

# The City Record

Official Publication of the City of Cleveland

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June the Thirtieth, Nineteen Hundred and Ninety-Nine

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

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# DIRECTORY OF CITY OFFICIALS

## CITY COUNCIL-LEGISLATIVE President of Council-Jay Westbrook

Ward	Name	Residence	
1	Joseph T. Jones	15601 Lotus Drive	44128
2	Robert J. White	3760 East 126th Street	44105
3	Odelia V. Robinson	3448 East 123rd Street	44120
4	Kenneth L. Johnson	2948 Hampton Road	44120
5	Frank G. Jackson	2327 East 38th Street	44115
6	Patricia J. Britt	12402 Britton Drive	44120
7	Fannie M. Lewis	7416 Star Avenue	44103
8	William W. Patmon	867 East Boulevard	44108
9	Craig E. Willis	11906 Beulah Avenue	44106
10	Roosevelt Coats	1775 Cliffview Road	44112
11	Michael D. Polensek	17855 Brian Avenue	44119
12	Edward W. Rybka	6832 Indiana Avenue	44105
13	Joe Cimperman	3053 West 12th Street	44113
14	Nelson Cintron, Jr.	3032 Vega Avenue	44113
15	Merle R. Gordon	1700 Denison Avenue	44109
16	Michael C. O'Malley	6710 Brookside Drive	44144
17	Timothy J. Melena	6110 West Clinton Avenue	44102
18	Jay Westbrook	10513 Clifton Boulevard	44102
19	Joseph J. Zone	3323 West 130th Street	44111
20	Martin J. Sweeney	3632 West 133rd Street	44111
21	Michael A. Dolan	16519 West Park Road	44111

Clerk of Council - Cecelia R. Huffman, 216 City Hall, 664-2840.  
First Assistant Clerk - Sandra Franklin.

**MAYOR-Michael R. White**  
LaVonne Sheffield-McClain, Chief of Staff, Executive Assistant for Policy  
Barry Withers, Executive Assistant for Administration  
Judith Zimomra, Executive Assistant for Service  
Kenneth Silliman, Executive Assistant for Economic Development  
Laura Ann Williams, Director, Office of Equal Opportunity  
Milan T. Polacek, Executive Assistant for Legislative Affairs

**DEPT. OF LAW - Cornell P. Carter, Director, Lessie M. Milton, Chief Counsel, Room 106**  
George A. Pace, Jr., Chief Asst. Prosecutor; Criminal Branch - Justice Center, 8th Flr., Court Towers, 1200 Ontario Street  
Karen E. Martines, Law Librarian, Room 100

**DEPT. OF FINANCE - Martin L. Carmody, Director, Room 104; Carlean Alford, Manager, Internal Audit**  
**DIVISIONS - Accounts - Gayle Goodwin Smith, Commissioner, Room 19**  
City Treasury - Mary Christine Jackman, Treasurer, Room 115  
Assessments and Licenses - Robert J. Schneider, Commissioner, Room 122  
Purchases and Supplies - William A. Moon, Commissioner, Room 128  
Printing and Reproduction - James D. Smith, Commissioner, 1735 Lakeside Avenue  
Taxation - Nassim Lynch, Tax Administrator, 1701 Lakeside Avenue  
Financial Reporting and Control - Robert Dolan, Controller, Room 18  
Information Systems Services - Hamid Manteghi, 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 - Solomon F. Balraj, Director, Cleveland Hopkins International Airport, 5300 Riverside Drive; Cleveland Hopkins International Airport - Mark D. Vanloh, Commissioner Burke Lakefront Airport - Michael C. Barth, 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, Acting Commissioner, Harvard Yards  
Architecture - Paul Burik, Acting Commissioner, Room 517

**DEPT. OF PUBLIC HEALTH - Michelle Whitlow, Acting Director, Mural Building, 1925 St. Clair Avenue**  
**DIVISIONS - Health - Cheri Hahn, Acting Commissioner, Mural Building, 1925 St. Clair Avenue**  
Environment - Robin Puriani-Rogers, Acting 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 - Mark Ricchiuto, Acting Commissioner, 4150 East 49th Street, Building #1  
Dog Pound - John Baird, Chief Dog Warden, 2690 W. 7th Street  
Emergency Medical Service - Bruce Shade, 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 - \_\_\_\_\_, Commissioner, East 49th & Harvard

Parking Facilities - Dennis Donahue, Acting Commissioner, Public Auditorium, E. 6th and Lakeside Ave.  
Park Maintenance and Properties - Richard L. Silva, Acting Commissioner, Public Auditorium - E. 6th & Lakeside.  
Recreation - Michael Cox, Acting 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 - Lisa Thomas, Commissioner, 5th Floor, City Hall.

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

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

**DEPT. OF AGING - Susan E. Axelrod, Director, Room 122**

**COMMUNITY RELATIONS BOARD - Room 11, Dennis D. Dove, Acting Director; Mayor Michael R. White, Chairman Ex-Officio; Mary Adele Springman, Vice-Chairman; Councilmen Michael Polensek and Edward Rybka, City Council Representatives; Muqit Abdul Sabur, Louise Boddie, Charles E. McBee, Larry C. Liou, John Gallo, Emmett Saunders, Mary Jan Buckshot, Sr. Joaquina Carrion, Kathryn M. Hall, Hasan Muheisen, Barbara S. Rosenthal, Henry Simon.**

**CIVIL SERVICE COMMISSION - Room 119, Freddie J. Fenderson, President; Timothy J. Cosgrove, Vice President; Cynthia Sullivan, Secretary; Margaret Hopkins, Member, Earl Preston, Member.**

**SINKING FUND COMMISSION - Michael R. White, President; Betsy Hruby, Asst. Sec'y; \_\_\_\_\_, Director; President of Council Jay Westbrook.**

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

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

**BOARD OF REVISION OF ASSESSMENTS - Law Director Cornell P. Carter, President; Finance Director Martin L. Carmody, Jr., Secretary; Council President Jay Westbrook.**

**BOARD OF SIDEWALK APPEALS - Service Director Mark Ricchiuto; Law Director Cornell P. Carter; Councilman Roosevelt Coats.**

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

**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 Odelia V. Robinson.**

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

**MORAL CLAIMS COMMISSION - Law Director Cornell P. Carter; Chairman; Finance Director Martin L. Carmody, Jr.; Council President Jay Westbrook; Councilman Roosevelt Coats; 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, \_\_\_\_\_, 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 Craig E. Willis, Councilman Joe Cimperman, 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 A. Keough	12C
Judge Ralph J. Perk, Jr.	14B
Judge Raymond L. Pianka (Housing Court Judge)	13B
Judge Angela R. Stokes	13A
Judge Gerald F. Sweeney	13D
Judge Robert J. Triozzi	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



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Vol. 86

WEDNESDAY, JUNE 30, 1999

No. 4464

## CITY COUNCIL

MONDAY, JUNE 28, 1999

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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:** Jones, Chairman; White, Vice Chairman; Britt, Polensek, Sweeney, Willis, Zone.

#### MONDAY—Alternating

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

11:00 A.M.—**Employment, Affirmative Action & Training Committee:** White, Chairman; Cintron, Vice Chairman; Gordon, Johnson, Lewis, O'Malley, Rybka.

#### MONDAY

2:00 P.M.—**Finance Committee:** Johnson, Chairman; Westbrook, Vice Chairman; Cintron, Coats, Gordon, Lewis, Melena, Patmon, Robinson, Sweeney, Willis.

#### TUESDAY

9:00 A.M.—**Community and Economic Development Committee:** Jackson, Chairman; Robinson, Vice Chairman; Cimperman, Cintron, Coats, Gordon, Jones, Lewis, Rybka.

#### TUESDAY—Alternating

1:00 P.M.—**Public Health Committee:** Gordon, Chairman; Cimperman, Vice Chairman; Britt, Cintron, Dolan, Jackson, Robinson.

1:30 P.M.—**Legislation Committee:** Zone, Chairman; Johnson, Vice Chairman; Britt, Cimperman, Jackson, Rybka, Westbrook.

#### WEDNESDAY—Alternating

10:00 A.M.—**Aviation & Transportation Committee:** Westbrook, Chairman; Sweeney, Vice Chairman; Cimperman, Dolan, Lewis, Patmon, White.

10:00 A.M.—**Public Safety Committee:** Coats, Chairman; Zone, Vice Chairman; Gordon, Jackson, Jones, Melena, O'Malley, White, Willis.

#### WEDNESDAY—Alternating

1:30 P.M.—**Public Utilities Committee:** Willis, Chairman; Coats, Vice Chairman; Britt, Jones, Melena, O'Malley, Robinson, Rybka, Sweeney.

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

### OFFICIAL PROCEEDINGS CITY COUNCIL

NO MEETING

### THE CALENDAR

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

NONE

### BOARD OF CONTROL

June 23, 1999

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, June 23, 1999, at 11:00 a.m., with Acting Mayor Carter presiding.

Present: Acting Mayor Carter, Acting Director Marks, Director Carmody, Acting Director Crombie, Director Balraj, Acting Director Owens, Directors Whitlow, Guzman, Acting Director Miller, Directors Hudecek, Patterson and Warren.

Absent: Mayor White and Director Axelrod.

Others: William A. Moon, Commissioner, Purchases and Supplies, Linda Walker, Acting Director, Office of Equal Opportunity.

On motion, the following resolutions were adopted.

#### Resolution No. 376-99.

By Director Carmody.

Resolved, by the Board of Control of the City of Cleveland that the bid of Paging Network of Cleveland, Inc. for an estimated quantity of Pagers and Pager Services, except for such terms and conditions as are not acceptable to the Director of Law, for the Division of Information System Services, Department of

Finance, for the period of three (3) years beginning with the date of execution of a contract received on the 27th day of May 1999, pursuant to the authority of Ordinance No. 307-99, passed March 22, 1999, which on the basis of the estimated quantity would amount to One Hundred Sixty-Four Thousand Three Hundred Fifty Three and 68/100 Dollars (\$164,353.68) (Net), is hereby affirmed and approved as the lowest and best bid, and the Director of Finance 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. 07808 which shall be certified against such contract in the sum of Eight Thousand, Two Hundred Fifty and 00/100 Dollars (\$8,250.00).

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

Yeas: Acting Mayor Carter, Acting Director Marks, Director Carmody, Acting Director Crombie, Director Balraj, Acting Director Owens, Directors Whitlow, Guzman, Acting Director Miller, Directors Hudecek, Patterson and Warren.

Nays: None.

Absent: None.

#### Resolution No. 377-99.

By Director Carmody.

Resolved, by the Board of Control of the City of Cleveland that the bid of Business Smarts, Inc. for an estimated quantity of One (1) Alpha Server (UNIX DS20) for the Various Divisions of City Government, Department of Finance, for the period of one (1) year beginning with the date of execution of the contract received on June 16, 1999, pursuant to the authority of Ordinance No. 1744-97, passed October 20, 1997, which on the basis of the estimated quantity would amount to Sixty Nine Thousand Fifty Seven and 00/100 Dollars (\$69,057.00) (Net 30), is hereby affirmed and approved as the lowest and best bid, and the Director of Community Development 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. N/A which shall be certified against such contract in the sum of Sixty Nine Thousand Fifty Seven and 00/100 Dollars (\$69,057.00).

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

Yeas: Acting Mayor Carter, Acting Director Marks, Director Carmody, Acting Director Crombie, Director Balraj, Acting Director Owens, Directors Whitlow, Guzman, Acting Director Miller, Directors Hudecek, Patterson and Warren.

Nays: None.

Absent: None.

**Resolution No. 378-99.**

By Director Balraj.

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authority of Ordinance No. 710-95, passed by the Council of the City of Cleveland on June 12, 1995, the firm of Landrum & Brown, is hereby selected upon the nomination of the Director of Port Control from a list of qualified persons or firms available for such employment and determined after a full and complete canvass by the Director of Port Control as the firm of airport financial services consultants to be employed by contract for the purpose of conducting airport feasibility studies, developing a cost-center based rates and charges model, of assisting in the preparation of a Letter Of Intent and other funding requests, and of completing various studies and reports required for the airport's master plans.

Be it further resolved that the Director of Port Control hereby is authorized to enter into a written contract with Landrum & Brown based upon its proposal of May 6, 1998, as amended by its revised proposal dated July 6, 1999, provided that the compensation to be paid to Landrum & Brown for the services authorized hereby, shall not exceed \$618,000.00 which contract shall be prepared by the Director of Law and shall contain such other provisions as the Director of Law deems necessary to protect and benefit the public interest.

Yeas: Acting Mayor Carter, Acting Director Marks, Director Carmody, Acting Director Crombie, Director Balraj, Acting Director Owens, Directors Whitlow, Guzman, Acting Director Miller, Directors Hudecek, Patterson and Warren.

Nays: None.

Absent: None.

**Resolution No. 379-99.**

By Director Balraj.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Interstate Design & Construction Company, for the public improvement of Phase 2 Continuation of the Residential Sound Insulation Program, Group "A-99", for the Division of Cleveland Hopkins International Airport, Department of Port Control, received on June 2, 1999, pursuant to the authority of Ordinance No. 930-95, passed on June 19, 1995 and Ordinance No. 469-98, passed on May 18, 1998, upon a unit basis for the improvement, in the aggregate amount of \$1,087,987.00, is hereby affirmed and approved as the lowest responsible bid; and the Director of Port Control is hereby authorized to enter into a contract for said improvement with said bidder.

Be it further resolved that the employment of the following sub-

contractor by Interstate Design & Construction Company for the public improvement of the Phase 2 Continuation of the Residential Sound Insulation Program, Group "A-99", hereby is approved:

MAP International  
(MBE) — \$175,000.00

Ressler Contracting  
(FBE) — \$90,632.00

Yeas: Acting Mayor Carter, Acting Director Marks, Director Carmody, Acting Director Crombie, Director Balraj, Acting Director Owens, Directors Whitlow, Guzman, Acting Director Miller, Directors Hudecek, Patterson and Warren.

Nays: None.

Absent: None.

**Resolution No. 380-99.**

By Director Ricchiuto.

Resolved, by the Board of Control of the City of Cleveland that the bid of Bradley Rd., Inc. for the purchase of disposal of construction and demolition debris, for the Division of Waste Collection and Disposal, Department of Public Service, for the period of one (1) year beginning with the date of execution of a contract, received on September 23, 1998 pursuant to the authority of Ordinance No. 2184-97, passed February 9, 1998, which on the basis of the estimated quantity would amount to One Hundred Fifty Five Thousand Four Hundred and No/100 Dollars (\$155,400.00), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 3429  
which shall be certified against such contract in the sum of One Hundred Fifty Five Thousand Four Hundred and No/100 Dollars (\$155,400.00).

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

Be it further resolved, that the employment of the following subcontractors to Bradley Rd., Inc., is hereby approved:

Bradley Equipment Leasing, Inc.  
20%

Stateside Landscaping  
2%

Yeas: Acting Mayor Carter, Acting Director Marks, Director Carmody, Acting Director Crombie, Director Balraj, Acting Director Owens, Directors Whitlow, Guzman, Acting Director Miller, Directors Hudecek, Patterson and Warren.

Nays: None.

Absent: None.

**Resolution No. 381-99.**

By Director Ricchiuto.

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authority of Ordinance No. 887-99 passed by the Council of the City of Cleveland June 17, 1999, the firm of Dodson-Stilson, Inc.

("Consultant"), upon the nomination of the Director of Public Service from a list of qualified engineering consultants or firms of such consultants determined to be available after a full and complete canvass by the Director of Public Service, is hereby selected as the firm to be employed by contract for the purpose of supplementing the regularly employed staff of several departments of the City of Cleveland in order to provide the professional services necessary to design Noise Wall Barriers and Landscaping near CSX and Norfolk Southern Railroads Lines at various locations.

Be it further resolved that the Director of Public Service hereby is authorized to enter into a written contract with Dodson-Stilson, Inc. based upon their original proposal dated March 12, 1999 and their revised proposals dated March 30, 1999, April 6, 1999 and April 8, 1999 provided that the compensation to be paid shall not exceed \$695,910.00, which contract shall be prepared by the Director of Law and shall contain such other provisions as the Director of Law deems necessary to protect and benefit the public interest.

Be it further resolved that the employment of the following subcontractors by Dodson-Stilson, Inc. for the design services authorized above hereby is approved:

**SUBCONTRACTORS**

Central Engineering, Inc.  
22700 Royalton Road  
Strongsville, OH 44136  
(MBE - 17%)

L.V. Surveying, Inc.  
11528 Royalton Road  
North Royalton, OH 44133  
(FBE - 6%)

City Blue  
1937 Prospect Avenue  
Cleveland, OH 44115  
(FBE - 1%)

Yeas: Acting Mayor Carter, Acting Director Marks, Director Carmody, Acting Director Crombie, Director Balraj, Acting Director Owens, Directors Whitlow, Guzman, Acting Director Miller, Directors Hudecek, Patterson and Warren.

Nays: None.

Absent: None.

**Resolution No. 382-99.**

By Director Ricchiuto.

Resolved by the Board of Control of the City of Cleveland that all bids received on March 12, 1999 for One (1) Hydroseeder (Item #3) for various Divisions of City Government, Department of Public Service, pursuant to the authority of Ordinance Nos. 1074-98 passed by the Council of the City of Cleveland on June 15, 1998, be and the same are hereby rejected.

Yeas: Acting Mayor Carter, Acting Director Marks, Director Carmody, Acting Director Crombie, Director Balraj, Acting Director Owens, Directors Whitlow, Guzman, Acting Director Miller, Directors Hudecek, Patterson and Warren.

Nays: None.

Absent: None.

**Resolution No. 383-99.**

By Director Ricchiuto.

Resolved, by the Board of Control of the City of Cleveland that the bid of G-S Ford, Inc. for the following: One (1) Backhoe/Endloader with

requested Option Number One for the Division of Motor Vehicle Maintenance, Department of Public Service, received on the 5th day of March 1998, pursuant to the authority of Ordinance Nos. 918-96, 1476-96, 323-97, and 799-97, passed June 18, 1996, August 14, 1996, March 24, 1997, and June 2, 1997, which on the basis of the ordered quantity would amount to Sixty-One Thousand Three Hundred Ninety and No/100 Dollars (\$61,390.00) (Net), is hereby approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a contract for such items.

Yeas: Acting Mayor Carter, Acting Director Marks, Director Carmody, Acting Director Crombie, Director Balraj, Acting Director Owens, Directors Whitlow, Guzman, Acting Director Miller, Directors Hudecek, Patterson and Warren.

Nays: None.  
Absent: None.

**Resolution No. 384-99.**

By Director Ricchiuto.  
Resolved, by the Board of Control of the City of Cleveland that the bid of Columbus Equipment Company for an estimated quantity of Blaw Knox paver parts and labor (all items) for the Division of Motor Vehicle Maintenance, Department of Public Service, for the period of two years beginning with date of execution of a contract received on 28th day of May 1999, pursuant to the authority of Ordinance No. 247-99 passed May 3, 1999, which on the basis of the estimated quantity would amount to approximately Sixty Thousand and No/100 Dollars (\$60,000.00) (Net 0 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 09461 which shall be certified against such contract in the sum of Seven Thousand and No/100 Dollars (\$7,000.00).

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

Yeas: Acting Mayor Carter, Acting Director Marks, Director Carmody, Acting Director Crombie, Director Balraj, Acting Director Owens, Directors Whitlow, Guzman, Acting Director Miller, Directors Hudecek, Patterson and Warren.

Nays: None.  
Absent: None.

**Resolution No. 385-99.**

By Director Ricchiuto.  
Resolved, by the Board of Control of the City of Cleveland that the bid of Perk Company, Inc. for the public improvement of laying, relaying and repairing sidewalks in all districts of the City (Assessment Program) contract ending December 31, 2000 for the Division of Engineering and Construction Department of Public Service, received on the 3rd day of June 1999, pursuant to the authority of Ordinance No. 505-99, passed May 10, 1999 upon a unit basis for the improvement to be per-

formed as ordered during the period ending December 31, 2000 at the unit prices set forth in the said bid, which on the basis of the estimated work to be done would amount to One Million Two Hundred Ninety Thousand Four Hundred Thirty and no/100 Dollars (\$1,290,430.00), is hereby affirmed and approved as the lowest responsible bid, and the Director of Public Service is hereby requested to enter into a requirement contract for said improvement, which contract shall provide for the initial performance of the following work hereunder:

Requisition No. 4349 which shall be certified against such contract in the sum of One Hundred and Twenty Thousand and no/100 Dollars (\$120,000.00).

Said requirement contract shall further provide that the contractor will perform so much of the balance of the work as may be ordered under subsequent requisitions separately certified against said requirement contract, whether the same shall be less than the total estimate of work to be performed under said contract or shall exceed the same by not more than ten percent.

Be it further resolved that the employment of the following subcontractors by Perk Company for the aforementioned Public Improvement Requirement Contract is hereby approved:

Cuyahoga Supply and Tool Co.  
5340 Perkins Road  
Bedford Heights, Ohio 44146  
\$5,511.00 FBE

Choice Construction Co.  
30675 Solon Road  
Solon, Ohio 44139  
\$206,351.00 MBE

Yeas: Acting Mayor Carter, Acting Director Marks, Director Carmody, Acting Director Crombie, Director Balraj, Acting Director Owens, Directors Whitlow, Guzman, Acting Director Miller, Directors Hudecek, Patterson and Warren.

Nays: None.  
Absent: None.

**Resolution No. 386-99.**

By Director Whitlow.  
Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authority of City of Cleveland Ordinance No. 432-98, passed October 19, 1998, effective October 28, 1998, Electro-Analytical Group is hereby selected upon the nomination of the Director of Public Health from a list of qualified consultants available for such employment and determined after a full and complete canvass by the Director of Public Health as the firm to be employed by contract for the purpose of providing laboratory testing services for 2,500 household dust, paint chip and soil samples for the Lead Program, Division of Environment, Department of Public Health

Be it further resolved that the Director of Public Health is hereby authorized to enter into a written contract with Electro-Analytical Group for a period of twelve (12) months, provided that the compensation for such services shall not exceed \$23,750, which contract shall be prepared by the Director of Law and shall contain such other provisions as said Director deems necessary to protect and benefit the public interest.

Yeas: Acting Mayor Carter, Acting Director Marks, Director Carmody, Acting Director Crombie, Director Balraj, Acting Director Owens, Directors Whitlow, Guzman, Acting Director Miller, Directors Hudecek, Patterson and Warren.

Nays: None.  
Absent: None.

**Resolution No. 387-99.**

By Director Jackson.  
Resolved, by the Board of Control of the City of Cleveland that the bid of Al's High Tech, Inc., d.b.a. Al's Electric Motor Service for an estimated quantity of electric motors and pumps (all items) Portion (A) new motors less 20% thru 35%; Portion (B) rebuild motors, normal labor rate \$40.00 per hr. emergency labor rate \$46.00 per hr.; on site alignment \$50.00 per hr.; materials and parts less 22%; Portion (C) new pumps less 5% thru 30%; Portion (D) rebuild pumps, normal labor rate \$40.00 per hr., emergency labor rate \$46.00 per hr.; materials and parts less 22%, for the Division of Property Management, Department of Parks, Recreation and Properties for the period of three (3) years beginning with the date of execution of a contract, received on May 7, 1999, pursuant to the authority of Ordinance No. 2055-98, passed December 14, 1998, which on the basis of the estimated quantity would amount to One Hundred Seventy Five Thousand and 00/100ths Dollars (\$175,000.00) (2% 30 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. 05626 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: Acting Mayor Carter, Acting Director Marks, Director Carmody, Acting Director Crombie, Director Balraj, Acting Director Owens, Directors Whitlow, Guzman, Acting Director Miller, Directors Hudecek, Patterson and Warren.

Nays: None.  
Absent: None.

**Resolution No. 388-99.**

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

Whereas, City has acquired Permanent Parcel No. 143-02-021 under said Land Reutilization Program; and

Whereas, Ordinance No. 1707-96 passed June 7, 1999, authorized the sale of said parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, St. Paul United Methodist Church has proposed to the City to purchase and develop said parcel; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 1707-96 passed June 7, 1999, 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 St. Paul United Methodist Church for the sale and development of Permanent Parcel No. 143-02-021, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Yeas: Acting Mayor Carter, Acting Director Marks, Director Carmody, Acting Director Crombie, Director Balraj, Acting Director Owens, Directors Whitlow, Guzman, Acting Director Miller, Directors Hudecek, Patterson and Warren.

Nays: None.  
Absent: None.

**Resolution No. 389-99.**

By Director Hudecek.

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

Whereas, City has acquired Permanent Parcel No. 004-12-055 under said Land Reutilization Program; and

Whereas, Ordinance No. 990-99 passed May 24, 1999, authorized the sale of said parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Sutton Builders, LCC has proposed to the City to purchase and develop said parcel; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 990-99 passed May 24, 1999, 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 Sutton Builders, LCC for the sale and development of Permanent Parcel No. 004-12-055, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Yeas: Acting Mayor Carter, Acting Director Marks, Director Carmody, Acting Director Crombie, Director Balraj, Acting Director Owens, Directors Whitlow, Guzman, Acting Director Miller, Directors Hudecek, Patterson and Warren.

Nays: None.  
Absent: None.

**Resolution No. 390-99.**

By Director Hudecek.

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

Whereas, City has acquired Permanent Parcel No. 133-18-044 under said Land Reutilization Program; and

Whereas, Ordinance No. 514-99 passed May 24, 1999, authorized the sale of said parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Slavic Village Broadway Development Corporation has proposed to the City to purchase and develop said parcel; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 514-99 passed May 24, 1999, 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 Slavic Village Broadway Development Corporation for the sale and development of Permanent Parcel No. 133-18-044, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcel shall be \$1.00, which amount is hereby determined to be not less than the fair market value of said parcel for uses in accordance with the Land Reutilization Program.

Yeas: Acting Mayor Carter, Acting Director Marks, Director Carmody, Acting Director Crombie, Director Balraj, Acting Director Owens, Directors Whitlow, Guzman, Acting Director Miller, Directors Hudecek, Patterson and Warren.

Nays: None.  
Absent: None.

**Resolution No. 391-99.**

By Director Hudecek.

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

Whereas, City has acquired Permanent Parcel No. 107-25-003 under said Land Reutilization Program; and

Whereas, Ordinance No. 1139-98 passed August 19, 1998, authorized the sale of said parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Blashaw Incorporated has proposed to the City to purchase and develop said parcel; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 1139-98 passed August 19, 1998, 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 Blashaw Incorporated for the sale and development of Permanent Parcel No. 107-25-003, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcel shall be \$530.00, which amount is hereby determined to be not less than the fair market value of said parcel for uses in accordance with the Land Reutilization Program.

Yeas: Acting Mayor Carter, Acting Director Marks, Director Carmody, Acting Director Crombie, Director Balraj, Acting Director Owens, Directors Whitlow, Guzman, Acting Director Miller, Directors Hudecek, Patterson and Warren.

Nays: None.  
Absent: None.

**Resolution No. 392-99.**

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 provision of Chapter 5722 of the Ohio Revised Code; and

Whereas, under said Program, the City has acquired Permanent Parcel Nos. 007-06-025 and 007-02-021 located at 2233 and 2254 West 41st Street in Ward 14; 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, Bailey Orchard Development Limited, LLC, abutting/adjacent landowner, has proposed to the City to purchase and develop said parcels; and

Whereas, the following conditions exist:

1. The member of Council from Ward 14 has consented to the proposed sale;

2. The parcels are either less than 4,800 square feet or less than 40 feet frontage;

3. The proposed purchaser of said parcels is neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinance 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 Bailey Orchard Development Limited, LLC for the sale and development of Permanent Parcel Nos. 007-06-025 and 007-02-021 located at 2233 and 2254 West 41st 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 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 said Program.

Yeas: Acting Mayor Carter, Acting Director Marks, Director Carmody, Acting Director Crombie, Director Balraj, Acting Director Owens, Directors Whitlow, Guzman, Acting Director Miller, Directors Hudecek, Patterson and Warren.

Nays: None.  
Absent: None.

**Resolution No. 393-99.**

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 provision of Chapter 5722 of the Ohio Revised Code; and

Whereas, under said Program, the City has acquired Permanent Parcel No. 005-07-102 located at 3060 West 114th Street in Ward 19; 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, Khublall and Denenauth Dabydeen, abutting/adjacent landowners, have proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 19 has consented to the proposed sale;

2. The parcels are either less than 4,800 square feet or less than 40 feet frontage;

3. The proposed purchasers of said parcel are neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinance 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 with Khublall and Denenauth Dabydeen for the sale and development of Permanent Parcel No. 005-07-102 located at 3060 West 114th 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 parcels for uses in accordance with said Program.

Yeas: Acting Mayor Carter, Acting Director Marks, Director Carmody, Acting Director Crombie, Director Balraj, Acting Director Owens, Directors Whitlow, Guzman, Acting Director Miller, Directors Hudecek, Patterson and Warren.

Nays: None.  
Absent: None.

**Resolution No. 394-99.**

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 provision of Chapter 5722 of the Ohio Revised Code; and

Whereas, under said Program, the City has acquired Permanent Parcel No. 007-06-028 located at West 41st Street in Ward 14; 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, Bailey Orchard Development Limited, LLC, 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 14 has consented to the proposed sale;

2. The parcels are either less than 4,800 square feet or less than 40 feet frontage;

3. The proposed purchaser of said parcels is neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinance 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 Bailey Orchard Development Limited, LLC for the sale and development of Permanent Parcel No. 007-06-028 located at West 41st 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 \$100.00, 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: Acting Mayor Carter, Acting Director Marks, Director Carmody, Acting Director Crombie, Director Balraj, Acting Director Owens, Directors Whitlow, Guzman, Acting Director Miller, Directors Hudecek, Patterson and Warren.

Nays: None.  
Absent: None.

**Resolution No. 395-99.**

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 provision of Chapter 5722 of the Ohio Revised Code; and

Whereas, under said Program, the City has acquired Permanent Parcel No. 135-18-144 located at rear of 10013 Prince Avenue in Ward 2; 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, Frank Banks and Alma Banks, abutting/adjacent landowners, have proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 2 has consented to the proposed sale;

2. The parcels are either less than 4,800 square feet or less than 40 feet frontage;

3. The proposed purchaser of said parcels is neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinance 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 with Frank Banks and Alma Banks for the sale and development of Permanent Parcel No. 135-18-144 located at rear of 10013 Prince Avenue, 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 parcels for uses in accordance with said Program.

Yeas: Acting Mayor Carter, Acting Director Marks, Director Carmody, Acting Director Crombie, Director Balraj, Acting Director Owens, Directors Whitlow, Guzman, Acting Director Miller, Directors Hudecek, Patterson and Warren.

Nays: None.  
Absent: None.

**Resolution No. 396-99.**

By Director Warren.

Whereas, pursuant to the authority of Ordinance No. 837-99, passed June 7, 1999 by the Council of the City of Cleveland, the Commissioner of Purchases and Supplies is authorized 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 Block "A-3" of the Lee-Seville/Cleveland Outerbelt Industrial Park to Scovill-Hanna Realty, LLC, and

Whereas, said Ordinance No. 837-99 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. 837-99, passed June 7, 1999 by the Council of the City of Cleveland, the Commissioner of Purchases and Supplies is hereby directed to sell certain City-owned property, no longer needed for public use, described therein and also known as being Block "A-3" of the LeeSeville/Cleveland Outerbelt Industrial Park, to Scovill-Hanna Realty, LLC for a price of Eighty Thousand and Eight Hundred Sixty-Two and 50/100 Dollars (\$80,862.50), which amount is 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: Acting Director Marks, Director Carmody, Acting Director Crombie, Director Balraj, Acting Director Owens, Directors Whitlow, Guzman, Acting Director Miller, Directors Hudecek, Patterson and Warren.

Nays: None.  
Absent: Acting Mayor Carter.

**Resolution No. 397-99.**

By Director Warren.

Whereas, pursuant to the authority of Ordinance No. 262-99, passed June 7, 1999 by the Council of the City of Cleveland, the Commissioner of Purchases and Supplies is authorized 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 "H" of the LeeSeville/Cleveland Outerbelt Industrial Park to Crest Masonry, Inc., and

Whereas, said Ordinance No. 262-99 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. 262-99, passed June 7, 1999 by the Council of the City of Cleveland, the Commissioner of Purchases and Supplies is hereby directed to sell certain City-owned property, no longer needed for public use, described therein and also known as being a portion of Block "H" of the Lee-Seville/Cleveland Outerbelt Industrial Park, to Crest Masonry, Inc. for a price of Eighty Thousand (\$80,000.00), which amount is 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: Acting Director Marks, Director Carmody, Acting Director Crombie, Director Balraj, Acting Director Owens, Directors Whitlow, Guzman, Acting Director Miller, Directors Hudecek, Patterson and Warren.

Nays: None.

Absent: Acting Mayor Carter.

**Resolution No. 398-99.**

By Director Carmody.

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authority of Ordinance Nos. 1744-97 and 521-99, passed by the Council of the City of Cleveland October 20, 1997 and March 29, 1999 respectively, the firm of Keane, Inc. is hereby selected upon the nomination of the Director of Finance, as determined after a full and complete canvass by the Director of Finance, as the firm to be employed for the purpose of delivering services for Phase III of the Year 2000 Project.

Be it further resolved that the Director of Finance hereby is authorized to enter into a contract with Keane, Inc. based upon its proposal dated November 28, 1997, which contract authorized hereby shall provide that the compensation to be paid shall be \$4,150,000.00 plus contingency of \$622,500.00 for a total of \$4,772,500.00 for the City-wide effort and for the Division of Water Billing System efforts \$995,720.00 plus contingency of \$199,144.00 for a total of \$1,194,864.00. The contract shall be prepared by the Director of Law and shall contain such other provisions as said Director deems necessary to protect and benefit the public interest.

Be it further resolved that the employment of the following sub-contractors by Keane, Inc. for the contract authorized above is hereby approved.

SUBCONTRACTORS	WORK
Tal-Cut	\$ 785,590.00
Vital Resources	\$ 488,000.00
Optimum Technology	\$ 382,528.00

Yeas: Acting Mayor Carter, Acting Director Marks, Director Carmody, Acting Director Crombie, Director Balraj, Acting Director Owens,

Directors Whitlow, Guzman, Acting Director Miller, Directors Hudecek, Patterson and Warren.

Nays: None.

Absent: None.

**Resolution No. 399-99.**

By Director Carmody.

Resolved, by the Board of Control of the City of Cleveland that the bid of Central Business Equipment Co., d.b.a. Central Business Group for the estimated quantity of File Shelving System (all items), for the Division of Cleveland Municipal Clerk of Court, Department of Finance, for the period of one (1) year beginning with the date of execution of a contract received on June 18th, 1999, pursuant to the authority of Ordinance No. 986-98 passed June 8th, 1998, which on the basis of the estimated quantity would amount to Thirty Six Thousand Three Hundred Fifty Seven and 85/100 Dollars (\$36,357.85) (Net), is hereby affirmed and approved as the lowest and best bid, and the Director of Finance 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. 05436 which shall be certified against such contract in the sum of Thirty Six Thousand Three Hundred Fifty Seven and 85/100 Dollars (\$36,357.85).

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

Yeas: Acting Mayor Carter, Acting Director Marks, Director Carmody, Acting Director Crombie, Director Balraj, Acting Director Owens, Directors Whitlow, Guzman, Acting Director Miller, Directors Hudecek, Patterson and Warren.

Nays: None.

Absent: None.

**Resolution No. 400-99.**

By Director Guzman.

Resolved by the Board of Control of the City of Cleveland, that all bids received on August 27, 1998 for DARE supplies, all items, for the Division of Police, Department of Public Safety, pursuant to the authority of Ordinance No. 320-98, passed April 15, 1998, be and the same are hereby rejected.

Yeas: Acting Director Marks, Director Carmody, Acting Director Crombie, Director Balraj, Acting Director Owens, Directors Whitlow, Guzman, Acting Director Miller, Directors Hudecek, Patterson and Warren.

Nays: None.

Absent: Acting Mayor Carter.

**Resolution No. 401-99.**

By Director Guzman.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Famous Industries, Inc., d.b.a. Famous Telephone Supply for Infrastructure Cable and Riser Wire and associated equipment for the Department of Public Safety, for the period of one (1) year beginning with the date of execution of a contract, received on June 3, 1999, pursuant to the authority of Ordinance No. 367-99, passed May 10, 1999, which on the basis of the estimated

quantity would amount of Forty Four Thousand, Eight Hundred Twenty-Seven and 49/100 Dollars (\$44,827.49) (Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Safety is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 3650

40,000 ft. 24 ga., 4 pair Cat.5 cable, as specified, Item 1

500 Cat.5 568b connectors, as specified, Item 2

100 4-prot wallplates, as specified, Item 3

12 48-port patch panel, as specified, Item 4

7 ft. x 19 in Equip, Rack, as specified, Item 5

50 66M1-50 connecting blocks, as specified, Item 6

50 89d Stand-off brackets, as specified, Item 7

which shall be certified against such contract in the sum of Fourteen Thousand, Seven Hundred Sixty-One and 00/100 Dollars (\$14,761.00).

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

Yeas: Acting Director Marks, Director Carmody, Acting Director Crombie, Director Balraj, Acting Director Owens, Directors Whitlow, Guzman, Acting Director Miller, Directors Hudecek, Patterson and Warren.

Nays: None.

Absent: Acting Mayor Carter.

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.

FREDDIE J. FENDERSON,  
President



**SCHEDULE OF THE BOARD  
OF ZONING APPEALS**

**MONDAY, JULY 12, 1999**

**9:30 A.M.**

**Calendar No. 99-134:** 4725 Grayton Road (Ward 20)

Kim Curtis, owner, and Dairy Mart Corporation, prospective purchaser, and the "V" Group, agent, appeal to construct an approximate 84' x 66' irregular shaped one-story masonry building and a 42' x 95' canopy over 6 gasoline islands all situated on a 558' x 306' irregular shaped parcel located in a One-Family District on the east side of Grayton Road at 4725 Grayton Road, said construction being contrary to the Residential District Regulations of Section 337.02 where a gas station, convenience store and restaurant are not permitted in a One-Family District and contrary to the Off-Street Parking and Loading Regulations where the maximum width of driveways permitted is 30' and 35' is proposed and contrary to the Landscaping and Screening Requirements of Sections 352.08, 352.09, 352.10, and 352.11, where a 10' landscape strip is required along the rear and north side of the property line and Section 352.10(a)(2) where a 4' frontage landscaped strip is required along the front property line and Section 352.12 where a landscaping plan is required and contrary to the Enforcement and Penalty Regulations where floor plans and employee information are required to determine parking as stated in Section 327.02(d) of the Codified Ordinances.

**Calendar No. 99-147:** 5315 Fleet Avenue (Ward 12)

Jennifer Thompson, owner, appeals to construct approximately 26 linear feet of 4'-6" high wooden fencing to the front of the property, approximately 20 linear feet of 6'-0" high wooden fencing to the west of the property, approximately 52 linear feet of 6'-0" high wooden fencing to the east of the property and approximately 47 linear feet of 6'-0" high wooden fencing to the rear of the property, all situated on a 40' x 130' parcel located in a Local Retail District on the north side of Fleet Avenue at 5315 Fleet Avenue, said construction being contrary to the Yards and Courts Regulations where the maximum height of fencing proposed in the setback area is 6' and 4'-6" is allowed as stated in Section 357.13(b)(3) of the Codified Ordinances.

**Calendar No. 99-148:** 5512 Memphis Avenue (Ward 15)

Ken Wayne and Kathy Sokol, owners, appeal to construct approximately 75 linear feet of 4'-6" high wooden fencing to the west of the property, approximately 52 linear feet of 6'-0" high wooden fencing to the east of the property and approximately 60 linear feet of 6'-0" high wooden fencing to the rear of the property all situated on a 52'

x 125' parcel located in a Local Retail District on the north side of Memphis Avenue at 5512 Memphis Avenue; said construction being contrary to the Yards and Courts Regulations, where a fence in interior side yards may be no higher than the least distance between such fence and residential building on the adjacent lot and 6' height fencing is proposed and a 2' height fencing is required along the east property line, and contrary to the Yards and Courts Regulations, where the maximum height of fencing proposed in the setback area is 6' and 4'-6" is allowed as stated in Section 357.05 of the Codified Ordinances.

**Calendar No. 99-149:** 2499 East 84th Street (Ward 6)

Fairfax Homes Development L.P., owner c/o Vickie Eaton-King, president, and Capri Homes c/o George Fragapane, agent, appeal to erect an 18' x 35' one family dwelling house with a 12' x 24' attached garage on a 40' x 130' parcel located in a Multi-Family District on the east side of East 84th Street at 2499 East 84th Street; said construction being contrary to the Yards and Courts Regulations where no building shall be erected less than 10' from a main building on an adjoining lot, the proposed building is approximately 9.5' from an existing building to the south of the property in question and 10' is required as stated in Section 357.09(b)(2) of the Codified Ordinances.

**Calendar No. 99-150:** 2484 East 84th Street (Ward 6)

Fairfax Homes Development L.P., owner c/o Vickie Eaton-King, and Capri Homes c/o George Fragapane, agent, appeal to erect an 18' x 36' one-family dwelling house with a 12' x 24' attached garage situated on a 40' x 130' parcel in a Multi-Family District on the west side of East 84th Street at 2484 East 84th Street; said construction being contrary to the Yards and Courts Regulations where no building shall be erected less than 10' from a main building on an adjoining lot, the proposed building is approximately 8' from an existing building to the south of the property in question and 10' is required as stated in Section 357.09(b)(2) of the Codified Ordinances.

**Calendar No. 99-151:** 3914 Broadway Avenue (Ward 13)

G.W. Cobb Company c/o William Cobb, owner, appeal to construct a 60' x 60'-8" masonry and pre-engineered metal one-story building addition to an existing 108'-8" x 60'-8" one-story masonry building which is attached to an existing 63' x 110' masonry building, all situated on an approximate 332' x 258' acreage parcel located in a Semi-Industry District and Unrestricted Industry District on the south side of Broadway Avenue at 3914 Broadway Avenue; said construction being contrary to the Off-Street Parking and Loading Requirements of Section 349.07

where access and maintenance of off-street parking spaces shall be properly graded and drained within the lot with concrete, asphalt or similar surfacing material, and gravel is shown per plan; and contrary to the Landscaping and Screening Requirements where a medium strip along Broadway Avenue is not proposed and a 6' medium strip is required as stated in Section 352.10 of the Codified Ordinances.

**Calendar No. 99-154:** 8013 Townsend Avenue (Ward 6)

Fairfax Homes Development L.P., owner c/o Vickie Eaton-King, and Capri Homes c/o George Fragapane, agent, appeal to erect an 18' x 36' one family dwelling house with a 12' x 24' attached garage situated on a 40' x 150' parcel and located in a Multi-Family District on the north side of Townsend Avenue at 8013 Townsend Avenue; said construction being contrary to the Yards and Courts Regulations where no building shall be erected less than 10' from a main building on an adjoining lot, the proposed building is approximately 7.42' from an existing building to the west of the property in question and approximately 7.18' from an existing building to the east of the property in question and 10' is required as stated in Section 357.09(b)(2) of the Codified Ordinances.

**Calendar No. 99-155:** 8016 Keyes Avenue (Ward 6)

Fairfax Homes Development L.P., owner c/o Vickie Eaton-King, and Capri Homes c/o George Fragapane, agent, appeal to erect an 18' x 36' one family dwelling house with a 12' x 24' attached garage situated on a 40' x 150' parcel in a Multi-Family District on the south side of Keyes Avenue at 8016 Keyes Avenue; said construction being contrary to the yards and Courts Regulations where no building shall be erected less than 10' from a main building on an adjoining lot, the proposed building is approximately 9.5' from an existing building to the west of the property in question and 10' is required as stated in Section 357.09(b)(2) of the Codified Ordinances.

**REPORT OF THE BOARD  
OF ZONING APPEALS**

**MONDAY, JUNE 28, 1999**

At the meeting of the Board of Zoning Appeals on Monday, June 28, 1999, the following appeals were heard by the Board:

The following appeals were **Approved**

**Calendar No. 99-131:** 9920 Cudell Avenue

Gary and Laura Dumm, owners, and Patio Enclosures Inc., appealed to enclose existing front porch of two family dwelling in a Two-Family District.

**Calendar No. 99-132:** 3275 West 117th Street

Karl Yannuzzi, owner, and Bruce Zavotka, tenant, appealed to establish use as an auto repair garage and hand auto wash an existing one-story masonry service station building in a General Retail District; upon condition that there be no auto body repair, no overnight storage of vehicles and only light auto repair service (requiring only two or less hours).

**Calendar No. 99-133:** 3416 Mapledale Avenue

Frances Tarnowski, owner, appealed to construct an approximate 16' x 30' screened porch and new deck to an existing two dwelling house in a Two-Family District; approved upon appellant bringing fence height into 6' compliance and providing a sufficient gutter preventing water drainage onto neighboring property.

**Calendar No. 99-135:** 14041 Puritas Avenue

The Coral Company c/o John Blackiston, owner, and Sherry Renfro, tenant, appealed to construct a 163' x 58' one-story addition to an existing 175' x 160' one-story masonry grocery store building and change its use to a child care center in a Shopping Center District; appellants to submit site plan showing rubberized outdoor play area surface.

**Calendar No. 99-136:** 7911 Detroit Avenue

Catholic Diocese of Cleveland, owner c/o Bishop Anthony Pilla and St. Augustine Manor c/o Shawn Manley, appealed to change use of 2,350 sq. ft. of ground floor area at northeasterly portion in existing St. Augustine Manor building into child care facility for approximately 44 children in a General Retail and Multi-Family District; appellants to rubberize outdoor play area surface.

**Calendar No. 99-137:** 4455-4459 Broadview Road

Tim Tsirambidis, owner, and Peter Tsirambidis, tenant, appealed to change use of an existing tenant lease space of an existing two-story masonry four dwelling unit and three stores building into four dwelling units and two stores and one restaurant building in a Local Retail District.

**Calendar No. 99-86:** 4961 Old Grayton Road

Ullrich Family Ltd. Partnership, owner, and AT&T Wireless, tenant c/o Ron Russo, appealed to install a 43' tall monopole style antenna tower and a 20' long x 11' 6" wide prefabricated radio equipment building and approximately 132 linear feet of 8' high chain link fencing topped with barbed wire in a Semi-Industry District; approval upon condition that monopole tower is 42'; that appellant maintains a minimum distance of 400' from the existing similar tower and agrees to relocate the proposed 42' tower if necessary in the future upon request of Cleveland Port Control authority.

The following appeals were **Denied**:

**Calendar No. 99-113:** 7809 Woodland Avenue

M.C. Danzey, owner, and Thelma Williams, tenant, appealed to change the use of an existing 40' x 62' tenant space in an existing mini-mall into a Child Care Center in a General Retail Business District.

**Calendar No. 99-118:** 8203-8209 Cedar Avenue

Larry D. Collins, owner, appealed to change the use of the first floor of an existing 49' x 71' two-story masonry building into a Child Care Center in a Local Retail District.

The following appeal was **Postponed**:

**Calendar No. 99-146:** Appeal of APCOA, Inc. postponed to July 12, 1999.**On Monday, June 28, 1999, in Executive Session:**

The following appeals were heard on Monday, June 21, 1999, and said decisions to **Grant** were approved and adopted by the Board on June 28, 1999:

**Calendar No. 99-123:** 3232 East 128th Street

Mount Pleasant United Methodist Church, owner, and Community United Headstart c/o Gayle Thomas, and John Rakaukas, agent, appealed to change the use of an existing basement of a 50' x 90' church building situated on an 82' x 150' corner parcel into a child care center in a Two-Family District; approval subject to submission of a signed agreement for additional parking arrangements and approval of revised plan that shows a specific traffic pattern and play area for the proposed project.

**Calendar No. 99-124:** 611 Literary Road

Tremont Ridge Phase I, Limited Partnership, owner c/o Keith Sutton, appealed to erect a 20' x 40' three-story two family dwelling house with full basement and a 20' x 20' detached private garage on a 25' x 116' lot in a B-Multi-Family District.

**Calendar No. 99-125:** 10519 Madison Avenue

John F. McManus, owner, appealed to change the use of an existing 60' x 60' one-story former service station building into a repair garage for car cleaning, quick lube and oil change with minor repairs in a General Retail District; approval conditioned upon appellant submitting for approval a modified plan detailing installation of landscaping requirements along Madison Avenue and West 106th Street, the paving and draining of surface lot area; and that the appellant will eliminate the existing billboard type non-conforming sign; maintain the 6' fence located to the south at the rear of the property and agree that no exterior

storage of any type be permitted during non-business hours of operation.

**Calendar No. 99-127:** 2030 West 28th Street

St. Ignatius High School, owner c/o Peter Hendler, Director of Plant Services, appealed to construct a parking lot for 127 cars on an approximate 240' x 250' parcel bound by West 28th and West 29th Streets and Lorain Avenue and Keene Court.

**Calendar No. 99-130:** 2619-2621 West 14th Street

Jack Wilcox, owner, and The Gathering, tenant c/o Bill Henderson, appealed to change the use of an existing 67'-2" x 29'-5" one-story wood frame L-shaped salon-boutique and to construct a 41' x 25' one-story addition to the rear of said building in a General Retail District.

Upon request for reconsideration, the following appeals are **rescheduled for hearing**:

**Calendar No. 99-121:** 4220 Pearl Road rescheduled to July 12, 1999.**Calendar No. 99-104:** 2704 Clark Avenue rescheduled to July 19, 1999.

EUGENE CRANFORD, JR.,  
Secretary

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**REPORT OF THE BOARD  
OF BUILDING STANDARDS  
AND BUILDING APPEALS**

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Re: Report of the Meeting of  
June 23, 1999

As required by the provisions of Section 3103.20(2) of the Codified Ordinances of the City of Cleveland, Ohio 1976, the following brief of action of the subject meeting is given for publication in The City Record:

\* \* \*

**Docket A-115-98.**

RE: Appeal of Patrick P. Lenehan, Owner of the Masonry Factory/Industrial Property located on the premises known as 9401-91 Maywood Avenue from NOTICES OF VIOLATION/ABANDONED UNDERGROUND STORAGE TANKS/FIRE CODE of the Chief of the Division of Fire dated May 21, 1998, and from a STOP WORK ORDER, ILLEGAL CONVERSION, 30 DAY CONDEMNATION ORDER / HVAC / ELECTRICAL / DILAPIDATED PLUMBING SYSTEMS of the Commissioner of the Division of Building and Housing dated September 16, 1998, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to REMAND the property at 9401-91 Maywood Avenue to the Division of Building and Housing for supervision and any required further action.

Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Williams

Yeas: Messrs. Denk, Bowes, Williams, Saunders, Sullivan. Nays: None.

\* \* \*

**Docket A-153-98.**

RE: Appeal of Theodore Weaver, Owner of the Two Story Four Dwelling Unit Masonry Property located on the premises known as 694 East 91st Street from a VACATE/CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated July 24, 1998, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to REMAND the property at 694 East 91st Street to the Division of Building and Housing for further action. Motion so in order. Motioned by Mr. Sullivan and seconded by Mr. Saunders.

Yeas: Messrs. Denk, Bowes, Williams, Saunders, Sullivan. Nays: None.

\* \* \*

**Docket A-214-98.**

RE: Appeal of The Provident Bank, Mortgagee of the Two Story Frame Residential Property located on the premises known as 3789 West 39th Street from a CONDEMNATION ORDER 30 DAY MS & GARAGE of the Commissioner of the Division of Building and Housing dated July 8, 1998; requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to REMAND the property at 3789 West 39th Street to the Division of Building and Housing for further action. Motion so in order. Motioned by Mr. Sullivan and seconded by Mr. Bowes.

Yeas: Messrs. Denk, Bowes, Williams, Saunders, Sullivan. Nays: None.

\* \* \*

**Docket A-218-98.**

RE: Appeal of A.R. Muhammed, Owner of the Two & One-half Story Fifteen Dwelling Unit Masonry Property located on the premises known as 5814 Quimby Avenue from a CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated November 20, 1998; requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to REMAND the property at 5814 Quimby Avenue to the Division of Building and Housing for further action effective August 17, 1999. Motion so in order. Motioned by Mr. Williams and seconded by Mr. Saunders.

Yeas: Messrs. Denk, Bowes, Williams, Saunders, Sullivan. Nays: None.

**Docket L-17-99.**

RE: Appeal of Derek Edwards, appeals from a LETTER OF DENIAL FOR RENEWAL OF ELECTRICAL CONTRACTOR LICENSE of the Commissioner of the Division of Assessments & Licenses dated April 30, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to permit Mr. Edwards to reinstate his ELECTRICAL CONTRACTOR LICENSE without retaking the test, but with payment of the late filing fee. Motion so in order. Motioned by Mr. Williams and seconded by Mr. Bowes.

Yeas: Messrs. Denk, Bowes, Williams, Saunders, Sullivan. Nays: None.

\* \* \*

**Docket A-36-99.**

RE: Appeal of Fred Finley c/o Cleveland Cold Storage, Owner of the Property located on the premises known as 1988-2012 West 14th Street from a NOTICE OF VIOLATION/ELEVATOR CODE dated February 9, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

Docket A-36-99 has been POSTPONED: to be rescheduled for July 21, 1999.

\* \* \*

**Docket A-57-99.**

RE: Appeal of Sherman and Jeanne Allen, Owners of the Brick Frame Property located on the premises known as 5109 Pearl Road (a.k.a. 5113 Pearl Road) from a NOTICE OF VIOLATION/PLUMBING CODE of the Commissioner of the Division of Building and Housing dated February 9, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to DENY the Appellants appeal request and to require that a sanitary sewer be connected to the property in accordance with the Codified Ordinances of the City of Cleveland. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Williams.

Yeas: Messrs. Denk, Bowes, Williams, Saunders, Sullivan. Nays: None.

\* \* \*

**Docket A-61-99.**

RE: Appeal of Detroit Avenue, Inc., Owner of the Two Story Masonry Two Stores and Two Dwelling Units located on the premises known as 11213-15 Detroit Avenue from NOTICES OF VIOLATION/UNAUTHORIZED USE AND NO PERMITS/PLUMBING/HVAC/ELECTRICAL dated March 10, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant two (2) months in which to obtain permits and abate the violations, the property is to remain boarded and secured and the grounds debris free during that period of time; the property is REMANDED at this time to the Division of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Sullivan and seconded by Mr. Williams.

Yeas: Messrs. Denk, Bowes, Williams, Saunders, Sullivan. Nays: None.

\* \* \*

**Docket A-63-99.**

RE: Appeal of Darnell Dozier, Owner of the Two Story Masonry, Store/Suite Property located on the premises known as 13518-20 Miles Avenue from a VACATE FORTHWITH / CONDEMNATION ORDER / ELECTRICAL/HVAC/NOTICE OF VIOLATION/CHANGE OF USE of the Commissioner of the Division of Building and Housing dated April 7, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to modify the Commissioner's VACATE FORTHWITH / CONDEMNATION ORDER / ELECTRICAL/HVAC/NOTICE OF VIOLATION/CHANGE OF USE and LETTER OF INTENTION TO DEMOLISH by granting the Appellant two (2) months in which to submit plans and obtain permits for abatement of the violations on the property; and to grant the Appellant three (3) months in which to complete abatement of all the violations. Upon passage of this motion, this matter shall be REMANDED at this time to the Commissioner of the Division of Building and Housing for supervision and any required further action. All other provisions of the VACATE FORTHWITH/CONDEMNATION ORDER/ELECTRICAL/HVAC/NOTICE OF VIOLATION/CHANGE OF USE and LETTER OF INTENTION TO DEMOLISH not modified by this decision shall remain in full force and effect, including the provisions that the City may abate the nuisance conditions of the premises by means of demolition if abatement of the violations is not completed by January 7, 2000. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Bowes.

Yeas: Messrs. Denk, Bowes, Williams, Saunders, Sullivan. Nays: None.

\* \* \*

**Docket A-64-99.**

RE: Appeal of Sanford J. Berger, Owner of the One Story Frame Commercial Property located on the premises known as 630 East 140th Street from a DETERIORATED CONDEMNATION ORDER dated March 26, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

Docket A-64-99 has been WITHDRAWN at the request of the Appellant.

\* \* \*

**Docket A-77-99.**

RE: Appeal of Trygve Hoff Building Company, Inc., Developer of the Property located on the premises known as 11428 Cedar Glenn Parkway from a NOTICE OF VIOLATION/FIRE CODE of the Commissioner of the Division of Building and Housing dated March 31, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant two (2) months in which to abate the violations cited on the Division of Fire citation letter dated March 21, 1999; the property is REMANDED at this time to the Division of Fire for supervision and any required further action. Motion so in order. Motioned by Mr. Williams and seconded by Mr. Sullivan.

Yeas: Messrs. Denk, Bowes, Williams, Saunders, Sullivan. Nays: None.

\* \* \*

**Docket A-78-99.**

RE: Appeal of Trygve Hoff Building Company, Inc., Developer of the Property located on the premises known as 11424 Cedar Glenn Parkway from a NOTICE OF VIOLATION/FIRE CODE of the Commissioner of the Division of Building and Housing dated March 31, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant two (2) months in which to abate the violations cited on the Division of Fire citation letter dated March 21, 1999; the property is REMANDED at this time to the Division of Fire for supervision and any required further action. Motion so in order. Motioned by Mr. Williams and seconded by Mr. Sullivan.

Yeas: Messrs. Denk, Bowes, Williams, Saunders, Sullivan. Nays: None.

\* \* \*

**Docket A-79-99.**

RE: Appeal of Trygve Hoff Building Company, Inc., Developer of the Property located on the premises known as 11426 Cedar Glenn Parkway from a NOTICE OF VIOLATION/FIRE CODE of the Commissioner of the Division of Building and Housing dated March 31, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant two (2) months in which to abate the violations cited on the Division of Fire citation letter dated March 21, 1999; the property is

REMANDED at this time to the Division of Fire for supervision and any required further action. Motion so in order. Motioned by Mr. Williams and seconded by Mr. Sullivan.

Yeas: Messrs. Denk, Bowes, Williams, Saunders, Sullivan. Nays: None.

\* \* \*

**Docket A-80-99.**

RE: Appeal of Trygve Hoff Building Company, Inc., Developer of the Property located on the premises known as 11430 Cedar Glenn Parkway from a NOTICE OF VIOLATION/FIRE CODE of the Commissioner of the Division of Building and Housing dated March 31, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant two (2) months in which to abate the violations cited on the Division of Fire citation letter dated March 21, 1999; the property is REMANDED at this time to the Division of Fire for supervision and any required further action. Motion so in order. Motioned by Mr. Williams and seconded by Mr. Sullivan.

Yeas: Messrs. Denk, Bowes, Williams, Saunders, Sullivan. Nays: None.

\* \* \*

**Docket A-81-99.**

RE: Appeal of Trygve Hoff Building Company, Inc., Developer of the Property located on the premises known as 11432 Cedar Glenn Parkway from a NOTICE OF VIOLATION/FIRE CODE of the Commissioner of the Division of Building and Housing dated March 31, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant two (2) months in which to abate the violations cited on the Division of Fire citation letter dated March 21, 1999; the property is REMANDED at this time to the Division of Fire for supervision and any required further action. Motion so in order. Motioned by Mr. Williams and seconded by Mr. Sullivan.

Yeas: Messrs. Denk, Bowes, Williams, Saunders, Sullivan. Nays: None.

\* \* \*

**Docket A-85-99.**

RE: Appeal of Huntleigh, Ltd., Owner of the Masonry Commercial Property located on the premises known as 10705 Lake Avenue from a NOTICE OF VIOLATION/ELEVATOR CODE of the Commissioner of the Division of Building and Housing dated March 12, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

Docket A-85-99 has been POSTPONED; to be rescheduled for July 7, 1999.

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**Docket A-86-99.**

RE: Appeal of S.P.L. Property, Ltd., Owner of the Masonry Commercial Property located on the premises known as 11115-19 Lake Avenue from a NOTICE OF VIOLATION/ELEVATOR CODE of the Commissioner of the Division of Building and Housing dated March 12, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

Docket A-86-99 has been POSTPONED; to be rescheduled for July 7, 1999.

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**Docket A-87-99.**

RE: Appeal of Tower Press Building, Inc., Owner of the Vacant Masonry Structure located on the premises known as 1900-50 Superior Avenue from a 30 DAY CONDEMNATION ORDER dated April 9, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to modify the Commissioner's CONDEMNATION ORDER and LETTER OF INTENTION TO DEMOLISH by granting the Appellant three (3) months in which to obtain permits and abate the violations on the property; and to maintain the security of the building by providing a fence around the property; the property is to remain boarded and secured and the grounds debris free during that period of time with continued patrols and appropriate signage. Upon passage of this motion, this matter shall be REMANDED at this time to the Commissioner of the Division of Building and Housing for supervision and any required further action. All other provisions of the CONDEMNATION ORDER and LETTER OF INTENTION TO DEMOLISH not modified by this decision shall remain in full force and effect, including the provisions that the City may abate the nuisance conditions of the premises by means of demolition if abatement of the violations is not completed by September 7, 1999. Motion so in order. Motioned by Mr. Sullivan and seconded by Mr. Williams.

Yeas: Messrs. Denk, Bowes, Williams, Saunders, Sullivan. Nays: None.

\* \* \*

**Docket No. A-88-99.**

RE: Appeal of Donald Schneider, Owner of the Two Family Residential Property and Proposed Swimming Pool located on the premises known as 1353 West 93rd Street from a NOTICE OF NONCONFORMANCE of the Commissioner of the Division of Building and Housing dated May 7, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland and

the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to grant the variance to the ten (10) foot requirement and permit the pool to be installed four (4) feet/six (6) inches from the north/side property line, and five (5) feet from the east/rear property line, noting the letters of concurrence of the adjacent neighbors, and to waive the late filing fees for the permit. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Sullivan.

Yeas: Messrs. Denk, Bowes, Williams, Saunders, Sullivan. Nays: None.

\* \* \*

**Docket No. A-96-99.**

RE: Appeal of Cleveland Clinic Foundation, Owner of the Owner of the Commercial Steel Masonry Property located on the premises known as 9620 Carnegie Avenue from a NOTICE OF VIOLATION/HVAC dated April 15, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

Docket No. A-96-99 has been POSTPONED; to be rescheduled for July 7, 1999.

\* \* \*

**Docket A-97-99.**

RE: Appeal of Joe Wadzinski, Owner of the Residential Property and Proposed Swimming Pool located on the premises known as 4398 Warner Road from a NOTICE OF NONCONFORMANCE dated May 17, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to DENY the Appellant's appeal request for a variance to install a fifteen (15) foot above ground swimming pool (five (5) feet) from the property line and variance to the existing fence; and to REMAND the property at 4398 Warner Road to the Division of Building and Housing for further action. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Sullivan.

Yeas: Messrs. Denk, Bowes, Williams, Saunders, Sullivan. Nays: None.

\* \* \*

**Docket A-100-99.**

RE: Appeal of Daniel R. Gray, Owner of the Vacant Masonry Structure located on the premises known as 2000 Superior Avenue from a 30 DAY CONDEMNATION ORDER dated April 9, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to modify the Commissioner's CONDEMNATION ORDER and LETTER OF INTENTION TO DEMOLISH by granting the

Appellant three (3) months in which to obtain permits and abate the violations on the property; and to maintain the security of the building by providing a fence around the property; the property is to remain boarded and secured and the grounds debris free during that period of time with continued patrols and appropriate signage. Upon passage of this motion, this matter shall be REMANDED at this time to the Commissioner of the Division of Building and Housing for supervision and any required further action. All other provisions of the CONDEMNATION ORDER and LETTER OF INTENTION TO DEMOLISH not modified by this decision shall remain in full force and effect, including the provisions that the City may abate the nuisance conditions of the premises by means of demolition if abatement of the violations is not completed by September 7, 1999. Motion so in order. Motioned by Mr. Sullivan and seconded by Mr. Williams.

Yeas: Messrs. Denk, Bowes, Williams, Saunders, Sullivan. Nays: None.

\* \* \*

**Docket A-109-99.**

RE: Appeal of Lucille Williamson, Owner of the Two Family Residential Property and Proposed Swimming Pool located on the premises known as 3933 West 23rd Street from a NOTICE OF NONCONFORMANCE of the Commissioner of the Division of Building and Housing dated May 7, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to grant the variance to the ten (10) foot requirement and permit the pool to be installed four (4) feet/six (6) inches and three (3) feet/five (5) inches from the property line, noting the letters of concurrence from the adjacent neighbor and to waive the late filing fees for the permit. Motion so in order. Motioned by Mr. Sullivan and seconded by Mr. Bowes.

Yeas: Messrs. Denk, Bowes, Williams, Saunders, Sullivan. Nays: None.

\* \* \*

**Docket A-116-99.**

RE: Appeal of Mary L. Fenderson, Owner of the Residential Property and Proposed Swimming Pool located on the premises known as 12810 Leela Avenue from a NOTICE OF NONCONFORMANCE of the Commissioner of the Division of Building and Housing dated June 21, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to grant the variance to the ten (10) foot requirement and permit the pool to be installed three (3) feet from the

adjacent property line, noting the letter of concurrence from the adjacent neighbor and to waive the late filing fee for the permit. Motion so in order. Motioned by Mr. Sullivan and seconded by Mr. Bowes.

Yeas: Messrs. Denk, Bowes, Williams, Saunders, Sullivan. Nays: None.

\* \* \*

**EXTENSION OF TIME:**

**Docket A-180-98 — Prime Properties Limited Partnership — 1277-81 West 6th Street:**

— A motion is in order at this time to grant the Appellant's Extension of Time request, until July 31, 1999 in which to complete abatement of the violations. Motion so in order. Motioned by Mr. Sullivan and seconded by Mr. Bowes.

Yeas: Messrs. Denk, Bowes, Williams, Saunders, Sullivan. Nays: None.

\* \* \*

**APPROVAL OF RESOLUTIONS:**

Separate motions were entered by Mr. Sullivan and seconded by Mr. Saunders for Approval and Adoption of the Resolution as presented by the Secretary for the following Dockets respectively, subject to the Codified Ordinances of the City of Cleveland and Ohio Basic Building Code (OBBC):

- L-14-99—William Doran.
- L-16-99—David M. Yuhas.
- A-26-99—Bridgeton Refrigeration Whs. Co.
- A-44-99—Bernice Walker.
- A-46-99—Alfred B. Morris.
- A-47-99—Realty Improvement Inc.
- A-48-99—Sinclair & Hallie C. Chapman.
- A-49-99—Jack Chapek.
- A-50-99—Charles R. Wilson.
- A-69-99—K&S Parking Company, Inc.
- A-70-99—Mary Ann Krainz.
- A-84-99—Midland Mortgage Co.
- A-98-99—Daniel Umstott.

Yeas: Messrs. Denk, Bowes, Williams, Saunders, Sullivan. Nays: None.

\* \* \*

**APPROVAL OF MINUTES:**

Separate motions were entered by Mr. Sullivan and seconded by Mr. Saunders and for Approval of the Minutes as presented by the Secretary respectively, subject to the Codified Ordinances of the City of Cleveland:

June 9, 1999

Yeas: Messrs. Denk, Bowes, Williams, Saunders, Sullivan. Nays: None.

\* \* \*

JOSEPH F. DENK,  
CHAIRMAN

### PUBLIC NOTICE

The following are in violation of C.O. 623.14:

Richard Alt, last known address, 1742 West 29th Street, Cleveland, Ohio 44113.

Richard Norris, last known address, 10127 South Blvd., Apartment 2, Cleveland, Ohio 44108.

### NOTICE OF PUBLIC HEARING

Notice of Public Hearing  
By the Council Committee  
On City Planning

Mercedes Cotner  
Committee Room 217  
City Hall, Cleveland, Ohio  
On Wednesday, July 7, 1999  
9:00 A.M.

Notice is hereby given to all interested property owners that the Council Committee on City Planning will hold a public hearing in the Mercedes Cotner Committee Room 217, City Hall, Cleveland, Ohio, on Wednesday, July 7, 1999, at 9:00 A.M., to consider the following ordinance now pending in the Council:

**Ord. No. 657-99.**

Councilman Polensek.

An ordinance establishing the Waterloo Road / East 156th Street Business Revitalization District (BRD) (Map Change No. 1988, Sheet No. 7)

All interested persons are urged to be present or to be represented at the above time and place.

ODELIA V. ROBINSON,  
Chairman  
Committee on City Planning

June 30, 1999 and July 7, 1999

### 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."

WEDNESDAY, JULY 7, 1999

**One (1) IBM Tape Drive, Controller and Associated Cables and Software,** for the Department of Public Safety, as authorized by Ordinance No. 2058-98, passed by the Council of the City of Cleveland, December 14, 1998.

June 23, 1999 and June 30, 1999

THURSDAY, JULY 8, 1999

**Metering equipment — Sheet Metal Fabrication,** for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Section 129.26 of the Codified Ordinances of the City of Cleveland, 1976.

June 23, 1999 and June 30, 1999

FRIDAY, JULY 9, 1999

**One (1) Hydroseeder,** for the various divisions of City government, Department of Public Service, as authorized by Ordinance No. 1074-98, passed by the Council of the City of Cleveland, June 15, 1998.

June 23, 1999 and June 30, 1999

FRIDAY, JULY 16, 1999

**Uniforms,** for the Division of Building and Housing, Department of Community Development, as authorized by Ordinance No. 134-99, passed by the Council of the City of Cleveland, March 22, 1999.

**Service Fittings,** for the Division of Water, Department of Public Utilities, as authorized by Section 129.25 of the Codified Ordinances of the City of Cleveland, 1976.

June 23, 1999 and June 30, 1999

FRIDAY, JULY 16, 1999

**Miscellaneous Sized Steel Plates,** for the various divisions of City Government, Department of Finance, as authorized by Ordinance No. 1220-98, passed by the Council of the City of Cleveland, August 19, 1998.

**Rental of Snow Removal Equipment and Equipment with Operators,** for the various divisions of the Department of Port Control, as authorized by Ordinance No. 362-99, passed by the Council of the City of Cleveland, April 26, 1999.

June 30, 1999 and July 7, 1999

### ADOPTED RESOLUTIONS AND ORDINANCES

**Ord. No. 589-99.**

By Councilmen Jackson, Robinson and Johnson (by departmental request).

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to sell City-owned property no longer needed for public use located north of Cleveland Hopkins Airport to Cleveland Business Park, Ltd.; and authorizing an application for release of land from Trust Indenture.

Whereas, this ordinance constitutes an emergency measure providing for 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 Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, it is hereby found and determined that the following described properties are no longer needed for public use:

#### PROPOSED CLEVELAND BUSINESS PARK - WEST PARCEL B

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of The C and D Southwest Subdivision I as recorded in Volume 174, Page 34 of Cuyahoga County Records and part of The C and D Southwest Subdivision II as recorded in Volume 184, Page 72 of Cuyahoga County Records. The parcel is further known as being part of Section No. 4 of Original Rockport Township, and bounded and described as follows:

Beginning at an iron pin in a monument box at the intersection of the centerline of Rocky River Drive and the Easterly extension of the Southerly line of the Homeway Subdivision as recorded in Volume 70, Page 27 of Cuyahoga County Records;

Thence North 89° 05' 54" West along the Southerly line of The Homeway Subdivision as aforesaid, 1576.71 feet to an angle point;

Thence North 89° 17' 53" West, 1957.49 feet to a point being the principal place of beginning;

Thence South 03° 23' 16" East, 164.28 feet to a point;

Thence 39.34 feet along the arc of a circle deflecting to the right, having a radius of 200.00 feet whose chord bears North 85° 04' 00" East, a distance of 39.28 feet;

Thence South 89° 17' 53" East, 19.92 feet to a point;

Thence South 00° 42' 07" West, 160.00 feet to a point;  
 Thence North 89° 17' 53" West, 33.32 feet to a point;  
 Thence South 44° 44' 23" West, 38.20 feet to a point;  
 Thence South 00° 55' 46" West, 648.79 feet to a point;  
 Thence South 89° 03' 42" East, 476.52 feet to a point;  
 Thence South 00° 55' 46" West, 143.46 feet to a point;  
 Thence North 89° 04' 14" West, 636.52 feet to a point;  
 Thence South 00° 55' 46" West, 196.37 feet to a point;  
 Thence North 89° 04' 14" West, 215.00 feet to a point;  
 Thence 133.52 feet along the arc of a circle deflecting to the right, having a radius of 85.00 feet whose chord bears North 44° 04' 14" West a distance of 120.21 feet;  
 Thence North 89° 04' 14" West, 163.48 feet to a point;  
 Thence North 00° 55' 46" East, 254.85 feet to a point;  
 Thence North 89° 04' 14" West, 133.00 feet to a point;  
 Thence South 00° 55' 46" West, 75.00 feet to a point;  
 Thence North 89° 04' 14" West, 221.92 feet to a point;  
 Thence North 09° 06' 27" West, 75.23 feet to a point;  
 Thence North 11° 11' 06" West, 43.67 feet to a point;  
 Thence North 28° 32' 28" West, 46.37 feet to a point;  
 Thence North 00° 56' 48" East, 86.60 feet to a point;  
 Thence North 00° 56' 48" East, 479.88 feet to a point;  
 Thence North 36° 28' 43" East, 113.65 feet to a point;  
 Thence South 29° 13' 42" East, 4.40 feet to a point;  
 Thence North 46° 54' 01" East, 213.84 feet to a point;  
 Thence South 86° 22' 19" East, 211.15 feet to a point;  
 Thence North 01° 06' 06" East, 118.00 feet to a point;  
 Thence South 89° 17' 53" East, 577.78 feet to a point and the principal place of beginning, containing within said boundaries 1,203,439 square feet (27,6272 acres) of land, be the same more or less, but subject to all legal highways. Bearings used are based on an assumed meridian and are used to indicate angles only.

**PROPOSED  
 CLEVELAND BUSINESS  
 PARK - WEST  
 PARCEL C**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of the Riverside Park Subdivision as recorded in Volume 71, Page 30 of Cuyahoga County Records and part of The Home Gardens Allotment as recorded in Volume 67, Page 35 Cuyahoga County Records. The parcel is further known as being part of Section No. 3 and Section No. 4 of Original Rockport Township, and bounded and described as follows:

Beginning at an iron pin found in a monument box at the intersection of the centerline of Rocky River Drive and the Easterly extension of the Southerly line of the Homeway

Subdivision as recorded in Volume 70, Page 27 of Cuyahoga County Records;

Thence North 89° 05' 54" West along the Easterly extension of the Southerly line of The Homeway Subdivision as aforesaid, 43.93 feet to a point on the Westerly right of way line of Rocky River Drive;

Thence South 25° 19' 31" West along the Westerly right of way line of Rocky River Drive (80 feet wide), 716.57 feet to a point and the principal place of beginning;

Thence continuing along the Westerly right of way line of Rocky River Drive South 25° 19' 31" West, 813.37 feet to a point;

Thence South 58° 08' 31" West, 33.17 feet to a point;

Thence South 00° 55' 46" West, 25.00 feet to a point;

Thence North 89° 04' 14" West, 27.69 feet to a point;

Thence South 00° 55' 46" West, 25.00 feet to a point;

Thence South 31° 50' 28" East, 26.83 feet to a point;

Thence South 25° 19' 31" West, 216.91 feet to a point;

Thence South 58° 07' 51" West, 33.28 feet to a point;

Thence South 00° 55' 46" West, 25.00 feet to a point;

Thence North 89° 04' 14" West, 27.66 feet to a point;

Thence South 00° 55' 46" West, 25.00 feet to a point;

Thence South 31° 44' 41" East, 26.89 feet to a point;

Thence South 25° 19' 31" West, 88.16 feet to a point;

Thence South 25° 02' 26" West, 224.14 feet to a point;

Thence South 54° 55' 23" West, 36.44 feet to a point;

Thence South 00° 57' 10" West, 25.00 feet to a point;

Thence North 89° 02' 50" West, 21.90 feet to a point;

Thence South 00° 57' 10" West, 25.00 feet to a point;

Thence 34.17 feet along the arc of a circle deflecting to the right, having a radius of 20.00 feet whose chord bears South 23° 54' 03" East a distance of 30.16 feet;

Thence South 25° 02' 26" West, 190.22 feet to a point;

Thence North 89° 27' 34" West, 179.02 feet to a point;

Thence South 02° 23' 04" West, 35.16 feet to a point;

Thence South 73° 16' 00" West, 98.98 feet to a point;

Thence South 84° 29' 35" West, 41.08 feet to a point;

Thence North 25° 19' 31" East, 1374.85 feet to a point;

Thence North 89° 04' 14" West, 1981.22 feet to a point;

Thence North 00° 55' 46" East, 143.46 feet to a point;

Thence South 89° 04' 14" East, 428.08 feet to a point;

Thence North 01° 58' 06" East, 351.93 feet to a point;

Thence South 89° 04' 47" East a distance of 2046.06 feet to a point being the principal place of beginning, containing within said boundaries 1,349,656 square feet (30.9838 acres) of land, be the same more or less, but subject to all legal highways. Bearings used are based on an assumed meridian and are used to indicate angles only.

**Section 2.** That the City acknowledges, states and affirms, pursuant to Article IX of the Trust Indenture from the City of Cleveland to the Chase Manhattan Trust Company, National Association, as successor trustee, dated November 1, 1976, as amended, that the City desires and requests that a certain portion of its land heretofore subject to the Trust Indenture be released and removed from all obligations under said Trust Indenture. The land to be released is described as Phase II and set forth in Section 1 above.

Further, the City acknowledges, states and affirms that it is not in default under said Indenture; that release of such land is necessary in order to serve the public purpose of economic development; and that certain public improvements will be constructed on the land to be released, including public roads and public utilities.

**Section 3.** That the Director of Port Control is authorized to apply to the Chase Manhattan Trust Company, National Association, as successor trustee, for release of the land known as Phase II, described in Section 1 pursuant to the Trust Indenture, dated November 1, 1976, as amended.

**Section 4.** That the Director of Port Control is further authorized, upon approval of the development plan by the City Planning Commission, to submit the development plan, the development agreement, the purchase agreement, the escrow agreement, and any other documents relating to the development or necessary to secure a land release of the aforementioned land, to the Federal Aviation Administration for approval of land release.

**Section 5.** That, upon approval of land release by the Federal Aviation Administration, the Director of Economic Development is authorized to enter into the development agreement, the purchase agreement, and escrow agreement, in substantially the form of the development agreement, purchase agreement, and escrow agreement on file with the Clerk of Council in File No. 589-99-A, with such changes as may be requested by the Federal Aviation Administration, for the development with Cleveland Business Park, Ltd.

**Section 6.** That, upon the approval of land release by the Federal Aviation Administration, by and at the direction of the Board of Control, the Commissioner of Purchases and Supplies is authorized to sell the above-described property to Cleveland Business Park, Ltd. at a price not less than fair market value as determined by the Board of Control.

**Section 7.** That, notwithstanding and as an exception to Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, it is hereby found and determined that upon the approval of land release by the Federal Aviation Administration, the properties to be acquired by the Department of Port Control pursuant to the authority of the following ordinances are no longer needed for

public use: Ordinance No. 929-95, passed June 12, 1995, as amended by Ordinance Nos. 482-96 and 240-98, passed May 6, 1996 and May 11, 1998, respectively, Ordinance No. 930-95, passed June 19, 1995, as amended by Ordinance Nos. 2150-95, 307-98 and 1279-97, passed December 18, 1995, May 11, 1998 and May 11, 1998, respectively.

**Section 8.** That, upon the approval of land release by the Federal Aviation Administration, by and at the direction of the Board of Control, the Commissioner of Purchases and Supplies is authorized to sell the above-described property to Cleveland Business Park, Ltd. at a price not less than fair market value as determined by the Board of Control.

**Section 9.** That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed June 14, 1999.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 1057-99.**  
By Councilman Johnson (by departmental request).

**An emergency ordinance authorizing the purchase by requirement contract of computers and related hardware equipment, for the various divisions of City government.**

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

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

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

**Section 2.** 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 pur-

chase, 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 3050)

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

Passed June 14, 1999.

Effective June 17, 1999.

**Ord. No. 1151-99.**  
By Councilman Lewis.  
**An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 1855, 1861 and 1867 East 66th Street to Brenda W. King and Mansfield Frasier.**

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). 118-05-043, 118-05-044 and 118-05-099, as more fully described in Section 2 below, to Brenda W. King and Mansfield Frasier.

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

P.P. No. 118-05-043

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

Being part of Sublot No. 29 in the Stevens and Cass' Re-Subdivision of Sublot No. 1 and of Sublots Nos. 3 to 20 inclusive in Stone, Johnson and Bates Subdivision of part of Original One Hundred Acre Lot No. 338, as shown by the recorded plat in Volume 15 of Maps, Page 12 of Cuyahoga County Records, and being 45 feet front on the Easterly side of East 66th Street, (formerly Dunham Avenue), and extending back of

equal width 130 feet along the Southerly side of Hough Avenue, N.E., as appears by said plat, be the same more or less, but subject to all legal highways.

P.P. No. 118-05-044

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Westerly 120 feet of Sublot No. 30 in the Stevens and Cass Re-Subdivision of part of Original One Hundred Acre Lot No. 338 as shown by the recorded plat in Volume 15 of Maps, Page 12 of Cuyahoga County Records and being 40 feet front on the Easterly side of East 66th Street and extending back between parallel lines 120 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

P.P. No. 118-05-099

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Westerly 105 feet of Sublot No. 31 in the Steven and Cass Re-Subdivision of part of Original One Hundred Acre Lot No. 338, as shown by the recorded plat in Volume 15 of Maps, Page 12 of Cuyahoga County Records and being 40 feet front on the Easterly side of East 66th Street and extending back between parallel lines 105 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

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

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

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

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

Passed June 14, 1999.

Awaiting the approval or disapproval of the Mayor.



## REPRINT

**Ord. No. 959-99.**

**By Councilmen Cimperman, Jackson, Robinson and Johnson (by departmental request).**

**An emergency ordinance to amend Sections 1, 3 and 4 of Ordinance No. 2831-86, passed February 9, 1987, as amended; to supplement said ordinance by adding new Sections 3(a), 5, 6, 7, 8 and 9; and to renumber existing Section 5 to new Section 11, relating to establishing a Community Reinvestment Area in the area bounded by Lakeside Avenue on the north, W. 6th Street on the east, St. Clair Avenue on the south, and W. 9th Street on the west; and to repeal Ordinance Nos. 1937-96, 1938-96, 550-96, 1866-97, 915-98, 2195-97 and 395-97, relative thereto.**

Whereas, Ordinance No. 2831-86, passed February 9, 1987, established a Community Reinvestment Area in the area bounded by Lakeside Avenue on the north, W. 6th Street on the east, St. Clair Avenue on the south, and W. 9th Street on the west, and was subsequently amended by Ordinance No. 1171-94, passed July 20, 1994; and

Whereas, the City desires to expand the Community Reinvestment Area established by Ordinance No. 2831-86 to include the entire area described in Section 341.01 and Section 341.02 of the Codified Ordinances of Cleveland, Ohio, 1976; and

Whereas, the area described in Section 341.01 and Section 341.02 of the Codified Ordinances of Cleveland, Ohio, 1976, is one in which housing facilities or structures of historical significance are located and new housing construction and repair of existing facilities or structures are discouraged; and

Whereas, the City Planning Commission has surveyed the area described in Section 341.01 and Section 341.02 of the Codified Ordinances of Cleveland, Ohio, 1976, and has presented findings showing that the area is blighted and deteriorated; 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 Sections 1 and 4 of Ordinance No. 2831-86, passed February 9, 1987, and Section 3 of Ordinance No. 2831-86, passed February 9, 1987, as amended by Ordinance No. 1171-84, passed July 20, 1994, are hereby amended to read, respectively, as follows:

Section 1. That it is hereby found and determined that the area bounded by Lakeside Avenue on the north, West 6th Street on the east, St. Clair Avenue on the south, and West 9th Street on the west is expanded to include the area described in Section 341.01 of the Codified Ordinances of Cleveland, Ohio, 1976, up through and inclusive of the amendment made by Ordinance No. 958-99, passed June 7, 1999, and the area described in Section 341.02 of the Codified Ordinances of Cleveland, Ohio, 1976, up through and inclusive of the amendment made by Ordinance No. 199-88, passed on March 21, 1988, and that this area is a blighted and deteriorated area and one in which housing facilities or structures of historical significance are located and new construction and repair of existing facilities or structures is discouraged. Notwithstanding the provisions of Section 303.11 of the Codified Ordinances,

properties which are located within the area described above and that are also located within the Public Land Protective District, and/or a business revitalization district, a historic district, and any other district requiring design review shall be subject to the protocol developed by the Directors of Community Development and City Planning, which shall be reviewed and approved by the City Planning Committee.

Within ninety (90) days of the effective date of this ordinance, the Directors of Community Development and City Planning shall present to the City Planning Committee for review and approval a protocol for design review of properties which are located in the area described in Section 341.01 of the Codified Ordinances of Cleveland, Ohio, 1976, up through and inclusive of the amendment made by Ordinance No. 958-99, passed June 7, 1999, and the area described in Section 341.02 of the Codified Ordinances of Cleveland, Ohio, 1976, up through and inclusive of the amendment made by Ordinance No. 199-88, passed on March 21, 1988, and which are also located in the Public Land Protective District, and/or business revitalization districts, historic districts and any other district requiring design review.

**Section 3.** That the conversion of three buildings known as Hoyt Block II, located at 750-850 West St. Clair Avenue (Permanent Parcel No. 101-09-018), into approximately 55 units of multi-family residential housing in the Community Reinvestment Area hereinabove described is declared to be a public purpose for which exemption from real property taxation at Seventy Five percent (75%) of the dollar amount by which the new construction or remodeling increased the market value of the property may be granted for the following periods:

(a) For every dwelling containing more than two (2) units, upon which the cost of remodeling is at least Five Thousand Dollars (\$5,000.00), fifteen (15) years for the residential units only.

The exemption set forth above applies only to the multi-family residential project located at Permanent Parcel No. 101-09-018 and shall not apply to any other multi-family residential projects located in the Community Reinvestment Area hereinabove described.

**Section 4.** That the Commissioner of Neighborhood Development for the City of Cleveland shall serve as the Housing Officer, as defined in Chapter 3735 of the Ohio Revised Code, for the Community Reinvestment Area described hereinabove and shall administer all activities carried out pursuant to Chapter 3735 of the Ohio Revised Code and this ordinance.

**Section 2.** That existing Sections 1 and 4 of Ordinance No. 2831-86, passed February 9, 1987, and Section 3 of Ordinance No. 2831-86, passed February 9, 1987, as amended by Ordinance No. 1171-84, passed July 20, 1994, are hereby repealed.

**Section 3.** That Ordinance No. 2831-86, passed February 9, 1987, as amended by Ordinance No. 1171-84, passed July 20, 1994, is hereby supplemented by adding new Sections 3(a), 5, 6, 7, 8 and 9 to read, respectively, as follows:

Section 3(a). That the construction of new structures and the remodeling of existing structures in the projects listed below, which are located in the Community Reinvestment

Area described hereinabove, have been declared to be a public purpose for which exemptions from real property taxation were granted under Ordinances 1937-96, passed December 16, 1996; 1938-96, passed December 16, 1996; 550-96, passed June 10, 1996; 1866-97, passed December 15, 1997; 915-98, passed July 29, 1998; 2195-97, passed June 15, 1998; 395-97, passed June 16, 1997; 864-96, passed May 20, 1996; and 1457-95, passed September 25, 1995 and which shall be honored under the terms set forth in those ordinances and as restated below:

a. The construction of six townhouses at Kirkham Place at 1401-11 West 10th Street in the Historic Warehouse District (Permanent Parcel No. 101-14-028) is hereby declared to be a public purpose for which exemptions from real property taxation shall be granted in the following manner:

(i) The owners of such real property located within Permanent Parcel No. 101-14-028 may file an application for exemption from real property taxation with the Commissioner of Neighborhood Development for the City of Cleveland for a period of fifteen (15) years for 75% of the assessed taxes for the construction activities described above.

b. Exemption from real property taxation for the following multi-family residential projects in the Community Reinvestment Area described hereinabove is authorized as follows:

(i) The conversion of the Bardons and Oliver Buildings located at 1133 West Ninth Street (Permanent Parcel Nos. 101-08-006 and 101-08-007) into approximately 100 apartments is declared to be a public purpose for which exemption from real property taxation shall be granted in the following manner:

a) The owners of such real property located within Permanent Parcel Nos. 101-08-006 and 101-08-007 may file an application for exemption from real property taxation with the Commissioner of Neighborhood Development for the City of Cleveland for a period of twelve (12) years for 75% of the assessed taxes for years 1-5; 50% of the assessed taxes for years 6-10, and 25% of the assessed taxes for years 11-12 for the residential improvements described above.

(ii) The conversion of three vacant buildings located at 1001 Huron Road (Permanent Parcel No. 101-36-022), 1020 Huron Road (Permanent Parcel Nos. 101-36-028 to 101-36-031) and 1104 Prospect Avenue (Permanent Parcel No. 101-36-042) into approximately 165 units is declared to be a public purpose for which exemption from real property taxation shall be granted as follows:

a) The owners of such real property located within Permanent Parcel Nos. 101-36-022, 101-36-028 to 101-36-031, and 101-36-042 may file an application for exemption from real property taxation with the Commissioner of Neighborhood Development for the City of Cleveland for a period of twelve (12) years for 75% of the assessed taxes for years 1-5; 50% of the assessed taxes for years 6-10, and 25% of the assessed taxes for years 11-12 for the residential improvements described above.

(iii) The construction of approximately 12 residential apartments in the area located at 1895-1905 West 25th Street (Permanent Parcel No. 003-23-033) (Metzner Building) is hereby declared to be a public purpose for which exemptions from real property taxation shall be granted in the following manner:

a) The owners of such real property located within Permanent Parcel No. 003-23-033 may file an application for exemption from real property taxation with the Commissioner of Neighborhood Development for the City of Cleveland for a period of twelve (12) years for 75% of the assessed taxes for the construction activities described above.

(iv) The renovation of the four inter-connected buildings that comprise Otis Terminals located at 1300 West Ninth Street (Permanent Parcel Nos. 101-13-005 and 101-13-004) into approximately 249 multi-family residential units is hereby declared to be a public purpose for which exemptions from real property taxation shall be granted in the following manner:

a) The owners of such real property located within Permanent Parcel Nos. 101-13-005 and 101-13-004 may file an application for exemption from real property taxation with the Commissioner of Neighborhood Development for the City of Cleveland for a period of twelve (12) years for 75% of the assessed taxes for years 1-5; 50% of the assessed taxes for years 6-10, and 25% of the assessed taxes for years 11-12 for the construction activities described above.

(v) The renovation of four buildings, located at 750 Prospect Avenue (Permanent Parcel No. 101-29-007), known as Pointe at Gateway, to include 42 market rate apartments is hereby declared to be a public purpose for which exemption from real property taxation shall be granted in the following manner:

a) The owner of such real property located in Permanent Parcel No. 101-29-007 in the Community Reinvestment Area described above may file an application for real property taxation with the Commissioner of Neighborhood Development for a period of twelve (12) years for 75% of the assessed taxes on the construction activities described above.

(vi) The renovation of the building known as Windsor Block located at 322, 328, 334 and 340 Euclid Avenue (Permanent Parcel Nos. 101-26-033, 101-26-034, 101-26-035, 101-26-036, 101-26-064) into approximately 42 residential units is hereby declared to be a public purpose for which exemptions from real property taxation shall be granted in the following manner:

a) The owners of such real property located within Permanent Parcel Nos. 101-26-033, 101-26-034, 101-26-035, 101-26-036, 101-26-064 may file an application for exemption from real property taxation with the Commissioner of Neighborhood Development for the City of Cleveland for a period of twelve (12) years for 75% of the assessed taxes for years 1-5; 50% of the assessed taxes for years 6-10, and 25% of the assessed taxes for years 11-12 for the construction activities described above.

The terms set forth for the projects listed above apply only to those projects and shall not apply to any construction or remodeling of single-family, two-family, or multi-family residential properties which commences after the effective date of this amending ordinance.

Section 5. (a) That the construction or remodeling of any other multi-family structure, located in the Community Reinvestment Area described hereinabove, for which construction or remodeling is begun after the effective date of this amending ordinance, is declared to be a public purpose for which

exemptions from real property taxation may be granted as follows:

The owners of such multi-family real property may file an application for exemption from real property taxation with the Commissioner of Neighborhood Development for the City of Cleveland for construction or remodeling of such property which commences after the effective date of this amending ordinance under the terms set forth below:

(i) For new construction of Low Income Housing Tax Credit multi-family projects where 50% or more of the occupants qualify as low income residents per the tax credit laws, seventy-five percent (75%) of the assessed value of the new structure for a period of twelve (12) years;

(ii) For Low Income Housing Tax Credit multi-family projects upon which the cost of remodeling is at least Fifteen Thousand Dollars (\$15,000.00) per unit or Five Hundred Thousand Dollars (\$500,000.00) per structure and where 50% or more of the occupants qualify as low income residents per the tax credit laws, seventy-five percent (75%) of the dollar amount by which remodeling increased the market value of the structure for a period of twelve (12) years;

(iii) For multi-family residential projects utilizing historic tax credits upon which the cost of remodeling is at least Fifteen Thousand Dollars (\$15,000.00) per unit or Five Hundred Thousand Dollars (\$500,000.00) per structure, a period of twelve (12) years for 75% of the dollar amount by which the remodeling increased the market value of the structure for years 1-5, 50% of the dollar amount by which the remodeling increased the market value of the structure for years 6-10, and 25% of the dollar amount by which the remodeling increased the market value of the structure for years 11-12;

(iv) For the construction of all other multi-family residential projects, seventy-five percent (75%) of the assessed value of the new construction for a period of fifteen (15) years;

(v) For the remodeling of all other multi-family residential projects upon which the cost of remodeling is at least Fifteen Thousand Dollars (\$15,000.00) per unit or Five Hundred Thousand Dollars (\$500,000.00) per structure, a period of twelve (12) years for 75% of the dollar amount by which the remodeling increased the market value of the structure for years 1-5, 50% of the dollar amount by which the remodeling increased the market value of the structure for years 6-10, and 25% of the dollar amount by which the remodeling increased the market value of the structure for years 11-12.

The tax exemption rate schedule set forth above shall remain in effect from the effective date of this ordinance until December 15, 1999, but may be withdrawn sooner upon written request of the President of Cleveland City Council to the Director of Community Development. During such period until December 15, 1999, no tax exemption shall be granted without the prior written consent of the Councilmember in whose ward the property is located.

Section 6. That the Community Reinvestment Area hereinabove described shall expire on June 15, 2002, unless an extension is authorized by an amendment by Council.

Section 7. That the Department of

Community Development shall present to City Council a biennial review concerning the status of all abatements that have been granted to property owners within the CRA created above and shall include a full report on the technical implications of sunsetting this ordinance.

Section 8. That pursuant to Ohio Revised Code Section 5709.85, the Tax Incentive Review Council of the City of Cleveland on an annual basis shall review the abatements from property taxation which have been granted in the Community Reinvestment Area hereinabove described and shall make recommendations to the Director of Community Development as authorized under Ohio Revised Code Section 5709.85.

Section 9. That pursuant to Ohio Revised Code Section 3735.69, a Housing Council shall be appointed for the Community Reinvestment Area hereinabove described. The Housing Council shall make an annual inspection or the properties within the Community Reinvestment Area hereinabove described for which abatements have been granted under Ohio Revised Code Section 3735.67 and shall hear appeals pursuant to Ohio Revised Code Section 3735.70.

Section 10. That the Director of Community Development is authorized and directed to commission a study to determine the appropriate tax exemption terms and levels for the City of Cleveland. The results of that study shall be provided to the Chairman of the Committee on Community and Economic Development and to the Clerk of Cleveland City Council no later than October 1, 1999. Council may as a result of that study, or sooner, modify from time to time the tax exemption rate schedule set forth above; however, such modification shall not be considered an amendment to this legislation. Council acknowledges that such modification may be required to meet the economic conditions existing in the City of Cleveland.

**Section 4.** That existing Section 5 of Ordinance No. 2831-86, passed February 9, 1987, is hereby renumbered to new "Section 11".

**Section 5.** That the following ordinances are hereby repealed:

Ordinance No. 1937-96, passed December 16, 1996,

Ordinance No. 1938-96, passed December 16, 1996,

Ordinance No. 550-96, passed June 10, 1996,

Ordinance No. 1866-97, passed December 15, 1997,

Ordinance No. 915-98, passed July 29, 1998,

Ordinance No. 2195-97, passed June 15, 1998,

Ordinance No. 395-97, passed June 16, 1997.

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

Passed June 7, 1999.  
Effective June 16, 1999.

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Pearl Road, 4220, (Ward 15) - John Lozios, owner, and Zaremba Group, LLC, c/o John Wojtila, agent, and CVS Pharmacy, purchaser - appeal rescheduled to 7/12/99 on 6/28/99 (Cal. 99-121)..... 1392

Puritas Avenue, 14041, (Ward 20) - The Coral Company, c/o John Blackiston, owner, and Sherry Renfro, tenant - appeal heard on 6/28/99 (Cal. 99-135) ..... 1392

West 117th Street, 3275, (Ward 19) - Karl Yannuzzi, owner, and Bruce Zavotka, tenant - appeal heard on 6/28/99 (Cal. 99-132) ..... 1392

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Grayton Road, 4725, (Ward 20) - Kim Curtis, owner, and Dairy Mart Corporation, prospective purchaser, and the "V" Group, agent - appeal to be heard on 7/12/99 (Cal. 99-134)..... 1391

Keyes Avenue, 8016, (Ward 6) - Fairfax Homes Development L.P., owner, c/o Vickie Eaton-King and Capri Homes, c/o George Fagapane, agent - appeal to be heard on 7/12/99 (Cal. 99-155) ..... 1391

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IBM tape drive, controller and associated cables and software — Department of  
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