6,115,659
I. Personnel and Related Expenses	\$5,575,586	
II. Other Expenses	540,073	

Division of Traffic Engineering		\$1,669,044
I. Personnel and Related Expenses	\$993,032	
II. Other Expenses	676,012	

Division of Dog Pound		\$329,212
I. Personnel and Related Expenses	\$219,602	
II. Other Expenses	109,610	

TOTAL DEPARTMENT OF PUBLIC SAFETY	\$101,177,724	101,177,724
-----------------------------------	---------------	-------------

COMMUNITY RELATIONS BOARD		
Community Relations Board		\$336,850
I. Personnel and Related Expenses	\$307,480	
II. Other Expenses	29,370	
TOTAL COMMUNITY RELATIONS BOARD	\$336,850	\$336,850
DEPARTMENT OF PUBLIC SERVICE		
Public Service Administration		\$130,956
I. Personnel and Related Expenses	\$122,239	
II. Other Expenses	8,717	
Division of Architecture		\$194,915
I. Personnel and Related Expenses	\$174,686	
II. Other Expenses	20,229	
Division of Waste Collection and Disposal		\$11,641,282
I. Personnel and Related Expenses	\$7,022,929	
II. Other Expenses	4,618,353	
Division of Engineering and Construction		\$1,885,912
I. Personnel and Related Expenses	\$1,678,529	
II. Other Expenses	207,383	
TOTAL DEPARTMENT OF PUBLIC SERVICE	\$13,853,065	\$13,853,065
DEPARTMENT OF PARKS, RECREATION, AND PROPERTIES		
Parks, Recreation, and Prop. Admin.		\$223,176
I. Personnel and Related Expenses	\$201,283	
II. Other Expenses	21,894	
Division of Research, Planning, and Dev.		\$220,236
I. Personnel and Related Expenses	\$178,800	
II. Other Expenses	41,436	
Division of Recreation		\$3,409,220
I. Personnel and Related Expenses	\$2,308,908	
II. Other Expenses	1,100,312	
Division of Parking Facilities-On Street		\$390,320
I. Personnel and Related Expenses	\$286,908	
II. Other Expenses	103,412	
Division of Property Management		\$4,220,857
I. Personnel and Related Expenses	\$3,052,094	
II. Other Expenses	1,168,763	
Division of Park Maintenance and Properties		\$3,714,353
I. Personnel and Related Expenses	\$2,741,779	
II. Other Expenses	972,574	
TOTAL PARKS, RECREATION, AND PROPERTIES	\$12,178,163	\$12,178,163
BOXING AND WRESTLING COMMISSION		
Boxing and Wrestling Commission		\$2,805
I. Personnel and Related Expenses	\$2,805	
II. Other Expenses	—	
TOTAL BOXING AND WRESTLING COMMISSION	\$2,805	\$2,805
URBAN PLANNING AND DEVELOPMENT DEPARTMENT OF COMMUNITY DEVELOPMENT		
Director's Office		\$37,433
I. Personnel and Related Expenses	\$37,433	
Division of Administrative Services		\$472,000
I. Personnel and Related Expenses	\$472,000	

Division of Building and Housing		\$3,285,457
I. Personnel and Related Expenses	\$2,984,250	
II. Other Expenses	301,207	
Division of Neighborhood Services		\$297,750
I. Personnel and Related Expenses	\$297,750	
Division of Neighborhood Development		\$529,154
I. Personnel and Related Expenses	\$432,250	
II. Other Expenses	96,904	
TOTAL COMMUNITY DEVELOPMENT	\$4,621,794	\$4,621,794
REGULATORY BOARDS AND COMMISSIONS		
Landmarks Commission		\$40,181
I. Personnel and Related Expenses	\$34,342	
II. Other Expenses	5,839	
Bd. of Bldg. Standards and Appeals		\$46,309
I. Personnel and Related Expenses	\$42,166	
II. Other Expenses	4,143	
Board of Zoning Appeals		\$94,120
I. Personnel and Related Expenses	\$87,444	
II. Other Expenses	6,676	
Bd. of Examiners of Plumbers and Elect.		\$41,645
I. Personnel and Related Expenses	\$39,996	
II. Other Expenses	1,650	
Fair Campaign Finance Commission		\$5,911
II. Other Expenses	\$5,911	
TOTAL REGULATORY BOARDS	\$228,166	\$228,166
DEPARTMENT OF ECONOMIC DEVELOPMENT		
Economic Development		\$476,584
I. Personnel and Related Expenses	\$444,223	
II. Other Expenses	32,361	
Office of Equal Opportunity		\$336,494
I. Personnel and Related Expenses	\$260,341	
II. Other Expenses	76,153	
City Planning Commission		\$543,666
I. Personnel and Related Expenses	\$522,355	
II. Other Expenses	21,311	
Port Control-Harbor Development		\$22,234
I. Personnel and Related Expenses	\$22,234	
II. Other Expenses	—	
TOTAL URBAN PLANNING AND DEVELOPMENT	\$1,378,978	\$1,378,978
DEPARTMENT OF PUBLIC HEALTH		
DEPARTMENT OF PUBLIC HEALTH		
Health Administration		\$279,329
I. Personnel and Related Expenses	\$215,750	
II. Other Expenses	63,579	
Division of Correction		\$2,682,940
I. Personnel and Related Expenses	\$1,995,636	
II. Other Expenses	687,304	
Division of Health		\$1,204,610
I. Personnel and Related Expenses	\$882,646	
II. Other Expenses	321,964	
Division of Environment		\$799,936
I. Personnel and Related Expenses	\$693,999	
II. Other Expenses	105,938	
TOTAL DEPARTMENT OF PUBLIC HEALTH	\$4,966,816	\$4,966,816

DEPARTMENT OF AGING		
DEPARTMENT OF AGING		\$100,539
I. Personnel and Related Expenses	\$81,798	
II. Other Expenses	18,740	
TOTAL DEPARTMENT OF AGING	\$100,539	\$100,539
SUPPORT FUNCTIONS		
FINANCIAL AND LEGAL ADMINISTRATION		
DEPARTMENT OF FINANCE		
Finance Administration		\$144,558
I. Personnel and Related Expenses	\$124,935	
II. Other Expenses	19,624	
Division of Accounts		\$617,387
I. Personnel and Related Expenses	\$ 262,382	
II. Other Expenses	355,005	
Division of Assessments and Licenses		\$369,032
I. Personnel and Related Expenses	\$289,496	
II. Other Expenses	79,536	
Division of Treasury		\$137,766
I. Personnel and Related Expenses	\$113,709	
II. Other Expenses	24,057	
Division of Purchases and Supplies		\$228,754
I. Personnel and Related Expenses	\$185,252	
II. Other Expenses	43,502	
Bureau of Internal Audit		\$290,316
I. Personnel and Related Expenses	\$95,425	
II. Other Expenses	194,891	
Division of Financial Reporting and Control		\$362,185
I. Personnel and Related Expenses	\$314,212	
II. Other Expenses	47,973	
TOTAL DEPARTMENT OF FINANCE	\$2,149,998	\$2,149,998
Office of Budget and Mgmt.-Budget Admin.		\$165,537
I. Personnel and Related Expenses	\$137,560	
II. Other Expenses	27,977	
Law		\$2,742,597
I. Personnel and Related Expenses	\$1,669,059	
II. Other Expenses	1,073,539	
TOTAL FINANCE AND LEGAL ADMINISTRATION	\$5,058,132	\$5,058,132
PERSONNEL ADMINISTRATION		
Office of Personnel		\$982,793
I. Personnel and Related Expenses	\$426,826	
II. Other Expenses	555,968	
Civil Service Commission		\$770,023
I. Personnel and Related Expenses	\$270,106	
II. Other Expenses	499,917	
TOTAL PERSONNEL ADMINISTRATION	\$1,752,817	\$1,752,817
NONDEPARTMENTAL		
TRANSFERS TO OTHER FUNDS		\$13,364,160
II. Other Expenses	\$13,364,160	
OTHER ADMINISTRATIVE		\$9,823,830
II. Other Expenses	\$9,823,830	
TOTAL NONDEPARTMENTAL	\$23,187,990	\$23,187,990
TOTAL SUPPORT FUNCTIONS	\$29,998,939	\$29,998,939
TOTAL GENERAL FUND	\$180,433,051	\$180,433,051



## SPECIAL REVENUE FUND

Restricted Income Tax		\$29,039,144
I.    Capital	\$17,039,144	
II.   Debt Service	12,000,000	
Schools Recreation & Cultural Activities		\$2,000,000
II.   Other Expenses	\$2,000,000	
Street Construction, Maintenance		\$13,595,435
I.    Personnel and Related Expenses	\$5,919,323	
II.   Other Expenses	7,676,112	
TOTAL SPECIAL REVENUE FUND	\$44,634,579	\$44,634,579

## INTERNAL SERVICE FUND

Information Systems Services-Telecommunications		\$2,209,006
I.    Personnel and Related Expenses	\$123,668	
II.   Other Expenses	2,085,338	
Information Systems Services		\$1,317,541
I.    Personnel and Related Expenses	\$540,032	
II.   Other Expenses	777,509	
Division of Motor Vehicle Maintenance		\$7,518,977
I.    Personnel and Related Expenses	\$1,913,977	
II.   Other Expenses	5,605,000	
Division of Printing and Reproduction		\$548,078
I.    Personnel and Related Expenses	\$214,313	
II.   Other Expenses	333,764	
City Storeroom and Central Warehouse		\$464,818
I.    Personnel and Related Expenses	\$36,935	
II.   Other Expenses	427,883	
TOTAL INTERNAL SERVICE FUNDS	\$12,058,419	\$12,058,419

## ENTERPRISE FUNDS

## DEPARTMENT OF PUBLIC UTILITIES

Utilities Administration		\$471,104
I.    Personnel and Related Expenses	\$303,480	
II.   Other Expenses	167,624	
Division of Fiscal Control		\$576,127
I.    Personnel and Related Expenses	\$532,238	
II.   Other Expenses	43,888	
Division of Radio		\$1,035,107
I.    Personnel and Related Expenses	\$34,960	
II.   Other Expenses	1,000,147	
Division of Water		\$77,744,570
I.    Personnel and Related Expenses	\$24,095,365	
II.   Other Expenses	53,649,204	
Division of Water Pollution Control		\$8,109,460
I.    Personnel and Related Expenses	\$2,908,773	
II.   Other Expenses	5,200,687	
Division of Cleveland Public Power		\$37,969,831
I.    Personnel and Related Expenses	\$8,839,801	
II.   Other Expenses	29,130,029	
TOTAL DEPARTMENT OF PUBLIC UTILITIES	\$124,871,091	\$124,871,091

DEPARTMENT OF PORT CONTROL		
Airports - Operations		\$27,395,932
I. Personnel and Related Expenses	\$7,121,293	
II. Other Expenses	20,274,639	
Airports - Development		\$7,059
II. Other Expenses	\$7,059	
TOTAL DEPARTMENT OF PORT CONTROL	\$27,402,991	\$27,402,991
DEPARTMENT OF PARKS, RECREATION AND PROPERTIES		
Division of Cemeteries		\$703,730
I. Personnel and Related Expenses	\$483,836	
II. Other Expenses	219,895	
Golf Course Fund		\$726,529
I. Personnel and Related Expenses	\$243,605	
II. Other Expenses	482,924	
Division Parking Facilities-Off Street		\$4,759,651
I. Personnel and Related Expenses	\$260,933	
II. Other Expenses	4,498,718	
Convention Center & Stadium-Convention Ctr		\$2,356,273
I. Personnel and Related Expenses	\$894,852	
II. Other Expenses	1,461,421	
Convention Center & Stadium-Market		\$418,285
I. Personnel and Related Expenses	\$128,932	
II. Other Expenses	289,353	
Property Management - East Side Market		\$83,851
I. Personnel and Related Expenses	\$26,826	
II. Other Expenses	57,025	
TOTAL PARKS, RECREATION, & PROPERTIES	\$9,048,319	\$9,048,319
TOTAL ENTERPRISE FUNDS	\$161,322,401	\$161,322,401
AGENCY FUND		
Central Collection Agency		\$1,906,566
I. Personnel and Related Expenses	\$1,196,794	
II. Other Expenses	709,771	
TOTAL AGENCY FUND	\$1,906,566	\$1,906,566
DEBT SERVICE FUND		
Sinking Fund Commission		\$8,911,989
I. Personnel and Related Expenses	\$48,923	
II. Other Expenses	61,619	
III. Debt Service	8,801,446	
Stadium Fund		\$450,000
I. Debt Service	\$450,000	
TOTAL DEBT SERVICE FUND	\$9,361,989	\$9,361,989
TOTAL OTHER FUNDS	\$219,921,965	\$219,921,965
TOTAL GENERAL FUND	\$180,433,051	\$180,433,051
TOTAL GENERAL AND OTHER FUNDS	\$409,717,005	\$409,717,005

**Section 2.** That all expenditures and payments made under and pursuant to the ordinance appropriating such sum or sums of money shall be charged against the annual appropriation ordinance for the fiscal year ending December 31, 2001, when such appropriation ordinance shall become effective, and to the various departments and divisions and payment of whose officers and employees and operating expenses such sum or sums of money hereunder shall then have paid out or expended. Provided, however, that no payment shall be made under the authority of this ordinance after the effective date of said Annual Appropriation Ordinance for the fiscal year ending December 31, 2001.

**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 December 18, 2000.

Effective December 20, 2000.

**Ord. No. 2269-2000.**  
**By Councilmen Gordon and Patmon (by departmental request).**

**An emergency ordinance to amend Section 3 of Ordinance No. 1711-99, passed November 22, 1999, relating to the Director of Public Health applying and accepting a grant from the Ohio Department of Health for the 2000 AIDS Prevention Program and to enter into contract with various agencies to implement the program.**

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

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

**Section 1.** That Section 3 of Ordinance No. 1711-99, passed November 22, 1999, is hereby amended to read as follows:

Section 3. That the Director of Public Health is hereby authorized to enter into one or more contracts for the implementation of the program as described in the application contained in the file, payable from the fund or funds to which are credited the grant proceeds accepted pursuant to Section 1 of this ordinance with the following agencies, in the following amounts:

Agency	Amount
Cleveland Treatment Center	\$204,000.00
HUMADOP	78,175.00
Free Clinic of Greater Cleveland	94,500.00
BlackOut Unlimited	20,000.00
AIDS Taskforce of Greater Cleveland	331,000.00
Neighborhood Counseling Service, Inc.	20,000.00
NEON	33,325.00
Xchange Point	20,000.00

**Section 2.** That existing Section 3 of Ordinance No. 1711-99, passed November 22, 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 December 18, 2000.  
 Effective December 27, 2000.

**Ord. No. 2314-2000.**  
**By Councilman Cimperman.**

**An emergency ordinance authorizing the Director of Community Development to enter into a grant agreement with the Salvation Army Greater Cleveland Area Services for a security system for the 2100 Lakeside Avenue men's shelter and surrounding area, in order to carry out the public purpose of the provision of social services, 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 grant agreement with the Salvation Army Greater Cleveland Area Services for a security system for the 2100 Lakeside Avenue men's shelter and surrounding area, in order to carry out the public purpose of the provision of social services, through the use of Ward 13 Neighborhood Equity Funds.

**Section 2.** That the cost of said contract shall be in an amount not to exceed \$5,000 and shall be paid from Fund No. 10 SF 166.

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

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

Passed December 18, 2000.  
 Effective December 27, 2000.

**Ord. No. 2315-2000.**  
**By Councilman Cimperman.**

**An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Cuyahoga Metropolitan Housing Authority for various enrichment programs for the residents and children of Lakeview Terrace Estates, Riverview Towers and Bohn Tower, in order to carry out the public purpose of the provision of social services through the use of Ward 13 Neighborhood Equity Funds.**

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

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

**Section 1.** That the Director of Community Development is authorized to enter into an agreement with Cuyahoga Metropolitan Housing Authority for various enrichment programs for the residents and children of Lakeview Terrace Estates, Riverview Towers and Bohn Tower, in order to carry out the public purpose of the provision of social services.

**Section 2.** That the cost of said contract shall be in an amount not to exceed \$20,000 and shall be paid from Fund No. 10 SF 166.

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

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

Passed December 18, 2000.  
 Effective December 27, 2000.

**Ord. No. 2316-2000.**  
**By Councilman Cintron.**

**An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Spanish American Committee for holiday food basket and gift program in order to carry out the public purpose of provision of food for needy families, toys for underprivileged children and the provision of social services, through the use of Ward 14 Neighborhood Equity Funds.**

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

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

**Section 1.** That the Director of Community Development is authorized to enter into an agreement with Spanish American Committee for holiday food basket and gift program in order to carry out the public purpose of provision of food for needy families, toys for underprivileged children and the provision of social services, through the use of Ward 14 Neighborhood Equity Funds.

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

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

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

Passed December 18, 2000.  
 Effective December 27, 2000.

**Ord. No. 2317-2000.**  
**By Councilman Cintron.**

**An emergency ordinance to repeal Ordinance No. 1126-2000, passed June 19, 2000 relating to establishing an equalized rent structure for all interior tenants of the West Side Market.**

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

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

**Section 1.** That Ordinance No. 1126-2000, passed June 19, 2000 relating to establishing an equalized rent structure for all interior tenants of the West Side Market, is hereby repealed.

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

Passed December 18, 2000.  
 Effective December 27, 2000.

**Ord. No. 2318-2000.****By Councilman Dolan.**

**An emergency ordinance directing the Director of the Department of Port Control to prepare and publish a protocol for the sound insulation 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, notwithstanding and as an exception to any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Director of Port Control shall prepare and publish a protocol setting forth the eligibility criteria and application procedures for the sound insulation program in accordance with the Noise Compatibility Study completed on behalf of the Port Control and approved in August, 2000 by the Federal Aviation Administration, with the application deadline for the sound insulation program to be no sooner than June 25, 2001. In addition, the protocol shall establish a procedure for inclusion of new home owners acquiring homes within the program eligibility area after the expiration of the deadline date. Immediately upon its completion, such protocol shall be distributed to all members of Council and to the residents of the City of Cleveland and surrounding suburbs identified as living within the program eligibility area. A list of eligible residents, listed alphabetically and in the time sequence that they are to receive insulation to their homes, shall be published by the Department of Port Control at least quarterly each year and a copy of such list shall be provided to the Councilmembers of Wards 20 and Ward 21 and to the branches of the Cleveland Public Library located in or around the noise impacted areas.

**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 December 18, 2000.  
Effective December 27, 2000.

**Ord. No. 2319-2000.****By Councilman Melena.**

**An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Detroit Shoreway Community Development Organization for the cost of two water main line connections for two units on West 54th Street being built in connection with GreenBuilt Ltd. in order to carry out the public purpose of constructing affordable housing through the use of Ward 17 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 Detroit Shoreway Community Development Organization for the cost of two water main line connections for two units on West 54th Street being built in connection with GreenBuilt Ltd. in order to carry out the public purpose of constructing affordable housing through the use of Ward 17 Neighborhood Equity Funds.

**Section 2.** That the cost of said contract shall be in an amount not to exceed \$15,000 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 December 18, 2000.  
Effective December 27, 2000.

**Ord. No. 2320-2000.****By Councilman Melena.**

**An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Esparanza, Inc. for office relocation and operation expenses, in order to carry out the public purpose of the provision of social services through the use of Ward 17 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 Esparanza, Inc. for office relocation and operation expenses, in order to carry out the public purpose of the provision of social services, through the use of Ward 17 Neighborhood Equity Funds.

**Section 2.** That the cost of said contract shall be in an amount not to exceed \$80,000 and shall be paid from Fund No. 10 SF 166.

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

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

Passed December 18, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 2321-2000.****By Councilman Melena.**

**An emergency ordinance authorizing the Director of Community Development to enter into an agreement with the Women's Center of Greater Cleveland for the purchase and renovation of their office building, in order to carry out the public purpose of supporting the provision of social services through the use of Ward 17 Neighborhood Equity Funds.**

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

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

**Section 1.** That the Director of Community Development is authorized to enter into an agreement with the Women's Center of Greater Cleveland for the purchase and renovation of their office building, in order to carry out the public purpose of supporting the provision of social services, through the use of Ward 17 Neighborhood Equity Funds.

**Section 2.** That the cost of said contract shall be in an amount not to exceed \$7,500 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 December 18, 2000.  
Effective December 27, 2000.

**Ord. No. 2322-2000.****By Councilman Polensek.**

**An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Villa Angela St. Joseph High School for the Eleventh Annual Christmas on Campus holiday meal and gift program, in order to carry out the public purpose of providing food to needy families and toys for underprivileged children through the use of Ward 11 Neighborhood Equity Funds.**

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

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

**Section 1.** That the Director of Community Development is authorized to enter into a grant agreement with Villa Angela St. Joseph High School for the Eleventh Annual Christmas on Campus holiday meal and gift program, in order to carry out the public purpose of providing food to needy families and toys for underprivileged children through the use of Ward 11 Neighborhood Equity Funds.

**Section 2.** That the cost of said contract shall be for services rendered by the grantee on or after December 1, 2000 and 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 December 18, 2000.  
Effective December 27, 2000.

**Ord. No. 2323-2000.**

**By Councilman Polensek.**

**An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Northeast Shores Development Corporation to prepare a streetscape improvement plan for Waterloo Road, in order to carry out the public purpose of planning improvements to the public right-of-way through the use of Ward 11 Neighborhood Equity Funds.**

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

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

**Section 1.** That the Director of Community Development is authorized to enter into an agreement with Northeast Shores Development Corporation to prepare a streetscape improvement plan for Waterloo Road, in order to carry out the public purpose of planning improvements to the public right-of-way through the use of Ward 11 Neighborhood Equity Funds.

**Section 2.** That the cost of said contract shall be in an amount not to exceed \$35,000 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 December 18, 2000.  
Effective December 27, 2000.

**Ord. No. 2324-2000.**

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

**An emergency ordinance authorizing the Director of Public Safety to enter into contract without competitive bidding with New World Systems for the purchase of maintenance and support services on CAD, for the Division of Police, Department of Public Safety, for a period of one year, with three one-year options 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 it is hereby determined that the within commodities are non-competitive and cannot be secured from any source other than New World Systems. Therefore, the Director of Public Safety is hereby authorized to make a written contract with said New World Systems, for maintenance and support on CAD, for a period of one year, with three (3) options exercisable by the Director of Public Safety, to renew for additional one-year terms, and cancellable upon thirty days written notice by said Director, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Police, Department of Public Safety.

**Section 2.** That the cost of said contract hereby authorized shall be paid from Fund Nos. 01-600200-661500, 600200-632000, and 10 SF 025, Request No. 18325.

**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 December 18, 2000.  
Effective December 27, 2000.

**Ord. No. 2325-2000.**

**By Councilman Rybka.**

**An emergency ordinance authorizing and directing the Director of Public Service to enter into a lease agreement with Slavic Village Development Corporation to maintain and improve certain real estate belonging to the City of Cleveland for purposes of a public park.**

Whereas, this ordinance constitutes an emergency measure providing for 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 provisions of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary the Director of Public Service shall enter into a lease agreement with Slavic Village Development Corporation ("Lessee") for the maintenance and improvement of a parcel of land of approximately 131 feet by 153 feet located at the corner of Kenyon and East 65th Streets in Ward 12 of the City of Cleveland for the placement of a public park, with the plans for such park contained in File No. 2325-2000-A for a period of thirty (30) years at a rent of One Dollar (\$1.00) per year. In the event that the City determines, by ordinance of Council, that the parcel is needed for a public purpose, Lessee's lease of the property may be terminated prior to the expiration of thirty (30) years.

**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 December 18, 2000.  
Effective December 27, 2000, without the signature of the Mayor.

**Ord. No. 2326-2000.**

**By Councilmen Rybka and Cintron.**

**An emergency ordinance authorizing and directing the Director of Parks, Recreation and Properties to assess and collect rent for the use of space at the West Side Market through March 31, 2001.**

Whereas, Section 133.16 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1027-2000, passed by the Council on June 5, 2000, directs the Director of Parks, Recreation and Properties to establish a schedule of prices for all various parts and sections of the West Side Market as consideration for rental of spaces or for the grant of the right to use the same and to present such schedule, in the form of legislation, to Council for review, approval and modification, if necessary; and

Whereas, the capital improvement program currently underway at the West Side Market is causing disruption to many of the vendors at the market, both inside and outside, and has resulted in a decreased numbers of customers to the market; and

Whereas, this Council, in reviewing the rent schedule for the West Side Market for 2001 presented by the Department of Parks, Recreation and Properties, acknowledges the difficulties that the construction has presented and desires to take such disruption to business into consideration by establishing a rent schedule for the first quarter of 2001 that differs from that proposed by the Department; and

Whereas, this Council will undertake a review of the rent setting formula at the West Side Market to determine if and how the rent setting formula should be altered for the balance of 2001 and subsequent years; 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 any provision of the Codified Ordinances of Cleveland, Ohio, 1976 to the contrary, the Director of Parks, Recreation and Properties shall assess and collect rent for the use of space, both for inside and outside stands, at the West Side Market for the period of January 1, 2001 through March 31, 2001 at a rate equal to fifty percent (50%) of the regular rent for such space established by the Director for the year 2000.

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

Passed December 18, 2000.  
Effective December 27, 2000.

**COUNCIL COMMITTEE  
MEETINGS**

NO MEETINGS

# Index

O—Ordinance; R—Resolution; F—File  
 Bold figures—Final Publication; D—Defeated; R—Reprint; T—Tabled; V—Vetoed;  
 Bold type in sections indicates amendments

## AIDS

2000 AIDS Prevention Program — grant — Ohio Department of Health (O 2269-2000) .....	<b>3225</b>
AIDS Taskforce of Greater Cleveland — consent to assignment of Contracts Nos. 56573 and 56577 — Health Department (O 2154-2000) .....	<b>3213</b>

## Appropriations

Additional appropriations — General Fund — Special Revenue Fund — Internal Service Funds — Enterprise Fund — Debt Service Fund (O 2094-2000) .....	<b>3208</b>
Payrolls and other ordinary expenses — Temporary appropriation (O 2264-2000) .....	<b>3219</b>

## Banners

Dunham Tavern Museum — double sided banners — Museum's 175 years in existence (O 1801-2000) .....	<b>3197</b>
The City Mission — five (5) banners — on-going banner program (O 1966-2000) .....	<b>3201</b>

## Board of Control - Burke Lakefront Airport Division

International Women's Air and Space Museum, Inc. - concession agreement for Air and Space Career Fair at Burke Lakefront Airport - Apr. 25, 2001 - Division of Burke Lakefront Airport, Dept. of Port Control (BOC Res. 840-00) .....	3178
Life Publishing - concession agreement for awards ceremony at Burke Lakefront Airport - Feb. 22, 2001 - Division of Burke Lakefront Airport, Dept. of Port Control (BOC Res. 842-00) .....	3179
Our Lady of the Wayside, Inc. - concession agreement for Great American Rib Cook-Off at Burke Lakefront Airport - May 21-29, 2001 - Division of Burke Lakefront Airport, Dept. of Port Control (BOC Res. 843-00) .....	3179
Premier Expositions, Inc. - concession agreement for fundraising reception at Burke Lakefront Airport - Dec. 31, 2000 - Division of Burke Lakefront Airport, Dept. of Port Control (BOC Res. 841-00) .....	3178

## Board of Control - Community Development Department

Amistad Development Corporation - various parcels (Ward 1) pursuant to Ord. 1641-2000 (BOC Res. 851-00) .....	3180
East 83rd Street, 2363 (Ward 6) - PPN 119-30-021 - to Diocese of Cleveland, Bishop Anthony Pilla (St. Adalbert Church) pursuant to Ord. 849-2000 (BOC Res. 850-00) .....	3180
Woodland Avenue, 11210 (Ward 6) - PPN 128-03-014 - to The Pentecostal Faith Holiness Church of God pursuant to Ord. 850-2000 (BOC Res. 849-00) .....	3180

## Board of Control - Concession Agreement

Gateway garages - amend BOC Res. 803-00 - Dept. of Parks, Recreation and Properties (BOC Res. 853-00) .....	3180
International Women's Air and Space Museum, Inc. - concession agreement for Air and Space Career Fair at Burke Lakefront Airport - Apr. 25, 2001 - Division of Burke Lakefront Airport, Dept. of Port Control (BOC Res. 840-00) .....	3178
Life Publishing - concession agreement for awards ceremony at Burke Lakefront Airport - Feb. 22, 2001 - Division of Burke Lakefront Airport, Dept. of Port Control (BOC Res. 842-00) .....	3179
Our Lady of the Wayside, Inc. - concession agreement for Great American Rib Cook-Off at Burke Lakefront Airport - May 21-29, 2001 - Division of Burke Lakefront Airport, Dept. of Port Control (BOC Res. 843-00) .....	3179
Premier Expositions, Inc. - concession agreement for fundraising reception at Burke Lakefront Airport - Dec. 31, 2000 - Division of Burke Lakefront Airport, Dept. of Port Control (BOC Res. 841-00) .....	3178

## Board of Control - Economic Development Department

One Stop Career Center interior renovations - contract pursuant to Ord. 1495-97 to Envirocom Construction, Inc. - Depts. of Economic Development and Personnel and Human Resources (BOC Res. 854-00) .....	3181
--	------

**Board of Control - Engineering and Construction Division**

Auto Cad Software installation, support and training - contract pursuant to Ord. 1833-96 to D.L.T. Solutions, Inc. - Division of Engineering and Construction, Dept. of Public Service (BOC Res. 845-00)..... 3179

**Board of Control - Finance Department**

First aid supplies - pursuant to Ord. 315-2000 - all bids rejected - Dept. of Finance (BOC Res. 835-00) ..... 3177  
Sell PPN 142-23-005 (Block A-5 of the Lee-Seville / Cleveland Outerbelt Industrial Park) - amend BOC Res. 478-00 (BOC Res. 852-00)..... 3180

**Board of Control - Fire Division**

Cab / chassis with heavy duty rescue squad - pursuant to Ord. 904-2000 - all bids rejected - Division of Fire, Dept. of Public Safety (BOC Res. 848-00) ..... 3180  
Fire pumps - pursuant to Ord. 904-2000 - all bids rejected - Division of Fire, Dept. of Public Safety (BOC Res. 847-00) ..... 3179

**Board of Control - Gateway Garages**

Gateway garages - amend BOC Res. 803-00 - Dept. of Parks, Recreation and Properties (BOC Res. 853-00) ..... 3180

**Board of Control - Land Reutilization Program**

Amistad Development Corporation - various parcels (Ward 1) pursuant to Ord. 1641-2000 (BOC Res. 851-00) ..... 3180  
East 83rd Street, 2363 (Ward 6) - PPN 119-30-021 - to Diocese of Cleveland, Bishop Anthony Pilla (St. Adalbert Church) pursuant to Ord. 849-2000 (BOC Res. 850-00) ..... 3180  
Woodland Avenue, 11210 (Ward 6) - PPN 128-03-014 - to The Pentecostal Faith Holiness Church of God pursuant to Ord. 850-2000 (BOC Res. 849-00) ..... 3180

**Board of Control - Land Reutilization Program (Ward 1)**

Amistad Development Corporation - various parcels (Ward 1) pursuant to Ord. 1641-2000 (BOC Res. 851-00) ..... 3180

**Board of Control - Land Reutilization Program (Ward 6)**

East 83rd Street, 2363 (Ward 6) - PPN 119-30-021 - to Diocese of Cleveland, Bishop Anthony Pilla (St. Adalbert Church) pursuant to Ord. 849-2000 (BOC Res. 850-00) ..... 3180  
Woodland Avenue, 11210 (Ward 6) - PPN 128-03-014 - to The Pentecostal Faith Holiness Church of God pursuant to Ord. 850-2000 (BOC Res. 849-00) ..... 3180

**Board of Control - Land Sales**

Sell PPN 142-23-005 (Block A-5 of the Lee-Seville / Cleveland Outerbelt Industrial Park) - amend BOC Res. 478-00 (BOC Res. 852-00)..... 3180

**Board of Control - Lee-Seville / Cleveland Outerbelt Industrial Park**

Sell PPN 142-23-005 (Block A-5 of the Lee-Seville / Cleveland Outerbelt Industrial Park) - amend BOC Res. 478-00 (BOC Res. 852-00)..... 3180

**Board of Control - Motor Vehicle Maintenance Division**

E.Z. Pack packer parts and labor - contract pursuant to Ord. 269-2000 to R & R Mack Sales, Inc. - Division of Motor Vehicle Maintenance, Dept. of Public Service (BOC Res. 844-00) ..... 3179

**Board of Control - Parks, Recreation and Properties Department**

Gateway garages - amend BOC Res. 803-00 - Dept. of Parks, Recreation and Properties (BOC Res. 853-00) ..... 3180

**Board of Control - Personnel and Human Resources Department**

One Stop Career Center interior renovations - contract pursuant to Ord. 1495-97 to Envirocom Construction, Inc. - Depts. of Economic Development and Personnel and Human Resources (BOC Res. 854-00) ..... 3181

**Board of Control - Police Division**

Ballistic vests - contract pursuant to C.O. Sec. 135.06 to Atwell's Police and Fire  
Equipment Co. - Division of Police, Dept. of Public Safety (BOC Res. 846-00) ..... 3179

**Board of Control - Port Control Department**

International Women's Air and Space Museum, Inc. - concession agreement for Air and Space  
Career Fair at Burke Lakefront Airport - Apr. 25, 2001 - Division of Burke Lakefront  
Airport, Dept. of Port Control (BOC Res. 840-00) ..... 3178  
Life Publishing - concession agreement for awards ceremony at Burke Lakefront Airport -  
Feb. 22, 2001 - Division of Burke Lakefront Airport, Dept. of Port Control  
(BOC Res. 842-00) ..... 3179  
Our Lady of the Wayside, Inc. - concession agreement for Great American Rib Cook-Off at  
Burke Lakefront Airport - May 21-29, 2001 - Division of Burke Lakefront  
Airport, Dept. of Port Control (BOC Res. 843-00) ..... 3179  
Premier Expositions, Inc. - concession agreement for fundraising reception at Burke  
Lakefront Airport - Dec. 31, 2000 - Division of Burke Lakefront Airport, Dept. of  
Port Control (BOC Res. 841-00) ..... 3178

**Board of Control - Public Safety Department**

Ballistic vests - contract pursuant to C.O. Sec. 135.06 to Atwell's Police and Fire  
Equipment Co. - Division of Police, Dept. of Public Safety (BOC Res. 846-00) ..... 3179  
Cab / chassis with heavy duty rescue squad - pursuant to Ord. 904-2000 - all bids  
rejected - Division of Fire, Dept. of Public Safety (BOC Res. 848-00) ..... 3180  
Fire pumpers - pursuant to Ord. 904-2000 - all bids rejected - Division of Fire, Dept.  
of Public Safety (BOC Res. 847-00) ..... 3179

**Board of Control - Public Service Department**

Auto Cad Software installation, support and training - contract pursuant to Ord. 1833-96  
to D.L.T. Solutions, Inc. - Division of Engineering and Construction, Dept. of  
Public Service (BOC Res. 845-00) ..... 3179  
E.Z. Pack packer parts and labor - contract pursuant to Ord. 269-2000 to R & R Mack  
Sales, Inc. - Division of Motor Vehicle Maintenance, Dept. of Public Service (BOC Res. 844-00) ..... 3179

**Board of Control - Public Utilities Department**

Adjustable valve boxes - contract pursuant to C.O. Sec. 129.25 to Underground Pipe  
& Valve - Division of Water, Dept. of Public Utilities (BOC Res. 839-00) ..... 3178  
Bypass fittings, piping and valves - contract pursuant to C.O. Sec. 129.25 to Woodhill  
Supply - Division of Water, Dept. of Public Utilities (BOC Res. 837-00) ..... 3177  
Bypass fittings, piping and valves - contract pursuant to C.O. Sec. 129.25 to J.F. Good  
Company - Division of Water, Dept. of Public Utilities (BOC Res. 838-00) ..... 3178  
Corrosion control chemicals - amend Contract #55170 pursuant to BOC Res. 470-99 -  
Division of Water, Dept. of Public Utilities (BOC Res. 836-00) ..... 3177

**Board of Control - Purchases and Supplies Division**

Sell PPN 142-23-005 (Block A-5 of the Lee-Seville / Cleveland Outerbelt Industrial Park)  
- amend BOC Res. 478-00 (BOC Res. 852-00) ..... 3180

**Board of Control - Requirement Contracts**

Adjustable valve boxes - contract pursuant to C.O. Sec. 129.25 to Underground Pipe  
& Valve - Division of Water, Dept. of Public Utilities (BOC Res. 839-00) ..... 3178  
Ballistic vests - contract pursuant to C.O. Sec. 135.06 to Atwell's Police and Fire  
Equipment Co. - Division of Police, Dept. of Public Safety (BOC Res. 846-00) ..... 3179  
Bypass fittings, piping and valves - contract pursuant to C.O. Sec. 129.25 to Woodhill  
Supply - Division of Water, Dept. of Public Utilities (BOC Res. 837-00) ..... 3177  
Bypass fittings, piping and valves - contract pursuant to C.O. Sec. 129.25 to J.F. Good  
Company - Division of Water, Dept. of Public Utilities (BOC Res. 838-00) ..... 3178  
Corrosion control chemicals - amend Contract #55170 pursuant to BOC Res. 470-99 -  
Division of Water, Dept. of Public Utilities (BOC Res. 836-00) ..... 3177  
E.Z. Pack packer parts and labor - contract pursuant to Ord. 269-2000 to R & R Mack  
Sales, Inc. - Division of Motor Vehicle Maintenance, Dept. of Public Service (BOC Res. 844-00) ..... 3179

**Board of Control - Standard Purchase Contracts**

Auto Cad Software installation, support and training - contract pursuant to Ord. 1833-96  
to D.L.T. Solutions, Inc. - Division of Engineering and Construction, Dept. of  
Public Service (BOC Res. 845-00) ..... 3179  
One Stop Career Center interior renovations - contract pursuant to Ord. 1495-97 to  
Envirocom Construction, Inc. - Depts. of Economic Development and Personnel and  
Human Resources (BOC Res. 854-00) ..... 3181



**Board of Control - Water Division**

Adjustable valve boxes - contract pursuant to C.O. Sec. 129.25 to Underground Pipe & Valve - Division of Water, Dept. of Public Utilities (BOC Res. 839-00) ..... 3178

Bypass fittings, piping and valves - contract pursuant to C.O. Sec. 129.25 to Woodhill Supply - Division of Water, Dept. of Public Utilities (BOC Res. 837-00) ..... 3177

Bypass fittings, piping and valves - contract pursuant to C.O. Sec. 129.25 to J.F. Good Company - Division of Water, Dept. of Public Utilities (BOC Res. 838-00) ..... 3178

Corrosion control chemicals - amend Contract #55170 pursuant to BOC Res. 470-99 - Division of Water, Dept. of Public Utilities (BOC Res. 836-00) ..... 3177

**Board of Education**

Recreational, cultural and extracurricular programs — 2000-2001 school year — Cleveland Board of Education (O 596-2000) ..... **3184**

**Board of Zoning Appeals - Schedule**

Ardmore Avenue, 4207, (Ward 16) – Maurice Burch, owner - appeal to be heard on 1/8/01 (Cal. 00-353) ..... 3181

Brighton Avenue, 11720, (Ward 19) – Donald Lewis, owner - appeal to be heard on 1/8/01 (Cal. 00-349) ..... 3181

East 125th Street, 607-609, (Ward 10) – Maurice Foster, owner - appeal to be heard on 1/8/01 (Cal. 00-350) ..... 3181

Euclid Avenue, 17608, (Ward 10) – PVA Circle of Homes, owner, c/o Tom Lewins - appeal to be heard on 1/8/01 (Cal. 00-338) ..... 3181

Leuer Avenue, 10645, (Ward 8) – Liberty Self Storage, owner, and Cicogna Electric Company, c/o George Dragon - appeal to be heard on 1/8/01 (Cal. 00-352) ..... 3181

St. Clair Avenue, 6947, (Ward 13) – Dana Nicholas, owner and Farid Mohamed, tenant and Century Sign, agent - appeal to be heard on 1/8/01 (Cal. 00-351) ..... 3181

**Bridges**

W. 53rd St. Bridge; Denison Ave. Bridge, Harvard Ave. Bridge, W. 65th St. Bridge and the W. 74th St. Bridge — payment — rehabilitating and reconstructing — amend Sec. 1 of Ord. No. 1301-97 (O 2024-2000) ..... **3203**

**Budget Commission**

Tax levies certifying — accept amount and rates — Budget Commission — County Auditor (R 2123-2000) ..... **3183**

**Business Revitalization District (BRD)**

Lee-Harvard Business Revitalization District (BRD) — Establishing — (Ward 1) (O 1643-2000) ..... **3192**

**Camp George L. Forbes**

2001 Summer Food Program — apply for and accept grant — Ohio Department of Education — Camp George L. Forbes (O 2156-2000) ..... **3214**

**City of Cleveland Bids**

Cab / chassis with heavy-rescue body - Department of Public Service - Division of Motor Vehicle Maintenance - per Ord. 904-2000 - bid due January 26, 2001 (advertised 12/20/2000 and 12/27/2000) ..... 3182

Commercial gases - Department of Finance - per Ord. 1862-2000 - bid due January 12, 2001(advertised 12/20/2000 and 12/27/2000) ..... 3182

Mobile autotransformer substation unit and mobile zigzag grounding equipment - Department of Public Utilities - Division of Cleveland Public Power - per Ord. 1391-2000 - bid due February 8, 2001(advertised 12/20/2000 and 12/27/2000) ..... 3182

Paper products - Department of Public Utilities - Division of Cleveland Public Power per Ord. 827-2000 - bid due January 18, 2001 (advertised 12/20/2000 and 12/27/2000) ..... 3182

Powdered activated carbon - Department of Public Utilities - Division of Water - per C.O. Sec. 129.24 - bid due January 17, 2001 (advertised 12/20/2000 and 12/27/2000) ..... 3182

Runway brooms and replacement heads - Department of Public Service - Division of Motor Vehicle Maintenance - per Ord. 1685-2000 - bid due January 19, 2001 (advertised 12/20/2000 and 12/27/2000) ..... 3182

**City Council**

Internal Audit Division — Manager — provide Council President and Council Committee Chairman all reports, information and data obtained in course of his or her duties (O 2263-A-2000).....	3218
---	------

**City Planning Commission**

Clifton Road/West Boulevard Historic Landmark District Extension — Establishing (O 1118-2000).....	3184
Lee-Harvard Business Revitalization District (BRD) — Establishing — (Ward 1) (O 1643-2000).....	3192
Lorain Avenue, N. W. between W. 119 Street and W. 115 Street — West 117 Street between Triskett Road, N. W. and Governor Avenue, S. W. — change the Use, Area and Height Districts (O 1763-2000).....	3195
West 54 Street and Bridge Avenue, N.W. — change the Use District (O 1882-2000).....	3200

**Cleveland Municipal Court**

MICR laser check printing system — purchase (O 2199-2000) .....	3216
---	------

**Cleveland Public Schools**

Recreational, cultural and extracurricular programs — 2000-2001 school year — Cleveland Board of Education (O 596-2000) .....	3184
---	------

**Codified Ordinances**

Food shops — licensing and sanitation — amend Chapter 241 — repeal Sections 243.01 — new Sections 245.01 to 245.12 (O 2025-2000).....	3204
Handicapped parking spaces — definition of parking infraction and the penalty for improper use — amend Section 459.01 and Section 459.11 (O 1593-2000).....	3191
Misdemeanor classifications and Penalties for traffic code offenses — amend Sections 403.99 and 433.01 (O 1592-2000) .....	3187
Personal Property — amend Section 181.19 of Codified Ordinances (O 1304-2000) .....	3187
Sexual predators — new Section 135.043 (O 1873-2000) .....	3199
Street and sidewalk areas — penalty — amend Section 503.99 (O 1802-2000) .....	3197
Training of corrections officers — new Section 141.28 (O 2206-2000) .....	3216

**Community Development**

Lester Avenue, 4618, 4700 — Land Reutilization Program — Slavic Village Development Corporation (O 1761-A-2000) .....	3195
Subsistence Payment — housing rental subsidy — CDBG — Agreement — George Fischel (Ward 13) (O 2032-2000).....	3207

**Community Development Block Grant Program**

Subsistence Payment — housing rental subsidy — CDBG — Agreement — George Fischel (Ward 13) (O 2032-2000) .....	3207
--	------

**Concession Agreements**

Snack bar and vending machine — Visually Impaired — Concession Agreements — Carl B. Stokes Building — Cleveland Public Power Building (O 2027-2000).....	3206
--	------

**Contracts**

MICR laser check printing system — purchase (O 2199-2000) .....	3216
New World Systems — maintenance and support services on CAD — Police Division (O 2324-2000).....	3227
Recreational, cultural and extracurricular programs — 2000-2001 school year — Cleveland Board of Education (O 596-2000) .....	3184

**Convention Center**

Convention Center — rehabilitating — comply with Americans with Disabilities Act requirements — moveable wall (O 1762-2000) .....	3195
---	------

**Correction Division**

Training of corrections officers — new Section 141.28 (O 2206-2000) .....	3216
---	------

**County Auditor**

Tax advances during the year 2001 — Requesting the County Auditor (R 2122-2000)..... **3182**  
 Tax levies certifying — accept amount and rates — Budget Commission — County Auditor  
 (R 2123-2000) ..... **3183**

**County Budget Commission**

Tax levies certifying — accept amount and rates — Budget Commission — County Auditor  
 (R 2123-2000) ..... **3183**

**Economic Development Department**

Broadway Avenue and Aetna Avenue — rehabilitating — amend Section 5 of Ordinance No.  
 241-98 (O 2030-2000)..... **3207**  
 Detroit Avenue, 3407-3501 — leasehold improvements — Conveyer & Caster Corporation —  
 Economic Development (O 1880-2000) ..... **3200**  
 East 55th Street, 1328 — acquisition and construction — Diner 55, Inc. — Economic  
 Development (O 1879-2000)..... **3199**  
 F.L. Thompson Building — 3101 W. 25th St. — acquisition and renovation — Mark A. Rivera  
 Production, Inc. (O 2214-2000) ..... **3217**  
 Famicos Foundation — renovate property at 1325 Ansel Road — Economic Development  
 Initiative A Grant Agreement — Economic Development (O 2158-2000) ..... **3215**  
 First Amendment to Contract No. 56087 — Shaker Square of Ohio LLC — Shaker Square  
 planned retail center (O 2118-2000) ..... **3212**  
 Hamlet Avenue, 5618 — Feckanin Group LLC — acquisition (O 2120-2000)..... **3213**  
 Harvard Avenue, 7700 — construction and renovation — C & K Meats, Inc.  
 (O 2119-2000)..... **3212**  
 Johnston Parkway, 4465 — acquisition — Enterprise Zone Agreement — Trio Diversified  
 Company — Economic Development (O 1810-2000)..... **3197**  
 Lorain Ave., 4507 — Enterprise Zone Agreement — Twisted Pine LLC — Great Lakes Merchant  
 Services (O 2216-2000) ..... **3218**  
 Pubco Corporation, Kelley Avenue Partnership, Smith Corona Corporation — Enterprise Zone  
 Agreements — Economic Development (O 2157-2000) ..... **3214**  
 Strowder's Funeral Chapel, Inc. — acquisition and renovation of real property at 796 -  
 818 East 105th Street (O 2159-2000)..... **3215**  
 Superior Avenue, 6017 — acquisition and improvement — B & S Realty Associates  
 (O 2213-2000)..... **3216**  
 Sycamore, 2000 — Enterprise Zone Agreement — The Revere Group — Economic Development  
 (O 2028-2000)..... **3206**  
 Tax Increment Financing Agreement — Third Federal Savings and Loan Association — amend  
 Section 5 of Ordinance No. 159-98 (O 2029-2000) ..... **3207**  
 Walworth Run Industrial Park — Parcels 1 and 2 — acquisition, construction and site  
 improvements — Twisted Pine LLC (O 2215-2000)..... **3217**

**Empowerment Zone**

Famicos Foundation — renovate property at 1325 Ansel Road — Economic Development  
 Initiative A Grant Agreement — Economic Development (O 2158-2000) ..... **3215**  
 Strowder's Funeral Chapel, Inc. — acquisition and renovation of real property at 796 -  
 818 East 105th Street (O 2159-2000)..... **3215**

**Enterprise Zone Agreement**

Johnston Parkway, 4465 — acquisition — Enterprise Zone Agreement — Trio Diversified  
 Company — Economic Development (O 1810-2000)..... **3197**  
 Pubco Corporation, Kelley Avenue Partnership, Smith Corona Corporation — Enterprise Zone  
 Agreements — Economic Development (O 2157-2000) ..... **3214**

**Famicos Foundation**

Famicos Foundation — renovate property at 1325 Ansel Road — Economic Development  
 Initiative A Grant Agreement — Economic Development (O 2158-2000) ..... **3215**

**Finance Department**

Additional appropriations — General Fund — Special Revenue Fund — Internal Service  
 Funds — Enterprise Fund — Debt Service Fund (O 2094-2000) ..... **3208**  
 Internal Audit Division — Manager — provide Council President and Council Committee  
 Chairman all reports, information and data obtained in course of his or her duties  
 (O 2263-A-2000)..... **3218**  
 Payrolls and other ordinary expenses — Temporary appropriation (O 2264-2000) ..... **3219**  
 Transfer funds (\$6,306,000) — various divisions of the General Fund (O 2095-2000) ..... **3209**

**Funds**

Additional appropriations — General Fund — Special Revenue Fund — Internal Service Funds — Enterprise Fund — Debt Service Fund (O 2094-2000) .....	<b>3208</b>
Transfer funds (\$6,306,000) — various divisions of the General Fund (O 2095-2000) .....	<b>3209</b>

**Grants**

2000 AIDS Prevention Program — grant — Ohio Department of Health (O 2269-2000) .....	<b>3225</b>
--	-------------

**Handicapped**

Handicapped parking spaces — definition of parking infraction and the penalty for improper use — amend Section 459.01 and Section 459.11 (O 1593-2000) .....	<b>3191</b>
---	-------------

**Health Department**

2000 AIDS Prevention Program — grant — Ohio Department of Health (O 2269-2000) .....	<b>3225</b>
AIDS Taskforce of Greater Cleveland — consent to assignment of Contracts Nos. 56573 and 56577 — Health Department (O 2154-2000) .....	<b>3213</b>
Food shops — licensing and sanitation — amend Chapter 241 — repeal Sections 243.01 — new Sections 245.01 to 245.12 (O 2025-2000).....	<b>3204</b>

**Historic Landmark District**

Clifton Road/West Boulevard Historic Landmark District Extension — Establishing (O 1118-2000).....	<b>3184</b>
---	-------------

**Hospitals**

Deaconess Hospital, LLC — maintain, improve and adopt certain real estate belonging to the City — Cleveland Area Soap Box Derby Association — lease certain City-owned property (O 2155-2000) .....	<b>3213</b>
---	-------------

**Land Reutilization Program**

Lester Avenue, 4618, 4700 — Land Reutilization Program — Slavic Village Development Corporation (O 1761-A-2000) .....	<b>3195</b>
--	-------------

**Leases**

Deaconess Hospital, LLC — maintain, improve and adopt certain real estate belonging to the City — Cleveland Area Soap Box Derby Association — lease certain City-owned property (O 2155-2000) .....	<b>3213</b>
---	-------------

**Liquor Permits**

Lakeside Avenue, 2000 — 1st Fl., Bsmt. & Patio — Objecting to the stock transfer (R 2328-2000) .....	<b>3184</b>
St. Clair Avenue, 6611 — Objecting to the transfer of ownership and location (R 2327-2000) .....	<b>3183</b>

**Motor Vehicle Maintenance Division (MVM)**

Cushman Ransomes equipment parts — purchase (O 2022-2000) .....	<b>3203</b>
Diesel fuel — purchase — Division of Motor Vehicle Maintenance (O 2023-2000) .....	<b>3203</b>
Ford tractor, mower and construction equipment parts — purchase — Division of Motor Vehicle Maintenance (O 2021-2000) .....	<b>3203</b>
Generators — repair and maintain — Division of Motor Vehicle Maintenance (O 2019-2000).....	<b>3202</b>
Heavy duty construction equipment — repair and maintain — Division of Motor Vehicle Maintenance (O 2020-2000) .....	<b>3202</b>

**Neighborhood Equity Funds**

2100 Lakeside Avenue men's shelter — security system — Ward 13 NEF (O 2314-2000).....	<b>3225</b>
Eleventh Annual Christmas on Campus holiday meal and gift program — Villa Angela St. Joseph High School — Ward 11 NEF (O 2322-2000) .....	<b>3226</b>
Food, toys, social services — Spanish American Committee — Ward 14 NEF (O 2316-2000) .....	<b>3225</b>
Lakeview Terrace Estates, Riverview Towers and Bohn Tower — residents and children programs — Ward 13 NEF (O 2315-2000) .....	<b>3225</b>
Office relocation and operation expenses — Esparanza, Inc. — Ward 17 NEF (O 2320-2000).....	<b>3226</b>
Purchase and renovation of building — Women's Center of Greater Cleveland — Ward 17 NEF (O 2321-2000).....	<b>3226</b>
Waterloo Road — streetscape improvement plan — Ward 11 NEF (O 2323-2000) .....	<b>3227</b>
West 54th Street — two water main line connections — Ward 17 NEF (O 2319-2000).....	<b>3226</b>

**Ohio Department of Education**

2001 Summer Food Program — apply for and accept grant — Ohio Department of Education  
— Camp George L. Forbes (O 2156-2000) ..... **3214**

**Parks Maintenance Division**

Deaconess Hospital, LLC — maintain, improve and adopt certain real estate belonging to  
the City — Cleveland Area Soap Box Derby Association — lease certain City-owned  
property (O 2155-2000) ..... **3213**

**Parks, Recreation and Properties Department**

2001 Summer Food Program — apply for and accept grant — Ohio Department of Education  
— Camp George L. Forbes (O 2156-2000) ..... **3214**  
Convention Center — rehabilitating — comply with Americans with Disabilities Act  
requirements — moveable wall (O 1762-2000) ..... **3195**  
Deaconess Hospital, LLC — maintain, improve and adopt certain real estate belonging to  
the City — Cleveland Area Soap Box Derby Association — lease certain City-owned  
property (O 2155-2000) ..... **3213**  
Recreational, cultural and extracurricular programs — 2000-2001 school year — Cleveland  
Board of Education (O 596-2000) ..... **3184**  
Rent — West Side Market (O 2326-2000) ..... **3227**  
Snack bar and vending machine — Visually Impaired — Concession Agreements — Carl E.  
Stokes Building — Cleveland Public Power Building (O 2027-2000)..... **3206**

**Permits**

The City Mission — five (5) banners — on-going banner program  
(O 1966-2000)..... **3201**

**Police Department**

New World Systems — maintenance and support services on CAD — Police Division  
(O 2324-2000)..... **3227**

**Police Division**

DARE supplies — Division of Police (O 2209-2000)..... **3216**  
MGE UPS system — maintenance — Division of Police  
(O 2211-2000)..... **3216**

**Port Control Department**

Protocol for sound insulation program — prepare and publish (O 2318-2000)..... **3226**

**Real Estate**

Deaconess Hospital, LLC — maintain, improve and adopt certain real estate belonging to  
the City — Cleveland Area Soap Box Derby Association — lease certain City-owned  
property (O 2155-2000) ..... **3213**

**Resolutions - Miscellaneous**

Tax advances during the year 2001 — Requesting the County Auditor (R 2122-2000)..... **3182**

**Safety Department**

Food shops — licensing and sanitation — amend Chapter 241 — repeal Sections 243.01 —  
new Sections 245.01 to 245.12 (O 2025-2000)..... **3204**  
Handicapped parking spaces — definition of parking infraction and the penalty for  
improper use — amend Section 459.01 and Section 459.11  
(O 1593-2000)..... **3191**  
Misdemeanor classifications and Penalties for traffic code offenses — amend Sections  
403.99 and 433.01 (O 1592-2000) ..... **3187**  
New World Systems — maintenance and support services on CAD — Police Division  
(O 2324-2000)..... **3227**  
Personal Property — amend Section 181.19 of Codified Ordinances  
(O 1304-2000)..... **3187**  
Sexual predators — new Section 135.043 (O 1873-2000) ..... **3199**

**Service Department**

Cushman Ransomes equipment parts — purchase (O 2022-2000) .....	3203
Diesel fuel — purchase — Division of Motor Vehicle Maintenance (O 2023-2000).....	3203
Dunham Tavern Museum — double sided banners — Museum's 175 years in existence (O 1801-2000).....	3197
Ford tractor, mower and construction equipment parts — purchase — Division of Motor Vehicle Maintenance (O 2021-2000) .....	3203
Generators — repair and maintain — Division of Motor Vehicle Maintenance (O 2019-2000).....	3202
Heavy duty construction equipment — repair and maintain — Division of Motor Vehicle Maintenance (O 2020-2000) .....	3202
Maintain and improve — real estate belonging to the City — Slavic Village Development Corporation (O 2325-2000).....	3227
Martin Luther King, Jr. Drive/East 116th Street — rehabilitation — Public Service (O 1869-2000).....	3199
Rocky River Drive — repair and resurfacing — payment of Cleveland's share — amend Sections 1 and 2 of Ordinance No. 1004-91 (O 2018-2000) .....	3202
Solid waste disposal services — purchase — Division of Waste Collection and Disposal (O 1868-2000).....	3198
Street and sidewalk areas — penalty — amend Section 503.99 (O 1802-2000) .....	3197
The City Mission — five (5) banners — on-going banner program (O 1966-2000).....	3201
Tub grinder — lease — Christmas tree recycling program — Greater Cleveland Ecology Association — Public Service (O 1967-2000) .....	3201
W. 53rd St. Bridge; Denison Ave. Bridge, Harvard Ave. Bridge, W. 65th St. Bridge and the W. 74th St. Bridge — payment — rehabilitating and reconstructing — amend Sec. 1 of Ord. No. 1301-97 (O 2024-2000) .....	3203

**Slavic Village Association**

Maintain and improve — real estate belonging to the City — Slavic Village Development Corporation (O 2325-2000).....	3227
---	------

**Street Vacation**

East 33rd Street — intention to vacate portion of (R 1436-99).....	3182
--	------

**Summer Food Program**

2001 Summer Food Program — apply for and accept grant — Ohio Department of Education — Camp George L. Forbes (O 2156-2000) .....	3214
---	------

**Tax Levies**

Tax levies certifying — accept amount and rates — Budget Commission — County Auditor (R 2123-2000) .....	3183
---	------

**Traffic Code**

Misdemeanor classifications and Penalties for traffic code offenses — amend Sections 403.99 and 433.01 (O 1592-2000) .....	3187
---	------

**Trees**

Tub grinder — lease — Christmas tree recycling program — Greater Cleveland Ecology Association — Public Service (O 1967-2000) .....	3201
--	------

**Utilities Department**

Deaconess Hospital, LLC — maintain, improve and adopt certain real estate belonging to the City — Cleveland Area Soap Box Derby Association — lease certain City-owned property (O 2155-2000) .....	3213
Pump stations — repair and maintain — Division of Water Pollution Control (O 1959-2000).....	3200
Unit #3 First High Service motor at Crown Water Plant — repair or replace — Division of Water (O 2103-2000) .....	3212
Unit 29E at the Morgan Water Plant — upgrade ideal motor — Division of Water (O 2107-2000).....	3212

**Ward 01**

- Lee-Harvard Business Revitalization District (BRD) — Establishing — (Ward 1)  
(O 1643-2000).....**3192**
- Johnston Parkway, 4465 — acquisition — Enterprise Zone Agreement — Trio Diversified  
Company — Economic Development (O 1810-2000).....**3197**

**Ward 02**

- Martin Luther King, Jr. Drive/East 116th Street — rehabilitation — Public Service  
(O 1869-2000).....**3199**

**Ward 05**

- Dunham Tavern Museum — double sided banners — Museum's 175 years in existence  
(O 1801-2000).....**3197**
- The City Mission — five (5) banners — on-going banner program  
(O 1966-2000).....**3201**

**Ward 08**

- Famicos Foundation — renovate property at 1325 Ansel Road — Economic Development  
Initiative A Grant Agreement — Economic Development  
(O 2158-2000).....**3215**
- Strowder's Funeral Chapel, Inc. — acquisition and renovation of real property at 796 -  
818 East 105th Street (O 2159-2000).....**3215**

**Ward 11**

- Eleventh Annual Christmas on Campus holiday meal and gift program — Villa Angela  
St. Joseph High School — Ward 11 NEF (O 2322-2000).....**3226**
- Waterloo Road — streetscape improvement plan — Ward 11 NEF  
(O 2323-2000).....**3227**

**Ward 12**

- Hamlet Avenue, 5618 — Feckanin Group LLC — acquisition (O 2120-2000).....**3213**
- Harvard Avenue, 7700 — construction and renovation — C & K Meats, Inc.  
(O 2119-2000).....**3212**
- Maintain and improve — real estate belonging to the City — Slavic Village Development  
Corporation (O 2325-2000).....**3227**

**Ward 13**

- 2100 Lakeside Avenue men's shelter — security system — Ward 13 NEF  
(O 2314-2000).....**3225**
- East 33rd Street — intention to vacate portion of (R 1436-99).....**3182**
- Lakeside Avenue, 2000 — 1st Fl., Bsmt. & Patio — Objecting to the stock transfer  
(R 2328-2000).....**3184**
- Lakeview Terrace Estates, Riverview Towers and Bohn Tower — residents and children  
programs — Ward 13 NEF (O 2315-2000).....**3225**
- Lester Avenue, 4618, 4700 — Land Reutilization Program — Slavic Village Development  
Corporation (O 1761-A-2000).....**3195**
- St. Clair Avenue, 6611 — Objecting to the transfer of ownership and location  
(R 2327-2000).....**3183**
- Superior Avenue, 6017 — acquisition and improvement — B & S Realty Associates  
(O 2213-2000).....**3216**

**Ward 14**

- Equalized rent structure for all interior tenants — West Side Market — repeal Ord. No.  
1126-2000 (O 2317-2000).....**3225**
- F.L. Thompson Building — 3101 W. 25th St. — acquisition and renovation —  
Mark A. Rivera Production, Inc. (O 2214-2000).....**3217**
- Food, toys, social services — Spanish American Committee — Ward 14 NEF  
(O 2316-2000).....**3225**
- Lorain Ave., 4507 — Enterprise Zone Agreement — Twisted Pine LLC —  
Great Lakes Merchant Services (O 2216-2000).....**3218**
- Sycamore, 2000 — Enterprise Zone Agreement — The Revere Group —  
Economic Development (O 2028-2000).....**3206**

**Ward 17**

Office relocation and operation expenses — Esparanza, Inc. — Ward 17 NEF (O 2320-2000).....	3226
Purchase and renovation of building — Women's Center of Greater Cleveland — Ward 17 NEF (O 2321-2000).....	3226
West 54 Street and Bridge Avenue, N.W. — change the Use District (O 1882-2000).....	3200
West 54th Street — two water main line connections — Ward 17 NEF (O 2319-2000).....	3226

**Ward 18**

Clifton Road/West Boulevard Historic Landmark District Extension — Establishing (O 1118-2000).....	3184
---	------

**Ward 19**

Clifton Road/West Boulevard Historic Landmark District Extension — Establishing (O 1118-2000).....	3184
Lorain Avenue, N. W. between W. 119 Street and W. 115 Street — West 117 Street between Triskett Road, N. W. and Governor Avenue, S. W. — change the Use, Area and Height Districts (O 1763-2000).....	3195

**Waste Collection and Disposal Division**

Solid waste disposal services — purchase — Division of Waste Collection and Disposal (O 1868-2000).....	3198
--	------

**Water Division**

Unit #3 First High Service motor at Crown Water Plant — repair or replace — Division of Water (O 2103-2000).....	3212
Unit 29E at the Morgan Water Plant — upgrade ideal motor — Division of Water (O 2107-2000).....	3212

**Water Pollution Control Division**

Pump stations — repair and maintain — Division of Water Pollution Control (O 1959-2000).....	3200
---	------

**West Side Market**

Equalized rent structure for all interior tenants — West Side Market — repeal Ord. No. 1126-2000 (O 2317-2000).....	3225
Rent — West Side Market (O 2326-2000).....	3227

**Zoning**

Lorain Avenue, N. W. between W. 119 Street and W. 115 Street — West 117 Street between Triskett Road, N. W. and Governor Avenue, S. W. — change the Use, Area and Height Districts (O 1763-2000).....	3195
West 54 Street and Bridge Avenue, N.W. — change the Use District (O 1882-2000).....	3200