

The City Record

Official Publication of the City of Cleveland

July the Nineteenth, Two Thousand

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

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DIRECTORY OF CITY OFFICIALS

CITY COUNCIL-LEGISLATIVE

President of Council-Michael D. Polensek

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

MAYOR - Michael R. White

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

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

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

DEPT. OF FINANCE - Ronald E. Brooks, Director, Room 104;

Frank Badalamenti, Manager, Internal Audit
 DIVISIONS - Accounts - Marilyn Henderson, Commissioner, Room 19
 City Treasury - Algeron Walker, Treasurer, Room 115
 Assessments and Licenses - Robert C. Brown, Commissioner, Room 122
 Purchases and Supplies - Myrana Branche, Commissioner, Room 128
 Printing and Reproduction - Diane 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 - LaVonne Sheffield-McClain, Director,

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

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

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

DEPT. OF PUBLIC HEALTH - Michele 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 - Nicholas P. Jackson, Director, Cleveland Convention Center, Clubroom A, 1220 E. 6th St.

DIVISIONS - Convention Center & Stadium - James Glending, Commissioner, Public Auditorium, E. 6th and Lakeside Ave.
 Property Management - Tom Nagle, Commissioner, East 49th & Harvard

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

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

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

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

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

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

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

DEPT. OF AGING - 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.; Martin Carmody, Director; Council President Michael D. Polensek.

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

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

BOARD OF REVISION OF ASSESSMENTS - Law Director Cornell P. Carter, President; Finance Director 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 Connally	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, JULY 19, 2000

No. 4519

CITY COUNCIL

MONDAY, JULY 17, 2000

The City Record

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Clerk of Council
216 City Hall

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 1998-2001

MONDAY

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

MONDAY—Alternating

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

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

MONDAY

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

TUESDAY

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

TUESDAY—Alternating

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

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

WEDNESDAY—Alternating

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

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

WEDNESDAY—Alternating

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

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

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

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

OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio

Monday, July 17, 2000.

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

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

Also present were Ms. Nina Turner, Executive Assistant for Administration and Ms. Kara Watts, Legislative Liaison.

The Council President asked that all members of Council, and those in attendance, please bow their heads for silent prayer. Pledge of Allegiance.

MOTION

On the motion of Councilman Dolan, the Clerk was instructed to correct the journal of the June 19th 2000 meeting of the Council (City Record Volume 87, page 1373), at "SECOND READING EMERGENCY ORDINANCES PASSED" by correction of amendments associated thereto for reprint in the July 19, 2000 City Record.

"Ord. No. 552-2000.

By Councilman Dolan.

An emergency ordinance determining the method of making the public improvement of constructing and implementing new runway

5L/23R (Phase I) for the Department of Port Control; and authorizing the Director of Port Control to enter into various contracts for the making of such improvement.

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

1. Strike the title in its entirety and insert in lieu thereof the following:

"An emergency ordinance authorizing the Director of Port Control to employ by contract or contracts one or more consultants to provide professional services related to the construction of a new runway and necessary project components, determining the method of making the public improvement of constructing a new runway and necessary project components, and authorizing the Director of Port Control to enter into various agreements and contracts necessary to make the public improvement."

2. Strike Section 1 in its entirety and insert in lieu thereof the following:

"Section 1. That the Director of Port Control is hereby authorized to employ by contract or contracts one or more consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services related to the construction of a new runway known as 5L-23R (Phase I) and its necessary appurtenances and the following project components necessary to effectuate the construction and use of the Phase I runway improvement ("Improvement");

(1) Design of FAA TRACON Renovation, in an amount not to exceed \$345,771.00;

(2) Design of NASA Facilities and Relocation, in an amount not to exceed \$20,335,402.00; and

(3) Design of Doan Brook, in an amount not to exceed \$600,000.00.

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

3. Strike Section 2 in its entirety and insert in lieu thereof the following:

"Section 2. That pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of constructing and implementing the construction of a new runway known as 5L-23R (Phase I), consisting of 10,500 feet of runway (approximately 9,000 feet of usable runway), the construction cost of which is hereby authorized in the amount of \$139,937,365.00, and its necessary appurtenances and the following project components necessary to effectuate the construction and use of the Improvement:

(1) Demolition of Analox Office Building and demolition of the 100th Bomb Group Restaurant in an amount not to exceed \$2,692,047.00, and to allow the current operation of the 100th Bomb Group Restaurant and building to continue until absolutely necessary for the Brookpark Road relocation construction;

(2) Brookpark Road Relocation Construction in an amount not to exceed \$19,934,209.00; and

(3) West Hangar Road Construction in an amount not to exceed \$1,337,220.00.

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

4. In Section 3, line 2, strike "contract" and insert "contracts".

5. Insert New Section 4 to read as follows:

"Section 4. That notwithstanding and as an exception to the provision of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to purchase, lease or otherwise acquire easements, fee interests, licenses, permits, mitigation credits and other rights or interests in real property directly necessary for the Improvement."

6. Insert New Section 5 to read as follows:

"Section 5. That the Director of Port Control is hereby authorized to execute on behalf of the City of Cleveland all necessary documents to acquire said rights or interests in real property directly necessary for the Improvement and to employ title companies, surveyors, escrow agents, appraisers, environmental consultants, and field service consultants necessary for the acquisition or use of the rights or interests in real property authorized by Section 4 hereof."

7. Insert New Section 6 to read as follows:

"Section 6. That the Director of Port Control is hereby authorized to enter into agreements with the holders of said rights or interests in real property to relocate or to otherwise modify existing buildings, equipment, fixtures or other features of said property and to pay or reimburse related costs to permit the making of the Improvement.

In accordance with the authorization granted in this Section 6, the Director of Port Control is authorized to enter into an agreement with First Energy for design, relocation, and installation of First Energy power lines. All costs associated with such agreement shall not exceed \$12,491,068.00."

8. Insert New Section 7 to read as follows:

"Section 7. That the Director of Port Control is hereby authorized to enter into agreements with federal, state, and local governmental or regulatory entities or other public authorities necessary and to pay or reimburse directly related costs incurred by such entities for the purpose of making the Improvement.

In accordance with the authorization granted in this Section 7, the Director of Port Control is authorized to enter into agreements necessary to implement wetland and stream mitigation programs as required by federal law, excluding mitigation at Doan Brook. All expenditures under such agreements shall not exceed \$8,197,000.00.

In accordance with the authorization granted in this Section 7 and in Section 2 hereof, the Director of Port Control is authorized to enter into agreements with the FAA for professional and engineering services. All expenditures under such agreement shall not exceed \$6,000,000.00.

In accordance with the authorization granted in this Section 7, the Director of Port Control is authorized to enter into agreements with the FAA for TRACON Renovation Design. All expenditures under such contract shall not exceed \$345,771.00."

9. In existing Section 4, line 3, after "authorized", strike "in Section 1 hereof" and insert: "herein".

10. Renumber existing Section 4 to new "Section 8".

11. Insert New Section 9 to read as follows:

"Section 9. That the Director of Port Control is hereby authorized to make a written contract with the company designated by the FAA for the purchase and installation of an Instrument Landing System, to be purchased by the Commissioner of Purchases and Supplies for a gross price for the Division of Cleveland Hopkins International Airport in an amount not to exceed \$2,200,000.00."

12. Insert New Section 10 to read as follows:

"Section 10. That the cost of any requirement contracts entered into pursuant to Section 3 hereof shall be charged against the proper account and the Director of Finance shall certify thereon, 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."

13. Renumber existing Section 5 to new "Section 11".

14. In existing Section 6, line 1, after "contracts" and before "or"

insert: ", permits, licenses" and at the end of line 2, after "Council" insert ", the President of Council, the Chairman of the Aviation and Transportation Committee and the Chairman of the Finance Committee".

15. Renumber existing Section 6 to new "Section 12".

16. Strike existing Section 7 in its entirety and insert in lieu thereof the following:

"That the cost of any expenditures authorized by this ordinance for any contract, including all public improvements, standard purchases, requirements contracts, acquisition of rights or interests in real property shall not exceed a total amount of Two Hundred Fourteen Million Seventy Thousand Eighty-Two Dollars (\$214,070,082.00) and shall be paid from Fund Nos. 60 SF 001, 60 SF 104, 60 SF 105, 60 SF 106, passenger facility charges and the fund and/or sub-funds to which are credited the proceeds of any general airport revenue bonds, federal grants, state grants, and local grants issued for the purpose of the Improvement authorized herein. In the event that a project component listed herein exceeds or is anticipated to exceed the amount specific for each project component listed herein, the Director of Port Control shall notify the President of Council, the Chairman of the Aviation and Transportation Committee, and the Chairman of the Finance Committee of the need for a subsidiary agreement in accordance with Section 185.44 of the Codified Ordinances of the City of Cleveland, Ohio, 1976, and shall immediately proceed to secure the necessary legislative approval from Cleveland City Council."

17. Renumber existing Section 7 to new "Section 13".

18. Insert New Section 14 to read as follows:

"Section 14. That, in accordance with federal law and to the extent permitted by federal law, all construction contracts entered into pursuant to this ordinance shall establish a goal of hiring at least thirty percent (30%) MBE, ten percent (10%) FBE, twenty-five percent (25%) minority workforce, seven and one-half percent (7.5%) female workforce and forty percent (40%) City residents. In seeking to obtain such goal, all contractors shall utilize best efforts."

19. Insert New Section 15 and 16 to read respectively as follows:

"Section 15. That the Director of Port Control shall provide detailed bimonthly written reports to the President of Council, the Chairman of the Aviation and Transportation Committee, and the Chairman of the Finance Committee of all expenditures made pursuant to this ordinance, including the source of funds for such expenditures. The Director of Port Control shall also provide to the aforementioned Council representatives detailed bimonthly written reports of the MBE/FBE goals and residency and workforce goals set forth herein.

Section 16. That for the purposes of the sound insulation program for program years 2000 through 2004, the Director of Port Control shall fund the sound insulation program in accordance with the following: General Airport Revenue Bonds (1997) - \$5,244,991.00; General Airport Revenue Bonds (2000) - \$15,000,000.00;

PFC #6 - \$10,000,000.00; Brookpark Funds - \$787,945; Operating and Maintenance Funds and Land Sales - \$1,996,861.00; and AIP Grant Funds in the anticipated amount of \$27,500,000.00. The Director of Port Control shall provide copies of the annual application for the AIP funds to the President of Council, the Chairman of the Aviation and Transportation Committee and the Chairman of the Finance Committee, simultaneously with the submittal to the FAA. The Director of Port Control shall provide copies of any communications with the FAA concerning sound insulation to the President of Council, the Chairman of the Aviation and Transportation Committee and the Chairman of the Finance Committee. The Director of Port Control shall work with the Chairman of the Aviation and Transportation Committee to identify and apply such additional funds that may also be applied to the 2000-2004 sound insulation program."

20. Renumber existing Section 8 to new "Section 17".

And, further, that the Clerk be instructed to publish these amendments correctly in the July 19, 2000 City Record. Without objection, the motion was approved.

MOTION

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

COMMUNICATIONS

File No. 1152-2000.

From the Cleveland Clinic Foundation - re: Notice of Operation Pursuant to Chapter 686 of the Codified Ordinances. Received.

File No. 1153-2000.

From the Department of Parks, Recreation and Properties re: Transportation Enhancement Program Application for The Cleveland Lakefront Bikeway Phase 11. Received.

File No. 1154-2000.

From The Cleveland Foundation - 1999 Annual Report, The Thread That Binds. (Received).

FROM DEPARTMENT OF LIQUOR CONTROL

File No. 1155-2000.

Re: New Application - 8915013 - 3074 West 14th Inc., d.b.a. Gas City, 3074 West 14th Street. (Ward 13). Received.

File No. 1156-2000.

Re: Transfer of Ownership Application - 51799020005 - Lez, Inc., d.b.a. Convenient Express, 17318 Lake Shore Boulevard. (Ward 11). Received.

File No. 1157-2000.

Re: Transfer of Ownership Application - 3186110 - Gillespie Brothers LTD, 1109 Starkweather Avenue, first floor and basement. (Ward 13). Received.

File No. 1158-2000.

Re: Transfer of Ownership Application - 35665300175 - Handee Marts, Inc., d.b.a. 7-Eleven Food Store #56,

4075 Rocky River Drive. (Ward 21). Received.

File No. 1159-2000.

Re: Transfer of Ownership Application - 8463478 - St. Clair & 170th Co. Inc., d.b.a. Dee Jay Tavern, 16921 St. Clair Avenue, first floor. (Ward 11). Received.

File No. 1160-2000.

Re: Transfer of Ownership and Location Application - 13106380075 - Case Western Reserve University, d.b.a. Fribley Dining Commons, 2315 Murray Hill Road. (Ward 6). Received.

File No. 1161-2000.

Re: Transfer of Ownership and Location Application - 8381775 - Sorma Corp. LLC, d.b.a. Bada Bing, 3004 St. Clair Avenue. (Ward 13). Received.

File No. 1162-2000.

Re: Transfer of Ownership and Location Application - 1808648 - Creative Culinary Enterprises, Inc., 1225 West Sixth Street, first floor and loft. (Ward 13).

File No. 1163-2000.

Re: Stock Transfer Application - 1709357 Convenient Food Mart Inc. 357, d.b.a. Convenient Food Mart, 14302 Puritas Avenue. (Ward 20). Received.

File No. 1164-2000.

Re: Stock Transfer Application - 64165010005 - 9601 Lorain Avenue, Inc., 9601 Lorain Avenue, first floor and basement. (Ward 18). Received.

STATEMENT OF WORK ACCEPTED

File No. 1165-2000.

From the Department of Public Utilities re: Contract No. PI54720A, Exterior Renovations of the Carl B. Stokes Public Utilities Building, completed and accepted February 28, 2000. Received.

File No. 1166-2000.

From the Department of Port Control re: Contract No. 54325 (Group Z), Interstate Design & Construction. Received.

File No. 1167-2000.

From the Department of Parks, Recreation and Properties re: Contract No. 54725A, Jefferson Park Site Improvements. Received.

CONDOLENCE RESOLUTIONS

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

Res. No. 1168-2000—Mary E. Doniver.

Res. No. 1169-2000—William Stowers, Sr.

Res. No. 1170-2000—Josephine Perkins Wade.

Res. No. 1171-2000—Annie Bell Jackson.

Res. No. 1172-2000—Larry L. Bradford.

Res. No. 1173-2000—Shed Scott.

Res. No. 1174-2000—Frankie Elizabeth Bailey.

Res. No. 1175-2000—Frank Miller.

Res. No. 1176-2000—Margaret M. Croftcheck.

Res. No. 1177-2000—Bess Ziegler.

Res. No. 1178-2000—Jean Ford Clayton.

Res. No. 1179-2000—Officer Wayne A. Leon.

CONGRATULATION RESOLUTIONS

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

Res. No. 1180-2000—Elisabeth A. Zronek.

Res. No. 1181-2000—Matthew A. Reed.

Res. No. 1182-2000—Asbury Foster.

Res. No. 1183-2000—Carole F. Hoover.

Res. No. 1184-2000—Jimmy Scott.

Res. No. 1185-2000—Detective Daniel L. Saggio.

RECOGNITION RESOLUTIONS

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

Res. No. 1186-2000—Unique Beauty Salon.

Res. No. 1187-2000—U.S.S. Cod — WWII Submarine.

Res. No. 1188-2000—Allean Varner-Frederick-Grayer.

Res. No. 1189-2000—Divine Entertainment.

Res. No. 1190-2000—Division of Recycling & Litter Prevention — 20th Anniversary.

Res. No. 1191-2000—The Greater Cleveland Public Service Consortium.

Res. No. 1192-2000—Emilio (Millito) Navarro.

Res. No. 1193-2000—Negro League Baseball Players Association.

Res. No. 1194-2000—Negro League Baseball Players Legends of Fame, Inc.

Res. No. 1195-2000—Eugene Smith.

FIRST READING EMERGENCY ORDINANCES REFERRED

Ord. No. 1196-2000.

By Councilman Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of equipment, computer and telecommunications equipment and operational equipment, for the various divisions of the Department of Finance.

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

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

Section 1. That the Director of Finance is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of equipment, computer and telecommunications equipment and operational equipment, in the estimated sum of \$694,600.00, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Department of Finance. 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 1464, 4570, 4573, 4574, 4575, 4576 and 4577)

Section 3. That pursuant to Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative agreements using state procedures. The Director of Finance may sign all documents with the State of Ohio or any of its political subdivisions that are necessary to effectuate such cooperative efforts and may enter into contract with the vendors selected through that cooperative process.

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

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

Ord. No. 1197-2000.

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

An emergency ordinance authorizing the Mayor to apply to the District One Public Works Integrating Committee for state funding for reimbursement of a portion of the City's cost to repair the East 9th Street water main break; and authorizing the Mayor to accept a grant from the Ohio Public Works Commission for this purpose.

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

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

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

Section 1. That the Mayor is hereby authorized to apply to the District One Public Works Integrating Committee for state funding in the amount of \$358,000 for reimbursement of a portion of the City's cost to repair the East 9th Street water main break that occurred in the winter of 2000 as set forth in the application and according thereto.

Section 2. That the Mayor is hereby authorized to accept a grant in the amount of \$358,000 from the Ohio Public Works Commission, acting by

and through its Director, to reimburse the City of Cleveland for its cost to repair the East 9th Street water main break that occurred in the winter of 2000 for the purposes set forth in the application and according thereto; that the Mayor is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they are hereby appropriated for the purposes set forth in the application for said grant.

Section 3. That the application for said grant, File No. 1197-2000-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

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

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

Ord. No. 1198-2000.

By Councilmen Cintron and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of equipment, computer and telecommunications equipment and operational equipment, for the various divisions of the Department of Public Service.

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

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

Section 1. That the Director of Public Service is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of equipment, computer and telecommunications equipment and operational equipment, in the estimated sum of \$776,252.00, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Department of Public Service. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

Section 2. That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 1481, 1482, 1483, 10285, 10286, 10292, 10293 and 4578)

Section 3. That pursuant to Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative agreements using state procedures. The Director of Finance may sign all documents with the State of Ohio or any of its political subdivisions that are necessary to effectuate such cooperative efforts and may enter into contract with the vendors selected through that cooperative process.

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

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

Ord. No. 1199-2000.

By Councilman Dolan.

An emergency ordinance to enact Section 551.082 of the Codified Ordinances of Cleveland, Ohio, 1976; and amend Section 551.99 thereof, relating to scavenging of solid waste and the penalty therefor.

Whereas, this ordinance constitutes an emergency measure providing for 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 551.082 thereof to read as follows:

Section 551.082 Scavenging of Solid Waste

(a) No person shall remove or cause the removal of, pick-up, collect, sort or handle solid waste set out on a public street or alley for collection by the City or its contractor between the hours of sunset and 7:00 a.m.

(b) The provisions of this section shall not apply to an employee, contractor, or agent of the City who is engaged in the City's waste collection and disposal services or to the owner of, or the person who originally discarded, the solid waste material.

Section 2. That Section 551.99 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 221-92, passed February 8, 1993, is hereby amended to read as follows:

Section 551.99 Penalty

(a) Whoever violates any provision of this chapter for which no penalty is otherwise provided shall be fined twenty-five dollars (\$25.00) for the first offense and fifty dollars (\$50.00) for each subsequent offense.

(b) Whoever violates any provision of Sections 551.04, 551.081 or 551.082 shall be fined not more than one hundred dollars (\$100.00). The above listed minor misdemeanors may be enforced by the issuance of a citation in compliance with Rule 4.1 of the Ohio Rules of Criminal Procedure.

(c) Whoever violates any provision of Sections 551.18, 551.24 or

551.25 shall be fined fifty dollars (\$50.00) for the first offense and one hundred dollars (\$100.00) for each subsequent offense.

(d) Whoever violates any provision of Section 551.19 shall be fined one thousand dollars (\$1,000.00).

(e) Whoever violates any provision of division (c) of Section 551.16, Sections 551.22 or 551.31 shall be fined two hundred fifty dollars (\$250.00) or imprisoned for up to thirty days, or both, for the first offense, and five hundred dollars (\$500.00) or imprisoned for up to sixty days, or both, for each subsequent offense.

(f) Whoever violates any provision of Sections 551.12 or 551.27 shall be fined one hundred dollars (\$100.00) for the first offense and two hundred fifty dollars (\$250.00) or imprisoned for up to thirty days, or both, for each subsequent offense.

(g) Whoever violates any provision of division (b) of Section 551.26 shall be fined one thousand dollars (\$1,000.00) and shall be imprisoned for not less than sixty days and not more than six months.

(h) Whoever violates any provision of division (c) of Section 551.26 shall be fined not less than five hundred dollars (\$500.00) and not more than one thousand dollars (\$1,000.00) or imprisoned for not more than six months, or both.

(i) Notwithstanding any other provision of these Codified Ordinances, no part of a penalty imposed under this section shall in any case be suspended or otherwise reduced.

Section 3. That existing 551.99 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 221-92, passed February 8, 1993, is hereby repealed.

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

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

Ord. No. 1200-2000.

By Councilman Jackson.

An emergency ordinance to vacate a portion of East 82nd St. and Betts Ct. S.E. hereinafter described.

Whereas, on the 11th day of August 1999, the Council of the City of Cleveland adopted Resolution No. 1207-99 declaring its intention to vacate a portion of East 82nd St. and Betts Ct. S.E., hereinafter described.

Whereas, notice of the adoption of the above Resolution No. 1207-99 has been served upon the owners of all the property abutting East 82nd St. and Betts Ct. S.E., affected by said Resolution, notifying the said property owners of the time and place at which objections can be heard before the Board of Revision of Assessments, and

Whereas, on the 14th day of June, 2000, the Board of Revision of Assessments approved the vacation of East 82nd St. and Betts Ct. S.E., hereinafter described, in accordance with the provisions of Section 176 of the Charter of the City of Cleveland; and

Whereas, this Council is satisfied that there is good cause for vacating East 82nd St. and Betts Ct. S.E., hereinafter described and that it will not be detrimental to the general interest and ought to be made; 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 all that portion of the following real property:

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

EAST 82nd STREET (50.00 feet wide), extending Southerly from the Southerly line of Holton Avenue S.E. (40.00 feet wide), to its Southerly terminus.

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

BETTS COURT S.E. (11.00 feet wide), extending Easterly from the Easterly line of East 82nd Street (50.00 feet wide), to the Westerly line of East 83rd Street (50.00 feet wide), is hereby vacated.

Section 2. That the Clerk of Council be and she is hereby directed to notify the Auditor of Cuyahoga County of the vacation of all that portion of East 82nd St. and Betts Ct. S.E., herein provided by sending him a copy of this Ordinance.

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

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

Councilman Cimperman left the meeting.

Ord. No. 1201-2000.

By Councilman Polensek (by request)

An emergency ordinance authorizing the Director of Public Service to issue a permit to Rick Case Enterprises on behalf of Rick Case Motors, Inc., to encroach into the right-of-way of their Honda dealership at I-90 and East 200th St. with fencing, lighting and a (new car) parking area.

Whereas, this ordinance constitutes an emergency measure providing for 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 Rick Case Enterprises, on behalf of Rick Case Motors, Inc. for their Honda Dealership located at 19991 Villaview Road, Cleveland, Ohio 44119, its successors and assigns, for the construction, use and

maintenance of fencing, lighting, and a (new car) parking area, which will encroach into the public right-of-way of Villaview Road and East 200th Street at Interstate 90 (the Lakeland Freeway), at the locations more fully described herein.

LEGAL DESCRIPTION/RICK CASE HONDA ENCROACHMENT AREA:

Situated in the City of Cleveland, County of Cuyahoga and the State of Ohio and known as being part of Original Euclid Township Lot Numbers 3, Tract No. 17, and part of Original Euclid Township Tract No. 14, and bounded and described as follows:

Beginning in the Northwesterly line of Lakeland Freeway, described as parcel 1310A in appropriation proceedings filed December 6, 1960 and being Case No. 746456, at the Southwesterly corner of land conveyed to Richard Case by deed dated December 30, 1981 and recorded in Volume 15609, Page 401 of Cuyahoga County Deed Records;

1. Thence North 56°-26'-10" East, 191.42 feet along said Northwesterly line of Lakeland Freeway to an angle point therein;

2. Thence North 61°-49'-20" East, 210.16 feet along said Northwesterly line of the Lakeland Freeway to another angle point therein;

3. Thence North 52°-21'-00" East, 191.58 feet along said Northwesterly line of the Lakeland Freeway to another angle point therein;

4. Thence North 20°-39'-10" East, 61.12 feet along said Northwesterly line of the Lakeland Freeway to another angle point therein, said point being also the Southeastly corner of land conveyed to Richard J. and R. L. Case, by deed dated December 22, 1986 and recorded in Volume 86-8329, Page 53 of Cuyahoga County Deed Records;

5. Thence North 0°-28'-26" East, 84.72 feet along said Northwesterly line of Lakeland Freeway to another angle point therein;

6. Thence North 29°-05'-59" West, 28.97 feet along said Northwesterly line of the Lakeland Freeway to its intersection with the Southerly line of Mohican Avenue N.E. (50.00 feet wide);

7. Thence South 89°-51'-30" East, 25.87 feet along and the Easterly prolongation of the Southerly line of Mohican Avenue N.E. to a point distant 40.00 feet, by rectangular measurement from the Southerly prolongation of the center line of East 200th Street (of varying width);

8. Thence South 0°-22'-30" West, 174.05 feet along a line distant 40.00 feet and parallel to said Southerly prolongation of the center line of East 200th Street;

9. Thence South 56°-26'-10" West, 616.88 feet along a line distant 30.00 feet Southeasterly from a Northeastly line of the Lakeland Freeway to a point;

10. Thence North 30°-38'-30" West, 30.04 feet to the place of beginning, containing 0.3761 acres of land, as compiled from records by Julianna League, Ohio Surveyor No. 7709, be the same more or less, but subject to all legal highways.

Section 2. That said fencing, lighting and (new car) parking will be located within the public right-of-way in the portion of the street(s) as aforesaid, and said fencing, lighting, and (new car) parking will be

constructed in accordance with plans and specifications approved by the Commissioner of Engineering and Construction.

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

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

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

Ord. No. 1202-2000.

By Councilman Rybka.

An emergency ordinance to vacate a portion of Winfield Avenue S.E. hereinafter described.

Whereas, on the 15th day of December 1999, the Council of the City of Cleveland adopted Resolution No. 1856-99 declaring its intention to vacate a portion of Winfield Avenue S.E., hereinafter described.

Whereas, notice of the adoption of the above Resolution No. 1856-99 has been served upon the owners of all the property abutting Winfield Avenue S.E., affected by said Resolution, notifying the said property owners of the time and place at which objections can be heard before the Board of Revision of Assessments, and

Whereas, on the 14th day of June, 2000, the Board of Revision of Assessments approved the vacation of Winfield Avenue S.E., hereinafter described, in accordance with the provisions of Section 176 of the Charter of the City of Cleveland; and

Whereas, this Council is satisfied that there is good cause for vacating Winfield Avenue S.E., hereinafter described and that it will not be detrimental to the general interest and ought to be made; 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 all that portion of Winfield Avenue S.E. (25.00 feet wide), extending from the Westerly line of East 73rd Place (40.00 feet wide) Westerly to the Easterly line of Foreman Avenue (40.00 feet wide) as vacated by the Council of the City of Cleveland on June 15, 1998, by Ordinance Number 862-98, is hereby vacated.

Section 2. That the Clerk of Council be and she is hereby directed to notify the Auditor of Cuyahoga County of the vacation of all that portion of Winfield Avenue S.E., herein provided by sending him a copy of this Ordinance.

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

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

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

Ord. No. 1203-2000.

By Councilmen Gordon and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of equipment, computer and telecommunications equipment and operational equipment, for the various divisions of the Department of Public Health.

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

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

Section 1. That the Director of Public Health is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of equipment, computer and telecommunications equipment and operational equipment, in the estimated sum of \$370,600.00, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Department of Public Health. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than 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 4571 and 4572)

Section 3. That pursuant to Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative agreements using state procedures. The Director of Finance may sign all documents with the State of Ohio or any of its political subdivisions that are necessary to effectuate such cooperative efforts and may enter into contract with the vendors selected through that cooperative process.

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

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

Ord. No. 1204-2000.

By Councilman Coats.

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Section 133.05 thereof, relating to insurance for special events.

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

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

Section 1. That the Codified Ordinances of Cleveland, Ohio, 1976, are hereby supplemented by enacting new Section 133.05 thereof, to read as follows:

Section 133.05 Insurance for Special Events

In the event that the Director of Parks, Recreation and Properties seeks to issue a permit for a special event in which there is a foreseeable possibility for damage to persons or property, the Director shall require the event sponsor to take out and maintain for the duration of the event such public liability and property damage insurance, naming the City of Cleveland as an additional insured for claims for damages for personal injury, including accidental death, as well as from claims for property damages arising from the event. An exact copy of such policy shall be provided to the Director before the issuance of a special event permit. The amounts of such insurance shall be determined by the Director in consultation with the Directors of Finance and 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.

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

Ord. No. 1205-2000.

By Councilmen Rybka and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of equipment, computer and telecommunications equipment and operational equipment, for the various divisions of the Department of Parks, Recreation and Properties.

Whereas, this ordinance constitutes an emergency measure providing for 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 make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of equipment, computer and telecommunications equipment and operational equipment, in the esti-

mated sum of \$463,000.00, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the 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. 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 10287, 10288 and 10289)

Section 3. That pursuant to Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative agreements using state procedures. The Director of Finance may sign all documents with the State of Ohio or any of its political subdivisions that are necessary to effectuate such cooperative efforts and may enter into contract with the vendors selected through that cooperative process.

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

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

Ord. No. 1206-2000.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 12009-11 Cromwell Avenue to Cleveland Housing Network, Inc.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 129-09-148, as more fully described in Section 2 below, to Cleveland Housing Network, Inc.

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

P. P. No. 129-09-148

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 121 in the Crawford Realty Company's Re-Subdivision of part of the Van Sweringer Company's "Transit Heights" Subdivision of part of Original One Hundred Acre Lots Nos. 420, 428 and 429, as shown by the recorded plat in Volume 48 of Maps, Page 15 of Cuyahoga County Records, and being 40 feet front on the Northerly side of Cromwell Avenue, S.E., and extending back 105.11 feet on the Westerly, 104.53 feet on the Easterly line, and having a rear line of 40.01 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

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

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

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

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

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

Ord. No. 1207-2000.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 2368 East 40 Street to Pilgrim Missionary Baptist Church.

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

Whereas, real property acquired under the City's Land Reutilization Program is acquired, held, administered and disposed 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. 103-31-016, as more fully described in Section 2 below, to Pilgrim Missionary Baptist Church.

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

P. P. No. 103-31-016

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 261 in Leonard Case Subdivision of part of Original 10 Acre Lots Nos. 44, 45, 46, and 47 as shown by the recorded plat in Volume 8 of Maps, Page 30 of Cuyahoga County Records and being 50 feet front on the Westerly line of East 40th Street and extending back of equal width, 150 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

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

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

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

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

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

Ord. No. 1208-2000.

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

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to purchase a site for redevelopment at 1936 West 25th Street, for the Department of Community Development.

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

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

Section 1. That notwithstanding and as an exception to the provisions of Chapter 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to purchase the following described property at 1936 West 25th Street for the purpose of redevelopment in accordance with the West 25th Lorain Community Development Plan:

1936 West 25th Street
Permanent Parcel Nos. 003-38-019,
020, 027 and 056

Parcel No. 1:

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot Nos. 431 and 432 in Barber and Lord's Subdivision of part of Original Brooklyn Township Lot Nos. 51, 52, 69 and 70, as shown by the recorded plat in Volume 11 of Maps, Page 26 of Cuyahoga County Records, and together forming a parcel of land bounded and described as follows:

Beginning in the Southwesterly line of West 25th Street (formerly Pearl Street) at the most Easterly corner of said Sublot No. 431;

Thence North 30° 56' 00" West along said Southwesterly line of West 25th Street, 66.37 feet to the most Easterly corner of said Sublot No. 432;

Thence South 58° 51' 25" West along the Southeasterly line of said Sublot No. 432, 197 feet to the most Southerly corner of a parcel of land conveyed to James Kane by deed dated March 15, 1851 and recorded in Volume 50, Page 362 of Cuyahoga County Records;

Thence North 30° 56' 00" West along the Southwesterly line of said land conveyed to James Kane, 57 feet to the Southeasterly line of Carroll Avenue, N.W.;

Thence South 58° 51' 00" West along said Southeasterly line of Carroll Avenue, N.W., 42.66 feet to its intersection with the Northeasterly line of West 26th Street (formerly McLean Street);

Thence South 30° 54' 05" East along said Northeasterly line of West 26th Street, 122.62 feet to a point distant North 30° 54' 05" West 0.71 of a foot from the most Southerly corner of said Sublot No. 431;

Thence North 59° 02' 50" East along the Northwesterly face of a five story brick building, 40.61 feet;

Thence North 58° 43' 20" East along the Northwesterly face of said five story brick building, 48.72 feet;

Thence North 59° 00' 50" East along the Northwesterly face of said five story brick building, 76.14 feet;

Thence North 59° 35' 50" East along the Northwesterly face of said five story brick building, 21.07 feet;

Thence North 59° 13' 50" East along the Northwesterly face of said five story brick building, 36.19 feet to the Southeasterly line of said Sublot No. 431;

Thence North 58° 51' 50" along said Southeasterly line of Sublot No. 431, 17 feet to the place of beginning, according to a survey dated August 26, 1949, by the National Survey Service, Inc., Civil Engineers and Surveyors, be the same more or less, but subject to all legal highways.

Parcel No. 2:

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 432 in Barber and Lord's Subdivision of part of Original Brooklyn Township Lots Nos. 51, 52, 69 and 70, as shown by the recorded plat in Volume 11 of Maps, Page 26 of Cuyahoga County Records, and bounded and described as follows:

Beginning in the Southwesterly line of West 25th Street, (formerly Pearl Street), at a point distant Northwesterly (measured along said Southwesterly line of West 25th Street), 1.25 feet from the most Easterly corner of said Sublot No. 432;

Thence Southeasterly along said Southwesterly line of West 25th Street 1.25 feet to said most Easterly corner of Sublot No. 432;

Thence Southwesterly along the Southeasterly line of said Sublot No. 432, 197 feet to the most Southerly corner of a parcel of land conveyed to James Kane by deed dated March 15, 1851, and recorded in Volume 50, Page 362 of Cuyahoga County Records;

Thence Northwesterly along the Southwesterly line of said land conveyed to James Kane, 1.57 feet to the Southeasterly face of a concrete block partition wall;

Thence Northeasterly in a direct line and along the Southeasterly face of said concrete block partition wall, 197 feet to the principal place of beginning, according to a survey dated August 26, 1949, by the National Survey Service, Inc., Civil Engineers and Surveyors, be the same more or less, but subject to all legal highways.

Section 2. That the Director of Community Development is hereby authorized to execute on behalf of the City of Cleveland all necessary documents to acquire such property and to employ and pay all fees for title companies, surveys, escrows, appraisers, environmental audits, and all other costs necessary for the acquisition of such property.

Section 3. That the consideration to be paid for such property shall not exceed its fair market value.

Section 4. That all costs of acquisition of land shall be paid from Fund No. 14 SF 025.

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

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

Ord. No. 1209-2000.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on Whittier, Linwood and Belvidere Avenues to Cuyahoga Metropolitan Housing Authority.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 104-18-033 as more fully described in Section 2 below, to Cuyahoga Metropolitan Housing Authority.

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

P. P. No. 104-18-033

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 15 in the Midway N.C. Waters Flat and survey of part of Original One Hundred Acre Lot No. 340, as shown by the recorded plat in Volume 7 of Maps, Page 13 of Cuyahoga County Records, and being 40 feet front on the Southerly side of Linwood Avenue, N.E., (formerly Lena Avenue) and extending back between parallel lines 155 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

Section 3. That 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. 104-18-034 as more fully described in Section 4 below, to Cuyahoga Metropolitan Housing Authority.

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

P. P. No. 104-18-034

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 13 in Medway N.C. Water's Guardian of Frank E. and Cora E. Waters, Subdivision of part of Original One Hundred Acre Lot No. 340, as shown by the recorded plat of said Subdivision, in Volume 7 of Maps, Page 13 of the Cuyahoga County Records and being 40 feet front on the Southerly side of Linwood Avenue, N.E., and extending back of equal width 155 feet deep, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

Section 5. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 104-18-047 as more fully described in Section 6 below, to Cuyahoga Metropolitan Housing Authority.

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

P. P. No. 104-18-047

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 9 in Sweesy, et al., Re-Allotment of part of Original One Hundred Acre Lot No. 340, as shown by the recorded plat in Volume 12 of Maps, Page 40 of Cuyahoga County Records and being 40 feet front on the Southerly side of Linwood Avenue, N.E., extending back of equal width about 142.73 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 7. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 104-18-049 as more fully described in Section 8 below, to Cuyahoga Metropolitan Housing Authority.

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

P. P. No. 104-18-049

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 13 in L.B. Sweesy Re-Subdivision of part of Original One Hundred Acre Lot No. 340, as shown by the recorded plat of Re-Subdivision in Volume 12 of Maps, Page 40 of Cuyahoga County Records and being 40 feet front on the Northerly side of Linwood Avenue, N.E., (formerly Lena Avenue) and extending back of equal width 142.72 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

Section 9. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell

Permanent Parcel Nos. 104-18-061 as more fully described in Section 10 below, to Cuyahoga Metropolitan Housing Authority.

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

P. P. No. 104-18-061

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Easterly 30 feet of Sublot No. 24 and the Westerly 20 feet of Sublot No. 26 in Lena B. Sweesy and other Allotment of part of Original One Hundred Acre Lot No. 340, as shown by the recorded plat in Volume 12 of Maps, Page 40 of Cuyahoga County Records, and together forming a parcel of land 50 feet front on the Southerly side of Whittier Avenue, N.E., and extending back 142.70 feet of equal width, as appears by said plat, be the same more or less, but subject to all legal highways.

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Northerly 100 feet of the Westerly 6.5 feet of the Easterly 20 feet of Sublot No. 26 in Lena B. Sweesy and others Allotment of part of Original One Hundred Acre Lot No. 340, as shown by the recorded plat in Volume 12 of Maps, Page 40 of Cuyahoga County Records, and being 6.5 feet front on the Southerly side of Whittier Avenue, N.E., and extending back of equal width 100 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

Section 11. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 104-18-065 as more fully described in Section 12 below, to Cuyahoga Metropolitan Housing Authority.

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

P. P. No. 104-18-065

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Westerly 20 feet of Sublot No. 16 and all of Sublot No. 14 in William C. Sweeney and others's Re-Allotment of R.L. Williard's Allotment and also a Re-Allotment of parts of Luther Moses and M.N.C. Water's Allotment of part of Original One Hundred Acre Lot No. 340, as shown by the recorded plat of said Re-Allotment in Volume 12 of Maps, Page 40 of Cuyahoga County Records, and together forming a parcel of land 60 feet front on the Southerly side of Whittier Avenue, N.E., and extending back 142.72 feet deep on the Westerly line and about 142.71 feet deep on the Easterly line, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

Section 13. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 104-19-049 as more fully described in Section 14

below, to Cuyahoga Metropolitan Housing Authority.

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

P. P. No. 104-19-049

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 27 in Medway N.C. Waters Subdivision of part of Original One Hundred Acre Lot No. 340 as shown by the recorded plat in Volume 7 of Maps, Page 13 of Cuyahoga County Records and being 40 feet front on the Southerly side of Linwood Avenue, N.E., and extending back of equal width 155 feet deep as appears by said plat, be the same more or less, but subject to all legal highways.

Section 15. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 104-19-094 as more fully described in Section 16 below, to Cuyahoga Metropolitan Housing Authority.

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

P. P. No. 104-19-094

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 50 in Sweesy et al. Re-Allotment of part of Original One Hundred Acre Lot No. 340 as shown by the recorded plat in Volume 12 of Maps, Page 40 of Cuyahoga County Records and being 40 feet front on the Southerly side of Whittier Avenue, N.E., and extending back of equal width 142.66 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 17. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 104-19-109 as more fully described in Section 18 below, to Cuyahoga Metropolitan Housing Authority.

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

P. P. No. 104-19-109

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 69 in Luther Moses Allotment of part of Original One Hundred Acre Lot No. 340, as shown by the recorded plat in Volume 7, Page 13 of Cuyahoga County Records, and being 40 feet front on the Northerly side of Whittier Avenue, N.E., and extending back of equal width 180 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

Section 19. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 104-19-054 as more fully described in Section 20 below, to Cuyahoga Metropolitan Housing Authority.

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

P. P. No. 104-19-054

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 37 in Medway N.C. Waters' (Guardian of Frank E. and Cora E. Waters) Subdivision of part of Original One Hundred Acre Lot No. 340, as shown by the recorded plat in Volume 7 of Maps, Page 13 of Cuyahoga County Records, and being 40 feet front on the Southerly side of Linwood Avenue, N.E., (formerly Lena Avenue), and extending back of equal width 155 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 21. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 104-19-058 as more fully described in Section 22 below, to Cuyahoga Metropolitan Housing Authority.

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

P. P. No. 104-19-058

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 45 in M.N.C. Waters Subdivision of part of Original One Hundred Acre Lot No. 340 as shown by the recorded plat in Volume 7 of Maps, Page 13 of Cuyahoga County Records and being 40 feet front on the Southerly side of Linwood Avenue, N.E., and extending back of equal width, 155 feet deep, be the same more or less, but subject to all legal highways.

(a) **Subject Easement**

Subject Easement for Common driveway from Louis Gorsetman Bella to Sarah Smith aka Sarah Smith Butler, dated September 21, 1950, filed for record November 17, 1950 at 2:56 p.m., and recorded in Volume 7095, Page 458 of Cuyahoga County Records.

Also subject to all zoning ordinances, if any.

Section 23. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 104-19-085 as more fully described in Section 24 below, to Cuyahoga Metropolitan Housing Authority.

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

P. P. No. 104-19-085

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being all of Sublot No. 32 and part of Sublot No. 30 in Sweesy et al Allotment of part of Original One Hundred Acre Lot No. 340 as shown by the recorded plat in Volume 12 of Maps, Page 40 of Cuyahoga County Records, and together forming a parcel of land bounded and described as follows:

Beginning in the Southerly line of Whittier Avenue, N.E., at the North-easterly corner of said Sublot No. 32; thence Southerly along the Easterly line of said Sublot No. 32, 142.69 feet to the Southeasterly corner thereof;

thence Westerly along the Southerly line of said Sublot No. 32 and said Sublot No. 30, 53 feet to a point, thence Northerly parallel with the Easterly line of said Sublot No. 30, 41.50 feet to a point; thence North-easterly in a direct line to a point in the Easterly line of said Sublot No. 30 distant Northerly, measured along said Easterly line, 80 feet from the Southeasterly corner of said Sublot No. 30; thence Northerly along the Easterly line of said Sublot No. 30, 62.29 feet to the Southerly line of Whittier Avenue, N.E.; thence Easterly along the Southerly line of Whittier Avenue, N.E., 40 feet to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

Section 25. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 104-19-087 as more fully described in Section 26 below, to Cuyahoga Metropolitan Housing Authority.

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

P. P. No. 104-19-087

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 36 in William C. Sweesy and Others Subdivision of part of Original One Hundred Acre Lot No. 340, as shown by the recorded plat in Volume 12 of Maps, Page 40 of Cuyahoga County Records, and being 40 feet front on the Southerly side of Whittier Avenue, N.E., (formerly known as Sixth Avenue) and extending back of equal width 142.68 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

Section 27. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 104-19-091 as more fully described in Section 28 below, to Cuyahoga Metropolitan Housing Authority.

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

P. P. No. 104-19-091

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 44 in Lena B. Sweesy's and other's Re-Allotment of R.L. Willard's Allotment and portions of Luther Moses' and M.C. Water's Allotment on Original One Hundred Acre Lot No. 340, East Cleveland Township and now in said City of Cleveland. Said Sublot No. 44 has a frontage of 40 feet on the Southerly side of Whittier Avenue and extending back between parallel lines 142.67 feet, as shown by plat of said Re-Allotment recorded in Volume 12 of Maps, Page 40 of Cuyahoga County Records,

Also subject to all zoning ordinances, if any.

Section 29. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Sup-

plies is hereby authorized to sell Permanent Parcel No. 104-21-116 as more fully described in Section 30 below, to Cuyahoga Metropolitan Housing Authority.

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

P. P. No. 104-21-116

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and bounded and described as follows: The Easterly 25 feet of Sublot No. 140 and the Westerly 5 feet of Sublot No. 141 in the Park Realty Company's Re-Allotment of Sublot Nos. 16 to 35 inclusive, and Sublot Nos. 50 to 65, inclusive, in Stone, Johnson and Bates' Subdivision of part of Original One Hundred Acre Lot No. 340, as shown by the recorded plat of said Re-Allotment in Volume 26 of Maps, Page 30 of Cuyahoga County Records, and together being 30 feet front on the Northerly side of Belvidere Avenue, N.E., and extending back of equal width 90 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to covenants and restrictions recorded in Volume 853, Page 186 of Cuyahoga County Records.

Also subject to modification of restrictions recorded in Volume 887, Page 424 of Cuyahoga County Records.

Further subject to easement recorded in Volume 879, Page 382 of Cuyahoga County Records.

In addition, subject to restrictions, terms and conditions recorded in Miscellaneous Volume 111, Page 9 and in Miscellaneous Volume 111, Page 43 of Cuyahoga County Records.

Also subject to all zoning ordinances, if any.

Section 31. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 104-21-117 as more fully described in Section 32 below, to Cuyahoga Metropolitan Housing Authority.

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

P. P. No. 104-21-117

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Easterly 30 feet of Sublot No. 141 in the Park Realty Company's Re-Allotment of part of Original One Hundred Acre Lot No. 340 as shown by the recorded plat in Volume 26 of Maps, Page 30 of Cuyahoga County Records and being 30 feet front on the Northerly side of Belvidere Avenue, N.E., and extending back of equal width 90 feet deep, as appears by said plat.

Subject to zoning ordinances, if any.

Section 33. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 104-21-118 as more fully described in Section 34 below, to Cuyahoga Metropolitan Housing Authority.

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

P. P. No. 104-21-118

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 142 in the Park Realty Company's Re-Subdivision of part of Original One Hundred Acre Lot No. 340, as shown by the recorded plat in Volume 26 of Maps, Page 30 of Cuyahoga County Records, and being 35 feet front on the Northerly side of Belvidere Avenue, N.E., and extending back of equal width 90 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 35. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 104-21-130 as more fully described in Section 36 below, to Cuyahoga Metropolitan Housing Authority.

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

P. P. No. 104-21-130

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot Nos. 117, 118, 119, 122 and all of Sublot Nos. 120 and 121 in The Park Realty Company's Re-Subdivision of Sublot Nos. 16 to 35 and 50 to 65 inclusive, and a part of Sublot No. 36 and 66 in Johnson, Bates and Stone's Subdivision of part of Original One Hundred Acre Lot No. 340, as shown by the recorded plat of said Re-Subdivision in Volume 26 of Maps, Page 30 of the Cuyahoga County Records and bounded and described as follows:

Beginning in the Southerly line of Belvidere Avenue N.E., at the Northeastly corner of said Sublot No. 120; thence Southerly along the Easterly line of said Sublot No. 120 and 119, 99.9 feet to a point distant 100 feet Northerly from the Northerly line of Hough Avenue, N.E., thence Westerly parallel with Hough Avenue, N.E., 95 feet to a point; thence Northerly in a direct line 99.91 feet to a point in the Southerly line of Belvidere Avenue, N.E., distant 95 feet Westerly measured along said Northerly line, from the place of beginning, thence Easterly along the Southerly line of Belvidere Avenue, N.E., 95 feet to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 37. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 104-21-132 as more fully described in Section 38 below, to Cuyahoga Metropolitan Housing Authority.

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

P. P. No. 104-21-132

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot Nos. 125 and 126 and the Easterly 2 feet of Sublot No. 127 in the Park Realty Company's Re-Subdivision of part of Original One Hundred Acre Lot No. 340, as shown by the record-

ed plat of said Re-Subdivision in Volume 26 of Maps, Page 30 of Cuyahoga County Records, and together forming a parcel of land having a frontage of 74 feet on the Southerly side of Belvidere Avenue, N.E., and extending back between parallel lines 90 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

Section 39. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 104-21-135 as more fully described in Section 40 below, to Cuyahoga Metropolitan Housing Authority.

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

P. P. No. 104-21-135

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Easterly 33 feet of Sublot No. 129 and the Westerly 2 feet of Sublot No. 128 in the Park Realty Company's Re-Subdivision of part of Original One Hundred Acre Lot No. 340, as shown by the recorded plat of said Re-Subdivision in Volume 26 of Maps, Page 30 of Cuyahoga County Records, and together forming a parcel of land 35 feet front on the Southerly side of Belvidere Avenue, N.E., (formerly Belvidere Avenue), and extending back of equal width 90 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 41. 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. 104-21-136 as more fully described in Section 42 below, to Cuyahoga Metropolitan Housing Authority.

Section 42. That the real property to be sold pursuant to Section 41 of this Ordinance is more fully described as follows:

P. P. No. 104-21-136

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Westerly 3 feet of Sublot No. 129 and the Easterly 33 feet of Sublot No. 130 in the Park Realty Company's Subdivision of part of Original One Hundred Acre Lot No. 340 as shown by the recorded plat in Volume 26 of Maps, Page 30 of Cuyahoga County Records and being 36 feet front on the Southerly side of Belvidere Avenue and extending back of equal width 90.0 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

Section 43. 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. 104-21-137 as more fully described in Section 44 below, to Cuyahoga Metropolitan Housing Authority.

Section 44. That the real property to be sold pursuant to Section 43 of this Ordinance is more fully described as follows:

P. P. No. 104-21-137

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being in the Easterly 33 feet of Sublot No. 131 and the Westerly 3 feet of Sublot No. 130 in the Park Realty Company's Subdivision of part of Original One Hundred Acre Lot No. 340 and of Sublot No. 16 and 35 and 50 to 65 inclusive and part of Sublots Nos. 36 and 66 in Johnson, Bates and Stone's Subdivision of part of Original One Hundred Acre Lot No. 340, as shown by the recorded plat in Volume 26 of Maps, Page 30 of Cuyahoga County Records and together forming a parcel of land 36 feet front on the Southerly side of Belvidere Avenue, N.E., and extending back of equal width 90 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 45. 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. 104-21-138 as more fully described in Section 46 below, to Cuyahoga Metropolitan Housing Authority.

Section 46. That the real property to be sold pursuant to Section 45 of this Ordinance is more fully described as follows:

P. P. No. 104-21-138

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Easterly 1 foot of the Westerly 3 feet from front to rear of Sublot No. 131 in the Park Realty Company's Re-Subdivision of part of Original One Hundred Acre Lot No. 340, as shown by the recorded plat in Volume 26 of Maps, Page 30 of Cuyahoga County Records, said part of Sublot No. 131 has a frontage of 1 foot on the Southerly side of Belvidere Avenue and extends back of equal width 90 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 47. 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. 104-21-139 as more fully described in Section 48 below, to Cuyahoga Metropolitan Housing Authority.

Section 48. That the real property to be sold pursuant to Section 47 of this Ordinance is more fully described as follows:

P. P. No. 104-21-139

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Westerly 2 feet of Sublot No. 131 and the Easterly 34 feet of Sublot No. 132 in the Park Realty Company's Re-Subdivision of Sublot Nos. 16 to 35, 50 to 65 and part of Sublot Nos. 36 and 66 in Johnson, Bates and Stone's Subdivision of part of Original One Hundred Acre Lot No. 340, as shown by the recorded plat of said Re-Subdivision in Volume 26 of Maps, Page 30 of Cuyahoga County Records. Said part of Sublot Nos. 131 and 132 together form a parcel of land having a frontage of 36 feet on the Southerly side of Belvidere Avenue, N.E., and extending back, between parallel lines, 90 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 49. 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. 104-21-140 as more fully described in Section 50 below, to Cuyahoga Metropolitan Housing Authority.

Section 50. That the real property to be sold pursuant to Section 49 of this Ordinance is more fully described as follows:

P. P. No. 104-21-140

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and bounded and described as follows: Known as being the Westerly 2 feet of Sublot No. 132 and the Easterly 34 feet of Sublot No. 133 in the Park Realty Company's Re-Subdivision of a part of Original One Hundred Acre Lot No. 340 as shown by the recorded plat of said Re-Subdivision in Volume 26 of Maps, Page 30 of Cuyahoga County Records, and together forming a parcel of land 36 feet front on the Southerly side of Belvidere Avenue, N.E., and extending back of equal width 90 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

Section 51. 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. 104-21-141 as more fully described in Section 52 below, to Cuyahoga Metropolitan Housing Authority.

Section 52. That the real property to be sold pursuant to Section 51 of this Ordinance is more fully described as follows:

P. P. No. 104-21-141

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the most Westerly 2 feet of Sublot No. 133 in the Park Realty Company's Re-Subdivision of part of Original One Hundred Acre Lot No. 340, as shown by the recorded plat in Volume 26 of Maps, Page 30 of Cuyahoga County Records, said Westerly part of Sublot No. 133 has a frontage of 2 feet on the Southerly side of Belvidere Avenue, and extends back of equal width 90 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 53. 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. 104-21-142 as more fully described in Section 54 below, to Cuyahoga Metropolitan Housing Authority.

Section 54. That the real property to be sold pursuant to Section 53 of this Ordinance is more fully described as follows:

P. P. No. 104-21-142

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Subdivision 134 in the Park Realty Company Re-Subdivision of a part of Original One Hundred Acre Lot No. 340, as shown by the recorded plat in Volume 26 of Maps, Page 30 of Cuya-

hoga County Records, and being 36 feet front on the Southerly side of Belvidere Avenue, N.E., (formerly Belvidere Avenue) and extending back of equal width, 90 feet deep as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

Section 55. 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. 104-18-028 as more fully described in Section 54 below, to Cuyahoga Metropolitan Housing Authority.

Section 56. That the real property to be sold pursuant to Section 53 of this Ordinance is more fully described as follows:

P. P. No. 104-18-028

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 25 in Medway N.C. Waters Subdivision of part of Original One Hundred Acre Lot No. 340 as shown by the recorded plat in Volume 7 of Maps, Page 13 of Cuyahoga County Records and being 40 feet front on the Southerly side of Linwood Avenue, N.E., and extending back of equal width 155 feet deep as appears by said plat, be the same more or less, but subject to all legal highways.

Section 57. 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. 104-19-065 as more fully described in Section 54 below, to Cuyahoga Metropolitan Housing Authority.

Section 58. That the real property to be sold pursuant to Section 53 of this Ordinance is more fully described as follows:

P. P. No. 104-19-065

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 63 in Medway N.C. Waters Allotment of part of Original One Hundred Acre Lot No. 340, as shown by the recorded plat in Volume 7 of Maps, Page 13 of Cuyahoga County Records, and being 40 feet front on the Southerly side of Linwood Avenue, N.E., (formerly Lena Avenue) and extending back between parallel lines 155 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

Section 59. 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. 104-20-035 as more fully described in Section 54 below, to Cuyahoga Metropolitan Housing Authority.

Section 60. That the real property to be sold pursuant to Section 53 of this Ordinance is more fully described as follows:

P. P. No. 104-20-035

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of

Sublot No. 10 in Johnson, Bates and Stone's Subdivision of part of Original One Hundred Acre Lot No. 340, as shown by the recorded plat in Volume 8 of Maps, Page 24 of Cuyahoga County Records, bounded and described as follows:

Commencing at a point in the Southerly line of Quimby Avenue, N.E., 60 feet wide, at the Northeast corner of Sublot No. 10. Thence Southerly along the Easterly line of Sublot No. 10, 111.85 feet to a point and the principal place of beginning. Thence Southerly along the Easterly line of Sublot No. 10, 88.13 feet to a point being the Southwesterly corner of Sublot No. 10 and the Northerly line of Belvidere Avenue, N.E. Thence Westerly along the Southerly line of Sublot No. 10 being the Northerly line of Belvidere Avenue 49.99 feet to a point being the Southwesterly corner of Sublot No. 10. Thence Northerly along the Westerly line of Sublot No. 10, 88.14 feet to a point. Thence Easterly parallel with the Southerly line of Quimby Avenue 49.99 feet to the principal place of beginning, be the same more or less, but subject to all legal highways.

Subject to restrictions recorded in Volume 1019, Page 508 of Cuyahoga County Records.

Subject to right of way 10 feet wide (the center line of which is the dividing line between Sublot Nos. 10 and 11) recorded in Volume 997, Page 493 of Cuyahoga County Records.

Common easements recorded in Volume 7092, Page 273 of Cuyahoga County Records.

Subject to zoning ordinances, if any.

Section 61. 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 62. 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 63. 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 64. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force

from and after the earliest period allowed by law.

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

Ord. No. 1210-2000.

By Councilmen Melena and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of equipment, computer and telecommunications equipment and operational equipment, for the various divisions of the Department of Community Development.

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

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

Section 1. That the Director of Community Development is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of equipment, computer and telecommunications equipment and operational equipment, in the estimated sum of \$524,000.00, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Department of Community Development. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than 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 10290 and 10291)

Section 3. That pursuant to Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative agreements using state procedures. The Director of Finance may sign all documents with the State of Ohio or any of its political subdivisions that are necessary to effectuate such cooperative efforts and may enter into contract with the vendors selected through that cooperative process.

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

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

Ord. No. 1211-2000.

By Councilman Patmon.

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Sections 189.01 and 189.02 thereof, relating to local business enterprise code.

Whereas, the Council of the City of Cleveland believes that the public interest and the economic well-being of its citizens are best served by encouraging businesses to locate, remain and prosper within the City of Cleveland; and

Whereas, the City of Cleveland has a legitimate interest and concern in promoting and encouraging employment, particularly of its residents, within the city's corporate limits, 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 Sections 189.01 and 189.02 thereof, to read, respectively, as follows:

CHAPTER 189

LOCAL BUSINESS ENTERPRISE CODE

Section 189.01 Definitions

As used in this chapter, the following terms shall be defined as set forth below:

(a) "City" means the City of Cleveland, Ohio.

(b) "Contract" means a binding agreement awarded on or after the effective date of this Local Business Enterprise Code whereby the City has entered into a purchase contract in accordance with Chapter 181 of the Codified Ordinances or a public improvement contract in accordance with Chapter 185 of the Codified Ordinances.

(c) "Local Business Enterprise" means a business whose principal place of business is located within the corporate boundaries of the City of Cleveland. For purposes of this chapter, a business shall be considered to have its principal place of business in Cleveland if it maintains a significant Cleveland economic presence.

(d) "Significant Cleveland Economic Presence" means a business that:

(1) has one or more sales offices, divisions, sales outlets or manufacturing facilities in Cleveland, and

(2) has paid the required taxes to the City of Cleveland for not less than one (1) year immediately prior to the submission of the bid; and

(3) employs a minimum of five (5) full-time employees in its office, division or factory in the City; and

(4) any goods being provided originate, are manufactured or are assembled in the City; and

(5) is compliance with all City of Cleveland codes applicable to their office, division or factory in the City.

Section 189.02 Implementation of a Local Business Bid Preference

Council has determined that there shall be a local preference given to

local business enterprises which are seeking to enter into contract with the City of Cleveland. Prior to awarding a contract, the Commissioner of Purchases and Supplies shall evaluate the bids received to give preference to bidders whose principal places of business are local business enterprises as defined in Section 189.01; provided, however that sufficient competition can be generated to ensure that compliance with these requirements will not result in an excessive price or disproportionately inferior services. For purposes of this section, "excessive price" shall mean a price which exceed by more than five percent (5%) the lowest price submitted on a non-Cleveland bid.

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

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

Ord. No. 1212-2000.

By Councilmen White and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Personnel and Human Resources to enter into contracts with various service providers for adult employment and training services.

Whereas, pursuant to Ordinance No. 657-2000, passed May 22, 2000, this Council, authorized the Director of Personnel and Human Resources, among other things, to accept allocations of grants from the State of Ohio Bureau of Employment Services under the Workforce Investment Act; and

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

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

Section 1. That the Director of Personnel and Human Resources is hereby authorized to enter into contracts with various service providers under the Workforce Investment Act, which include services for adult employment and training services.

Section 2. That the cost of the contracts herein authorized shall not exceed \$4,193,774.00, and shall be paid from Fund No. 16 SF 200, Request No. 16470.

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

Referred to Directors of Personnel and Human Resources, Finance, Law; Committees on Employment, Affirmative Action and Training, Finance.

Ord. No. 1213-2000.
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 Maurice Bellford Corporation to provide economic development assistance to partially finance the renovation of real property located at 5900 Maurice 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 Maurice Bellford Corporation to provide economic development assistance to partially finance the renovation of real property located at 5900 Maurice 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. 1213-2000-A.

Section 3. That the costs of said contract shall not exceed One Hundred Thousand Dollars (\$100,000.00), and shall be paid from Fund No. 17 SF 008, Request No. 26620.

Section 4. That the Director of Economic Development is hereby authorized to accept the collateral as set forth in the Executive Summary contained in the file referenced in Section 2 of this ordinance in order to secure repayment of said loan. Any security instrument shall be prepared and approved by the Director of Law.

Section 5. That the Director of Economic Development is hereby authorized to accept monies in repayment of the loan and to deposit said monies in Fund No. 17 SF 006.

Section 6. That the Director of Economic Development is hereby authorized to charge and accept fees in an amount not to exceed the maximum allowable fees under federal regulations and expend such fees to cover costs incurred in the preparation of the loan application, closing and servicing of the loan. Such fees shall be deposited to and expended from Fund No. 17 SF 305, Loan Fees Fund.

Section 7. That the Director of Law is hereby authorized to prepare said contract and such other documents as may be appropriate to complete the transaction.

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

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

Ord. No. 1214-2000.
By Councilman Patmon (by departmental request).

An emergency ordinance authorizing the Director of the Community Relations Board to apply for and accept a grant from the Department of Justice Affairs for the 2000 Teen Court Program; and to enter into contract with the YMCA of Greater Cleveland to implement the Program.

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

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

Section 1. That the Director of the Community Relations Board is hereby authorized to apply for and accept a grant in the amount of \$27,603.00, from the Department of Justice Affairs, to conduct the 2000 Teen Court Program, for the purposes set forth in the application and according thereto; that the Director of the Community Relations Board is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the application for said grant.

Section 2. That the application for said grant, File No. 1214-2000-A, made a part hereof as if fully rewritten herein, including the obligation of the City of Cleveland to provide cash matching funds in the sum of \$9,201.00 from Fund No. 01-010901-639905, is hereby approved in all respects.

Section 3. That the Director of the Community Relations Board is hereby authorized to enter into contract with the YMCA of Greater Cleveland to provide implementing services as identified in the above-mentioned file, and that said contract is payable from the fund or funds to which are credited the grant proceeds accepted pursuant to this ordinance and from the cash matching funds identified in Section 2 of this ordinance.

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

Referred to Directors of Community Relations Board, Finance, Law; Committee on Finance.

Ord. No. 1215-2000.
By Councilman Britt.
An emergency ordinance to amend Section 343.11 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 2215-96, passed April 7, 1997, relating to general retail business districts.

Whereas, this ordinance constitutes an emergency measure providing for 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 343.11 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 2215-96, passed April 7, 1997, is hereby amended to read as follows:

Section 343.11 General Retail Business Districts

(a) "General retail business" means an enterprise for profit for the convenience and service of, and dealing directly with, and accessible to, the ultimate consumer; neither injurious to adjacent premises or to the occupants thereof by reason of the emission of cinders, dust, fumes, noise, odors, refuse matter, smoke,

vapor or vibrations; nor dangerous to life or property. It includes buildings or spaces necessary to a permitted use for making or storing articles to be sold at retail on the premises. Except as provided in division (b) of this section, it does not include any establishment which supplies a retail outlet other than that on the premises, or any building or use specifically mentioned as permitted only in a Semi-Industry or Industry District.

(b) Permitted Buildings and Uses. The following buildings and uses are permitted in a General Retail Business District; and no buildings or premises shall hereafter be erected, altered, used, arranged or designed to be used, in whole or in part for other than one or more of the following specified uses:

(1) Except as otherwise provided in this Zoning Code, all uses permitted and as regulated in any Local Retail Business District.

(2) All retail business uses and buildings specified in division (b) of Section 343.01, and uses and buildings to provide for:

A. The sale of food and beverages of all kinds, including sale for consumption on the premises;

B. The sale of general merchandise, including sale in department stores;

C. The sale of apparel of all kinds;

D. The sale of furniture and household goods, including furniture and accessory furniture storage;

E. The sale of other goods or merchandise;

F. Eating places of all types;

G. Service establishments: service establishment permitted in a Local Retail Business District without limitation on the number of persons engaged in such work or business; mortuary or undertaking establishment; printing shop, provided not more than five persons are engaged in such work or business; research laboratory, radio or television station, telephone exchange or transformer station, provided all buildings and structures except fences and barriers are located not less than fifteen feet from a Residence District; hospital, sanitarium, convalescent home, rest home, nursing home, orphanage or home for the infirm or aged, provided that all main buildings are not less than fifteen feet from any adjoining premises in a Residence District not used for a similar purpose; cat and dog hospital or pet shop, provided noise and odors are effectively confined to the premises.

H. Business offices and services: in addition to the uses permitted in Local Retail Districts, office buildings, banks, business colleges, private trade schools.

I. Automotive services: in addition to the uses permitted in Local Retail Districts:

1. Service garage.

2. Automobile laundry, provided the premises are located not less than 100 feet from a Residence District.

3. Parking lot.

4. Lot for the sale of new and secondhand motor vehicles or trailers except those of more than two tons net weight provided that all vehicles advertising matter, and all structures, movable or fixed, are kept back of a structurally-sound barrier at least one and one-half feet high located as follows:

a. Where the building line is back of the street line, the barrier shall be located on or back of the setback building line.

b. Where the distance from the street line to the front line's of the nearest buildings at the sides of the premises and within 100 feet of the premises is less than that required by division (I)(4)A.I.a. of this section, the barrier may be erected to a line joining the near front corners of such buildings, or at the average distance of such buildings from the street line.

5. Service station which meets all the requirements and provisions of Section 343.13.

J. House trailer or travel trailer park, as defined in Section 3733.01 of the Revised Code, when approved by the Board of Zoning Appeals after public hearing, and when used and maintained in conformity with any conditions specified in such approval.

K. Signs: signs permitted in accordance with the requirements of Chapter 350.

L. Amusement and recreation: armory, assembly hall, bowling alley, dance hall, video and pinball arcade, pool and billiards theater, skating rink or other social, sport or recreational center operated as a business, all such uses subject to the regulations of Section 347.12 and adult entertainment uses, subject to Section 347.07, provided that the place or building in which any such amusement or recreation use is operated is sufficiently sound-insulated to confine the noise to the premises.

M. Transportation services: railroad station; public service station; bus passenger station; bus terminal, provided the roadway of the street upon which the bus entrance or exit is located is at least forty-four feet wide between curbs.

N. Office, display or sales space of a wholesale, jobbing or distributing establishment and specifically mentioned as permitted only in a less restricted district, in connection with which not more than twenty-five percent of the floor area of the building or part of the building occupied by the establishment is used for making, assembling, remodeling, repairing, altering, finishing or refinishing its products or merchandise and provided that:

1. Any resulting cinders, dust, fumes, noise, odors, refuse matter, smoke, vapor or vibration is effectively confined to the premises.

2. The ground floor premises facing upon and visible from a major street upon which the premises abut shall be used only for entrances, offices or display.

3. Adequate off-street loading and unloading facilities are provided and so designed that any standing vehicles using them shall be within the property lines and be either not visible from streets within Retail Business, Local Retail Business or Residence District, or not nearer than fifty feet to such streets.

O. Retail poultry business: either as a main use or as an accessory use, including the storing and killing of poultry or game to be sold entirely at retail upon the premises and directly to the ultimate consumer, provided that the enterprise is conducted in strict compliance with all applicable statutes, laws, rules and regulations, including those requiring rat-proofing, and that adjacent premises or the occupants thereof are not injured by rea-

son of the emission of dust, odor, smoke or noise or the accumulation of refuse or offal, and provided further that the buildings in which the killing, storing and selling are done are either detached masonry structures or part of a masonry building used entirely for the handling of poultry and/or game.

1. A detached masonry structure used for slaughtering or for storing of live poultry shall have not less than 100 square feet of floor area and shall be located at least ten feet from any other building or part thereof on the same lot which is used for human habitation, or as a place where other food is prepared, placed, kept or sold.

2. Where the slaughtering room is part of a masonry building used entirely for the handling of poultry and/or game, such slaughtering room shall be separated from the sales or storage room by a solid masonry wall in which there may be only one opening not greater than four square feet in size, located not less than four feet above the floors of both rooms, equipped with either a self-closing window or self-closing door. Such slaughtering room shall be entered only from outside the building.

3. In either case, such slaughtering room shall be used only for killing, flicking and dressing and shall be not less than twenty-five feet from the boundary of the premises upon which it is located. All offal and refuse must be kept in covered containers within such slaughtering room until removed from the premises.

4. Such slaughtering room and every building, room or space used for storage or sale of poultry or game in connection therewith shall be not less than 300 feet from any Residence District, church, school, playground, library or building of Institutional H Occupancy classification.

P. Any other building, use or service similar to the uses herein listed in the type of services or goods sold, in the number of persons or cars to be attracted to the premises or in the effect upon adjacent areas in more restricted use districts.

Q. Any accessory use customarily incident to a use authorized by this section, except that no use specified in divisions (b) and (c) of Section 345.04 as prohibited or permitted only by special permit in a General Industry District shall be permitted as an accessory use.

(3) Hotels.

(4) Motels.

(5) Charitable institutions, including correctional halfway houses, as regulated in Section 347.15; and notwithstanding any Section of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Cuyahoga County Youth Intervention Center, providing temporary detention and shelter for juveniles, to be located at East 93rd Street and Quincy Avenue.

Section 2. That existing Section 343.11 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 2215-96, passed April 7, 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.

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

Councilman Jackson left the meeting.

FIRST READING ORDINANCES REFERRED

Ord. No. 1216-2000.

By Councilman Britt.

An ordinance to change the Use and Area Districts of lands on the south side of Quincy Avenue, S.E. and the east side of East 93 Street (Map Change No. 2015, Sheet Nos. 5 & 9)

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

Section 1. That the Use and Area Districts of land bounded and described as follows:

Beginning at the intersection of the southwesterly extension of the center line of the Norfolk Southern Corporation Railroad tracks and the center line of East 93 Street; thence northerly along said center line of East 93 Street to the center line of Quebec Avenue, S.E.; thence easterly along said center line of Quebec Avenue, S.E., to its intersection with the northerly extension of the easterly line of Sublot No. 52 in the Massey, Mansur and Grant Subdivision as recorded in Volume 5, Page 59 of the Cuyahoga County Map Records; thence southerly along said northerly extension and along said easterly line of said Sublot No. 52 to its intersection with a line located one hundred forty (140) feet south of the southerly line of Quebec Avenue, S.E.; thence westerly along said line which is parallel to and one hundred forty (140) feet south of said southerly line of Quebec Avenue, S.E. to its intersection with the easterly line of Sublot No. 72 in said Massey, Mansur and Grant Subdivision; thence southerly along said easterly line of said Sublot No. 72 and along its southerly extension to the center line of Quincy Avenue, S.E.; thence easterly along said center line of Quincy Avenue, S.E., to its intersection with the northeasterly extension of said center line of said Norfolk Southern Corporation Railroad tracks; thence southwest-erly along said northeasterly extension and along said center line of said Norfolk Southern Corporation Railroad tracks and along its southwesterly extension to the place of beginning,

and as outlined in red on the map hereto attached, be and the same are hereby changed to a General Retail Use District and a 'C' Area District.

Section 2. That said changed designation of lands described in Section 1 shall be identified as Map Change No. 2015, Sheet Nos. 5 & 9 and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for such purpose by the City Planning Commission.

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

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

Ord. No. 1217-2000.**By Councilman Patmon (by departmental request).****An ordinance to assess the cost and expense of construction and repairing of sidewalks and curbing. (East Side)**

Whereas, pursuant to Resolution No. 1095-97 adopted June 16, 1997, written notice requiring the laying, relaying and repairing of sidewalks, driveway aprons, curbs, and gutters in front of premises hereinafter set forth was duly served upon the owners in the manner prescribed by law, but which work was not undertaken by the owners of said premises, the same being done by the City of Cleveland, pursuant to section 165 of the Charter; and,

Whereas, the Director of Finance has reported to this Council on the 17th day of July, 2000, all of the expenses of such construction and repairing by the City of Cleveland, and,

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

Section 1. That for the purpose of paying for the cost and expense of construction and repairing of sidewalks and curbing, there be and hereby is levied and assessed upon the following described property abutting said improvements situated in the City of Cleveland, County of Cuyahoga and State of Ohio, the following respective amounts:

PERMANENT PARCEL	OWNER NAMES	LOCATION ADDRESS	TOTAL AMOUNT
138-20-045	C. CARTER	4368 E. 141ST STREET	\$ 1,060.00
138-20-046	M. BURNSIDE	4364 E. 141ST STREET	\$ 1,576.20
138-20-047	LESTER CANNON	4360 E. 141ST STREET	\$ 1,538.30
138-20-048	GWEN ALLEN	4356 E. 141ST STREET	\$ 1,202.30
138-20-049	R. BRADLEY	4352 E. 141ST STREET	\$ 1,327.60
138-20-050	P. THOMAS	4348 E. 141ST STREET	\$ 1,020.40
138-20-051	MICHAEL HART	4344 E. 141ST STREET	\$ 991.60
138-20-052	ETHEL CROWDER	4340 E. 141ST STREET	\$ 739.25
138-20-053	RUTH NAPIER	4336 E. 141ST STREET	\$ 1,267.60
138-20-054	ERIC GOLDEN	4332 E. 141ST STREET	\$ 1,576.20
138-20-055	B. ROBINSON	4328 E. 141ST STREET	\$ 591.50
138-20-056	BETTY TERRY	4324 E. 141ST STREET	\$ 1,185.90
138-20-057	ELIJAH BROWN, JR.	4320 E. 141ST STREET	\$ 1,062.40
138-20-058	VON E. JONES	4316 E. 141ST STREET	\$ 1,510.80
138-20-059	ANNIE WHITE	4312 E. 141ST STREET	\$ 1,060.00
138-20-060	EMMA WORTHY	4304 E. 141ST STREET	\$ 1,220.00
138-20-061	N. HENDERSON	4300 E. 141ST STREET	\$ 1,162.00
138-20-062	N. HENDERSON	4300 E. 141ST STREET	\$ 1,372.50
138-20-063	L. W. LEONARD	4292 E. 141ST STREET	\$ 1,676.60
138-20-064	DEBRA K. WHITE	4301 E. 141ST STREET	\$ 1,060.00
138-20-065	DEBRA K. WHITE	4301 E. 141ST STREET	\$ 1,480.80
138-20-066	WM. SORRELL, JR.	4305 E. 141ST STREET	\$ 1,507.60
138-20-067	WILLIE HUDSON	4309 E. 141ST STREET	\$ 1,691.20
138-20-068	C. HIGHTOWER	4313 E. 141ST STREET	\$ 978.60
138-20-069	V. WEAVER	4317 E. 141ST STREET	\$ 1,507.60
138-20-070	DORIS WOODEN	4321 E. 141ST STREET	\$ 1,474.60
138-20-071	IDELL C. FARLEY	4325 E. 141ST STREET	\$ 591.50
138-20-072	L. NORWOOD	4329 E. 141ST STREET	\$ 895.50
138-20-073	CITY OF CLEVELAND	4333 E. 141ST STREET	\$ 1,060.00
138-20-074	BENNY WILLIAMS	4337 E. 141ST STREET	\$ 751.50
138-20-075	C. HEMPSTEAD	4341 E. 141ST STREET	\$ 1,507.60
138-20-076	F. HENDERSON	4345 E. 141ST STREET	\$ 1,325.00
138-20-077	J. COLEMAN	4349 E. 141ST STREET	\$ 1,507.60
138-20-078	T. FREEMAN	4353 E. 141ST STREET	\$ 1,027.60
138-20-079	KEITH RENDER	4357 E. 141ST STREET	\$ 1,606.60
138-20-080	ANN R. HILL	4361 E. 141ST STREET	\$ 1,474.60
138-20-081	ELIZABETH LEE	4365 E. 141ST STREET	\$ 932.00
138-20-082	TIMOTHY LEWIS	4369 E. 141ST STREET	\$ 4,356.80
138-22-001	R. TIMBERLAKE	4382 E. 141ST STREET	\$ 1,060.00
138-22-002	K. CHAMBERS	4386 E. 141ST STREET	\$ 1,689.90
138-22-003	C. RICHARDSON	4390 E. 141ST STREET	\$ 1,121.60
138-22-004	BRENDA WATKINS	4394 E. 141ST STREET	\$ 929.60
138-22-005	RUTH CURRY	4398 E. 141ST STREET	\$ 1,144.20
138-22-006	GLADYS. TATE	4402 E. 141ST STREET	\$ 420.00
138-22-007	GLADYS. TATE	4402 E. 141ST STREET	\$ 420.00
138-22-008	CHERRIE JONES	4414 E. 141ST STREET	\$ 2,221.90
138-22-010	J. MCREYNOLDS	4418 E. 141ST STREET	\$ 1,199.40
138-22-011	D. OUTLER	4422 E. 141ST STREET	\$ 649.75
138-22-012	VIRGINIA MCINTOS	4426 E. 141ST STREET	\$ 1,557.90
138-22-013	A. SPRAGGINS	4430 E. 141ST STREET	\$ 1,576.20
138-22-014	THOMAS OBIE	4434 E. 141ST STREET	\$ 1,538.30
138-22-015	RITA BROWN	4438 E. 141ST STREET	\$ 1,327.60
138-22-016	HORACE HILL	4442 E. 141ST STREET	\$ 1,172.00
138-22-017	S. WOODSON	4443 E. 141ST STREET	\$ 1,236.85
138-22-018	C. M. H. A.	4439 E. 141ST STREET	\$ 1,083.60
138-22-019	KIM PARKER	4435 E. 141ST STREET	\$ 1,507.60
138-22-020	Y. ROBERTS	4431 E. 141ST STREET	\$ 1,507.60

138-22-021	DENISE UTER	4427 E. 141ST STREET	\$ 1,441.60
138-22-022	D. HATCHER	4423 E. 141ST STREET	\$ 1,378.30
138-22-023	LOUISE MITCHELL	4419 E. 141ST STREET	\$ 1,500.00
138-22-024	B. REGISTER	4415 E. 141ST STREET	\$ 1,500.00
138-22-025	C. HARRISON	4411 E. 141ST STREET	\$ 612.00
138-22-026	CHAS. YOUNG	4407 E. 141ST STREET	\$ 1,076.60
138-22-027	JEROME STCYR	4403 E. 141ST STREET	\$ 1,117.50
138-22-028	VIOLA CHAPMAN	4399 E. 141ST STREET	\$ 1,250.00
138-22-029	P. GRIFFIN	4395 E. 141ST STREET	\$ 1,474.60
138-22-030	NANCY L. MOORE	4391 E. 141ST STREET	\$ 1,121.60
138-22-031	LEE E. OWENS	4387 E. 141ST STREET	\$ 1,441.60
138-22-032	SECY. OF HUD	4383 E. 141ST STREET	\$ 1,060.00
	TOTAL		\$ 88,215.65

Section 2. It is determined that the assessments do not exceed the special benefits resulting from the improvement and do not exceed the statutory limit.

Section 3. That the owners of the several lots and parcels of land included in said assessment shall pay the amounts from them severally due, as set forth in Section 1 above, to the City Treasurer within forty (40) days from and after the date of passage of this Ordinance, and in default thereof said tax, together with a penalty of five percent (5%) and interest not to exceed seven and one half percent (7.5%) per annum, shall be payable to the County Treasurer in five (5) annual installments, and the Commissioner of Assessments and Licenses is hereby authorized and directed to certify all unpaid assessments to the Cuyahoga County Auditor to be entered on the tax duplicate.

Section 4. That the Clerk of Council be and is hereby authorized and directed to cause notice of the levy of assessment herein provided for to be filed with the County Auditor within twenty (20) days following the passage of this Ordinance.

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

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

Ord. No. 1218-2000.

By Councilman Patmon (by departmental request).

An ordinance to assess the cost and expense of construction and repairing of sidewalks and curbing. (West Side)

Whereas, pursuant to Resolution No. 813-99 adopted May 3, 1999, written notice requiring the laying, relaying and repairing of sidewalks, driveway aprons, curbs, and gutters in front of premises hereinafter set forth was duly served upon the owners in the manner prescribed by law, but which work was not undertaken by the owners of said premises, the same being done by the City of Cleveland, pursuant to section 165 of the Charter; and,

Whereas, the Director of Finance has reported this Council on this 17th day of July, 2000, all of the expenses of such construction and repairing by the City of Cleveland, and,

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

Section 1. That for the purpose of paying for the cost and expense of construction and repairing of sidewalks and curbing, there be and hereby is levied and assessed upon the following described property abutting said improvements situated in the City of Cleveland, County of Cuyahoga and State of Ohio, the following respective amounts:

PERMANENT PARCEL	OWNER NAMES	LOCATION ADDRESS	TOTAL AMOUNT
005-25-028	WILSON A. LEECE	2180 W. 95TH STREET	\$ 1,159.00
005-25-029	WILSON A. LEECE	2184 W. 95TH STREET	\$ 2,165.50
005-25-030	WAYNE D. LEWIS	2194 W. 95TH STREET	\$ 1,189.50
005-25-039	CALVIN MCKENZIE	2195 W. 95TH STREET	\$ 1,067.50
005-25-040	LILLIAN M. HORN	2191 W. 95TH STREET	\$ 786.00
005-25-041	D. KASPERAK	2187 W. 95TH STREET	\$ 1,484.50
005-25-042	EPPICH ECKHART	2183 W. 95TH STREET	\$ 1,460.00
005-25-043	F. HENDERSON	2181 W. 95TH STREET	\$ 367.50
005-25-083	P. CLEMENCE	9412 WILLARD AVE.	\$ 1,680.00
005-25-084	DEAN CAMPBELL	9500 WILLARD AVE.	\$ 1,680.00
005-26-064	ED. WALKER	2100 W. 95TH STREET	\$ 1,380.00
005-26-065	MARK SHAFER	2106 W. 95TH STREET	\$ 1,782.40
005-26-066	D. BRANHAM	2110 W. 95TH STREET	\$ 1,782.90
005-26-067	M. JASZFALVI	2114 W. 95TH STREET	\$ 804.00
005-26-068	EVA KNIGHT	2118 W. 95TH STREET	\$ 1,380.00
005-26-069	BURCHAM PAET	2122 W. 95TH STREET	\$ 1,380.00
005-26-070	RICHARD A. KRAFT	2126 W. 95TH STREET	\$ 924.00
005-26-071	T. MCCLELLAND	2130 W. 95TH STREET	\$ 1,481.70
005-26-072	JESUS P BADEA	2134 W. 95TH STREET	\$ 1,380.00
005-26-073	ROY E. SIPE	2138 W. 95TH STREET	\$ 1,220.00
005-26-074	C. FORMAN	2142 W. 95TH STREET	\$ 1,220.00
005-26-075	ARTHUR MUSSON	2146 W. 95TH STREET	\$ 1,327.50
005-26-076	L. SCHIMKOLA	2150 W. 95TH STREET	\$ 420.00
005-26-077	R. ROBERTO	2154 W. 95TH STREET	\$ 1,617.00
005-26-078	A. HUERTAS	2158 W. 95TH STREET	\$ 1,020.00
005-26-079	WALTER LEHMAN	2162 W. 95TH STREET	\$ 420.00
005-26-080	SAMUEL P PEREZ	2166 W. 95TH STREET	\$ 1,280.00
005-26-081	W. YUZVA	2170 W. 95TH STREET	\$ 1,730.00

005-26-082	WALTER RHODES	2174 W. 95TH STREET	\$ 862.00
005-26-084	VIORREL FIERAN	2177 W. 95TH STREET	\$ 1,082.00
005-26-085	THOMAS SABA	2173 W. 95TH STREET	\$ 1,431.00
005-26-086	KEVIN P. MANZ	2169 W. 95TH STREET	\$ 847.50
005-26-087	J. HERNANDEZ	2167 W. 95TH STREET	\$ 607.50
005-26-088	C. E. DUNLAP, JR.	2165 W. 95TH STREET	\$ 567.50
005-26-089	FRANCIS GORDON	2161 W. 95TH STREET	\$ 1,082.00
005-26-090	ELIZABETH OTTO	2159 W. 95TH STREET	\$ 1,431.00
005-26-091	J. KENDRICK	2153 W. 95TH STREET	\$ 1,411.00
005-26-092	F. GRIMES	2149 W. 95TH STREET	\$ 1,039.00
005-26-093	S. O'DONNELL	2145 W. 95TH STREET	\$ 1,637.00
005-26-094	NORMAN KLETKE	2141 W. 95TH STREET	\$ 660.00
005-26-095	L. A. GRACE	2137 W. 95TH STREET	\$ 1,250.50
005-26-096	TWILLA SEXTON	2133 W. 95TH STREET	\$ 1,299.20
005-26-097	WALTER LAWSON	2129 W. 95TH STREET	\$ 1,790.40
005-26-098	WALTER LAWSON	2125 W. 95TH STREET	\$ 1,380.00
005-26-099	EDWARD ZERBY	2121 W. 95TH STREET	\$ 1,088.80
005-26-100	MILDRED CARTER	2117 W. 95TH STREET	\$ 1,372.80
005-26-101	IMRE IGAZ	2115 W. 95TH STREET	\$ 1,719.20
005-26-102	LILLIAN RUVOLO	2109 W. 95TH STREET	\$ 1,687.10
005-26-103	JOHN JOHNSTON	2105 W. 95TH STREET	\$ 1,346.80
005-26-104	C. BROWNING	2101 W. 95TH STREET	\$ 1,669.20
005-26-105	FRANK DERY	2097 W. 95TH STREET	\$ 1,689.80
005-27-031	DON A LUTZ	9501 MADISON AVE.	\$ 1,680.10
005-27-057	ROCHELLE FRITZ	2093 W. 95TH STREET	\$ 1,208.80
005-27-058	R. DELACRUZ	2089 W. 95TH STREET	\$ 1,586.80
005-27-059	R. MORCUS	2085 W. 95TH STREET	\$ 1,735.40
005-27-060	CMS PROPERTIES	2081 W. 95TH STREET	\$ 1,839.80
005-27-061	V. MCGERVEY	2077 W. 95TH STREET	\$ 1,660.40
005-27-062	J. NEWBURY	2069 W. 95TH STREET	\$ 1,453.00
005-27-063	J. NEWBURY	2069 W. 95TH STREET	\$ 1,614.10
005-27-064	MARY JOHNSON	2065 W. 95TH STREET	\$ 1,672.40
005-27-065	ARTHUR KNIGHT	2061 W. 95TH STREET	\$ 252.00
005-27-066	S. STEWART	2057 W. 95TH STREET	\$ 1,694.85
005-27-067	J. ABRAMOVIC	2053 W. 95TH STREET	\$ 1,688.45
005-27-068	L. GOSHORN	2049 W. 95TH STREET	\$ 1,398.95
005-27-069	V. NELSON, SR.	2045 W. 95TH STREET	\$ 1,002.00
005-27-070	TONY TOMATZ, JR.	2041 W. 95TH STREET	\$ 1,695.20
005-27-071	W. MARCANO	2037 W. 95TH STREET	\$ 1,084.80
005-27-072	M. MCGERVEY	2033 W. 95TH STREET	\$ 1,573.00
005-27-073	DONAL NICHOLAS	2029 W. 95TH STREET	\$ 1,434.00
005-27-074	MADISON AV. B.C.	2025 W. 95TH STREET	\$ 1,680.12
005-27-076	FELIX GUTIERREZ	2018 W. 95TH STREET	\$ 1,207.50
005-27-077	RUTH CICERO	2020 W. 95TH STREET	\$ 1,550.60
005-27-078	A. MANFREDI	2026 W. 95TH STREET	\$ 2,351.25
005-27-079	LANA HOVAN	2036 W. 95TH STREET	\$ 900.00
005-27-080	JOSEPH RICH	2038 W. 95TH STREET	\$ 960.00
005-27-081	ED. ALTMANN, JR.	2044 W. 95TH STREET	\$ 1,092.00
005-27-082	NGUYEN TRAN	2048 W. 95TH STREET	\$ 1,728.00
005-27-083	DANIEL MASON	2052 W. 95TH STREET	\$ 1,751.10
005-27-084	G. BASTAWROS	2056 W. 95TH STREET	\$ 1,380.00
005-27-085	JEFFREY ZICKES	2060 W. 95TH STREET	\$ 1,380.00
005-27-086	KAROLY FABIAN	2068 W. 95TH STREET	\$ 1,771.00
005-27-087	J. NEWBURY	2074 W. 95TH STREET	\$ 805.50
005-27-088	R. CHAMBERS	2078 W. 95TH STREET	\$ 535.50
005-27-089	LINDA BAILLIE	2082 W. 95TH STREET	\$ 1,219.00
005-27-090	ED. HULESCH	2088 W. 95TH STREET	\$ 1,815.50
005-27-091	SEYMOUR SMITH	2092 W. 95TH STREET	\$ 420.00
017-19-010	ED. HULESCH	3240 W. 98TH STREET	\$ 4,750.00
017-24-001	W.S. HUNG. CHUR	3243 W. 98TH STREET	\$ 1,837.50
		TOTAL	\$ 119,948.92

Section 2. It is determined that the assessments do not exceed the special benefits resulting from the improvement and do not exceed the statutory limit.

Section 3. That the owners of the several lots and parcels of land included in said assessment shall pay the amounts from them severally due, as set forth in Section 1 above, to the City Treasurer within forty (40) days from and after the date of passage of this Ordinance, and in default thereof said tax, together with a penalty of five percent (5%) and interest not to exceed seven and one half percent (7.5%) per annum, shall be payable to the County Treasurer in five (5) annual installments, and the Commissioner of Assessments and Licenses is hereby authorized and directed to certify all unpaid assessments to the Cuyahoga County Auditor to be entered on the tax duplicate.

Section 4. That the Clerk of Council be and is hereby authorized and directed to cause notice of the levy of assessment herein provided for to be filed with the County Auditor within twenty (20) days following the passage of this Ordinance.

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

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

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

Ord. No. 1219-2000.

**By Councilmen O'Malley, Polensek
and Patmon.**

An emergency ordinance disapproving the request to consent to transfer the Cable franchise from Cablevision of Cleveland, L.P. to Adelphia Cleveland LLC.

Whereas, Cablevision of Cleveland, L.P., an indirect wholly-owned subsidiary of Cablevision Systems Corp., (collectively, "Cablevision") has the right to own, operate and maintain a cable system in the City of Cleveland, Ohio pursuant to a Franchise Agreement, effective on or about September 16, 1986 (the "Franchise Agreement"), as amended by the Amendment to Franchise Agreement approved by this Council by Ordinance No. 305-94, effective March 9, 1994, (the "1994 Amendment," and together with the Franchise Agreement, the "Franchise"), which Franchise shall expire on or about September 15, 2001; and

Whereas, Adelphia Communications Corporation and Cablevision entered into a Purchase Agreement dated as of December 8, 1999 (the "Purchase Agreement"), whereby Adelphia Communications Corporation shall acquire Cablevision of Cleveland, L.P. resulting in the transfer of the Franchise from Cablevision to Adelphia Communications Corporation (the "Transfer"), which Purchase Agreement provides that subsequent to the Transfer from Cablevision, Adelphia Cleveland LLC, a wholly-owned subsidiary of Adelphia Communications Corporation (collectively, "Adelphia"), will hold the Franchise and operate the cable system in the City; and

Whereas, in mid-February 2000, Cablevision and Adelphia submitted an FCC Form 394 dated February 4, 2000 to the City Council, which described the Purchase Agreement and Transfer and requested that the City consent to the proposed Transfer; and

Whereas, after a review of the FCC Form 394 and other information submitted by Cablevision and Adelphia, it was determined that the FCC Form 394 was incomplete and the City Council's consultants requested additional information from Cablevision and Adelphia, which information was provided, in order for City Council to perform its due diligence review of the technical, legal and financial ability of Adelphia to perform the obligations of the Franchise, to ascertain Cablevision's compliance with the terms of the Franchise and to consider the effect of the proposed Transfer on the health, safety and welfare of the citizens of the City of Cleveland; and

Whereas, after reviewing Cablevision's compliance with the Franchise and performing a due diligence review of Adelphia's technical, legal and financial ability to perform the obligations of the Franchise, which reviews included public hearings, representatives of City Council, Cablevision and Adelphia have been and are continuing to negotiate in good faith relevant terms and conditions to address issues of past compliance, the ability of Adelphia to perform under this Franchise and any new franchise upon the Franchise's expiration on September 15, 2001 and other issues raised by the proposed Transfer, but have not yet reached agreement on such terms; and

Whereas, City Council, pursuant to Section 617 of the federal Cable Act [47 U.S.C. 537], must act on the request to approve the Transfer of the Franchise within one hundred twenty (120) days of receiving a complete FCC Form 394, which time period expires on August 8, 2000, or the Council will lose its rights with respect to the proposed Transfer since the Transfer shall be deemed approved if no action is taken prior to said date of August 8, 2000, or unless an extension of time is agreed to by the parties; and

Whereas, this Council has determined that it is not in its best interest to approve the Transfer until the City Council, Cablevision and Adelphia have resolved, and reached agreement on, the appropriate terms and conditions of the Transfer; and

Whereas, City Council intends to continue negotiating in good faith with Cablevision and Adelphia for resolution of such issues but, because an extension of time has not been agreed to, Council has determined to deny its consent to the Transfer at this time in order to retain its rights under federal law by acting on Cablevision's and Adelphia's request within the time period allowed by the Cable Act so that the City Council, Cablevision and Adelphia can reach agreement on certain appropriate terms and conditions of the Transfer as described above; and

Whereas, this Council has established a regular meeting schedule in July and August 2000 to accommodate a reconsideration of this Ordinance, if appropriate, and to assure that this Ordinance takes effect, if necessary, in a timely manner; and

Whereas, this Ordinance constitutes an emergency measure providing for the immediate preservation of the public health, safety and welfare of the citizens of the City of Cleveland; now, therefore,

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

Section 1. That the City of Cleveland, in order to retain its full rights under the federal Cable Act with respect to the proposed Transfer, hereby denies and disapproves the Transfer of the Franchise from Cablevision to Adelphia Cleveland LLC pending continued negotiation and resolution of appropriate terms and conditions of issues raised by the Transfer.

Section 2. That this Council will reconsider the request to consent to Transfer the Franchise from Cablevision to Adelphia Cleveland LLC and may determine to approve the Transfer if this Council is able to negotiate and resolve appropriate terms and conditions of issues related to the Transfer with Cablevision and Adelphia.

Section 3. That it is found and determined that all formal actions by the Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council, and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements of Section 121.22 of the Ohio Revised Code.

Section 4. That the Clerk of Council is hereby requested to forward a certified copy of this Ordinance by certified mail upon Cablevision and Adelphia.

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.

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

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

Ord. No. 1220-2000.

By Councilman Britt.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to God's House of Prayer and Deliverance Church to stretch two banners on Woodland Ave. between E. 110th and E. 111th Sts. and Woodhill Rd. between Kennedy and Cumberland using CPP utility poles (by separate permission) for the period of June 29, 2000 to July 31, 2000, inclusive, publicizing their special church event.

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

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

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio 1976, the Director of Public Service is hereby authorized and directed to issue a permit to God's House of Prayer and Deliverance Church Cleveland, to install, maintain and remove two (2) banners to be stretched on Cleveland Public Power utility poles, (by separate permission) publicizing a special church event, and said banners shall be hung for the period of June 29, 2000 to July 31, 2000, inclusive, on the following poles and at the following locations: Pole Number E4-30 at Woodland Avenue between East 110th Street and East 111th Street (South); Pole Number E4-18-2, the 2nd pole West of Woodhill Road (North); Pole Number E4-18A-5, at Woodhill Road between Kennedy and Cumberland, and which pole locations and banners shall be approved by the Director of Public Service in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung just be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner, and said banner shall be removed promptly upon the expiration of said permit.

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

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

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

Ord. No. 1221-2000.**By Councilman Britt.**

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the Murray Hill Arts Association to stretch banners at various locations on Murray Hill and Mayfield Road for the period from September 10, 2000 to October 10, 2000, inclusive, publicizing the Murray Hill Art Walk.

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

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

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances, of Cleveland, Ohio, 1976, the Director of the Department of Public Service is hereby authorized and directed to issue a permit to the Murray Hill Area Arts Association to install, maintain and remove banners at the corner of Murray Hill and Cornell, a double banner at the corner of Edgehill and Murray Hill, corner of East 120th and Mayfield, corner of Random Road and Mayfield, in front of Holy Rosary Church, at the corner of Colman and Mayfield, in front of Earthworks Gallery, on on Mayfield across from Murray Hill and at the corner of Murray Hill and Mayfield, in front of the Mayfield Show and two banners on Mayfield between East 123rd Street and East 124th Street on Mayfield across from East 125th and one in front of Alta House, for a period from September 10, 2000 to October 10, 2000, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

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

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

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

Ord. No. 1222-2000.**By Councilman Britt.**

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the MetroHealth Systems to stretch banners at Townsend and Keyes for the period from August 1, 2000 to September 1, 2000, inclusive, publicizing the MetroHealth Center for Community Health's "Around the World Health Fair".

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

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

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances, of Cleveland, Ohio, 1976, the Director of the Department of Public Service is hereby authorized and directed to issue a permit to the MetroHealth Systems to install, maintain and remove banners on Townsend and Keyes in the vicinity of MetroHealth's Clement Center where the MetroHealth signage is visible at the north entrance, for a period from August 1, 2000 to September 1, 2000, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

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

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

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

Ord. No. 1223-2000.**By Councilman Cimperman.**

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Tremont West Development Corporation for support of the Cleveland San Jose Ballet event in Lincoln Park through the use of Ward 13 Neighborhood Equity Funds.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with Tremont West Development Corporation for support of the Cleveland San Jose Ballet event in Lincoln Park.

Section 2. That the cost of said contract shall be in an amount not to exceed \$8,000 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 its approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

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

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

Ord. No. 1224-2000.**By Councilman Cimperman.**

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Cleveland Tenant's Organization for grounds improvements at St. Clair Place, located at 1380 East 13th Street 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 Cleveland Tenant's Organization for grounds improvements at St. Clair Place, located at 1380 East 13th Street.

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

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

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

Ord. No. 1225-2000.**By Councilman Cimperman.**

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Hijos de Borinquen for partial funding of office repairs, equipment, and support for social service programming 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 Hijos de Borinquen for partial funding of office repairs, equipment, and support for social service programming.

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

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

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

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

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

Ord. No. 1226-2000.

By Councilman Cimperman.

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with St. Vitus Development Corporation for site preparation and infrastructure for their Independent Senior Housing Initiative in Ward 13 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 St. Vitus Development Corporation for site preparation and infrastructure for their Independent Senior Housing Initiative in Ward 13.

Section 2. That the cost of said contract shall be in an amount not to exceed \$100,000 and shall be paid from Fund No. 10 SF 166.

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

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

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

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

Ord. No. 1227-2000.

By Councilman Cimperman.

An emergency ordinance consenting and approving the issuance of a permit for the Walk for Diabetes (Walktoberfest) on October 4, 2000, sponsored by the American Diabetes Association.

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

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

Section 1. That, pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio, 1976, this Council consents to and approves the holding of the Walk for Diabetes (Walktoberfest), sponsored by the American Diabetes Association, on October 4, 2000 starting at Nautica Stage/Power House, West Banks of the Flats, west on Main Avenue to Center Street, east on Center Street to Columbus Road, east on Columbus Road to Merwin Avenue, north on Merwin Avenue to West Superior Avenue, east on West Superior Avenue to Public Square, south on Public Square to Ontario Avenue, south on Ontario Avenue, to Huron Road, east on Huron Road to Prospect to East 14th Street, north on East 14th Street to Euclid Avenue, west on Euclid Avenue to East 9th Street, north on East 9th Street to Erieside Avenue, west on Erieside Avenue to West 3rd Street, south on West 3rd Street to Lakeside Avenue, west on Lakeside Avenue to West 9th Street, north on 9th Street to Front Avenue, west on Front Avenue to Old River Road, south on Old River Road to Merwin Center Street, south on Merwin Center Street to Columbus Road, west on Columbus Road to Center Road, west on Center Road to Main Avenue, east on Main Avenue to the Boardwalk, east on the Boardwalk and back to the Nautica Stage/Power House, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police or safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

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

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

Ord. No. 1228-2000.

By Councilman Cimperman.

An emergency ordinance consenting to and approving the issuance of a permit for the Race for Wishes on July 22, 2000, sponsored by Hermes Race Systems.

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

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

Section 1. That, pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio, 1976, this Council consents to and approves the holding of the Race for Wishes, sponsored by Hermes Race Systems, on July 22, 2000 starting on Euclid and East 13th Street, north on East 13th Street to Lakeside, Lakeside to East 9th Street, East 9th Street to Erieside, Erieside to West 3rd Street, West 3rd Street to Lakeside, Lakeside to East 13th Street, East 13th Street to Euclid, Euclid to East 17th Street and finish, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police or safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

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

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

Ord. No. 1229-2000.

By Councilmen Cimperman and Melena.

An emergency ordinance consenting and approving the issuance of a permit for the Rock and Roll Triathlon on July 16, 2000, sponsored by the Specific Sports.

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

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

Section 1. That, pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio, 1976, this Council consents to and approves the holding of the Rock and Roll Triathlon, sponsored by Specific Sports, on July 16, 2000 starting at East 9th Street to Shoreway westbound to West Blvd. turn east to Shoreway to East 9th Street, East 9th Street to North Marginal, North Marginal to East 26th Street to South Marginal to East 38th Street to King to East 33rd Street to Hamilton to East 26th Street to Lakeside, Lakeside to West 9th Street, West 9th Street to Superior Hill to Old River Road to Front to West 9th Street to Lakeside to West 3rd Street to South Drive to Erieside to East 9th Street and finish, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined

by the Chief of Police or safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

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

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

Ord. No. 1230-2000.

By Councilman Cintron.

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with YMCA of Greater Cleveland for scholarship funds for Cleveland residents to the West Side YMCA 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 YMCA of Greater Cleveland for scholarship funds for Cleveland residents to the West Side YMCA.

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

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

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

Ord. No. 1231-2000.

By Councilman Cintron.

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Esperanza, Inc. for the development of their computer lab and related programming 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 Esperanza, Inc. for the development of their computer lab and related programming.

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

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

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

Ord. No. 1232-2000.

By Councilman Cintron.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the Near West Theatre to stretch banners on utility poles (by separate permission), at W. 38th St. & Bridge Ave., and westerly of Fulton Ave., for the period of August 1, 2000, to September 1, 2000, inclusive, publicizing a special event.

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

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

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio 1976, the Director of Public Service is hereby authorized and directed to issue a permit to the Near West Theatre to install, maintain and remove banners to be stretched on Cleveland Public Power utility poles, (by separate permission) publicizing a special event, and said banners shall be hung for the period of August 1, 2000 to September 1, inclusive, on the following poles and at the following locations: at West 38th Street: the 3rd Pole North of Bridge (East), Pole Number AOM-43-58; the 2nd Pole North of Bridge (East), Pole Number 423120; the 1st Pole North of Bridge (East), Pole Number AOM-43-57; and Bridge Avenue: the 1st Pole East of West 38th Street (South), Pole Number 43281; the 2nd Pole East of West 38th Street (South), Pole Number 42380; the 4th Pole East of West 38th Street (South), Pole Number 42378; the 5th Pole East of West 38th Street (South), Pole Number (42395) No Tag; the 6th Pole East of West 38th Street, Pole Number

42377; the 1st Pole West of Fulton (North), No Tag (New pole); the 2nd Pole West of Fulton (North), Pole Number (42376) No Tag; and which pole locations and banners shall be approved by the Director of Public Service in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner, and said banner shall be removed promptly upon the expiration of said permit.

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

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

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

Ord. No. 1233-2000.

By Councilman Coats.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 1002 East 147th and St. Clair Avenue to Terrell Reddix.

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). 115-13-002 (Easterly 17.75 feet of) and 115-13-085, as more fully described in Section 2 below, to Terrell Reddix.

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. 115-13-002
(Easterly 17.75 feet of)

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original Euclid Township Lot No. 2, Track 10, and bounded and described as follows:

Beginning at the intersection of the Southeasterly line of St. Clair Avenue, N.E., with the Easterly line of East 146th Street; thence Southerly along the Easterly line of East 146th Street; 100 feet; thence Northeasterly and parallel with the Southeasterly line of St. Clair Avenue, N.E., 82.25 feet and the principal place of beginning; then continuing Northeasterly along said line 17.75 feet to a point in the Westerly line of Amber Realty Company's East 147th Street Allotment and East 148th Street Extension, as shown by the recorded plat in Volume 52 of Maps, Page 23 of Cuyahoga County Records; thence Northerly along the Westerly line of said Subdivision, about 100 feet to the Southeasterly line of St. Clair Avenue, N.E., thence Southwesterly along the Southeasterly line of St. Clair Avenue, N.E., about 17.75 feet to the to a point therein; thence Southeasterly along a line parallel with the Southwesterly line of said Amber Realty Company's Allotment about 100 feet to the place of beginning.

Subject to restrictions in Volume 1812, Page 26 of Cuyahoga County Records and easements recorded in Volume 86-2639, Page 240 of Cuyahoga County Records.

Subject to Zoning Ordinances, if any.

P. P. No. 115-13-085

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being all of Sublot No. 196 and part of private alley in the Ambler Realty Company's East 147th Street Allotment of part of Original Euclid Township Lots Nos. 1 and 2, Tract Number 10 as shown by the recorded plat in Volume 52 of Maps, Page 23 of Cuyahoga County Records and bounded and describes as follows:

Beginning at a point in the Southwesterly line of East 147th Street at its intersection with the Southeasterly corner of Sublot No. 196 in the Ambler Realty Company's Allotment as aforesaid; thence Northwesterly along said Southwesterly line of East 147th Street, 48 feet to a point therein; thence Southwesterly, along a line being the Northwesterly line of said private alley, 64.14 feet; thence Southeasterly, along a line, being the Westerly line of East 147th Street Allotment as aforesaid, 48 feet to the Southwesterly corner of said Sublot No. 196; thence Northeasterly along the Southeasterly line of said Sublot No. 196, 64.43 feet to the place of beginning, be the same more or less, but subject to all legal highways.

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

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

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

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

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

Ord. No. 1234-2000.

By Councilman Dolan.

An emergency ordinance to amend Sections 1, 2, 3, 7, 8, 11, and 13 of Ordinance No. 552-2000, passed June 19, 2000, relating to the construction of a new runway and necessary project components at Cleveland Hopkins International Airport.

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

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

Section 1. That Sections 1, 2, 3, 7, 8, 11, and 13 of Ordinance No. 552-2000, passed June 19, 2000, are hereby amended to read, respectively, as follows:

Section 1. That the Director of Port Control is hereby authorized to employ by contract or contracts one or more consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to implement the **Improvement described in Section 2 hereof, including:**

(1) Design of FAA TRACON Renovation, in an amount not to exceed \$345,771.00;

(2) Design of NASA Facilities and Relocation, in an amount not to exceed \$20,335,402.00; and

(3) Design of Doan Brook, in an amount not to exceed \$600,000.00.

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

Section 2. That pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby deter-

mined to make the public improvement of constructing and implementing the construction of a new runway known as 5L-23R (Phase I), consisting of 10,500 feet of runway (approximately 9,000 feet of usable runway), the construction cost of which is hereby authorized in the amount of \$139,937,365.00, and its necessary appurtenances and the following project components necessary to effectuate the construction and use of the **new runway:**

(1) Demolition of Analax Office Building and demolition of the 100th Bomb Group Restaurant in an amount not to exceed \$2,692,047.00, and to allow the current operation of the 100th Bomb Group Restaurant and building to continue until absolutely necessary for the Brookpark Road relocation construction;

(2) Brookpark Road Relocation Construction in an amount not to exceed \$19,934,209.00; and

(3) West Hangar Road Construction in an amount not to exceed \$1,337,220.00 (**collectively, "the Improvement"**).

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

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

Section 7. That the Director of Port Control is hereby authorized to enter into agreements with federal, state, and local governmental or regulatory entities or other public authorities necessary and to pay or reimburse directly related costs incurred by such entities for the purpose of making the **projects authorized herein.**

In accordance with the authorization granted in this Section 7, the Director of Port Control is authorized to enter into agreements necessary to implement wetland and stream mitigation programs as required by federal law, excluding mitigation at Doan Brook. All expenditures under such agreements shall not exceed \$8,197,000.00.

In accordance with the authorization granted in this Section 7 and in Section 2 hereof, the Director of Port Control is authorized to enter into agreements with the FAA for professional and engineering services. All expenditures under such agreement shall not exceed \$6,000,000.00.

In accordance with the authorization granted in this Section 7, the Director of Port Control is authorized to enter into agreements with the FAA for TRACON Renovation Design. All expenditures under such contract shall not exceed \$345,771.00.

Section 8. That the Director of Port Control is hereby authorized to apply for and pay for such permits and licenses required by any regulatory entity or other public authority for making of the **projects** authorized **herein**.

Section 11. That, as a condition precedent to entering into any contracts or agreements contemplated to make the **Improvement**, the Department of Port Control shall be in receipt of all necessary federal approvals, including the Record of Decision for the Environmental Impact Statement, and other such regulatory approvals as may be required.

Section 13. That the cost of any expenditures authorized by this ordinance for any contract, including all public improvements, standard purchases, requirements contracts, professional services, acquisition of rights or interests in real property shall not exceed a total amount of Two Hundred Fourteen Million Seventy Thousand Eighty-Two Dollars (\$214,070,082.00) and shall be paid from Fund Nos. 60 SF 001, 60 SF 104, 60 SF 105, 60 SF 106, passenger facility charges and the fund and/or subfunds to which are credited the proceeds of any general airport revenue bonds, federal grants, state grants, and local grants issued for the purpose of the **projects** authorized herein. In the event that a project component listed herein exceeds or is anticipated to exceed the amount specified for each project component listed herein, the Director of Port Control shall notify the President of Council, the Chairman of the Aviation and Transportation Committee, and the Chairman of the Finance Committee of the need for a subsidiary agreement in accordance with Section 185.44 of the Codified Ordinances of the City of Cleveland, Ohio, 1976, and shall immediately proceed to secure the necessary legislative approval from Cleveland City Council.

Section 2. That existing 1, 2, 3, 7, 8, 11, and 13 of Ordinance No. 552-2000, passed June 19, 2000, are hereby repealed.

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

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

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

Ord. No. 1235-2000.

By Councilman Jackson.

An emergency ordinance authorizing certain persons to engage in peddling in Ward 5. (Michael Horton)

Whereas, pursuant to Section 675.07 of the Codified Ordinances of Cleveland, Ohio, 1976, (the "Codified Ordinances") the consent of Council, expressed by ordinance, is a prerequisite to peddle upon the public rights of way outside of the Central Business District; and

Whereas, this Council has considered the requests of certain persons to engage in peddling outside of the Central Business District, and has determined that it is in the public interest to allow each of said persons to peddle in Ward 5; and

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

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

Section 1. That this Council consents, as required by Section 675.07 of the Codified Ordinances, to allow each person named below to engage in peddling in the public rights of way of Ward 5: Michael Horton at East 55th Street and Woodland Avenue, south corner.

Section 2. That all of the requirements of Chapter 675 of the Codified Ordinances shall apply to the persons named in Section 1 of this ordinance.

Section 3. That the privilege granted herein may be revoked at any time by this Council.

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

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

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

Ord. No. 1236-2000.

By Councilman Jackson.

An emergency ordinance authorizing certain persons to engage in peddling in Ward 5. (Malachy Ihezie Nzwekwe)

Whereas, pursuant to Section 675.08 of the Codified Ordinances of Cleveland, Ohio, 1976, (the "Codified Ordinances") the consent of Council, expressed by ordinance, is a prerequisite to mobile peddling upon the public rights of way outside of the Central Business District; and

Whereas, this Council has considered the requests of certain persons to engage in peddling outside of the Central Business District, and has determined that it is in the public interest to allow each of said persons to peddle in Ward 5; and

Whereas, this ordinance constitutes an emergency measure provid-

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

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

Section 1. That this Council consents, as required by Section 675.08 of the Codified Ordinances, to allow each person named below to engage in mobile peddling in the public rights of way of Ward 5: Malachy Ihezie Nzwekwe.

Section 2. That all of the requirements of Chapter 675 of the Codified Ordinances shall apply to the persons named in Section 1 of this ordinance.

Section 3. That the privilege granted herein may be revoked at any time by this Council.

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

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

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

Ord. No. 1237-2000.

By Councilman Jackson.

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Huachuca Veterans Association to sponsor a commemorative sculpture for Colonel Charles Young Square at East 46th Street and Prospect Avenue through the use of Ward 10 Neighborhood Equity Funds.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with Huachuca Veterans Association for to sponsor a commemorative sculpture for Colonel Charles Young Square at East 46th Street and Prospect Avenue.

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.

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

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

Ord. No. 1238-2000.**By Councilman Jones.**

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Amistad Development Corporation to purchase a street sweeper for use in their Operation Clean Sweep Program through the use of Ward 1 Neighborhood Equity Funds.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with Amistad Development Corporation to purchase a street sweeper for use in their Operation Clean Sweep Program.

Section 2. That the cost of said contract shall be in an amount not to exceed \$100,000 and shall be paid from Fund No. 10 SF 166.

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

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

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

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

Ord. No. 1239-2000.**By Councilman Jones.**

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the Ward 1 Festival Committee to stretch banners at various intersections in Ward 1 for the period from July 21, 2000 to August 21, 2000, inclusive, publicizing the Lee-Harvard/Seville Community Festival.

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

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

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances, of Cleveland, Ohio, 1976, the Director of the Department of Public Service is hereby authorized and directed to issue a permit to the Ward 1 Festival Committee to install, maintain and remove banners on Miles Avenue and East 146th Street (north side of Miles Avenue CEI 811200 and south side of Miles Avenue CEI 500094), Harvard Ave. at East 147th Street (north side of Harvard Avenue CEI 2772 and south side of Harvard Avenue CEI 537531), Lee Road at Harvard Avenue (east side of Lee Road CPP E12-321 and west side of Lee Road CEI 814249), Harvard Avenue at Feiner Drive (north side of Harvard Avenue CEI 129706 and south side of Harvard Avenue

CEI 344954), Lee Road at Sunny Glenn Avenue (east side of Lee Road CEI 54411 and west side of Lee Road), Miles Avenue at East 174th Street (south side of Miles Avenue CEI 301676 and north side of Miles Avenue), for a period from July 21, 2000 to August 21, 2000, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

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

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

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

Ord. No. 1240-2000.**By Councilman O'Malley.**

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Lutheran Housing Corporation for providing tutoring services for school-aged children through the use of Ward 16 Neighborhood Equity Funds.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with Lutheran Housing Corporation for providing tutoring services for school-aged children.

Section 2. That the cost of said contract shall be in an amount not to exceed \$53,951 and shall be paid from Fund No. 10 SF 166.

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

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

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

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

Ord. No. 1241-2000.**By Councilman Patmon.**

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Glenville Development Corporation for their Annual Ward 8 Clean-up Drive and Summer Intern Program through the use of Ward 8 Neighborhood Equity Funds.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with Glenville Development Corporation for their Annual Ward 8 Clean-up Drive and Summer Intern Program.

Section 2. That the cost of said contract shall be in an amount not to exceed \$5,425 and shall be paid from Fund No. 10 SF 166.

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

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

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

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

Ord. No. 1242-2000.**By Councilman Patmon.**

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with the Glenville Festival Reunion organization for their annual reunion festival through the use of Ward 8 Neighborhood Equity Funds.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with the Glenville Festival Reunion organization for their annual reunion festival.

Section 2. That the cost of said contract shall be in an amount not to exceed \$8,000 and shall be paid from Fund No. 10 SF 166.

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

Section 4. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and

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

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

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

Ord. No. 1243-2000.

By Councilman Polensek.

An emergency ordinance amending Section 1 of Resolution No. 1034-2000, adopted June 5, 2000, relating to the summer schedule of meetings of the Council of the City of Cleveland.

Whereas, this ordinance 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 Section 1 of Resolution No. 1034-2000, adopted June 5, 2000, is hereby amended to read as follows:

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

July 17, 2000
July 28, 2000
August 7, 2000

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

Section 2. That existing Section 1 of Resolution No. 1034-2000, adopted June 5, 2000, is hereby repealed.

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

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

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

Ord. No. 1244-2000.

By Councilman Robinson.

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Boys & Girls Clubs of Cleveland — Mt. Pleasant Club for the purpose of making capital improvements at the Mt. Pleasant Club through the use of Ward 3 Neighborhood Equity Funds.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement

with Boys & Girls Clubs of Cleveland — Mt. Pleasant Club for the purpose of making capital improvements at the Mt. Pleasant Club.

Section 2. That the cost of said contract shall be in an amount not to exceed \$200,000 and shall be paid from Fund No. 10 SF 166.

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

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

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

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

Ord. No. 1245-2000.

By Councilman Robinson.

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Murtis H. Taylor for partial funding of their Ashanti Day Camp Program for at risk youth through the use of Ward 3 Neighborhood Equity Funds.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with Murtis H. Taylor for partial funding of their Ashanti Day Camp Program for at risk youth.

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.

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

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

Ord. No. 1246-2000.

By Councilman Westbrook.

An emergency ordinance amending Section 2 of Ordinance 2185-99, passed December 13, 1999 related to the renovation of a historic mixed-use building located at 9201 Lorain Avenue in Ward 18.

Whereas, this ordinance constitutes an emergency measure providing for 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 2 of Ordinance No. 2185-99, passed December 13, 1999, is hereby amended to read as follows:

Section 2. That the costs of said contract shall be in an amount not to exceed **One Hundred Fifty-Six Thousand Dollars (\$156,000)** and shall be paid from Fund No. 10 SF 166.

Section 2. That the existing Section 2 of Ordinance No. 2185-99, passed December 13, 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 its approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

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

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

Ord. No. 1247-2000.

By Councilman Westbrook.

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Cudell Improvement, Inc. for their Commercial Security Program through the use of Ward 18 Neighborhood Equity Funds.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with Cudell Improvement, Inc. for their Commercial Security Program.

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

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

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

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

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

Ord. No. 1248-2000.**By Councilman Westbrook.**

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Cudell Improvement, Inc. for support for the Midwest Housing Program through the use of Ward 18 Neighborhood Equity Funds.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with Cudell Improvement, Inc. for support for the Midwest Housing Program.

Section 2. That the cost of said contract shall be in an amount not to exceed \$126,500 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 its approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

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

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

Ord. No. 1249-2000.**By Councilman Westbrook.**

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Neighborhood Progress, Inc. for the Ward 18 Dialogue program through the use of Ward 18 Neighborhood Equity Funds.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with Neighborhood Progress, Inc. for the Ward 18 Dialogue program.

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

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

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

from and after the earliest period allowed by law.

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

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

Ord. No. 1250-2000.**By Councilman Westbrook.**

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Westside Industrial Retention & Expansion Network (WIRE-Net) for their agency operations and administrative support through the use of Ward 18 Neighborhood Equity Funds.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with Westside Industrial Retention & Expansion Network (WIRE-Net) for their agency operations and administrative support.

Section 2. That the cost of said contract shall be in an amount not to exceed \$25,000 and shall be paid from Fund No. 10 SF 166.

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

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

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

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

Ord. No. 1251-2000.**By Councilman Westbrook.**

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Westside Industrial Retention & Expansion Network (WIRE-Net) for security and program services through their Safety Net program through the use of Ward 18 Neighborhood Equity Funds.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with Westside Industrial Retention & Expansion Network (WIRE-Net) for security and program services through their Safety Net program.

Section 2. That the cost of said contract shall be in an amount not to exceed \$49,000 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 its approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

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

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

Ord. No. 1252-2000.**By Councilman White.**

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with WEB Dubois Community Center for agency operations and program support through the use of Ward 2 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 WEB Dubois Community Center for agency operations and program support.

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

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

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

Ord. No. 1253-2000.**By Councilman White.**

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the Mystic Knights to stretch one banner at 11407 Miles Avenue using CPP utility poles (by separate permission) for the period of July 1, 2000 to July 25, 2000, inclusive, publicizing their special group event.

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

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

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio 1976, the Director of Public Service is hereby authorized and directed to issue a permit to the Mystic Knights to install, maintain and remove one (1) banner to be stretched on Cleveland Public Power utility poles, (by separate permission) publicizing a special group event and said banners shall be hung for the period of July 1, 2000 to July 25, 2000, inclusive, on the following poles and at the following locations: No pole number tag on the Pole located at 11407 Miles Avenue (North Side), and, no number tag on the Pole located at 11407 Miles Avenue (South Side), and which pole locations and banners shall be approved by the Director of Public Service in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner, and said banner shall be removed promptly upon the expiration of said permit.

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

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

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

Ord. No. 1254-2000.

By Councilman Dolan.

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Kamm's Corners Development Corporation for Business District Groundskeeping through the use of Ward 21 Neighborhood Equity Funds.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with Kamm's Corners Development Corporation for Business District Groundskeeping.

Section 2. That the cost of said contract shall be in an amount not to exceed \$9,124.00 and shall be paid from Fund No. 10 SF 166.

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

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

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

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

Ord. No. 1255-2000.

By Councilman Robinson.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the City of Cleveland's Community Relations Board to stretch one banner on Kinsman Ave. at E. 113th St. using two CPP utility poles (by separate permission) for the period of July 12, 2000 to August 4, 2000, inclusive, publicizing the "Cleveland's Night Out Against Crime" event to be held at Luke Easter Park on August 1, 2000.

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

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

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio 1976, the Director of Public Service is hereby authorized and directed to issue a permit to the Community Relations Board of the City of Cleveland, to install, maintain and remove one (1) banner to be stretched on two (2) Cleveland Public Power utility poles, (by separate permission) publicizing the "Cleveland's Night Out Against Crime" event, to be held at Luke Easter Park on August 1, 2000, and said banners shall be hung for the period of July 12, 2000 to August 4, 2000, inclusive, on the following poles and at the following locations: Pole Number C30-2 on Kinsman Avenue at East 113th Street on the South Side of the street; and, Pole Number C30-30 on Kinsman Avenue at East 113th Street on the North Side of the street, and which pole locations and banner shall be approved by the Director of Public Service in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner, and said banner shall be removed promptly upon the expiration of said permit.

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

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

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

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

Ord. No. 1256-2000.

By Councilman Westbrook.

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Cudell Improvement Inc./Midwest Housing Project for partial funding of the Cleveland Fix-Up Fund to subsidize home loan interest rates through the use of Ward 18 Neighborhood Equity Funds in Ward 18.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with Cudell Improvement Inc./Midwest Housing Project for partial funding of the Cleveland Fix-Up Fund to subsidize home loan interest rates in Ward 18.

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

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

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

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

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

Councilman Jackson entered the meeting.

FIRST READING EMERGENCY RESOLUTIONS READ IN FULL AND ADOPTED

Res. No. 1257-2000.

By Councilman Britt.

An emergency resolution objecting to the renewal of a C1 and C2 Liquor Permit at 7904 Cedar Avenue.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal

corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of the state, and that 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 4303.271 of the Ohio Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a C1 and C2 Liquor Permit, Permit No. 1791566, owned by Cozy Meats Inc., DBA Cozy Meats, Cleveland, Ohio 44103 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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

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

The rules were suspended. Yeas 19. Nays 0. Read second time. Read third time in full. Adopted. Yeas 19. Nays 0.

Res. No. 1258-2000.

By Councilman Britt.

An emergency resolution objecting to the renewal of a C2, C2X and D6 Liquor Permit at 7905 Cedar Avenue.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of the state, and that 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 4303.271 of the Ohio Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a C2, C2X and D6 Liquor Permit, Permit No. 3466225, owned by HKH Grocery, Inc., DBA EZ Foods, Cleveland, Ohio 44103 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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

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

The rules were suspended. Yeas 19. Nays 0. Read second time. Read third time in full. Adopted. Yeas 19. Nays 0.

Res. No. 1259-2000.

By Councilman Britt.

An emergency resolution objecting to the renewal of a C1 Liquor Permit at 2623 Woodhill Rd.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of

the state, and that 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 4303.271 of the Ohio Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a C1 Liquor Permit, Permit No. 4155619, owned by ISA Sylvia Inc., DBA Saveway Food, 2623 Woodhill Rd., Cleveland, Ohio 44104 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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

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

The rules were suspended. Yeas 19. Nays 0. Read second time. Read third time in full. Adopted. Yeas 19. Nays 0.

Res. No. 1260-2000.

By Councilman Cimperman.

An emergency resolution urging the Immigration and Naturalization Service to launch a vigorous investigation into the granting of asylum to two generals, Jose Guillermo Garcia and Carlos Vides Casanova, high ranking members of the El Salvadoran army.

Whereas, in December, 1980, four American citizens were murdered in El Salvador while helping the poor and refugees of that country that were trying to live a life free of oppression; and

Whereas, two of the four women who were brutally murdered were Cleveland residents, Sr. Dorothy Kazel and Ms. Jean Donovan; and

Whereas, in 1984 after a cursory investigation, 5 low ranking national guardsmen were convicted on raping and killing the four women and are now sentenced to 30 years in prison; and

Whereas, two generals, Jose Guillermo Garcia and Carlos Vides Casanova, high ranking members of

the El Salvadoran army, received political asylum in the United States; and

Whereas, there is substantial evidence that through a United Nations investigation, that the two generals were involved in the cover-up of the murders of the four Americans and, if so, this Council believes that the generals should not be able to remain in the United States enjoying the freedoms that we have to offer; and

Whereas, this resolution constitutes a measure for the immediate preservation of health, safety and welfare; now, therefore,

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

Section 1. That Cleveland City Council urges the Immigration and Naturalization Service to launch a vigorous investigation into the granting of asylum to two generals, Jose Guillermo Garcia and Carlos Vides Casanova, high ranking members of the El Salvadoran army.

Section 2. That the Clerk of Council is hereby requested to transmit a copy of this resolution to Congress members Kucinich and Tubb-Jones.

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

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

The rules were suspended. Yeas 19. Nays 0. Read second time. Read third time in full. Adopted. Yeas 19. Nays 0.

Res. No. 1261-2000.

By Councilman Cimperman.

An emergency resolution urging the Division of Building and Housing to conduct inspections at least annually on all load bearing structures to determine their fitness and to examine the applicable codes to ensure safety.

Whereas, this Council of the City of Cleveland is deeply concerned about the health, safety and welfare of its residents and visitors to our city; and

Whereas, the recent tragedy at Lonz Winery in the Lake Erie Islands in which a deck collapsed injuring countless visitors has heightened Council's awareness of the need to conduct systematic inspections of all load bearing structures that provide support for people, such as decks, bridges, roofs and outdoor patios; and

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

Section 1. That Cleveland City Council urges the Division of Building and Housing to conduct inspections at least annually on all load bearing structures, including decks, outdoor porches, bridges and roofs to determine their fitness and to examine the applicable codes to determine whether the code provisions governing the construction of those structures provide the maximum protection for our residents and visitors.

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

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

The rules were suspended. Yeas 19. Nays 0. Read second time. Read third time in full. Adopted. Yeas 19. Nays 0.

Res. No. 1262-2000.

By Councilmen Cimperman and Lewis.

An emergency resolution urging the Departments of Public Service and Public Safety to begin the process of changing the direction of East 72nd Street.

Whereas, this Council of the City of Cleveland is deeply concerned about the health, safety and welfare of all residents of our city; and

Whereas, a recent tragedy occurred on East 72nd Street and St. Clair Avenue where a young girl was struck and killed by an automobile; and

Whereas, the residents of East 72nd Street have requested that Council investigate changing the current two way street into a one way street going northward to help ensure the safety of the residents in that area; and

Whereas, this Council supports the request of the residents of East 72nd Street and is desirous of changing the direction of the street; and

Whereas, this resolution constitutes a measure for the immediate preservation of health, safety and welfare; now, therefore,

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

Section 1. That Cleveland City Council urges the Departments of Public Service and Public Safety to begin the process of changing the direction of East 72nd Street.

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

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

The rules were suspended. Yeas 19. Nays 0. Read second time. Read third time in full. Adopted. Yeas 19. Nays 0.

Res. No. 1263-2000.

By Councilman Cintron.

An emergency resolution opposing the formula adopted by the Ohio Hospital Association for distribution of the Health Care Assurance Program.

Whereas, this Council believes that all citizens, those with and without financial means, should have access to affordable, quality health care as evidenced by its participation in the fight to save St. Michael Hospital; and

Whereas, the Ohio General Assembly established the Health Care Assurance Program (HCAP) approximately 10 years ago to assist in funding the provision of charity care in Ohio hospitals; and

Whereas, the distribution of the HCAP funds are currently governed by a formula determined by the Ohio Hospital Association, members of the hospital industry; and

Whereas, the Ohio Hospital Association recently announced a new formula that would drastically cut the funding of MetroHealth Medical Center by \$5.9 million, a decrease of approximately 15% from the prior year's funding; and

Whereas, other hospitals that are adversely impacted in northeast Ohio include Community Health Partners (Lorain), Lake Hospital, Huron Road Hospital and Robinson Memorial (Portage); and

Whereas, this Council of the City of Cleveland is opposed to this Ohio Hospital Association formula in that it is inequitable and inconsistent with providing a safety net for indigent patients; and

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

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

Section 1. That this Council of the City of Cleveland strongly opposes the formula adopted by the Ohio Hospital Association for distribution of the Health Care Assurance Program funds since it adversely affects health care for indigent patients.

Section 2. That this Council urges the Governor Taft and the Ohio Department of Human Services to reject the Ohio Hospital Association formula.

Section 3. That this Council of the City of Cleveland urges state legislators to appoint an independent, non-governmental body, rather than the Ohio Hospital Association, to develop an equitable formula based on the original guiding principles that had previously governed the successful distribution of Health Care Assurance funds.

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

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

The rules were suspended. Yeas 19. Nays 0. Read second time. Read third time in full. Adopted. Yeas 19. Nays 0.

Res. No. 1264-2000.

By Councilman Jackson.

An emergency resolution objecting to the renewal of a C2, C2X and D6 Liquor Permit to 2474 East 40th Street.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal

grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of the state, and that 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 4303.271 of the Ohio Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a C2, C2X and D6 Liquor Permit No. 4180462, owned by J. Moner Inc., 2474 East 40th Street, Cleveland, Ohio, 44104 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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

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

The rules were suspended. Yeas 19. Nays 0. Read second time. Read third time in full. Adopted. Yeas 19. Nays 0.

Res. No. 1265-2000.

By Councilman Jackson.

An emergency resolution objecting to the issuance of a C1 Liquor Permit to 2288 East 55th Street.

Whereas, Council has been notified by the Director of Liquor Control of an application for the issuance of a C1 Liquor Permit to Permit No. 7739445, Raied A. Sara, DBA East Coast Market, 2288 East 55th Street, Cleveland, Ohio 44120; and

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

Whereas, the applicant does not qualify to be a permit holder and/or

has demonstrated that he has operated his liquor business in disregard of the laws, regulations or local ordinances of this state or any other state; and

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the issuance of a C1 Liquor Permit to Permit No. 7739445, Raied A. Sara, DBA East Coast Market, 2288 East 55th Street, Cleveland, Ohio 44120 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

The rules were suspended. Yeas 19. Nays 0. Read second time. Read third time in full. Adopted. Yeas 19. Nays 0.

Res. No. 1266-2000.

By Councilman Lewis.

An emergency resolution objecting to the transfer of ownership of a C2 and C2X Liquor Permit to 8101-05 Hough Avenue, 1st Fl. & Bsmt.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a C2 and C2X Liquor Permit from Permit No. 30614370005, Phill Gary, 8101-05 Hough Avenue, 1st Fl. & Bsmt., Cleveland, Ohio 44103 c/o Josephine Gary, to Permit No. 9683566, Bessie

Wilson, 8101-05 Hough Avenue, 1st Fl. & Bsmt., Cleveland, Ohio 44103; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a C2 and C2X Liquor Permit from Permit No. 30614370005, Phill Gary, 8101-05 Hough Avenue, 1st Fl. & Bsmt., Cleveland, Ohio 44103 c/o Josephine Gary, to Permit No. 9683566, Bessie Wilson, 8101-05 Hough Avenue, 1st Fl. & Bsmt., Cleveland, Ohio 44103 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

The rules were suspended. Yeas 19. Nays 0. Read second time. Read third time in full. Adopted. Yeas 19. Nays 0.

Res. No. 1267-2000.
By Councilman O'Malley.
**An emergency resolution with-
drawing objection to the transfer of
ownership of a D2, D2X, D3 and D3A
Liquor Permit to 4995-97 Denison
Avenue, 1st Fl. & Bsmt., and repeal-
ing Res. No. 613-2000 objecting to
said transfer of ownership.**

Whereas, this Council objected to the transfer of ownership of a D2, D2X, D3 and D3A Liquor Permit to 4995-97 Denison Avenue, 1st Fl. & Bsmt. by Res. No. 613-2000 adopted by Council on April 17, 2000; and

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

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

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

Section 1. That objection to the transfer of ownership of a D2, D2X, D3 and D3A Liquor Permit to 4995-97 Denison Avenue, 1st Fl. & Bsmt., be and the same is hereby withdrawn and Res. No. 1332-99, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate transfer of ownership thereof.

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

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

The rules were suspended. Yeas 19. Nays 0. Read second time. Read third time in full. Adopted. Yeas 19. Nays 0.

Res. No. 1268-2000.
By Councilman Polensek.
**An emergency resolution object-
ing to the renewal of a D1, D2, D3
and D6 Liquor Permit at 16101
Arcade Avenue.**

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that this objection is based on other legal grounds as set forth in Revised Code Section 4303.292; and

Whereas, this resolution constitutes an emergency measure providing for the immediate preservation of the public peace, property, safety and welfare in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

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

al of a D1, D2, D3 and D6 Liquor Permit, Permit No. 0254173, owned by Arcade Bar Inc., DBA Arcade Inc., 16101 Arcade Avenue, Street Floor & Bsmt., Cleveland, Ohio 44110 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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

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

The rules were suspended. Yeas 19. Nays 0. Read second time. Read third time in full. Adopted. Yeas 19. Nays 0.

Res. No. 1269-2000.
By Councilman Polensek.
**An emergency resolution object-
ing to the renewal of a D5 Liquor
Permit at 231 East 156th Street, 1st
Fl.**

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that this objection is based on other legal grounds as set forth in Revised Code Section 4303.292; and

Whereas, this resolution constitutes an emergency measure providing for the immediate preservation of the public peace, property, safety and welfare in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a D5 Liquor Permit, Permit No. 0142108, owned by Alojz Znidarsic, Inc., DBA Glen Cove Pub, 231 East 156th Street, 1st Fl., Cleveland, Ohio 44110 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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

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

The rules were suspended. Yeas 19. Nays 0. Read second time. Read third time in full. Adopted. Yeas 19. Nays 0.

Res. No. 1270-2000.
By Councilman Polensek.
**An emergency resolution object-
ing to the renewal of a D1, D2, D3,
D3A and D6 Liquor Permit at 397
East 156th Street, 1st Fl.**

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that this objection is based on other legal grounds as set forth in Revised Code Section 4303.292; and

Whereas, this resolution constitutes an emergency measure providing for the immediate preservation of the public peace, property, safety and welfare in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a D1, D2, D3, D3A and D6 Liquor Permit, Permit No. 5819446, owned by Melbourne Men of Business Inc., DBA Cafe Blue Bird, 397 East 156th Street, 1st Fl., Cleveland, Ohio 44110 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of divi-

sion (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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

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

The rules were suspended. Yeas 19. Nays 0. Read second time. Read third time in full. Adopted. Yeas 19. Nays 0.

Res. No. 1271-2000.

By Councilman Polensek.

An emergency resolution objecting to the renewal of a C1, C2 and D6 Liquor Permit at 15428 Lakeshore Blvd.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that this objection is based on other legal grounds as set forth in Revised Code Section 4303.292; and

Whereas, this resolution constitutes an emergency measure providing for the immediate preservation of the public peace, property, safety and welfare in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a C1, C2 and D6 Liquor Permit, Permit No. 3653334, owned by HAS & KAL Inc., DBA Convenient Food Mart, 15428 Lakeshore Blvd., Cleveland, Ohio 44110 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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

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

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

The rules were suspended. Yeas 19. Nays 0. Read second time. Read third time in full. Adopted. Yeas 19. Nays 0.

Res. No. 1272-2000.

By Councilman Polensek.

An emergency resolution objecting to the transfer of ownership of a C1 and C2 Liquor Permit to 17318 Lakeshore Blvd.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a C1 and C2 Liquor Permit from Permit No. 1709098, Convenient Express Inc., 17318 Lakeshore Blvd., Cleveland, Ohio 44119 to Permit No. 51799020005, Lez Inc., DBA Convenient Express, 17318 Lakeshore Blvd., Cleveland, Ohio 44119; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a C1 and C2 and Liquor Permit from Permit No. 1709098, Convenient Express Inc., 17318 Lakeshore Blvd., Cleveland, Ohio 44119 to Permit No. 51799020005, Lez Inc., DBA Convenient Express, 17318 Lakeshore Blvd., Cleveland, Ohio 44119 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

copies of a letter requesting that the hearing be held in Cleveland, Cuyahoga County.

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

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

The rules were suspended. Yeas 19. Nays 0. Read second time. Read third time in full. Adopted. Yeas 19. Nays 0.

Res. No. 1273-2000.

By Councilman Polensek.

An emergency resolution objecting to the transfer of ownership of a D5 Liquor Permit to 16921 St. Clair Avenue, 1st Fl.

Whereas, Council has been notified by the Director of Liquor Control of an application for the of a D5 Liquor Permit from Permit No. 2011781, Dee Jay Inc., 16921 St. Clair Avenue, 1st Fl., Cleveland, Ohio 44110 to Permit No. 8463478, St. Clair & 170th Co. Inc., DBA Dee Jay Tavern, 16921 St. Clair Avenue, 1st Fl., Cleveland, Ohio 44110; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a D5 Liquor Permit from Permit No. 2011781, Dee Jay Inc., 16921 St. Clair Avenue, 1st Fl., Cleveland, Ohio 44110 to Permit No. 8463478, St. Clair & 170th Co. Inc., DBA Dee Jay Tavern, 16921 St. Clair Avenue, 1st Fl., Cleveland, Ohio 44110 and requests the Director

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

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

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

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

The rules were suspended. Yeas 19. Nays 0. Read second time. Read third time in full. Adopted. Yeas 19. Nays 0.

Res. No. 1274-2000.

By Councilman Polensek.

An emergency resolution objecting to the renewal of a D1, D2, D3 and D3A Liquor Permit at 17438 St. Clair Avenue, 1st Fl.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that this objection is based on other legal grounds as set forth in Revised Code Section 4303.292; and

Whereas, this resolution constitutes an emergency measure providing for the immediate preservation of the public peace, property, safety and welfare in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a D1, D2, D3 and D3A Liquor Permit, Permit No. 8320927, owned by Smoht Corp., DBA Jake's Fire Water, 17428 St. Clair Avenue, Cleveland, Ohio 44110 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the

Revised Code to the Director of Liquor Control.

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

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

The rules were suspended. Yeas 19. Nays 0. Read second time. Read third time in full. Adopted. Yeas 19. Nays 0.

Res. No. 1275-2000.

By Councilman Polensek.

An emergency resolution objecting to the renewal of a D1, D2, D3 and D6 Liquor Permit at 15610 Waterloo Rd., 1st Fl. & Bsmt.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that this objection is based on other legal grounds as set forth in Revised Code Section 4303.292; and

Whereas, this resolution constitutes an emergency measure providing for the immediate preservation of the public peace, property, safety and welfare in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a D1, D2, D3 and D6 Liquor Permit, Permit No. 3420935, owned by Grutta Inc., DBA Report Center Tavern/Cozy Spot, 15610 Waterloo Road, Cleveland, Ohio 44110 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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

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

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

The rules were suspended. Yeas 19. Nays 0. Read second time. Read third time in full. Adopted. Yeas 19. Nays 0.

Res. No. 1276-2000.

By Councilman Westbrook.

An emergency resolution objecting to the renewal of a D5 and D6 Liquor Permit at 9720-24 Lorain Avenue, 1st Fl. & Bsmt.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of the state, and that 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 4303.271 of the Ohio Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a D5 and D6 Liquor Permit, Permit No. 6418022, owned by Lorain Avenue, Inc., DBA Royal Café, 9720-24 Lorain Avenue, 1st Fl. & Bsmt., Cleveland, Ohio 44102 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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

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

The rules were suspended. Yeas 19. Nays 0. Read second time. Read third time in full. Adopted. Yeas 19. Nays 0.

Res. No. 1277-2000.
By Councilman Westbrook.
An emergency resolution objecting to the renewal of a C1 Liquor Permit at 3153 West 73rd Street.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of the state, and that 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 4303.271 of the Ohio Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a C1 Liquor Permit, Permit No. 8861048, owned by 3153 West 73rd Street, Inc., DBA Rite Shop, 3153 West 73rd Street, DBA Rite Shop, 3153 West 73rd Street, Cleveland, Ohio 44102 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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

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

The rules were suspended. Yeas 19. Nays 0. Read second time. Read third time in full. Adopted. Yeas 19. Nays 0.

Res. No. 1278-2000.
By Councilman White.
An emergency resolution objecting to the issuance of ownership of a C1 Liquor Permit to 4025 East 93rd Street.

Whereas, Council has been notified by the Director of Liquor Control

of an application for the issuance of ownership of a C1 Liquor Permit to Permit No. 3648077, Harvard Marathon Inc., 4025 East 93rd Street, Cleveland, Ohio 44105; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the issuance of a C1 Liquor Permit to Permit No. 3648077, Harvard Marathon Inc., 4025 East 93rd Street, Cleveland, Ohio 44105 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

The rules were suspended. Yeas 19. Nays 0. Read second time. Read third time in full. Adopted. Yeas 19. Nays 0.

Res. No. 1279-2000.
By Councilman Willis.
An emergency resolution withdrawing objection to the renewal of a C1 Liquor Permit to 11025 Ashbury Avenue, and repealing Res. No. 1486-99 objecting to said renewal.

Whereas, this Council objected to the renewal of a C1 Liquor Permit to 11025 Ashbury Avenue, by Res. No. 1486-99 adopted by Council on August 11, 2000; and

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

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

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

Section 1. That objection to the renewal of a C1 Liquor Permit to 11025 Ashbury Avenue, be and the same is hereby withdrawn and Res. No. 1486-99, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

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

The rules were suspended. Yeas 19. Nays 0. Read second time. Read third time in full. Adopted. Yeas 19. Nays 0.

Councilman Cimperman entered the meeting.

SECOND READING EMERGENCY ORDINANCES PASSED

Ord. No. 551-2000.

By Mayor White and Councilmen Polensek and Coats.

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

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

1. In the title, line 2, in Section 1, line 1 and in Section 2, line 1, after "631.06" insert ", 631.26".

2. In the title, line 6, in Section 1, line 3 and in Section 2, line 3, after "1929" insert ", 63410A, passed September 22, 1924".

3. In Section 1, at Section 631.06, at division (a), line 4, strike "not to exceed" and insert in lieu thereof "longer than"; and in division (b), line 1, after "railroad company" insert ", conductor, engineer or other person in the employ of any railroad company".

4. In Section 1, at Section 631.06, insert new divisions (c) and (d) to read, respectively, as follows:

"(c) No railroad company, conductor, engineer or other person in the employ of any railroad company shall permit any locomotive to stand for longer than five (5) minutes within one hundred (100) feet of the property line of any residential parcel while its engine is running or idling.

(d) This section does not apply to obstruction of a public street, road, or highway by a continuously moving through train or when the obstruction is caused by circumstances wholly beyond the control of the railroad company, but does apply to other obstructions, including without limitation those caused by stopped trains and trains engaged in switching, loading or unloading operations."

5. In Section 1, following the text of Section 631.06, insert the following:

"Section 631.26 Crossing Frogs

Where any steam railroad and street railroad cross each other at grade, the persons or companies operating the same shall, at their joint expense, put in crossing frogs of the most improved pattern and keep the same in good condition. A violator, in default of so doing after twenty days' notice in writing on the order of the Director of Public Service, shall be subject to the penalties provided in Section 631.99(h)."

6. In Section 1, at Section 631.99, division (a), lines 1 and 2, strike "two hundred and fifty dollars (\$250.00)" and insert in lieu thereof **"five hundred dollars (\$500.00)"**.

7. In Section 1, at Section 631.99, division (b), lines 2 and 3, strike "five dollars (\$5.00) nor more than twenty-five dollars (\$25.00)" and insert in lieu thereof **"one hundred dollars (\$100.00) nor more than two hundred and fifty dollars (\$250.00)"**.

8. In Section 1, at Section 631.99, in division (d) in lines 1, 6, and 13, after "division (b)" insert **"or division (c)"**.

9. In Section 1, at Section 631.99, division (e), lines 2 and 3, strike "ten dollars (\$10.00) nor more than five hundred dollars (\$500.00)" and insert in lieu thereof **"seven hundred and fifty dollars (\$750.00) nor more than one thousand dollars (\$1,000.00)"**.

10. In Section 1, at Section 631.99, division (f), lines 4 and 5, strike "ten dollars (\$10.00) nor more than fifty dollars (\$50.00)" and insert in lieu thereof the following: **"two hundred and fifty dollars (\$250.00) nor more than five hundred dollars (\$500.00)"**.

11. In Section 1, at Section 631.99, division (g), lines 3, 4 and 5, strike "three hundred dollars (\$300.00) for a first, and not more than five hundred dollars (\$500.00)" and insert in lieu thereof the following: **"seven hundred and fifty dollars (\$750.00) for a first offense, and not more than one thousand dollars (\$1,000.00)"**.

12. In Section 1, at Section 631.99, division (h), lines 2 and 3, strike "five dollars (\$5.00) for each offense, and one dollar (\$1.00)" and insert in lieu thereof the following: **"two hundred and fifty dollars (\$250.00) for each offense, and one hundred dollars (\$100.00)"**.

Motion by Councilmen Sweeney to further amend ordinance in Section 1, at Section 631.06, new division (c) strike "five (5) minutes" and insert in lieu thereof **"thirty (30) minutes"**. Passed. Yeas 20. Nays 0.

All other amendments agreed to. The rules were suspended. Yeas 20. Nays 0. Read third time in full. Passed. Yeas 20. Nays 0.

In compliance with Section 33 of the Charter, a copy of the legislation was furnished to each member of Council before final passage.

Ord. No. 553-2000.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 1727-29, 1725 East 45th Street to Midtown Express Busline.

Approved by Directors of Community Development, City Planning Commission, Finance, Law; Relieved of Committees on Community and Economic Development, City Planning; Recommended by Committee on Finance.

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

Ord. No. 592-2000.

By Councilmen Cimperman and Polensek (by request).

An emergency ordinance authorizing the Director of Public Service to issue a permit to Tower City Riverview, Inc. to encroach into the right-of-way of Central Avenue for ingress and egress access to a parking lot at this site.

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

1. Insert new Section 3 to read as follows:

"Section 3. That the permit herein authorized shall contain a provision requiring the Permittee to comply with applicable provisions of the Codified Ordinances of Cleveland, Ohio, 1976, pertaining to proper City screening guidelines, including Chapters 352 and 457."

Amendment agreed to.

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

In compliance with Section 33 of the Charter, a copy of the legislation was furnished to each member of Council before final passage.

Ord. No. 641-2000.

By Mayor White.

An emergency ordinance authorizing the Director of Port Control to enter into a Lease By Way of Concession with Smarte Carte, Inc. for locker equipment and service at Cleveland Hopkins International Airport, for a term not to exceed five years.

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

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

Ord. No. 642-2000.

By Mayor White.

An emergency ordinance authorizing the Director of Port Control to enter into a Lease By Way of Concession with Smarte Carte, Inc. for luggage cart equipment and service at Cleveland Hopkins International

Airport, for a term not to exceed five years.

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

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

Ord. No. 649-2000.

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

An emergency ordinance declaring it necessary to provide for the control of blight and disease of shade trees by planting, removing, replacing, trimming, creating or excavating cutouts for shade trees, and other related activities, in and along the streets of portions of the City of Cleveland; establishing a district for said purpose in accordance with the provisions of Section 727.011 of the Revised Code; and providing for the assessment of the cost and expense of such work upon benefited property in such district.

Approved by Directors of Parks, Recreation and Properties, City Planning Commission, Finance, Law; Relieved of Committees on Public Parks, Property, and Recreation, City Planning; Recommended by Committee on Finance.

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

Ord. No. 732-2000.

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

An emergency ordinance authorizing the Director of Public Service to lease property located at the southeast corner of Detroit Avenue and West 80th Street to St. Augustine Manor, or their designee, for a term not to exceed ten years, with two ten-year options to renew.

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

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

Ord. No. 820-2000.

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

An emergency ordinance authorizing the submission to the electors of the City of Cleveland of a proposal to authorize the City of Cleveland to act as an aggregator on behalf of the Cleveland Electric Illuminating Company customers within the City for electrical power in the Year 2001 and thereafter.

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

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

Ord. No. 837-2000.

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

An emergency ordinance to amend Sections 505.11 and 505.12 of the Codified Ordinances of Cleveland, Ohio,

1976, as amended by Ordinance No. 1168-92, passed June 15, 1992, and Ordinance No. 2417-90, passed June 17, 1991, relating to duty to repair sidewalks, curbs and gutters, duty to maintain certain sidewalks and liability.

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

1. In Section 1, at Section 505.12 in division (f) at the end, insert the following new sentence: "**All fines collected for violations of this section, or an amount equal to the fines collected, shall be credited to the Neighborhood Sidewalk Assessment Fund, and such monies are hereby appropriated for the purposes for which the fund was created.**"

Amendment agreed to.

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

In compliance with Section 33 of the Charter, a copy of the legislation was furnished to each member of Council before final passage.

Ord. No. 858-2000.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 4775 West 130th Street to Bellaire-Puritas Development Corporation.

Approved by Directors of Community Development, City Planning Commission, Finance, Law; Relieved of Committee on City Planning; Recommended by Committees on Community and Economic Development, Finance.

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

Ord. No. 859-2000.

By Councilmen Melena and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Community Development to enter into contract with one or more non-profit agencies to operate a community gardening program.

Approved by Directors of Community Development, Finance, Law; Relieved of Committee on Community and Economic Development; Recommended by Committee on Finance.

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

Ord. No. 932-2000.

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

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter into a Local Project Administration agreement with the Ohio Department of Transportation to fund and construct landscape beautifications on portions of Interstate 90 and Route 2; determining the method of making the public improvement; and authorizing the Director to enter into contract for the making of such improvement.

Approved by Directors of Parks, Recreation, and Properties, City

Planning Commission, Finance, Law; Relieved of Committees on Public Parks, Property and Recreation, City Planning; Recommended by Committee on Finance.

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

Ord. No. 934-2000.

By Councilmen Rybka and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to plant trees at various locations through the City of Cleveland on City-owned property, for the Division of Park Maintenance and Properties, Department of Parks, Recreation and Properties.

Approved by Directors of Parks, Recreation, and Properties, Finance, Law; Relieved of Committee on Public Parks, Property and Recreation; Recommended by Committee on Finance.

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

Ord. No. 935-2000.

By Councilman Polensek.

An emergency ordinance to amend Section 183.04 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 2339-A-78, passed June 11, 1979 relating to concession agreements and contract use of City-owned facilities.

Approved by Directors of Parks, Recreation, and Properties, Finance, Law; Relieved of Committee on Legislation; Recommended by Committees on Public Parks, Property and Recreation.

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

Ord. No. 945-2000.

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

An emergency ordinance authorizing the Director of Economic Development to enter into a Neighborhood Development Investment Fund grant agreement with Mount Pleasant Now Development Corporation to provide economic development assistance to finance the demolition of existing buildings at 13815 Kinsman Avenue, Cleveland, Ohio, which will be the future location of an office building for Cuyahoga County's Human Services Work and Training Operations.

Approved by Directors of Economic Development, Finance, Law; Relieved of Committee on Community and Economic Development; Recommended by Committee on Finance.

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

Ord. No. 1003-2000.

By Mayor White.

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

Approved by Directors of Port Control, Finance, Law; Recommend-

ed by Committees on Aviation and Transportation, Finance, when amended as follows:

1. In Section 2, line 6, after "City" insert "**on a class B basis**".

2. In Section 3, at the end, strike the period and insert "**as are not in conflict with Section 2 of this ordinance.**".

Amendments agreed to.

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

In compliance with Section 33 of the Charter, a copy of the legislation was furnished to each member of Council before final passage.

Ord. No. 1005-2000.

By Councilmen Polensek and Patmon (by departmental request).

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

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

1. In Section 1, lines 5, 6, 7 and 8, strike "as set forth in detail on the attachment to Request No. 15238 on file in the office of the Division of Purchases and Supplies in the approximate amount as purchased during the preceding year" and insert in lieu thereof "**as set forth in File No. 1005-2000-A in the approximate amount identified therein**".

2. In Section 2, in line 2, after "proper appropriation account" insert "**funded by the restricted income tax**".

Amendments agreed to.

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

In compliance with Section 33 of the Charter, a copy of the legislation was furnished to each member of Council before final passage.

Ord. No. 1006-2000.

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

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

Approved by Directors of Parks, Recreation and Properties, City Planning Commission, Finance, Law; Relieved of Committees on Public Parks, Property and Recreation, City Planning; Recommended by Committee on Finance.

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

Ord. No. 1011-2000.

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

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

Approved by Directors of Economic Development, City Planning Commission, Finance, Law; Relieved of Committees on Community and Economic Development, City Planning; Recommended by Committee on Finance.

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

Ord. No. 1054-2000.

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

An emergency ordinance authorizing the Director of Public Service to sign the Subsidy Stipulation and Recommendation with the Public Utilities Commission of Ohio and Norfolk Southern to provide for the relocation of active warning devices at the Norfolk Southern grade crossing at Miles Avenue and East 131st Street, at no cost to the City.

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

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

Ord. No. 1055-2000.

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

An emergency ordinance authorizing the Director of Public Service to make alterations and modifications in Contract No. 55251 for the Columbus Road lift bridge rehabilitation with National Engineering & Contracting Co. for the Department of Public Service.

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

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

Ord. No. 1113-2000.

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 6410, 6412 Varian Avenue; 1224 East 61st Street; 1114 East 68th Street to St. Clair Superior Neighborhood Development Association.

Approved by Directors of Community Development, City Planning Commission, Finance, Law; Relieved of Committees on Community and Economic Development, City Planning; Recommended by Committee on Finance.

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

Ord. No. 1116-2000.

By Councilman Melena. An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on West 54th Street to Detroit Shoreway Community Development Organization.

Approved by Directors of Community Development, City Planning Commission, Finance, Law; Relieved

of Committees on Community and Economic Development, City Planning; Recommended by Committee on Finance; when amended as follows:

1. In Section 1, at the end, strike the period and insert in lieu thereof the following: "and more fully described as follows:

P. P. No. 002-31-046

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 201 in Benedict and Root's Subdivision of part of Original Brooklyn Township Lots Nos. 48 and 49, as shown by the recorded plat in Volume 1 of Maps, Page 13 of Cuyahoga County Records and bounded and described as follows:

Beginning in the Westerly line of West 54th Street at a point 52 feet Southerly measured along said Westerly line from its intersection with the Southerly line of Ithaca Court, N.W., thence Westerly and parallel with the said Southerly line of Ithaca Court, N.W., 132.49 feet; thence Southerly 28 feet to a point, 132.29 feet Westerly from the Westerly line of said West 54th Street; thence Easterly and parallel with the said Southerly line of Ithaca Court, N.W., 132.29 feet to the Westerly line of said Westerly 54th Street; thence Northerly along said Westerly line 28 feet to the point of beginning, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

P. P. No. 002-31-048

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and beginning in the Westerly line of West 54th Street at its intersection with the Southerly line of Ithaca Court, N.W., thence Southerly along the Westerly line of West 54th Street, 25 feet thence Westerly and parallel with the Southerly line of Ithaca Court, N.W., 132.68 feet, thence Northerly a distance of 25 feet to a point in said Southerly line of Ithaca Court, N.W., 132.85 feet Westerly from the place of beginning; thence Easterly and along the said Southerly line of Ithaca Court, N.W., 132.85 feet to the place of beginning and being part of Sublot No. 200 in Benedict and Root Subdivision recorded in Volume 1, Page 13 of Cuyahoga County Records according to the survey of Korell and Wilhelm, Surveyors, July 9, 1920, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

2. Insert new Section 5 to read as follows:

"Section 5. That the project to be implemented by the conveyance of the abovementioned properties shall be reviewed by the City Planning Commission."

3. Renumber existing Section 5 to new "Section 6".

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

In compliance with Section 33 of the Charter, a copy of the legislation was furnished to each member of Council before final passage.

**SECOND READING
ORDINANCE PASSED**

Ord. No. 1012-2000.

By Councilman O'Malley.

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

Approved by Directors of City Planning Commission, Law; Recommended by Committee on City Planning.

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

**SECOND READING EMERGENCY
RESOLUTIONS ADOPTED**

Res. No. 947-2000.

By Councilman Britt (by request). An emergency resolution declaring the intention to vacate a portion of The First Unnamed Alley East of Woodhill Rd. between Woodland Ave. S.E. and Grandview Ave. S.E.

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

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

Res. No. 1013-2000.

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

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

Approved by Directors of Parks, Recreation and Properties, City Planning Commission, Finance, Law; Relieved of Committees on Public Parks, Property and Recreation, City Planning; Recommended by Committee on Finance.

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

MOTION

By Councilman White and seconded by Councilman Brady and unanimously carried that the absence of Councilman Kenneth L. Johnson be and is hereby authorized.

MOTION

The Council adjourned at 7:15 p.m. to meet on Friday, July 28, 2000.



Clerk of Council

THE CALENDAR

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

NONE

BOARD OF CONTROL

July 12, 2000

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, July 12, 2000, at 11:00 a.m. with Director Carter presiding.

Present: Directors Carter, Brooks, Konicek, Sheffield-McClain, Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson, Acting Director Huth, Director Alexander.

Absent: Mayor White.

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

On motion, the following resolutions were adopted.

Resolution No. 468-00.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Cooper Landscaping Inc. for an estimated quantity of landscaping, item nos. 1, 2 and 3, for the Division of Cleveland Public Power, Department of Public Utilities, for a period of two (2) years beginning with the date of execution of a contract, received on June 29, 2000, pursuant to the authority of Ordinance No. 1260-99, passed August 11, 1999 on the basis of the estimated quantity would amount to One Hundred Twenty Five Thousand and no/100 Dollars (\$125,000.00) (Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 16652

which shall be certified against such contract in the sum of Fifty Thousand and no/100 Dollars (\$50,000.00).

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

Yeas: Directors Carter, Brooks, Konicek, Sheffield-McClain, Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson, Alexander.

Nays: None.

Absent: Mayor White and Director Warren.

Resolution No. 469-00.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Independence Excavating, Inc. for the improvement of Schaaf Road tower removal, items 1, 2, 3 and 5, for the Office of Radio Communications, Department of Public Utilities, received on the 23rd day of June, 2000, pursuant to the authority of Ordinance No. 1257-99, passed July 14, 1999, for a gross price for the improvement in the aggregate amount of Eighty-Six Thousand Five Hundred Dollars (\$86,500.00), is

hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby authorized to enter into contract for said improvement with said bidder.

Be it further resolved by the Board of Control of the City of Cleveland that the following sub-contractors to Independence Excavating Inc. for the above-mentioned public improvement contract hereby are approved:

<u>NAME</u>	<u>MBE/FBE</u>
Granger Trucking Co., Inc.	16.2% (MBE)
Burkshire Construction Co.	5.8% (FBE)

Yeas: Directors Carter, Brooks, Konicek, Sheffield-McClain, Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson, Alexander.

Nays: None.

Absent: Mayor White and Director Warren.

Resolution No. 470-00.

By Director Sheffield-McClain.

Resolved, by the Board of Control of the City of Cleveland that the bid of American Inc. for the following: labor and materials necessary to install airfield security equipment, for the Division of Cleveland Hopkins International Airport, Department of Port Control, received on the 18th day of May 2000, pursuant to the authority of Ordinance No. 2149-96, passed on April 14, 1997, which on the order quantities would amount to Twenty-Thousand Five-Hundred Seventy and 00/100 Dollars (\$20,570.00), is hereby approved as the lowest and best bid, and the Director of Port Control is hereby requested to enter into a contract for such items.

Yeas: Directors Carter, Brooks, Konicek, Sheffield-McClain, Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson, Acting Director Huth, Director Alexander.

Nays: None.

Absent: Mayor White.

Resolution No. 471-00.

By Director Jackson.

Be it resolved by the Board of Control of the City of Cleveland, that the bid of R. DiLillo & Company for the public improvement of Highland Park Golf Course Site Improvements, for Base Bid Items #1 - #12, #14 - #33, Alternate Item #A1 and Add Alternate Items #1AA, for the Division of Research, Planning & Development, Department of Parks, Recreation & Properties, received on March 29, 2000, pursuant to the authority of Ordinance No. 724-99, passed June 14, 1999, upon a unit basis for the improvement in the aggregate amount of Three Hundred Seventy Eight Thousand, Seven Hundred Eighty Five and 35/100 Dollars (\$378,785.35), is hereby affirmed and approved as the lowest responsible bid; and the Director of Department of Parks, Recreation & Properties is hereby authorized to enter into contract for said improvement with said bidder.

Be it further resolved by the Board of Control of the City of Cleveland that the following sub-contractors for R. DiLillo & Company on the public improvement for

Highland Park Golf Course Site Improvements are hereby approved.

SUBCONTRACTORS RESPONSIBILITY

Alexa Trucking (FBE)	Trucking
Barrow Sign (FBE)	Signage
Collinwood Concrete (FBE)	Concrete Supply
Cook Paving (MBE)	Asphalt

Yeas: Directors Carter, Brooks, Konicek, Sheffield-McClain, Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson, Acting Director Huth, Director Alexander.

Nays: None.

Absent: Mayor White.

Resolution No. 472-00.

By Director Jackson.

Be it resolved by the Board of Control of the City of Cleveland that the bid of E.B. Katz, Inc., for the Rockefeller Park Greenhouse Heating System Rehabilitation — Phase II Base Bid for the Department of Parks, Recreation & Properties, received on June 15, 2000, pursuant to the authority of Ordinance No. 1748-99, passed April 17, 2000, for a gross price for the improvement in the aggregate amount of One Hundred Thirty Nine Thousand Four Hundred Dollars and No/100 Dollars (\$139,400.00), is hereby affirmed and approved as the lowest responsible bid, and the Director of Parks, Recreation & Properties is hereby authorized to enter into contract for said improvement with said bidder.

Yeas: Directors Carter, Brooks, Konicek, Sheffield-McClain, Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson, Acting Director Huth, Director Alexander.

Nays: None.

Absent: Mayor White.

Resolution No. 473-00.

By Director Jackson.

Resolved, by the Board of Control of the City of Cleveland that the bid of Cleveland Hermetic and Supply for an estimated quantity of HVAC/R Equipment and Controls — Section 100 Item 3 and 8, Section 200 Item 1 thru 4, Section 220 Items 4, 12, 15, 21, 23, 24, 25 and 27, Section 240 Item 1 and 14, Section 260 Items 1, 6, 9, 12, 13, 16 and 18 Less 50% Discount, Section 300 Items 10, 13, 19, 20 and 24 Less 65% Discount, Section 360 Item 8, Section 420 Item 5, Section 480 Items 2, 9, 18, 20 and 21, Section 500 Item 9 and 10, Section 520 Items 6 and 7, Section 540 Item 12, Section 560 Items 6 and 7, Section 580 Items 10, 13, 14 and 15 Less 50% Discount, Section 600 Item 8 Less 55% Discount, Section 620 Items 2, 4 and 8) Mitsubishi, Section 740 Items 3, 5, 7, 8, 12, 18, 19, 25, 30 and 31 Less 50% Discount for the Division of Property Management, Department of Parks, Recreation and Properties, for the period of one (1) year beginning with date of execution of Contract, received on March 9, 2000, pursuant to the authority of Ordinance No. 890-99, passed June 7, 1999, which on the basis of the estimated quantity would amount to Ninety-One Thou-

sand and 00/100th Dollars (\$91,000.00) (1% - 10 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Parks, Recreation and Properties is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 21997

which shall be certified against such contract in the sum of Twenty Thousand and 00/100 Dollars (\$20,000.00).

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

Yeas: Directors Carter, Brooks, Konicek, Sheffield-McClain, Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson, Acting Director Huth, Director Alexander.

Nays: None.

Absent: Mayor White.

Resolution No. 474-00.

By Director Hudecek.

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

Whereas, under said Program, the City has acquired Permanent Parcel No. 118-29-112 located at East 63rd Street in Ward 5; and

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

Whereas, Burten, Bell, Carr Development Corporation or designee, abutting/adjacent landowner, has proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 5 has consented to the proposed sale;
2. The parcel is either less than 4,800 square feet or less than 40 feet frontage;
3. The proposed purchaser of said parcel is neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland, with Burten, Bell, Carr Development Corporation or designee for the sale and development of Permanent Parcel No. 118-29-112 located at East 63rd Street, in accordance with the Land Reutilization Program in such manner as

best carries out the intent of said program.

Be it further resolved that the consideration for said parcel shall be \$1.00, which amount is hereby determined to be not less than the Fair Market value of said parcel for uses in accordance with said Program.

Yeas: Directors Carter, Brooks, Konicek, Sheffield-McClain, Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson, Acting Director Huth, Director Alexander.

Nays: None.

Absent: Mayor White.

Resolution No. 475-00.

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. 118-29-019, 118-29-020, 118-29-024, 118-29-025, 118-29-026, 118-29-092, 118-29-094, 118-29-098, 118-29-099, 118-29-100, 118-29-113, 118-30-039, 118-30-041, 118-30-042, 118-30-043, 118-30-048, 118-30-049, 118-29-105 and 118-30-050 under said Land Reutilization Program; and

Whereas, Ordinance No. 940-2000 passed June 19, 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, Burten, Bell, Carr 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. 940-2000 passed June 19, 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 Burten, Bell, Carr Development Corporation or designee for the sale and development of Permanent Parcel Nos. 118-29-019, 118-29-020, 118-29-024, 118-29-025, 118-29-026, 118-29-092, 118-29-094, 118-29-098, 118-29-099, 118-29-100, 118-29-113, 118-30-039, 118-30-041, 118-30-042, 118-30-043, 118-30-048, 118-30-049, 118-29-105 and 118-30-050, 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: Directors Carter, Brooks, Konicek, Sheffield-McClain, Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson, Acting Director Huth, Director Alexander.

Nays: None.

Absent: Mayor White.

Resolution No. 476-00.

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 Per-

manent Parcel Nos. 118-30-045, 118-30-046 and 118-30-047 under said Land Reutilization Program; and

Whereas, Ordinance No. 939-2000 passed June 19, 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, Burten, Bell, Carr 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. 939-2000 passed June 19, 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 Burten, Bell, Carr Development Corporation or designee for the sale and development of Permanent Parcel Nos. 118-30-045, 118-30-046 and 118-30-047, 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: Directors Carter, Brooks, Konicek, Sheffield-McClain, Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson, Acting Director Huth, Director Alexander.

Nays: None.

Absent: Mayor White.

Resolution No. 477-00.

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. 118-29-021, 118-29-029 and 118-29-104 under said Land Reutilization Program; and

Whereas, Ordinance No. 600-2000 passed June 19, 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, Burten, Bell, Carr 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. 600-2000 passed June 19, 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 Burten, Bell, Carr Development Corporation or designee for the sale and development of Permanent Parcel Nos. 118-29-021, 118-29-029 and 118-29-104, 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: Directors Carter, Brooks, Konicek, Sheffield-McClain, Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson, Acting Director Huth, Director Alexander.

Nays: None.

Absent: Mayor White.

Resolution No. 478-00.

By Director Warren.

Whereas, Ordinance No. 944-2000, passed June 19, 2000 by the Council of the City of Cleveland, authorized the Commissioner of Purchases and Supplies, by and at the direction of the Board of Control, to sell certain City-owned property no longer needed for public use, described therein and also known as being a portion of Block "A5" (PPN 142-23-005) of the Lee-Seville/Cleveland Industrial Park, to Scovil-Hanna Realty, LLC, d.b.a. Arrowhead Industries Corp., and Erieview Metal Treating Company; and

Whereas, said Ordinance No. 944-2000 provided that the consideration to be paid for the property shall be at a price not less than fair market value as determined by the Board of Control, now, therefore,

Be it resolved by the Board of Control of the City of Cleveland, that pursuant to Ordinance No. 944-2000, passed June 19, 2000 by the Council of the City of Cleveland, the Commissioner of Purchases and Supplies is hereby directed to sell that certain City-owned property described therein, and also known as being a portion of Block "A-5" of the Lee Seville/Cleveland Industrial Park, which property is no longer needed for public use as follows: half of said property shall be sold to Scovil-Hanna Realty, LLC, d.b.a. Arrowhead Industries Corp. for a price of Seventy Five Thousand Dollars (\$75,000), and the other half shall be sold to Erieview Metal Treating Company for a price of Seventy Five Thousand Dollars (\$75,000), which amounts are hereby determined to be not less than fair market value.

Be it further resolved that the Mayor of the City of Cleveland is hereby requested to execute and deliver the official deed of the City of Cleveland conveying said property, as aforesaid.

Yeas: Directors Carter, Brooks, Konicek, Sheffield-McClain, Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson, Acting Director Huth, Director Alexander.

Nays: None.

Absent: Mayor White.

Resolution No. 479-00.

By Director Guzman.

Resolved, by the Board of Control of the City of Cleveland that the bid of Aexcel Corp., for traffic paint, item nos. 3 and 4, for the Division of Traffic Engineering and Parking, Department of Public Safety, for the period of one (1) year beginning with the date of execution of a contract, received on May 10, 2000, pursuant to the authority of Ordinance No. 2161-99, passed February

14, 2000, and Ordinance No. 1004-2000, passed on June 19, 2000, which on the basis of the estimated quantity would amount to Twenty Thousand Six Hundred Forty-Three and no/100 Dollars (\$20,643.00), 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. 28932

which shall be certified against such contract in the sum of Seven Thousand Five Hundred Sixty-Eight and no/100 Dollars (\$7,568.00).

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

Yeas: Directors Carter, Brooks, Konicek, Sheffield-McClain, Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson, Acting Director Huth, Director Alexander.

Nays: None.

Absent: Mayor White.

Resolution No. 480-00.

By Director Guzman.

Resolved, by the Board of Control of the City of Cleveland that the bid of Centerline Industries, Inc., for traffic paint, item no. 1 for the Division of Traffic Engineering and Parking, Department of Public Safety, for the period of one (1) year beginning with the date of execution of a contract, received on May 10, 2000, pursuant to the authority of Ordinance No. 2161-99 passed February 14, 2000, and Ordinance No. 1004-2000, passed on June 19, 2000, which on the basis of the estimated quantity would amount to Sixteen Thousand Eight Hundred Twenty and no/100 Dollars (\$16,820.00), 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. 28930

which shall be certified against such contract in the sum of Eight Thousand Four Hundred Ten and no/100 Dollars (\$8,410.00).

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

Yeas: Directors Carter, Brooks, Konicek, Sheffield-McClain, Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson, Acting Director Huth, Director Alexander.

Nays: None.

Absent: Mayor White.

Resolution No. 481-00.

By Director Guzman.

Resolved, by the Board of Control of the City of Cleveland that the bid of Potters Industries, Inc., for traffic paint, item no. 2, for the Division of Traffic Engineering and Parking, Department of Public Safety, for the period of one (1) year beginning with the date of execution of a contract, received on May 10, 2000, pursuant to the authority of Ordinance No. 2161-99, passed February 14, 2000, and Ordinance No. 1004-2000, passed on June 19, 2000, which on the basis of the estimated quantity would amount to Thirteen Thousand Twenty and no/100 Dollars (\$13,020.00), 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. 28931

which shall be certified against such contract in the sum of Four Thousand Three Hundred Forty and no/100 Dollars (\$4,340.00).

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

Yeas: Directors Carter, Brooks, Konicek, Sheffield-McClain, Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson, Acting Director Huth, Director Alexander.

Nays: None.

Absent: Mayor White.

JEFFREY B. MARKS,
Secretary

CIVIL SERVICE NOTICES

General Information

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

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

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

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

ANNE BLOOMBERG,

President
**SCHEDULE OF THE BOARD
OF ZONING APPEALS**

MONDAY, JULY 31, 2000

9:30 A.M.

Calendar No. 00-198: 4801 Franklin Boulevard (Ward 14)

Iglesia Del Salvador, owner, appeals from a Violation Notice issued by the Division of Building and Housing, Community Development Department, under Section 329.02(c), where the appellant has the right to appeal to the Board of Zoning Appeals, and from being cited under Section 327.02(c), where there shall be no change or substitution in the use of any building or premises and no extension of any existing use, nor shall any premises be occupied for any new use until a certificate of occupancy has been issued, and Section 347.08, where the trash area and refuse containers shall be located in such a manner that they shall not be visible from the street or building as stated in the Codified Ordinances.

Calendar No. 00-199: 557 East 102nd Street (Ward 8)

John W. Toombs, owner, appeals to enclose an existing 28' x 10' first floor front porch of an existing 25' x 35' two dwelling house situated on a 40' x 130' parcel located in a B-Two Family District on the east side of East 102nd Street at 557 East 102nd Street; said enclosure being contrary to the Yards and Courts Regulations where a 10' projection is proposed and the maximum projection permitted is 4' as stated in Section 357.13(b)(4) of the Codified Ordinances.

Calendar No. 00-200: 7670 Broadway Avenue (Ward 12)

Joshua Simon, owner, and Allegheny Child Care Academy, tenant, appeal to change the use of an existing 137' x 60' one-story masonry machine shop building into a day care facility all situated on a 66' x 231' parcel located in a Semi-Industry District on the west side of Broadway Avenue at 7670 Broadway Avenue; said change of use being contrary to the Industrial District Regulations of Section 345.03 where a day care facility must be located at least 30' from an adjoining premises in a Residential District and contrary to the One-Family District Regulations of Section 337.02(f)(3)(c) which require the Board of Zoning Appeals approval for adequate side yard spaces and other safeguards to preserve the character of the neighborhood and contrary to the Landscaping and Screening Requirements of Sections 352.10 and 352.11 where a 6' landscaping strip is required along Canton Avenue between the street and parking and contrary to the Yards and Courts Requirements where an 8' front yard setback is proposed along Broadway Avenue and 10' is required as stated in Section 357.07(a) of the Codified Ordinances.

Calendar No. 00-201: 4600 Carnegie Avenue (Ward 5)

Giancarlo Calicchia, owner, and Allegheny Child Care Academy, tenant, appeal to change the use of a 143' x 93' portion (first floor and second floor) of an existing 149' x 205' two-story masonry building into a day care facility all situated on an approximate 205' x 345' irregular shaped corner parcel, located in a General Retail Business District and Multi-Family District on the southeast corner of Carnegie Avenue and East 46th Street at 4600 Carnegie Avenue; said change of use being contrary to the Multi-Family District Regulations where the premises at the northeast side of property in question is zoned Multi-Family and a day care is required to be located 15' from any adjoining premises in a Residence District not used for a similar purpose as stated in Section 337.08(e)(3) of the Codified Ordinances.

Calendar No. 00-202: 13402 Terminal Avenue (Ward 20)

Dan Roper, owner, appeals to install approximately 171 linear feet of 6' high wood privacy fencing with 2 gates to the north, east and west sides of a 51' x 125' parcel located in a One-Family District on the north side of Terminal Avenue at 13402 Terminal Avenue; said installation being contrary to the Yards and Courts Regulations where the maximum height of fencing proposed at corner lot along West 134th Street is 6' and 4'-6" is permitted as stated in Section 357.13(b)(3) of the Codified Ordinances.

Calendar No. 00-203: 3436 West 41st Street (Ward 15)

Domingo Pena, owner, appeals to change the use of an existing 40' x 49' two-story masonry store building into a combined store and carry-out restaurant building all situated on a 41' x 130' corner parcel located in a Multi-Family District on the west side of West 41st Street at 3436 West 41st Street; said change of use being contrary to the Residential District Requirements of Section 337.08 where a restaurant is not a permitted use in a Residence District but first permitted in a Local Retail District as stated in Section 343.01(1)(f) and contrary to the Off-Street Parking and Loading Requirements of Section 349.04 where 12 parking spaces are required and 8 are provided and Section 349.07(a)(b)(c) 1) and (c) 3) where all access and maintenance driveways and maneuvering areas shall be properly graded for drainage and wheel and bumper guards are required and access for off-street parking shall be located to minimize traffic congestion and maximum width of driveway shall be 30' and 0' is proposed and Section 349.08 where an opaque fence or wall is required or a 4' wide densely planted landscape strip but subject to the non-conforming use limitations of Section 359.01 of the Codified Ordinances.

Calendar No. 00-219: 11500 Franklin Boulevard (Ward 18)

Cudell Improvement, Inc., owner, and Positive Education Program, prospective purchaser, appeal to

change the use of an existing 80' x 84' two-story masonry school building from the use as offices to the use as a school situated on an approximate 304' x 260' corner parcel located in a Two-Family District on the northwest corner of West 114th Street and Franklin Boulevard at 11500 Franklin Boulevard; said change of use being contrary to the Residential District Requirements where a public or private school in a Two-Family District requires the Board of Zoning Appeals approval as stated in Sections 337.02(f)(3)(a) and 337.03 of the Codified Ordinances.

Calendar No. 00-220: 11450 Franklin Boulevard (Ward 18)

Cudell Improvement, Inc., owner, and Positive Education Program, prospective purchaser, appeal to change the use of an existing 91' x 71' one-story masonry school building from a day care facility into a school, situated on the easterly part of an approximate 304' x 260' corner parcel located in a Two-Family District on the northwest corner of West 114th Street and Franklin Boulevard and extending through to West 116th Street at 11450 Franklin Boulevard; said change of use being contrary to the Residential District Requirements where a public or private school in a Two-Family District requires the Board of Zoning Appeals approval as stated in Sections 337.02(f)(3)(a) and 337.03 of the Codified Ordinances.

EUGENE CRANFORD, JR.,
Secretary

**REPORT OF THE BOARD
OF ZONING APPEALS**

MONDAY, JULY 17, 2000

At the meeting of the Board of Zoning Appeals on Monday, July 17, 2000, the following appeals were heard by the Board:

The following appeals were **Approved**:

Calendar No. 00-187: 11010-11012 Lorain Avenue

Melinda DeCaro, owner, and Goodwill Industries, tenant c/o Larry Baily, agent, appealed to change the use of an existing one-story masonry store building into a school and group counseling facility in a General Retail Business District.

Calendar No. 00-188: 4577 West 148th Street

Duson and Ana-Masi Palallic, owners, appealed to install 235 linear feet of 3' high wood picket fencing with 3 gates around a portion of a parcel in a One-Family District.

Calendar No. 00-193: 11618 Dove Avenue

Flora Jones, owner, appealed to enclose a 16' x 6' front porch of an existing one dwelling house in a Two-Family District; approval subject to submission of revised plan

showing porch enclosure with 80% opacity.

The following appeal was **Denied**:

Calendar No. 00-190: 10019 Cliff Drive Andrew W. Gallagher, owner, appealed to construct a colonnade between an existing 2 1/2 story, one family dwelling and a renovation of a 23' x 82' garage in a Limited AA-One Family District.

The following appeals were **Postponed**:

Calendar No. 99-272: 11601 Shaker Boulevard postponed — remains pending.

Calendar No. 00-175: 9619 Kirkwood Avenue postponed to August 14, 2000.

On Monday, July 17, 2000, in Executive Session:

The following appeals were heard on Monday, July 10, 2000 and said decisions were approved and adopted by the Board on July 17, 2000.

The following appeals were **Approved**:

Calendar No. 00-184: 7510 Lorain Avenue Ripcho Studios, owner c/o Pat Monroe, agent, appealed to construct a parking lot for 12 vehicles on the north side of Lorain Avenue in a General Retail Business District.

Calendar No. 00-158: 11101 Superior Avenue Charles and Hattie Phillips, owners, and Refreshing Springs, tenant, appealed to change the use of a one-story masonry building into a church in a General Retail Business District.

The following appeal was **Denied**:

Calendar No. 00-186: 1417 Auburn Avenue Paul Novak, appealed from the refusal for a lot split for a 30' x 148' parcel on the south side of Auburn Avenue.

Amended Entry to Executive Session of July 3, 2000:

The following appeals were heard on Monday, June 26, 2000, and said decisions were approved and adopted by the Board on July 3, 2000.

The following appeals were **Denied**:

Calendar No. 00-171: 8909 Willard Avenue North Central Ohio District Church of the Nazarene, owner c/o Reverend Roland Anderson, appealed to change the use of a two-story one dwelling house into offices, medical testing and a counseling facility in a Two-Family District.

Calendar No. 00-173: 3494 West 25th Street John E. and Irene LaRussa, owners, appealed to change the use of the first floor rear area of a 63' x 50' two-story commercial building by changing the rear area three car private garage area into a youth assembly room in a Semi-Industry District.

EUGENE CRANFORD, JR.,
Secretary

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

NO MEETING

PUBLIC NOTICE

NONE

NOTICE OF PUBLIC HEARING

NONE

CITY OF CLEVELAND BIDS

For All Departments

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

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

187.10 Negotiated contracts; Notice required in Advertisement for Bids.

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

THURSDAY, JULY 27, 2000

Work Uniforms (Re-Bid — Items 16 Through 21, 23, 26, 27, 30 Through 32, 38, 43 Through 46, 48 Through 54, 56 and 57), for the Various Divisions of the Department of Port Control, as authorized by Ordinance No. 2054-99, passed by the Council of the City of Cleveland, February 7, 2000.

A PRE-BID MEETING WILL BE HELD ON WEDNESDAY, JULY 19, 2000, 10:00 A.M., AT 19451 FIVE POINTS ROAD, CLEVELAND, OHIO 44135.

July 12, 2000 and July 19, 2000
FRIDAY, AUGUST 4, 2000

Deicing Chemicals, for the Various Divisions of the Department of Port Control, as authorized by Ordinance No. 364-2000, passed by the Council of the City of Cleveland, April 17, 2000.

Refurbishment of Steel Receptacle Lids, for the Division of Waste Collection and Disposal, Department of Public Service, as authorized by Ordinance No. 714-2000, passed by the Council of the City of Cleveland, May 22, 2000.

Refurbishment of Front-End Loaders and Roll-Off Containers, for the Division of Waste Collection and Disposal, Department of Public Service, as authorized by Ordinance No. 725-2000, passed by the Council of the City of Cleveland, May 22, 2000.

July 12, 2000 and July 19, 2000

WEDNESDAY, AUGUST 16, 2000

Fire, Boiler, Machinery and Extended Insurance, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 1946-98, passed by the Council of the City of Cleveland, December 14, 1998.

A PRE-BID CONFERENCE WILL BE HELD ON MONDAY, AUGUST 7, 2000, 1:00 P.M. AT CLEVELAND PUBLIC POWER, 1300 LAKE-SIDE AVENUE, CLEVELAND, OHIO 44114. ATTENDANCE IS MANDATORY. BIDS RECEIVED FROM THOSE COMPANIES NOT ATTENDANCE AT THE MEETING SHALL BE DEEMED NON-RESPONSIVE.

Abram Creek Improvement Project, for the Department of Port Control, as authorized by Ordinance No. 1105-2000.

BEGINNING JULY 12, 2000, PLANS AND SPECIFICATIONS MAY BE PURCHASED IN THE DIVISION OF PURCHASES AND SUPPLIES, CLEVELAND CITY HALL, 601 LAKESIDE AVENUE, ROOM 128, CLEVELAND, OHIO 44114, FOR THE NON-REFUNDABLE FEE SEVEN HUNDRED FIFTY DOLLARS (\$750.00) (CERTIFIED CHECK OR MONEY ORDER ONLY). PROSPECTIVE BIDDERS WILL THEN RECEIVE A VOUCHER TO PRESENT TO THE DESIGNATED PRINTER FOR BID DOCUMENTS. OUT OF AREA BIDDERS — PLEASE PROVIDE FEDERAL EXPRESS, UPS OR OTHER ACCOUNT NUMBER FOR SHIPMENT. PACKAGE/FEE INCLUDES PLANS, TECHNICAL SPECIFICATIONS, GENERAL AND CONTRACTUAL REQUIREMENTS AND ANY ADDENDA. A PRE-BID MEETING WILL BE HELD ON THURSDAY, JULY 27, 2000, 10:00 A.M. TO 1:00 P.M. AT THE HILTON GARDEN INN (CLEVELAND AIRPORT), 4900 EMERALD COURT, SOUTH-WEST (OFF GRAYTON ROAD), CLEVELAND, OHIO 44135. FOR ADDITIONAL INFORMATION, FAX QUESTIONS TO DEBORAH MIDGETT IN THE DIVISION OF PURCHASES AND SUPPLIES AT (216) 664-2177.

PROJECT DETAILS: CONSTRUCTION OF APPROXIMATELY 14,000 FT. OF 120" DIAMETER

RCP CULVERT AND DRAINAGE APPURTENANCES INCLUDING DROP STRUCTURE TO CONVEY UPSTREAM FLOWS UNDER THE NEW RUNWAY SYSTEMS. FILL THE CREEK AND ASSOCIATED RAVINE WITH APPROXIMATELY 3 MILLION CUBIC YARDS OF BACKFILL. PROJECT ALSO INCLUDES STORMDRAIN AND DETENTION BASIN INSTALLATIONS FOR CHIA.

July 12, 2000 and July 19, 2000

FRIDAY, AUGUST 4, 2000

Signs for the Cleveland Industrial Park, for the Department of Economic Development, as authorized by Ordinance No. 479-2000, passed by the Council of the City of Cleveland, May 22, 2000.

Lamps, for the Various Divisions of City Government, Department of Finance, as authorized by Ordinance No. 811-2000, passed by the Council of the City of Cleveland, June 12, 2000.

July 19, 2000 and July 26, 2000

THURSDAY, AUGUST 10, 2000

Replacement Parts for Oshkosh Equipment, for the Various Divisions of the City of Cleveland, Department of Port Control, as authorized by Ordinance No. 781-99, passed by the Council of the City of Cleveland, June 7, 1999.

July 19, 2000 and July 26, 2000

THURSDAY, AUGUST 17, 2000

Biological and Chemical Testing Supplies, Apparatus and Appurtenances, for the Division of Water, Department of Public Utilities, as authorized by Section 129.28 of the Codified Ordinances of the City of Cleveland, 1976.

A PRE-BID MEETING WILL BE HELD ON THURSDAY, AUGUST 3, 2000, 10:00 A.M., IN THE 5TH FLOOR CONFERENCE ROOM OF THE PUBLIC UTILITIES BUILDING, 1201 LAKESIDE AVENUE,

CLEVELAND, OHIO 44114. ATTENDANCE IS **MANDATORY**.

Hauling and Disposal of Water Plant Residuals, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 826-2000, passed by the Council of the City of Cleveland, June 12, 2000.

A PRE-BID MEETING WILL BE HELD ON FRIDAY, AUGUST 4, 2000, 10:00 A.M., IN THE CROWN WATER TREATMENT PLANT CONFERENCE ROOM, 955 CLAGUE ROAD, WESTLAKE, OH 44145.

Tree Trimming Around Wires and Streetlights, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 1326-97, passed by the Council of the City of Cleveland, March 29, 1999.

A PRE-BID MEETING WILL BE HELD ON WEDNESDAY, AUGUST 9, 2000, 1:00 P.M., CLEVELAND PUBLIC POWER, 1300 LAKESIDE AVENUE, CLEVELAND, OHIO 44114. ATTENDANCE IS **MANDATORY**.

July 19, 2000 and July 26, 2000

FRIDAY, AUGUST 18, 2000

Shotguns, for the Division of Police, Department of Public Safety, as authorized by Section 135.065 of the Codified Ordinances of the City of Cleveland, 1976.

Electronic Mugshot System, for the Division of Police, Department of Public Safety, as authorized by Ordinance No. 182-99, passed by the Council of the City of Cleveland, June 7, 1999.

July 19, 2000 and July 26, 2000

Request for Qualifications (RFQ): WBNS N930 — Owner Controlled Insurance Program (OCIP) Services

Interested firms may obtain Qualification Packages beginning July 21, 2000 by going to:

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

proposal@clevelandairport.com

For Further Information Contact:

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

PRE-QUALIFICATION MEETING:

FRIDAY, JULY 28, 2000,
11:00 a.m.
Program Management Team Office
19501 Five Points Road
Cleveland, Ohio 44135

SUBMITTAL DUE DATE:

FRIDAY, AUGUST 4, 2000
AT 12:00 O'CLOCK NOON

July 19, 2000 and July 26, 2000

Request for Qualifications (RFQ): WBS N925 — Professional Surveying Services

Interested firms may obtain Qualification Packages beginning July 21, 2000 by going to:

www.clevelandairport.com

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

proposal@clevelandairport.com

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AT 12:00 O'CLOCK NOON

**Certified MBEs and FBEs
Second Quarter, 2000**

Pursuant to Chapter 187 of the Codified Ordinances of the City of Cleveland, Ohio, listed below are the firms that have been certified as Minority Business Enterprise (MBE) and Female Business Enterprise (FBE) by the Mayor's Office of Equal Opportunity during the Second Quarter of 2000.

Company	MBE/FBE	Certification Date	Description
Abele Davis Corp.	FBE	4/20/2000	Law enforcement supplies
Access Video, Inc.	FBE	6/13/2000	Video production & editing
AGS Architects	MBE	6/20/2000	Architectural services
Al's High Tech dba Al's Electric Motor	FBE	6/16/2000	Sales, service and repair of electric motors, equipment, etc., complete machine shop, vibration analysis
Allstar Builders, Inc.	MBE	5/5/2000	General contractor specializing in home rehabilitation, repair, additions, remodeling, carpentry, window installation, vinyl siding installation and painting
Allstate Industrial, Inc.	MBE	4/20/2000	Supplier: safety equipment & supplies, safety glasses, boots, protective clothing, rainsuits, safety equipment for flammable liquids, respirators
Alpha Builders, Inc.	MBE	6/11/2000	General contractor specializing in renovation, remodeling, carpentry and painting

American Center for Conflict Resolution	MBE/FBE	5/25/2000	Training & services for alternative dispute resolution including mediation and arbitration for businesses, court systems & government entities
American Merchandising Services, Inc.	MBE	5/29/2000	Chemical supplier: solvents, ice melters, lubricants; oil and fuel, degreasers, treatments boiler & waste water, janitorial maintenance chemicals, disposable paper products
Analzyers	MBE/FBE	5/15/2000	Professional and personal organizer
APEX Construction Company, Inc.	MBE	4/29/2000	General contractor specializing in remodeling, painting, masonry, and roofing
Artis	FBE	6/9/2000	Painting: commercial & residential, artist and restoration
Artisan Cleaning Company, Inc.	FBE	5/13/2000	Janitorial services
Artisan Electrical Contractors	MBE	6/21/2000	Electrical contractor
Auto Body Builders, Inc.	MBE	6/19/2000	Auto body and frame repair; painting and refinishing for cars and light trucks, welding and unibody repair
Avon Exterminating Co.	MBE	5/29/2000	Pest control and exterminating services
B & R Trucking Co., Inc.	MBE	6/14/2000	Dump truck hauling
Bean & Bennett Enterprises, Inc.	MBE	4/27/2000	Janitorial cleaning services: residential, industrial and commercial including construction clean-up
BOB's A-Team Associates, Inc.	FBE	5/18/2000	Excavation, site prep, sanitary & storm underground improvements, demolition, sale of sand, gravel, dirt & mulch
Bradley Construction Co., Inc.	MBE	4/24/2000	General contractor: cast-in-place concrete, concrete masonry, excavation, highway construction and project administration
Brenda Kroos Gallery of Cleveland, Inc.	FBE	6/17/2000	Supplier, installation and consultant of works of art
Burkshire Construction Co., Inc.	FBE	6/18/2000	General contractor: masonry, paver installation, landscaping, misc. steel, carpentry: including interior demo, finishes, concrete. Special trades: dewatering, clean-up & hoisting
Cabinet Concepts, Inc.	FBE	6/18/2000	Custom cabinetry and millwork
Calvillo Construction	MBE	4/15/2000	General contractor specializing in all phases of concrete work including excavation
Caver Brothers, Inc.,	MBE	5/15/2000	Landscaping: planting of trees and shrubs, maintenance for residential and commercial property
Central Electric Supply Company	MBE	5/27/2000	Supplier of electrical supplies and equipment
Central Engineering, Inc.	MBE	6/29/2000	Civil engineer: Highway & bridge design; utility design including water sewer, drainage, structures, bridge & construction inspection & surveying
Chad Brown Co.	MBE	6/19/2000	General contractor
Chaves & Associates	FBE	4/11/2000	Document control management, contract administration, administrative and secretarial functions
Clarktel Communications Corp.	MBE	4/15/2000	Installation of business telephone systems, service upgrades, including adding, moving, and changing phones; consulting; cable installation
Cogen Construction	MBE	5/30/2000	General contractor specializing in carpentry and drywall
Coleman Spohn Corporation	MBE	5/5/2000	Installation HVAC systems, plumbing & piping, fabrication, sprinkler systems, facilities maintenance and service
Coleman Trucking, Inc.	MBE	6/30/2000	Lead abatement, mechanical dismantling and interior wrecking
CPS Enterprises, Inc. dba Able One's Moving	MBE	6/18/2000	Moving and storage company
Crawford Fence and Guardrail, Inc.	MBE	6/7/2000	Installation of fence and guardrails
Creative Improvement & Energy	MBE	4/11/2000	General contractor specializing in HVAC, rehab and renovations
Cyngier Systems Management, Inc.	FBE	5/30/2000	HVAC contractor: service, sales, repair and installation of heating, air conditioning, ventilating and air quality control products
D. Thigpen & Adsociates, Inc.	MBE/FBE	4/5/2000	Public relations, advertising/marketing, fund raising, publicity and promotions
DAP Public Relations, Inc.	MBE/FBE	6/16/2000	Public relations, marketing, communications, media relations, advertising, training seminars, special events management and promotions
Davis Management Group	MBE/FBE	4/24/2000	Consultant: diversity management and organizational effectiveness
Devon Contracting, Inc. dba Burnley Group	MBE	6/13/2000	Concrete flatwork, formwork, and restoration; construction site clean-up
Dewey Renovation, Inc.	FBE	4/7/2000	General contractor specializing in renovations, remodeling and rehab
E & O Construction Co.	MBE	5/26/2000	General contractor specializing in remodeling, rehabilitation, maintenance and carpentry of commercial & residential properties
E.B. Advanced, P.C.	MBE	6/19/2000	Consultant: Engineering services
Emerald Supply, Inc.	MBE/FBE	4/27/2000	Supplier of industrial maintenance and janitorial supplies

Ferrous Metal Transfer Co.	MBE	6/12/2000	Trucking: transfer of steel coils, sheets and scrap steel
Friedel Trucking Company, Inc.	FBE	5/29/2000	Trucking and hauling
G.T. Electric	MBE	4/30/2000	Electrical contractor: installation, servicing, maintenance and consultation
Gatewood Design Works	FBE	5/1/2000	Architectural drafting services
Glory Painting Co.	MBE/FBE	6/27/2000	Painting and wallpaper contractor; general contractor specializing in rehab, drywall, carpentry and roofing, commercial and residential
GR & A Advertising	FBE	4/25/2000	Market & advertising services including brochures, catalogs, signage, annual reports and promotions
H.C. Painting Company	MBE	4/5/2000	Painting: exterior and interior painting, wall coverings
H.S. Development Corporation	MBE	4/28/2000	General contractor specializing in carpentry work
Hooks Concrete Corporation	MBE	5/20/2000	General contractor specializing in concrete, landscaping, fire hydrant repair, underground excavation and by hauling by dump truck
I M Ladder Sales Co.	FBE	4/8/2000	Supplier of ladders including van & truck racks, scaffolding
Interstate Safety & Service Company, Inc.	FBE	5/23/2000	Traffic control products; trucking
J. Stevens Construction, Inc.	MBE	4/29/2000	General contractor specializing in residential and commercial carpentry
J.F. Novak Company	FBE	4/10/2000	Embroidered emblems, badges, flags, and miscellaneous commemorative bars and service medals
Jags Enterprise	MBE/FBE	6/13/2000	Court stenography services
Jan Squires, Inc.	FBE	6/16/2000	Mechanical contractor: welding, fabricating and installation of pressure piping systems
Janine Bentivegna Photography	FBE	4/16/2000	Commercial Photography
Jeffrey W. Barnett Trucking	MBE	6/25/2000	Trucking: delivering building supplies, drywall, metal studs
Julian Supply Company	FBE	4/23/2000	Supplier: Sewer and water line supplies, plumbing and municipal utility supplies
JVS Interiors, Inc.	FBE	4/16/2000	General contractor specializing in metal framing, drywall, acoustical and carpentry
KEMS Construction Co., Inc.	MBE	6/12/2000	General contractor specializing in residential construction and rehabilitation
KS Associates, Inc.	FBE	6/19/2000	Civil engineering and surveying
L.T. Services, Inc.	FBE	5/14/2000	Trucking for construction, hauling, excavation materials and bulk trash. Material supplier: Topsoil, aggregates, limestone, slag, including recycled concrete. Site work (grading) and excavation
Laboratory Consultants	MBE/FBE	4/10/2000	Drug testing and laboratory testing of specimens
Lake Ladder and Supply, Inc.	FBE	6/8/2000	Supplier of ladders and accessories
Lakeland Electric Supply Co., Inc.	FBE	6/28/2000	Electrical supplier
Leader Electric Supply Company	FBE	5/25/2000	Supplier of electrical materials and supplies
Lightning General & Demolition Contractors	MBE	5/1/2000	General contractor specializing in demolition, sewer and rehab of residential buildings; trucking: hauling
LNS Penovating	FBE	6/28/2000	General contractor: painting and carpentry
Logical Services, Inc.	MBE/FBE	4/24/2000	Vehicle services: CTL drivers, installation of accessories for vehicles, HVAC contractor
Lorig Mechanical, Inc.	FBE	4/20/2000	Mechanical contractor: commercial sprinkler and HVAC installation
Lynda J. Gillinov & Associates, Inc.	FBE	6/2/2000	Real estate appraiser and financial planner
M & R Enterprises, Inc.	MBE	6/13/2000	General contractor specializing fire protection, cleaning sewer pipes, video inspection of culvert & sewer pipes, on-site management & disposal of sludge & debris
M2 International, Inc.	MBE/FBE	6/17/2000	Construction management services: project administration/management; project control; quality management; contract administration; value
Mac Mechanical Corporation	FBE	4/25/2000	Fire protection contractor
McAuliffe and Gibson Graphics	FBE	6/4/2000	Design & art production services for all types of advertising or printed materials, including calligraphy and signage
Media Impressions	FBE	6/9/2000	Media planning and buying services
Merleno Trucking, Inc.	FBE	4/25/2000	Trucking: hauling of demolition and excavation materials
Meroe Contracting & Supply Co.	MBE	6/13/2000	Field painting of steel, system OZEU, conduits, buildings and bridges; general contractors specializing in concrete, highway & bridge work, underground utility work and engineering
Ming's Heating & Air Conditioning, Inc.	MBE	6/25/2000	General contractor specializing in rehab and heating, ventilation and air conditioning
Mountaineer Title Agency, Inc.	FBE	6/17/2000	Real estate title services: titles, escrow, etc.
MV Technologies, Inc.	MBE	5/19/2000	Supplier: chemicals and allied products for oil spills and environmental clean-up. Remediation services, environmental consulting; research development and testing

Myldred Boston Howell Realty, Inc.	MBE/FBE	6/8/2000	Real estate broker
Nagel Design Associates, Inc.	FBE	4/5/2000	Construction management, interior design
National Consulting & Business Systems, Inc.	MBE	5/16/2000	Sale, rental & installation of computers, hardware & software; multimedia & internet services; consulting services
Nav-Tech Industries, Inc.	MBE	4/11/2000	Manufacturer & supplier of precision machine tools, products, and services
Nello's Trucking, Inc.	FBE	4/12/2000	Trucking; hauling asphalt, material and excavation debris
North Shore Door Company, Inc.	FBE	6/17/2000	Sales, service, installation of overhead doors, automatic sectional, rolling, fire rated
Northern Title Agency, Inc.	FBE	6/10/2000	Real estate transfer and settlement services; escrow
O'Bryon, Larkman & Associates	FBE	5/12/2000	Commercial real estate consulting, brokerage, property management
O.R. Colon Associates, Inc.	FBE	4/27/2000	Land acquisition, appraisal, relocation and related activities, including turnkey program management for public agencies
Office Facility Management Corporation	MBE/FBE	6/13/2000	Consultant: on-site facilities management services, i.e., record retention, forms and document management, etc.
OneNet International Communications, Inc.	FBE	4/10/2000	Computer consulting services
Oxbow Engineering, Inc.	FBE	6/23/2000	Civil engineering design services, traffic engineering, roadway, sewer, general civil
Personalized Data Corporation	MBE	4/19/2000	Computer design, consulting, data entry, conversions, word processing, disaster recovery, clerical
Profitable Products Corporation	MBE	5/15/2000	Ad specialties items, banners, security products, changable signs
P. Heard Painting	MBE	4/19/2000	Painter: exterior and interior
Ran Associates, Inc.-Personnel Agency	MBE	6/23/2000	Employment services; temporary help
Ressler Contracting Corporation	FBE	5/13/2000	General contractor: new home construction, remodeling, alterations, and electrical work
Rico Cox Insulation Construction Services	MBE	6/23/2000	Contractor specializing in roofing and insulation
Right Team Inc.	FBE	4/21/2000	Computer program management and consultants for implementation of software, i.e., Peoplesoft, etc.
Roof Guard Systems, Inc.	MBE	5/26/2000	General contractor specializing in roofing services from new to existing construction
Ruccella Construction, Inc.	MBE	5/10/2000	General Contractor specializing in highway Street construction, underground utilities, masonry, drywall work, pre-engineered buildings, carpentry, concrete work & excavation
Rudy's Hardware & Supply, Inc.	MBE	6/20/2000	Retail hardware store and supplier of industrial supplies
S.C.A. Electrical Corp.	MBE	6/1/2000	Electrical contractor
Sandra Heath and Associates, Inc.	FBE	5/20/2000	Temporary and permanent office support staffing, pre-employment investigations
ServAll Maintenance, Inc.	FBE	6/23/2000	Commercial cleaning services
ServiceMaster By Bryant	MBE	5/22/2000	Residential & commercial cleaning services, also window washing
Tal-Cut Company, Inc.	MBE/FBE	6/16/2000	Computer information management pertaining, to technologies, supplying staffing; project management, administration, design, conversion and training
Tesco Builders, Inc.	FBE	6/5/2000	General contractor
Tiffany Electric Supply Company	MBE/FBE	4/20/2000	Electrical contractor
Torres Estates General Contracting	MBE	4/11/2000	General contractor specializing in rehab and renovations
Union Cleaning, Inc.	FBE	6/16/2000	Complete cleaning services
Vacca!	FBE	6/6/2000	Unique design work painted on walls, furniture, clothes, fabric, automobiles and canvasses
Vital Resources, Inc.	FBE	6/8/2000	Computer information management pertaining to technologies by supplying staffing, including project management, design, administration, conversion & training
Vocon Design, Inc.	FBE	6/6/2000	Interior design services including programming, space planning, specifications of furniture/finishes, and installation management
Wilco Information Management	MBE	5/20/2000	Software systems integration and design. Software development, project management; education and training
Wilkes Mental Health Consultants	MBE	6/21/2000	Psychotherapy: group & individually; corporate organizational; management & staff development; assessment & staff development; cultural sensitivity training
Zust & Company	FBE	4/16/2000	Communications and marketing including training and executive coaching

**ADOPTED RESOLUTIONS
AND ORDINANCES**

REPRINT

**Ord. No. 552-2000.
By Councilman Dolan.**

An emergency ordinance authorizing the Director of Port Control to employ by contract or contracts one or more consultants to provide professional services related to the construction of a new runway and necessary project components, determining the method of making the public improvement of constructing a new runway and necessary project components, and authorizing the Director of Port Control to enter into various agreements and contracts necessary to make the public improvement.

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

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

Section 1. That the Director of Port Control is hereby authorized to employ by contract or contracts one or more consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services related to the construction of a new runway known as 5L-23R (Phase I) and its necessary appurtenances and the following project components necessary to effectuate the construction and use of the Phase I runway improvement ("Improvement");

(1) Design of FAA TRACON Renovation, in an amount not to exceed \$345,771.00;

(2) Design of NASA Facilities and Relocation, in an amount not to exceed \$20,335,402.00; and

(3) Design of Doan Brook, in an amount not to exceed \$600,000.00.

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

Section 2. That pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of constructing and implementing the construction of a new runway known as 5L-23R (Phase I), consisting of 10,500 feet of runway (approximately 9,000 feet of usable runway), the construction cost of which is hereby authorized in the amount of \$139,937,365.00, and its necessary appurtenances and the following project components necessary to effectuate the construction and use of the Improvement:

(1) Demolition of Analox Office Building and demolition of the 100th Bomb Group Restaurant in an amount not to exceed \$2,692,047.00, and to allow the current operation of the 100th Bomb Group Restaurant and building to continue until absolutely necessary for the Brookpark Road relocation construction;

(2) Brookpark Road Relocation Construction in an amount not to exceed \$19,934,209.00; and

(3) West Hangar Road Construction in an amount not to exceed \$1,337,220.00.

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

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

Section 4. That notwithstanding and as an exception to the provision of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to purchase, lease or otherwise acquire easements, fee interests, licenses, permits, mitigation credits and other rights or interests in real property directly necessary for the Improvement.

Section 5. That the Director of Port Control is hereby authorized to execute on behalf of the City of Cleveland all necessary documents to acquire said rights or interests in real property directly necessary for the Improvement and to employ title companies, surveyors, escrow agents, appraisers, environmental consultants, and field service consultants necessary for the acquisition or use of the rights or interests in real property authorized by Section 4 hereof.

Section 6. That the Director of Port Control is hereby authorized to enter into agreements with the holders of said rights or interests in real property to relocate or to otherwise modify existing buildings, equipment, fixtures or other features of said property and to pay or reimburse related costs to permit the making of the Improvement.

In accordance with the authorization granted in this Section 6, the Director of Port Control is authorized to enter into an agreement with First Energy for design, relocation, and installation of First Energy power lines. All costs associated with such agreement shall not exceed \$12,491,068.00.

Section 7. That the Director of Port Control is hereby authorized to enter into agreements with federal, state, and local governmental or regulatory entities or other public authorities necessary and to pay or reimburse directly related costs incurred by such entities for the purpose of making the Improvement.

In accordance with the authorization granted in this Section 7, the Director of Port Control is authorized to enter into agreements necessary to implement wetland and stream mitigation programs as required by federal law, excluding mitigation at Doan Brook. All expenditures under such agreements shall not exceed \$8,197,000.00.

In accordance with the authorization granted in this Section 7 and in Section 2 hereof, the Director of Port Control is authorized to enter into agreements with the FAA for professional and engineering services. All expenditures under such agreement shall not exceed \$6,000,000.00.

In accordance with the authorization granted in this Section 7, the Director of Port Control is authorized to enter into agreements with the FAA for TRACON Renovation Design. All expenditures under such contract shall not exceed \$345,771.00.

Section 8. That the Director of Port Control is hereby authorized to apply for and pay for such permits and licenses required by any regulatory entity or other public authority for making of the improvement authorized herein.

Section 9. That the Director of Port Control is hereby authorized to make a written contract with the company designated by the FAA for the purchase and installation of an Instrument Landing System, to be purchased by the Commissioner of Purchases and Supplies for a gross price for the Division of Cleveland Hopkins International Airport in an amount not to exceed \$2,200,000.00.

Section 10. That the cost of any requirement contracts entered into pursuant to Section 3 hereof shall be charged against the proper account and the Director of Finance shall certify thereon, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance.

Section 11. That, as a condition precedent to entering into any contracts or agreements contemplated to make the improvements authorized in Section 1 hereof, the Department of Port Control shall be in receipt of all necessary federal approvals, including the Record of Decision for the Environmental Impact Statement, and other such regulatory approvals as may be required.

Section 12. That the Director of Port Control shall file a copy of all contracts, permits, licenses or agreements entered into by the City as authorized by this ordinance with the Clerk of Council, the President of Council, the Chairman of the Aviation and Transportation Committee and the Chairman of the Finance Committee within five (5) business days of execution by the City.

Section 13. That the cost of any expenditures authorized by this ordinance for any contract, including all public improvements, standard purchases, requirements contracts, acquisition of rights or interests in real property shall not exceed a total amount of Two Hundred Fourteen Million Seventy Thousand Eighty-Two Dollars (\$214,070,082.00) and shall be paid from Fund Nos. 60 SF 001, 60 SF 104, 60 SF 105, 60 SF 106, passenger facility charges and the fund and/or sub-funds to which are credited the proceeds of any general airport revenue bonds, federal grants, state grants, and local grants issued for the purpose of the Improvement authorized herein. In the event that a project component listed herein exceeds or is anticipated to exceed the amount specific for each project component listed herein, the Director of Port Control shall notify the President of Council, the Chairman of the Aviation and Transportation Committee, and the Chairman of the Finance Committee of the need for a subsidiary agreement in accordance with Section 185.44 of the Codified Ordinances of the City of Cleveland, Ohio, 1976, and shall immediately proceed to secure the necessary legislative approval from Cleveland City Council.

Section 14. That, in accordance with federal law and to the extent permitted by federal law, all construction contracts entered into pursuant to this ordinance shall establish a goal of hiring at least thirty

percent (30%) MBE, ten percent (10%) FBE, twenty-five percent (25%) minority workforce, seven and one-half percent (7.5%) female workforce and forty percent (40%) City residents. In seeking to obtain such goal, all contractors shall utilize best efforts.

Section 15. That the Director of Port Control shall provide detailed bimonthly written reports to the President of Council, the Chairman of the Aviation and Transportation Committee, and the Chairman of the Finance Committee of all expenditures made pursuant to this ordinance, including the source of funds for such expenditures. The Director of Port Control shall also provide to the aforementioned Council representatives detailed bimonthly written reports of the MBE/FBE goals and residency and workforce goals set forth herein.

Section 16. That for the purposes of the sound insulation program for program years 2000 through 2004, the Director of Port Control shall fund the sound insulation program in accordance with the following: General Airport Revenue Bonds (1997) - \$5,244,991.00; General Airport Revenue Bonds (2000) - \$15,000,000.00; PFC #6 - \$10,000,000.00; Brookpark Funds - \$787,945; Operating and Maintenance Funds and Land Sales - \$1,996,861.00; and AIP Grant Funds in the anticipated amount of \$27,500,000.00. The Director of Port Control shall provide copies of the annual application for the AIP funds to the President of Council, the Chairman of the Aviation and Transportation Committee

and the Chairman of the Finance Committee, simultaneously with the submittal to the FAA. The Director of Port Control shall provide copies of any communications with the FAA concerning sound insulation to the President of Council, the Chairman of the Aviation and Transportation Committee and the Chairman of the Finance Committee. The Director of Port Control shall work with the Chairman of the Aviation and Transportation Committee to identify and apply such additional funds that may also be applied to the 2000-2004 sound insulation program.

Section 17. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its 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 June 19, 2000.
Effective June 29, 2000.

COUNCIL COMMITTEE MEETINGS

Monday, July 17, 2000

Finance Committee: 10:00 a.m.—
Present: Patmon, Chairman; Rybka, Vice Chairman; Cintron, Dolan, Johnson, Lewis, Melena, O'Malley, Polensek, Robinson, Sweeney.

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Bold figures—Final Publication; D—Defeated; R—Reprint; T—Tabled; V—Vetoed;
Bold type in sections indicates amendments

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