

The City Record

Official Publication of the City of Cleveland

December the Fifteenth, Nineteen Hundred and Ninety-Nine

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

Containing	PAGE
City Council	3
The Calendar	22
Board of Control	23
Civil Service	25
Board of Zoning Appeals	25
Board of Building Standards and Building Appeals	26
Public Notices	28
Public Hearings	28
City of Cleveland Bids	28
Adopted Resolutions and Ordinances	29
Committee Meetings	38
Index	38

FIRST-CLASS MAIL
U. S. POSTAGE PAID
CLEVELAND, OHIO
Permit No. 1372

RECYCLE.....Save the Future



Printed on Recycled Paper.....Council Cares

DIRECTORY OF CITY OFFICIALS

CITY COUNCIL-LEGISLATIVE

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

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. Martinez, 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 - Algeron Walker, Treasurer, Room 115
 Assessments and Licenses - Robert J. Schneider, Commissioner, Room 122
 Purchases and Supplies - Myrana Branche, Commissioner, Room 128
 Printing and Reproduction - James D. Smith, Commissioner, 1735 Lakeside Avenue
 Taxation - Nassim Lynch, Tax Administrator, 1701 Lakeside Avenue
 Financial Reporting and Control - Robert Dolan, Controller, Room 18
 Information Systems Services - Joyce Thomas, Acting Commissioner, 1404 E. 9th St.

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

DEPT. OF PORT CONTROL - 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, Commissioner, Room 8
 Research, Planning & Development - Mark Fallon, Commissioner, 1501 N. Marginal Road, Burke Lakefront Airport

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

DIVISIONS - Administrative Services - Terrence Ross, Commissioner.
 Neighborhood Services - Louise V. Jackson, Commissioner.
 Neighborhood Development - Donald T. Moss, Commissioner.
 Building & Housing - Robert Vilkas, Acting 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 _____
 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, Anne Bloomberg, President; Carolyn Watts Allen, Vice President; Gregory J. Wilson, Secretary; Timothy J. Cosgrove, Member, Rev. Earl Preston, Member.

SINKING FUND COMMISSION - Michael R. White, President; Betsy Hruby, Asst. Sec'y.; _____, Director; President of Council _____

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

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

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

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

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

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 _____

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 _____; Councilman _____; Councilman _____

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 _____, Councilman _____, 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



OFFICIAL PUBLICATION OF THE CITY OF CLEVELAND

Vol. 86

WEDNESDAY, DECEMBER 15, 1999

No. 4488

CITY COUNCIL

MONDAY, DECEMBER 13, 1999

The City Record

Published weekly under authority of the Charter of the City of Cleveland
Subscription (by mail) \$75.00 a year
January 1 to December 31
Interim subscriptions prorated \$6.25 per month
Address all communications to

RUBY F. MOSS

Clerk of Council
216 City Hall

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 1998-2001

MONDAY

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

MONDAY—Alternating

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

MONDAY

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

TUESDAY

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

TUESDAY—Alternating

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

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

WEDNESDAY—Alternating

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

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

WEDNESDAY—Alternating

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

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

OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio
Monday, December 13, 1999.
The meeting of the Council was called to order, the President, Michael D. Polensek in the Chair.

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

Also present were Mayor White and Directors Carter, Carmody, Konicek, Balraj, Ricchiuto, Guzman, Jackson, Hudecek, Patterson, Warren, Axelrod, Dove, Morrison and Acting Director Whitlow.

Pursuant to Ordinance No. 2926-76, the Council Meeting was opened with a prayer offered by Dr. Gary Kornell of Old Stone Church, located at 91 Public Square in Ward 13. Pledge of Allegiance.

MOTION

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

COMMUNICATIONS

File No. 2147-99.
From the Division of Purchases and Supplies re: Sales Request No. 90182 For Sale or Lease of Property Permanent Parcel Number: 101-15-036. Received.

File No. 2148-99.
From the Division of Purchases and Supplies re: Emergency Requisition (RE-3546). Received.

File No. 2149-99.
From the Youth Opportunities Unlimited re: 1999 Annual Report - 2000 Service Goals. Received.

STATEMENT OF WORK ACCEPTANCE

File No. 2150-99.
From the Department of Public Utilities re: Triad Engineering & Contracting, Contract No. 52206A,

completed and accepted November 30, 1998. Received.

File No. 2151-99.
From the Department of Public Utilities re: Terrace Construction Company, Contract No. 54338A, completed and accepted September 30, 1999. Received.

COMMUNICATION

File No. 2152-99.

December 7, 1999

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

Dear Council President Polensek:

I am pleased to recommend Mr. Fred Livingstone for appointment to the Community Relations Board. This appointment is effective immediately upon the approval of Council and will expire on March 31, 2003.

Thank you for your consideration.

Sincerely,
Michael R. White
Mayor

Received. Referred to Committee on Mayor's Appointments.

CONDOLENCES RESOLUTIONS

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

Res. No. 2195-99—Milton Ballard.
Res. No. 2196-99—Dorothy L. Miller.

Res. No. 2197-99—Juanita Hodge.
Res. No. 2198-99—Kathleen A. O'Connor.

Res. No. 2199-99—Grover McKinley Pointdexter.

Res. No. 2200-99—Catherine James.
Res. No. 2201-99—Ruth I. McTaggart.

Res. No. 2202-99—Herman J. Blake.
Res. No. 2203-99—Pat Gothard.

CONGRATULATIONS RESOLUTIONS

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

Res. No. 2204-99—David & Catherine Horton.

Res. No. 2205-99—Chris Carmody.
Res. No. 2206-99—John Nevin Heckman.

Res. No. 2207-99—St. Ignatius Wildcats.

**FIRST READING EMERGENCY
ORDINANCES REFERRED**

Ord. No. 2154-99.

By Councilmen Lewis and Patmon (by departmental request).

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Section 127.42 thereof, relating to dishonored check fee.

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

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

Section 1. That the Codified Ordinances of Cleveland, Ohio, 1976, are hereby supplemented by enacting new Section 127.42 thereof, to read as follows:

Section 127.42 Dishonored Check Fee

When any person shall give or cause to be given to any City official, Department or Division, a negotiable instrument in payment of any obligation of such person due the City, which instrument is subsequently dishonored by the party or institution upon whom drawn, a sum of Twenty-Five Dollars (\$25.00) shall be added to the original obligation as a Dishonored Check Fee. The Dishonored Check Fee shall be first deposited toward defraying the costs of collection for the division in which the original obligation arose. Assessment of the Dishonored Check Fee shall not relieve a maker of a dishonored negotiable instrument of criminal or civil liability otherwise provided by law.

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

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

Ord. No. 2155-99.

By Councilman Patmon (by departmental request).

An emergency ordinance authorizing the Director of Finance to pay the cost of extraction of 1998 Ohio income tax master file data.

Whereas, the State of Ohio is the sole source of state income tax data; and

Whereas, the State of Ohio has provided 1998 Ohio income tax master file data to the City of Cleveland; and

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

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

Section 1. That the Director of Finance is hereby authorized to pay the sum of Twenty Thousand Dollars (\$20,000.00) to the treasurer of the State of Ohio from Fund No. 81-001, Request No. 2775, for extraction from the 1998 Ohio Individual Master File of taxpayer information relating to the communities served by the Central Collection Agency.

Section 2. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of

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

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

Ord. No. 2156-99.

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

An emergency ordinance determining the method of making the public improvement of replacing the Rowley Avenue sewer, and authorizing the Director of Public Utilities to enter into contract for the making of such improvement.

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

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

Section 1. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of replacing the Rowley Avenue sewer, for the Division of Water Pollution Control, Department of Public Utilities, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.

Section 2. That the Director of Public Utilities is hereby authorized to enter into contract for the making of the above public improvement with the lowest responsible bidder after competitive bidding upon a unit basis for the improvement provided however, that each separate trade and each distinct component part of said improvement may be treated as a separate improvement, and each, or any combination, of such trades or components may be the subject of a separate contract upon a unit basis.

Section 3. That the cost of said improvement hereby authorized shall be paid from Fund No. 54 SF 001, Request No. 11379.

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

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

Ord. No. 2157-99.

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

An emergency ordinance determining the method of making the public improvement of replacing the Snyder Avenue area sewer, and authorizing the Director of Public Utilities to enter into contract for the making of such improvement.

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

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

Section 1. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improve-

ment of replacing the Snyder Avenue area sewer, for the Division of Water Pollution Control, Department of Public Utilities, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.

Section 2. That the Director of Public Utilities is hereby authorized to enter into contract for the making of the above public improvement with the lowest responsible bidder after competitive bidding upon a unit basis for the improvement provided however, that each separate trade and each distinct component part of said improvement may be treated as a separate improvement, and each, or any combination, of such trades or components may be the subject of a separate contract upon a unit basis.

Section 3. That the cost of said improvement hereby authorized shall be paid from Fund No. 54 SF 001, Request No. 11380.

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

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

Ord. No. 2158-99.

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

An emergency ordinance authorizing the Director of Public Utilities to enter into one or more contracts without competitive bidding with BancTec USA, Inc. for the purchase of hardware and software maintenance, for the Division of Water, Department of Public Utilities.

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

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

Section 1. That it is hereby determined that the within commodities are non-competitive and cannot be secured from any source other than BancTec USA, Inc. Therefore, the Director of Public Utilities is hereby authorized to make one or more written contracts with said BancTec USA, Inc. upon the basis of their proposal dated October 29, 1999, for hardware and software maintenance for two BancTec 9500 remittance processing machines, to be purchased by the Commissioner of Purchases and Supplies for a gross price for the Division of Water, Department of Public Utilities.

Section 2. That the cost of said contract hereby authorized shall be paid from Fund No. 52 SF 001, Request No. 18694.

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

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

Ord. No. 2159-99.
By Councilmen Brady, Sweeney, Dolan, Cintron, Cimperman and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Public Service to cause payment of the City of Cleveland's share to the County of Cuyahoga for the cost of the rehabilitation of West 140th Street.

Whereas, in Ordinance No. 2039-91, passed December 9, 1991, this Council gave consent to the County of Cuyahoga for the rehabilitation of West 140th Street from Puritas Road to Lakewood Heights Boulevard; and

Whereas, this Council authorized the City to cooperate with the County in the cost of such improvement; and

Whereas, the City's share of the cost of such improvement is approximately \$200,000.00; and

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

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

Section 1. That this Council hereby authorizes payment to the County of Cuyahoga of the City's share of the cost of the improvement of rehabilitating West 140th Street from Puritas Road to Lakewood Heights Boulevard. (RL 4454)

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

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

Ord. No. 2160-99.
By Councilman Cintron (by request).

An emergency ordinance authorizing the Director of Public Service to issue a permit to 2888 Detroit LLC to encroach into the right-of-way of West 29th Street and Vermont Avenue with a parking lot, security fencing, and safety gates.

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

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

Section 1. That the Director of Public Service hereby is authorized to issue a permit, revocable at the will of Council, and assignable by the Permittee with the written consent of the Director of Public Service to 2888 Detroit LLC, 22348 Professor Avenue, P.O. Box 91644, Cleveland, Ohio 44101-3644, its successors and assigns, for the construction, use and maintenance of a parking lot, and security fencing with special City of Cleveland Fire Department approved safety gates, which will encroach into the public right-of-way of West 29th Street and Vermont Avenue N.W. at the locations described as follows:

**PROPOSED ENCROACHMENT
 AREA/VERMONT AVENUE &
 WEST 29TH STREET**

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

of Ohio and known as being all that portion of West 29th Street (66.00 feet wide) extending Northerly from the Northerly line of Detroit Avenue N.W. (width varies) as widened to the Southerly line of Vermont Avenue N.W. (width varies).

AND

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being all that portion of Vermont Avenue N.W. (width varies) extending Easterly from the Easterly line of West 29th Street (66.00 feet wide) to the Northerly prolongation of the Westerly line of the property conveyed to 2888 Detroit LLC by deed recorded in Volume 98-09990, Page 1 of Cuyahoga County Deed Records, and being also known as Permanent Parcel Number 003-14-027.

Section 2. That said parking lot, security fencing, and gates, will be placed within the public right-of-way as aforesaid in Section 1, and will be constructed in accordance with plans and specifications approved by the Commissioner of Engineering and Construction. And, that all other required permits, including a building permit shall be obtained before said parking lot, security fencing and gates are constructed.

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

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

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

Ord. No. 2161-99.
By Councilmen Cintron and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of traffic paint, for the Division of Traffic Engineering and Parking, Department of Public Service.

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

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

Section 1. That the Director of Public Service is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of traffic paint in the approximate amount as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Traffic Engineering and Parking, Department of Public Service. Bids shall be taken in such manner as to permit an award to be made for all

items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

Section 2. That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 4397)

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

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

Ord. No. 2162-99.
By Councilmen Cintron and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of refurbished aluminum sign blanks, for the Division of Traffic Engineering and Parking, Department of Public Service.

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

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

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

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

requisition against such contract duly certified by the Director of Finance. (RL 4398)

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

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

Ord. No. 2163-99.

By Councilmen Cintron and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to repair police motorcycles, for the Division of Motor Vehicle Maintenance, Department of Public Service, for a period not to exceed two years.

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

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

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

Section 2. That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 9808)

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

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

Ord. No. 2164-99.

By Councilmen Cintron and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of aluminum signs, for the Division of Traffic Engineering and Parking, Department of Public Service.

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

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

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

Section 2. That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 4387)

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

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

Ord. No. 2165-99.

By Councilmen Cintron and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of various electronic traffic signal equipment, for the Division of Traffic Engineering and Parking, Department of Public Service.

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

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

Section 1. That the Director of Public Service is hereby authorized

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

Section 2. That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 4396)

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

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

Ord. No. 2166-99.

By Councilmen Jones, White, Robinson, Cintron, Cimperman and Patmon (by departmental request).

An emergency ordinance giving consent of the City of Cleveland for the rehabilitation of Harvard Avenue from East 116th Street to East 154th Street to the County of Cuyahoga; authorizing the Director of Public Service to enter into any agreements relative thereto; and to apply for and accept an allocation of County Motor Vehicle License Tax Funds for the improvement.

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

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

Section 1. That it is declared to be in the public interest that the consent of the City of Cleveland is hereby given to the County of Cuyahoga (the "County") to construct the following improvement in accordance with plans, specifications and estimates approved by the County: The rehabilitation of Harvard Avenue from East 116th Street to East 154th Street (the "Improvement").

Section 2. That the City hereby proposes to cooperate with the Coun-

ty in the cost of the Improvement by assuming and contributing the entire cost and expense of the Improvement less any funds administered by the Ohio Public Works Commission which are used for the Improvement, and less the County's portion of the cost of the Improvement.

Section 3. That the Director of Public Service is hereby authorized to enter into such agreements with the County as are necessary to complete the planning and construction of the Improvement.

Section 4. That upon completion of the Improvement, the City thereafter will:

a) Keep the affected highway open to traffic at all times;

b) Maintain the Improvement in accordance with the provisions of the statutes relating thereto and make ample financial and other provisions for such maintenance;

c) Maintain the right-of-way and keep it free of obstruction in a manner satisfactory to the County, hold said right-of-way inviolate for public highway purposes and permit no signs, posters, billboards, roadside stands or other private installations within the limits of the right-of-way;

d) Place and maintain all traffic control devices in accordance with the Ohio Manual of Uniform Traffic Control Devices pursuant to the provisions of Section 4511.11 and related sections of the Ohio Revised Code; and

e) Prohibit all parking within the limits of the roadway which is a part of the Improvement in accordance with Section 4511.66 of the Ohio Revised Code, unless otherwise controlled by City ordinance or resolution.

Section 5. a) That all existing streets and public rights-of-way within the City which are necessary for the Improvement shall be made available therefor.

b) That in the event any additional rights-of-way are required for the Improvement, the County will arrange for acquisition thereof.

c) That the County shall continue to maintain the structural elements of any bridge (defined as a structure with a span of twenty (20) feet or greater) within the limits of the Improvement in accordance with applicable sections of the Ohio Revised Code.

d) That the street within the limits of the Improvement is hereby designated a through highway within the meaning of Section 4511.07(F) of the Ohio Revised Code.

e) That arrangements have been or will be made with and agreements obtained from all public utility companies whose lines or structures will be affected by the Improvement, that said companies have agreed to make any and all necessary rearrangements in such manner as to be clear of any construction called for by the plans for the Improvement and that said companies have agreed to make such necessary rearrangements immediately after notification by the City or the County.

f) That the City, at its own expense, shall make all rearrangements of water mains, service lines, fire hydrants, valve boxes, sanitary sewers or other City-owned utilities and appurtenances thereto which do not comply with the provisions of

ODOT Directive No. 28-A, whether inside or outside the corporate limits of the City, as may be necessary to conform to the Improvement, and that said rearrangements shall be done at such time as requested by the County.

g) That the County will participate in the costs of alterations of governmentally-owned utility facilities which come within the provisions of ODOT Directive No. 28-A to the same extent that it participates in the other costs of the Improvement, provided that such participation will not extend to additions or betterments of existing facilities.

h) That the construction, reconstruction and rearrangement of all utilities shall be done in such a manner as not to interfere unduly with the operations of the contractor constructing the Improvement, and all backfilling of trenches made necessary by such utility rearrangement shall be performed in accordance with the provisions of the ODOT Construction and Material Specifications and shall be subject to approval by the County.

i) That the City hereby agrees that the County shall be and hereby is saved harmless from any and all damages or claims arising from or growing out of the certification or obligations made or agreed to in divisions a), b), e), f), and h), of this section.

j) That stop signs affecting the movement of traffic on any street within the limits of the Improvement shall be removed and no stop signs will be erected on same except at intersections with another through highway where traffic does not warrant the installation of a traffic control signal but where the warrants for a "Four-way Stop" as provided in the aforesaid Manual are met.

k) That no rule or regulation may be enacted restricting the use of the Improvement by any class of vehicle or vehicle load permitted by the Ohio Revised Code to use a public highway. Any existing rule or regulation so restricting road usage is hereby rescinded.

Section 6. That the Council of the City hereby requests the Board to County Commissioners to proceed with the Improvement.

Section 7. That the Director of Public Service is hereby authorized to enter into an agreement with the Board of Commissioners of the County concerning the financing of the Improvement. Each such agreement shall contain without limitations terms substantially similar to the following:

a) That the County will arrange for the preparation of construction plans and specifications for the Improvement, including necessary engineering reports, under current County Engineer standards for construction of County roads and bridges.

b) That the County will arrange for the supervision and administration of the construction contract for the Improvement, and will review the construction plans for conformance with division a) of this section and make an inspection of the completed project.

c) That if, by ordinance of this Council, the City requests the County to include in the Improvement the

construction of sanitary sewers, water lines, sewers for drainage of the area surrounding the Improvement, sidewalks, alternate bid items or other items that are in addition to those now existing in the plans for the Improvement and not provided for elsewhere in the agreement, the County will do so, provided that the construction of such additional items is approved by the County and the City, and provided further that the City agrees to pay or cause to be paid the cost of said construction and of preliminary and design engineering therefor, but the City shall not be responsible for the cost of supervision of said construction.

d) That the City hereby agrees to participate with the County in the cost of the Improvement by an allocation from the County Motor Vehicle License Tax fund to pay the County portion of the project.

e) That if the project is financed as a Federal-aid project, eligible costs of the Improvement shall be financed from the aforesaid funds.

f) That within the corporate limits of the City, the City hereby agrees to contribute twenty percent (20%) of the cost of construction, construction supervision, right-of-way, and incidentals and forty percent (40%) of the cost of preparation of plans and specifications. That the City hereby agrees to deposit with the Treasurer of Cuyahoga County the City's share of the estimated cost of the project or the Director of Public Service is hereby authorized to enter into an escrow agreement with the Board of County Commissioners prior to an award of a contract for the improvement.

Section 8. That the Director of Public Service is hereby authorized to apply to the County for an allocation from the County Motor Vehicle License Tax fund to pay the County portion of the project, and to enter into such agreements with the County as are necessary to finance the Improvement.

Section 9. That the Director of Public Service is hereby authorized to apply to the County Board of Commissioners for approval to use County Motor Vehicle License Tax funds to pay for the Improvement, to accept said funds and to file all papers and execute all documents necessary to receive said funds; and that said funds be and are hereby appropriated for the purposes set forth above.

Section 10. That the Clerk of Council is hereby authorized and directed to transmit to the Director of ODOT and to the County three (3) certified copies of this ordinance immediately upon the taking effect thereof, and it shall become the basis for proceeding with the Improvement.

Section 11. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

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

Ord. No. 2167-99.**By Councilmen Melena, O'Malley, Cintron and Patmon (by departmental request).****An emergency ordinance authorizing the Director of Public Service to make alterations and modifications in Contract No. 54089, for the rehabilitation of West 61st Street retaining wall, with Markie Construction Company, Inc., for the Department of Public Service.**

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

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

Section 1. That the Director of Public Service is hereby authorized to make the following alterations and modifications in Contract No. 54089 with Markie Construction Company, Inc. for the rehabilitation of the West 61st Street retaining wall, for the Department of Public Service:ADDITIONS — NEW ITEMS

<u>ITEM</u>	<u>Unit Price</u>	<u>Quantity</u>	<u>Total</u>
Ornamental Fence (steel with vinyl coating)	\$ 38.81/ft.	353 feet	\$13,699.93
Gates to match	\$725.00/ea.	5	\$ 3,625.00
Contractor's 10% Handling Fee			\$ 1,732.49
TOTAL SUBSIDIARY NEW ITEMS			\$19,057.42

CREDITS

<u>ITEM</u>	<u>Unit Price</u>	<u>Quantity</u>	<u>Total</u>
Item 17	\$ 11.38/ft.	353 feet	\$ 4,017.14
Item 18	\$385.00/ea.	5	\$ 1,925.00
TOTAL SUBSIDIARY CREDITS			\$ 5,942.14

Total Subsidiary New Items	\$ 19,057.42
Total Subsidiary Credits	- 5,942.14
Total Amount of Subsidiary	\$ 13,115.28
Original Contract Amount	\$ 436,000.00
Total Amount of Subsidiary	+ 13,115.28
REVISED CONTRACT AMOUNT	\$ 449,115.28

which alteration has been recommended in writing by the said Director of Public Service, countersigned by the Mayor, and consented to by the surety on said contract, which price to be paid therefor has been agreed upon in writing and signed by the Director of Public Service and the Contractor. This alteration will cause an increase in the amount of the original contract in the sum of \$13,115.28 to be paid from Fund No. 10 SF 166.

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

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

Ord. No. 2168-99.**By Councilmen O'Malley, Patmon Cintron, Cimperman (by departmental request).****An emergency ordinance determining the method of making the public improvement of renovating and rehabilitating the Ridge Road Service Center, the Glenville Service Center and Glenville Streets Facility, and authorizing the Director of Public Service to enter into contract for the making of such improvement.**

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

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

Section 1. That, pursuant to Section 167 of the Charter of the City

of Cleveland, it is hereby determined to make the public improvement of renovating and rehabilitating the Ridge Road Service Center, the Glenville Service Center and Glenville Streets Facility, for the Division of Architecture, Department of Public Service, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.

Section 2. That the Director of Public Service is hereby authorized to enter into contract for the making of the above public improvement with the lowest responsible bidder after competitive bidding upon a unit basis for the improvement provided however, that each separate trade and each distinct component part of said improvement may be treated as a separate improvement,

and each, or any combination, of such trades or components may be the subject of a separate contract upon a unit basis.

Section 3. That the cost of said improvement hereby authorized shall be paid from Fund No. 20 SF 362, Request No. 4313.

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

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

Ord. No. 2169-99.
By Councilmen Melena, Cintron,
Cimperman and Patmon (by depart-
mental request).

An emergency ordinance determining the method of making the public improvement of rehabilitating the West 44th Street bridge, and authorizing the Director of Public Service to enter into contract for the making of such improvement.

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

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

Section 1. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of rehabilitating the West 44th Street bridge, for the Division of Engineering and Construction, Department of Public Service, by contract duly let to the lowest responsible bidder after competitive bidding for a gross price for the improvement.

Section 2. That the Director of Public Service is hereby authorized to enter into contract for the making of the above public improvement with the lowest responsible bidder after competitive bidding upon a unit basis for the improvement provided however, that each separate trade and each distinct component part of said improvement may be treated as a separate improvement, and each, or any combination, of such trades or components may be the subject of a separate contract upon a unit basis.

Section 3. That the cost of said improvement hereby authorized shall be paid from Fund No. 20 SF 364, Request No. 4400.

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

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

Ord. No. 2170-99.
By Councilmen Polensek and Pat-
mon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of furniture, fixtures and appliances, for the various divisions of the Department of Public Safety.

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

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

Section 1. That the Director of Public Safety is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of furniture, fixtures and appliances in the estimated sum of \$367,000.00 to be purchased by the Commissioner of Purchases and Supplies upon a

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

Section 2. That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 15223)

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

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

Ord. No. 2171-99.
By Councilmen Cimperman,
Rybka and Patmon (by departmen-
tal request).

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to sell Cityowned property no longer needed for public use, Permanent Parcel No. 101-15-036, bounded northerly by Superior Avenue, NW and southerly by Columbus Road, NW, to Cleveland Hospitality Partners, Ltd.

Whereas, pursuant to the authority of Ordinance No. 73644, passed by the Council of the City of Cleveland on April 26, 1926, the City of Cleveland acquired fee simple title to the real property identified as Permanent Parcel No. 101-15-036 for the purpose of relocating a portion of Columbus Road; and

Whereas, Cleveland Hospitality Partners, Ltd. has submitted an economic development proposal to the City of Cleveland for the redevelopment and reuse of underutilized real property located in the City of Cleveland which the Director of Economic Development has determined to be a satisfactory means of achieving redevelopment of said property and a means to create employment opportunities and improve the economic welfare of the City of Cleveland; and

Whereas, the Director of Parks, Recreation and Properties has requested the sale of Permanent Parcel No. 101-15-036, because it is no longer used for street purposes and is not needed for any other municipal use; and

Whereas, the sale of the property set forth in this ordinance will create jobs for the citizens of the City of Cleveland and preserve and improve the general welfare of the citizens of the City of Cleveland; and

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

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

Section 1. That by and to the direction of the Board of Control of the City of Cleveland the Commissioner of Purchases and Supplies is hereby authorized to convey the following described real property to Cleveland Hospitality Partners, Ltd. at a price not less than fair market value taking into account all restrictions, reversion interests and similar encumbrances placed by the City of Cleveland in the deeds of conveyance:

Permanent Parcel No. 101-15-036
 Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Original Two-Acre Lot No. 206 and bounded and described as follows:

Beginning at a point at the Westerly line of Columbus Road, N.W., at the Northeasterly corner of a parcel of land leased by George M. Atwater to the Cleveland, Columbus, Cincinnati and Indianapolis Railway Company by deed dated June 5, 1880, and recorded in Volume 7, Page 369 of the lease records of Cuyahoga County, said point of beginning being distant Northerly measured along said Westerly line of Columbus Road, N.W., 225.54 feet more or less, from the Northerly line of James Street, N.W.;

Thence Westerly along the Northerly line of land leased by lease recorded in Volume 7, Page 369 of Cuyahoga County Records, 76.35 feet more or less, to an angle;

Thence Northwesterly along the Northeasterly line of land leased by said lease recorded in Volume 7, Page 369 of Cuyahoga County Records, 26.31 feet more or less, to the Southeasterly line of land conveyed by Ralph W. Ellis and Louis C. Hyde, trustees and administrators of the last will of George M. Atwater, deceased, to the County of Cuyahoga by deed dated December 30, 1912, and recorded in Volume 1433, Page 376 of Cuyahoga County Records;

Thence Northeasterly along said Southeasterly line of land conveyed to the County of Cuyahoga as last above mentioned, about 42.52 feet more or less, to the Westerly line of land conveyed by Ralph W. Ellis and Louis C. Hyde, trustees and administrators of the Last Will of George M. Atwater, deceased, to the County of Cuyahoga by deed dated January 5, 1912, and recorded in Volume 1368, Page 293 of Cuyahoga County Records;

Thence Southerly along said Westerly line of land conveyed to the County of Cuyahoga as last above mentioned, 32.76 feet more or less, to the Southwesterly corner thereof;

Thence Easterly along the Southerly line of land conveyed to the County of Cuyahoga as last above mentioned, 70 feet to said Westerly line of Columbus Road, N.W.;

Thence Southerly along said Westerly line of Columbus Road, N.W., about 20 feet to the place of beginning;

Together with all right, title and interest of the owner or owners of said real estate in and to all streets, alleys, highways and public places adjoining the above described premises.

Section 2. That the conveyances shall be made by official deed to be prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such necessary provisions, including such restrictive reversion interests as may be specified by the Board of Control or the Director of Law, which shall protect the parties as their respective interests require and shall specifically contain a provision against the erection of any advertising signs or billboards except permitted identification signs.

Section 3. That it is hereby found and determined that all formal actions taken by the City Council relating to the sale of the property described in Section 1 of this ordinance were taken and held in meetings open to the public and in compliance with all other legal requirements.

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

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

Ord. No. 2172-99.

By Councilmen Rybka and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by contract of not to exceed eleven pumps for swimming pools, for the Division of Recreation, Department of Parks, Recreation and Properties.

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

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

Section 1. That the Director of Parks, Recreation and Properties is hereby authorized to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: not to exceed eleven (11) pumps for swimming pools, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Recreation, Department of Parks, Recreation and Properties.

Section 2. That the cost of said contract hereby authorized shall be paid from Fund No. 01-701100-697000, Request No. 15115.

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

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

Ord. No. 2173-99.

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

An emergency ordinance authorizing the Directors of Economic Development and/or Public Service to apply for and accept grants from the Northeast Ohio Area-wide Coordinating Agency ("NOACA") and from the State of Ohio Department of Development 629 Roadway Fund for the Shaker Square Redevelopment Area for public infrastructure improvements; and to enter into one or more contracts for the expenditure of such funds.

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

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

Section 1. That the Directors of Economic Development and/or Public Service are hereby authorized to apply for and accept grants from NOACA and from the State of Ohio Department of Development 629 Roadway Fund for the purposes set forth in the program description therefor contained in File No. 2173-99-A, and to enter into one or more contracts for the expenditure of such funds.

Section 2. That the Directors of Economic Development and/or Public Service are hereby authorized to file all papers and execute all documents necessary to receive the funds under said grants; and that said funds are hereby appropriated for the purposes set forth in the program description for said grants.

Section 3. That the program description for said grants placed in the above described file, made a part hereof as if fully rewritten herein, are hereby approved in all respects.

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

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

Ord. No. 2174-99.

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

An emergency ordinance designating the Shaker Square Redevelopment Area and approving the Shaker Square Area Urban Redevelopment Plan, for purposes of Sections 5709.41 and 5709.42 of the Ohio Revised Code.

Whereas, this Council wishes to designate the Shaker Square Redevelopment Area ("Area") and approve the Shaker Square Area Urban Redevelopment Plan ("Plan") for purposes of Sections 5709.41 and 5709.42 of the Ohio Revised Code; and

Whereas, when authorized by Council by appropriate legislation,

improvements within the Area may be declared to be a public purpose and the owner thereof may be required to make annual service payments in lieu of taxes to the county treasurer; and

Whereas, this ordinance constitutes an emergency measure in that the same provides for the immediate preservation of the public peace, safety, property, and welfare, and for the further reason that designation of the Area and approval of the Plan will stimulate the creation and preservation of job opportunities and advance and promote commercial and economic development in the Area; now, therefore,

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

Section 1. That the Council hereby approves the Shaker Square Area Urban Redevelopment Plan ("Plan") as contained in File No. 2174-99-A, for purposes of Sections 5709.41 and 5709.42 of the Ohio Revised Code.

Section 2. That the Council hereby designates the area more fully described in the Plan as the Shaker Square Redevelopment Area ("Area") for purposes of Sections 5709.41 and 5709.42 of the Ohio Revised Code.

Section 3. That the Council may, by separate legislation, designate improvements within the Area to be a public purpose and the owner thereof may be required to make annual service payments in lieu of taxes to the county treasurer.

Section 4. That the Director of Economic Development is hereby authorized to submit to the Ohio Department of Development a copy of this ordinance and status reports outlining progress of projects within the Area, as required by Section 5709.41(E) of the Ohio Revised Code.

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

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

Ord. No. 2175-99.

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

An emergency ordinance authorizing the Director of Economic Development to enter into agreements with Shaker Square of Ohio, LLC, the Board of Education of the Shaker Heights City School District, and the Board of Commissioners of Cuyahoga County to provide tax increment financing to partially finance certain improvements as part of the Shaker Square Commercial District redevelopment project and to provide for payments to the Shaker Heights City School District, and to declare certain improvements to real property to be a public purpose.

Whereas, by Ordinance No. 2174-99, passed _____, this Council designated the Shaker Square Redevelopment Area ("Area") and approved the Shaker Square Commer-

cial District Area Urban Redevelopment Plan ("Plan"); and

Whereas, pursuant to Section 5709.41 of the Ohio Revised Code, improvements to real property within the Area and consistent with the Plan, may be declared to be a public purpose where fee title to such real property was, at one time, held by the City of Cleveland; and

Whereas, pursuant to the authority of Ordinance No. 2176-99, passed _____, the City acquired fee title to certain real property within the Area, which is more particularly described in the documents set forth in the file described in Section 1 of this ordinance (the "Real Property") prior to adoption of this Ordinance; and

Whereas, pursuant to Section 5709.41 of the Ohio Revised Code, such improvements so declared to be a public purpose may be exempt from real property taxation; and

Whereas, pursuant to Section 5709.42 of the Ohio Revised Code, the owners of such improvements may be required to make annual service payments in lieu of taxes that would have been paid had such improvements not been exempt; and

Whereas, pursuant to Sections 5709.40 and 5709.41 of the Ohio Revised Code, said exemption may exceed 75% of such improvements for up to 30 years with the approval of the board of education of the school district within the territory of which the improvements are or will be located; and

Whereas, the Shaker Heights City School District, pursuant to Resolution No. 99-12-225, dated December 1, 1999, approved the 100% real property tax exemptions for thirty (30) years to be authorized by the Cleveland City Council in this ordinance with respect to the real property improvements to be made on the parcels located in the portion of the Project located within the Shaker Heights City School District, such approval being subject to the condition that a TIF Agreement be entered into with the City of Cleveland incorporating the substance of the terms included in the Cleveland proposal referred to in the Resolution; and

Whereas, the Shaker Heights City School District waived all notice requirements under Ohio Revised Code Sections 5709.40, 5709.41, and 5709.83, or any other law, with respect to all of the aforesaid real property tax exemptions and the City of Cleveland TIF ordinances; and

Whereas, this ordinance constitutes an emergency measure in that the same provides for the immediate preservation of the public peace, safety, property, and welfare, and for the further reason that designation of the Area and approval of the Plan will stimulate the creation and preservation of job opportunities and advance and promote commercial and economic development in the Area; now, therefore,

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

Section 1. That the improvements to be constructed in the Area by Shaker Square of Ohio, LLC ("Redeveloper"), as more fully described in the plans contained in File No. 2175-99-A ("Improvements"), on the Real

a public purpose for purposes of Sections 5709.40, 5709.41 and 5709.42 of the Ohio Revised Code.

Section 2. That one hundred percent (100%) of the Improvements are hereby declared exempt from real property taxation for a period of thirty (30) years.

Section 3. That, pursuant to Section 5709.42 of the Ohio Revised Code, Redeveloper (or the owners of the Improvements) shall make service payments for a period of thirty (30) years in lieu of said exempt taxes to the Cuyahoga County Treasurer, and said payments shall be charged and collected in the same manner, and shall be in an amount not less than the taxes that would have been paid, had the Improvements not been exempt from taxation.

Section 4. That the Director of Economic Development is authorized to enter into one or more agreements with the Board of Education of the Shaker Heights City School District, the Board of Commissioners of Cuyahoga County, and such other parties as may be necessary or appropriate to effectuate the purposes of this ordinance and the various provisions set forth in Resolution No. 99-12-225 of the Shaker Heights City School District and all of the exhibits thereto, contained in the above mentioned file.

Section 5. That a portion of the service payments collected pursuant to Section 3 hereof shall be distributed by the Cuyahoga County to the Treasurer of the Cleveland Public School District in the amount of the taxes that would have been payable to the district had the improvements not been exempt from taxation.

Section 6. That the Director of Economic Development is hereby authorized to enter into an agreement or agreements with Redeveloper to provide for the exemption and service payments described herein, including agreements securing the payments described in Section 3 of this Ordinance, which agreement or agreements shall contain those terms set forth in the Executive Summary contained in the file referenced in Section 1 of this Ordinance and such other terms and conditions as the Directors of Economic Development and Law deem necessary to protect the public interest.

Section 7. That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in open meetings of this Council, and any of its committees that resulted in such formal action were in meetings open to the public in compliance with the law.

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

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

Ord. No. 2176-99.

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

An emergency ordinance authorizing the Director of Economic Development to enter into various agreements relating to the provision of economic development financial assistance for the rehabilitation and redevelopment of the Shaker Square Commercial District (the "Project"); authorizing the Director of Economic Development to enter into one or more contracts for financial assistance for the Project; authorizing the Commissioner of Purchases and Supplies to acquire title to certain property in the Shaker Square Redevelopment Area and to reconvey title to such property to Shaker Square of Ohio, LLC, an Ohio limited liability company, to effectuate the public purpose of the Plan and the Project; and authorizing the execution of various contracts, certifications, and other documents related thereto.

Whereas, the Shaker Square Redevelopment Plan, approved and adopted by the Council of the City of Cleveland by Ordinance No. 2174-99, passed _____, (the "Plan"), contemplates certain rehabilitation and/or redevelopment activities in the Shaker Square Redevelopment Area (the "Area") in accordance with the Plan; and

Whereas, Shaker Square of Ohio, LLC has submitted a proposal for the rehabilitation and redevelopment of the properties commonly known as the Shaker Square Commercial District, which proposed redevelopment provides the best use and best carries out the intent of the Plan; and

Whereas, the acquisition, conveyance, and redevelopment of the Shaker Square Commercial District has been determined to be a satisfactory and desirable method for the implementation of the Plan; and

Whereas, this ordinance constitutes an emergency measure providing for the immediate preservation of the public property, health, and safety in that the authorization of agreements with Shaker Square of Ohio, LLC is necessary so that steps can be undertaken immediately to implement the Plan; now, therefore,

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

Section 1. That the proposal of Shaker Square of Ohio, LLC (hereinafter the "Redeveloper") for the acquisition, conveyance, and redevelopment of the properties commonly known as the Shaker Square Commercial District in the Shaker Square Redevelopment Area is hereby approved.

Section 2. That the Director of Economic Development is hereby authorized to enter into one or more contracts for financial assistance for the Project for the purposes set forth in the executive summary contained in File No. 2176-99-A, and such funds are hereby appropriated for the purposes set forth in said executive summary, the costs of said contracts to be paid from Fund No. 10 SF 501, Request No. 1030.

Section 3. That the terms of the loans described and authorized herein shall be in accordance with the executive summary contained in

the above described file, and shall be in accordance with applicable laws and regulations together with such other terms as the Director shall deem necessary and appropriate to effectuate the intent of the Project.

Section 4. That the Director of Economic Development is hereby authorized to accept such collateral as he shall deem necessary and/or appropriate to secure repayment of said loan, and any security interests or other documents related thereto shall be prepared and approved by the Director of Law.

Section 5. That the Director of Economic Development is hereby authorized to accept monies in repayment of the loans authorized and described above and to deposit said monies in Fund Nos. 10 SF 502, and the fees from the loan authorized and described above shall be deposited in a fund to be established for such purpose.

Section 6. That, notwithstanding and as an exception to the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to acquire the title to all property comprising the Project as more fully described in the above described file and to subsequently reconvey title to such property to the Redeveloper to comply with the requirements of Section 5709.41(B)(1) of the Ohio Revised Code, provided that the consideration for such conveyances shall be nominal consideration as determined by the Board of Control. The Mayor and Commissioner of Purchases and Supplies are hereby authorized to execute any and all documents necessary or appropriate to effectuate the transactions authorized herein.

Section 7. That the agreements authorized pursuant to this Ordinance shall be prepared and approved by the Director of Law and shall contain such provisions as he deems necessary or appropriate to protect the City's interest.

Section 8. That the Mayor, the Directors of Law, Finance, and Economic Development are hereby authorized to execute such certifications and documents and to take such other actions as may be necessary or appropriate to carry out the terms of the agreements authorized in this Ordinance.

Section 9. That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in open meetings of this Council, and any of its committees that resulted in such formal action were in meetings open to the public in compliance with the law.

Section 10. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

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

Ord. No. 2177-99.

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

An emergency ordinance authorizing the Directors of Economic Development and Personnel and Human Resources to enter into contracts with various agencies for the implementation of the Empowerment Zone Labor Force Development Program.

Whereas, the City of Cleveland has received an Economic Development Initiative Grant from the United States Department of HUD to fund Labor Force Development programs for Empowerment Zone residents; and

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

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

Section 1. That the Directors of Economic Development and Personnel and Human Resources are authorized to enter into one or more contracts with various non-profit, for-profit and public agencies selected by said Directors in accordance with the HUD approved Citizen-Participation Process for the Empowerment Zone for the implementation of a comprehensive Labor Force Development Program such contracts to provide job training, job placement, child care support, legal services support, transportation support, career assessments, testing, education, and other related services.

Section 2. That the total cost of all contracts shall not exceed \$1,054,363.00 and shall be paid from Fund No. 18 SF 007, Request No. 13042.

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

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

Ord. No. 2178-99.

By Councilman Britt.

An emergency ordinance designating Euclid Avenue Church of God as a Cleveland Landmark.

Whereas, the Cleveland Landmarks Commission (the "Commission") pursuant to Chapter 161 of the Codified Ordinances of Cleveland, Ohio, 1976, has proposed the designation of Euclid Avenue Church of God as a landmark; and

Whereas, the owner of Euclid Avenue Church of God has been properly notified of the proposed designation and has consented in writing to the proposed designation; and

Whereas, the Commission has recommended designation of Euclid Avenue Church of God as a landmark and has set forth certain findings of fact constituting the basis for its decision; and

Whereas, this ordinance constitutes an emergency measure provid-

ing for the immediate preservation of the public peace, property, health, and safety in that the immediate protection of the historic landmark is necessary to safeguard the special historical, community, or aesthetic interest or value in the landmark; now therefore

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

Section 1. That Euclid Avenue Church of God, whose street address in the City of Cleveland is 8601 Euclid Avenue, N.E., also known as Cuyahoga County Auditor's permanent parcel numbers 119-06-025, 119-06-026, and 119-06-027, and the land embracing the site thereof, which in its entirety is a property having special character or special historical or aesthetic value as part of the development, heritage, or cultural characteristics of the City, State, or the United States, be and it hereby is designated a landmark pursuant to Chapter 161 of the Codified Ordinances of Cleveland, Ohio, 1976.

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

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

FIRST READING EMERGENCY RESOLUTION REFERRED

Res. No. 2180-99.

By Councilman Westbrook (by request).

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

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

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

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

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

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

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

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

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

**FIRST READING
ORDINANCE REFERRED**

Ord. No. 2179-99.

By Councilman Cimperman.
An ordinance to change the Use, Area, and Height Districts of lands bounded by W. Superior Avenue, Lockwood Drive, and Columbus Road, (Map Change No. 2004, Sheet Nos. 1 and 5)

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

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

Beginning on the centerline of Columbus Road, N.W. at its intersection with the centerline of Robert Lockwood Jr. Drive, N.W.; thence northwesterly along the centerline of Robert Lockwood Jr. Drive, N.W. to its intersection with the centerline of West Superior Avenue, N.W.; thence southeasterly along the centerline of West Superior Avenue, N.W. to its intersection with the centerline of Columbus Road, N.W.; thence southerly along the centerline of Columbus Road, N.W. and its southerly prolongation to the place of beginning,

and as outlined in red on the map hereto attached, be and the same is hereby changed to a General Retail Use District, a 'K' Area District and a '6' Height District.

Section 2. That said changed designation of lands described in Section 1 shall be identified as Map Change No. 2004, Sheet Nos. 1 and 5 and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for such purpose by the City Planning Commission.

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

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

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

Ord. No. 2181-99.

By Councilman Cimperman.
An emergency ordinance to amend Section 507.06 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 64310-A, passed September 22, 1924 relating to sidewalk obstructions.

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

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

Section 1. That Section 507.06 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 64310-A, passed September 22, 1924, is hereby amended to read as follows:

Section 507.06 General Prohibition of Sidewalk Obstructions

No person, partnership, firm or corporation shall store, pile, deposit, place or cause or permit to be stored, piled, deposited or placed upon any sidewalk in the City any rubbish, wood, coal, boxes, barrels, stone, brick, lumber, merchandise, shipping case, stands, signs, dirt or other **inanimate** obstructions of any kind, except as hereinafter provided.

Section 2. That existing Section 507.06 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 64310-A, passed September 22, 1924, is hereby repealed.

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

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

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

Ord. No. 2182-99.

By Councilman Cintron.
An emergency ordinance authorizing the Director of Community Development to enter into an agreement with the Spanish American Committee for improvement to their offices at 4407 Lorain Avenue in Ward 14.

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

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

Section 1. That the Director of Community Development to enter into an agreement with the Spanish American Committee for improvement to their offices located at 4407 Lorain Avenue, including but not limited to replacement of the HVAC system, ADA compliance related improvements, and floor and ceiling repairs.

Section 2. That the costs of said contract shall be in an amount not to exceed One Hundred Thousand Dollars (\$100,000.00) and shall be paid from Fund No. 10 SF 166.

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

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

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

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

Ord. No. 2183-99.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 3409 West 50th Street to Living In Cleveland Center or designee.

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

lands situated within the City of Cleveland; and

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No.(s) 016-20-065, as more fully described in Section 2 below, to Living In Cleveland Center or designee.

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

P. P. No. 016-20-065

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 87 in Joseph Storer's Subdivision of part of Original Brooklyn Township Lot No. 46, as shown by the recorded plat in Volume 3 of Maps, Page 35 of Cuyahoga County Records and being 60 feet front on the Easterly side of West 50th Street and extending back of equal width 126.75 feet deep, be the same more or less but subject to all legal highways.

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

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

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

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

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

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

Ord. No. 2184-99.**By Councilman Patmon.**

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with the FAMICOS Foundation to fund certain costs associated with the construction of the Cory-Glenville Community of Shalom Multi-purpose Building to benefit residents in and around the Glenville community.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with the FAMICOS Foundation to fund certain costs associated with the construction of the Cory-Glenville Community of Shalom Multi-purpose Building at 1117 East 105th Street in Ward 8.

Section 2. That the costs of said contract shall be in an amount not to exceed Nineteen Thousand Seven Hundred Twenty-Seven Dollars (\$19,727.00) and shall be paid from Fund No. 10 SF 166.

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

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

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

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

Ord. No. 2185-99.**By Councilman Westbrook.**

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Cudell Improvement Inc. for the renovation of a historic mixed-use building located at 9201 Lorain Avenue in Ward 18.

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

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

Section 1. That the Director of Community Development to enter into an agreement with Cudell Improvement, Inc. for the renovation of a historic mixed-use building located at 9201 Lorain Avenue in Ward 18.

Section 2. That the costs of said contract shall be in an amount not to exceed Fifty-Six Thousand Dollars (\$56,000.00) and shall be paid from Fund No. 10 SF 166.

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

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

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

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

Ord. No. 2186-99.**By Councilman White.**

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with the Union Miles Development Corporation to assist with the renovation of the Miles Park Carnegie Library; to install fencing at the Garrett Morgan Place cul-de-sac; to lease a truck for community maintenance activities; and to fund the preparation of a financial audit.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with the Union Miles Development Corporation to assist with the renovation of the Miles Park Carnegie Library; to install fencing at the Garrett Morgan Place cul-de-sac; to lease a truck for community maintenance activities; and to fund the preparation of a financial audit.

Section 2. That the cost of said contract shall be in an amount not to exceed Eighty Thousand Six Hundred Dollars (\$80,600.00) and shall be paid from Fund No. 10 SF 166.

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

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

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

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

Ord. No. 2188-99.**By Councilman Willis.**

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with the Northeastern Neighborhood Development Corporation for costs associated with construction of the Lakeview Place Housing Project in Ward 9.

Whereas, this ordinance constitutes an emergency measure provid-

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

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

Section 1. That the Director of Community Development to enter into an agreement with the Northeastern Neighborhood Development Corporation for costs associated with the construction of the Lakeview Place Housing Project in Ward 9.

Section 2. That the costs of said contract shall be in an amount not to exceed Six Thousand Dollars (\$6,000.00) and shall be paid from Fund No. 10 SF 166.

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

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

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

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

Ord. No. 2189-99.**By Councilman Westbrook.**

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Cudell Improvement Inc. for the acquisition of property located at 1264 West Boulevard in Ward 18.

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

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

Section 1. That the Director of Community Development to enter into an agreement with Cudell Improvement, Inc. for the acquisition of property located at 1264 West Boulevard in Ward 18.

Section 2. That the costs of said contract shall be in an amount not to exceed One Hundred Thousand Dollars (\$100,000.00) and shall be paid from Fund No. 10 SF 166.

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

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

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

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

**FIRST READING EMERGENCY
RESOLUTIONS READ IN FULL
AND ADOPTED**

Res. No. 2187-99.

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

An emergency resolution urging Home Depot to utilize and employ Cleveland construction firms and workers in the construction and remodeling of its stores in the Cleveland area.

Whereas, Cleveland City Council has continually recognized and championed the rights of laborers in the City of Cleveland and, by passage of numerous resolutions, Council has acknowledged the right of employees to seek safe, fair and productive working conditions and to be paid equitably for their hard work; and

Whereas, Council has, by passage of numerous ordinances and resolutions, emphasized the importance of hiring residents of the City to construct and ultimately staff the many new stores, developments and industries throughout Cleveland, particularly those projects that receive financial assistance from the City of Cleveland; and

Whereas, the hiring of local laborers to construct projects in the City benefits not only those local workers, but also serves to benefit the entire community by generating additional payroll dollars and taxes; and

Whereas, Home Depot is a major retailer that is seeking to rapidly expand its business throughout Northern Ohio and Cleveland; and

Whereas, Home Depot fails to hire local area construction workers to build and remodel their stores and instead brings in laborers in from out of state; and

Whereas, Home Depot's current construction program is violating our community standards and threatens the standard of living of the citizens of Cleveland; and

Whereas, it is the goal of Cleveland City Council to protect and maintain the highest possible standard of living for residents of Cleveland through ensuring jobs for Clevelanders; now, therefore,

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

Section 1. That the Council of the City of Cleveland urges Home Depot to utilize and employ Cleveland construction firms and workers in the construction and remodeling of its stores in the Cleveland area, and that such workers be paid at or above the prevailing wage rates and benefit levels.

Section 2. That the Council urges Home Depot to negotiate a resolution of this issue with the Cleveland Building Trades Council.

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

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

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

Res. No. 2190-99.

By Councilman Cimperman (by request).

An emergency resolution declaring the intention to vacate a portion of Columbus Road N.W., and to vacate, abandon, extinguish and release any rights the City of Cleveland may have in two (2) easements in the elevated roadway, bridge, and slopes, known as Columbus Road N.W. and also known as the Columbus Road Viaduct.

Whereas, this Council; is satisfied that there is good cause to vacate a portion of Columbus Road N.W., and to vacate, abandon, extinguish and release any rights the City of Cleveland may have in two (2) easements in the elevated roadway, bridge, and slopes, known as Columbus Road N.W. and also known as the Columbus Road Viaduct, as hereinafter described, and because they are not used by the City of Cleveland and are no longer need for public use, and

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

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

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

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

COLUMBUS ROAD N.W. (54.39 feet wide) extending Southerly from the Westerly prolongation of the Southerly line of West Superior Avenue N.W. (132.00 feet wide) to the Northerly line of Canal Road N.W. (width varies).

And, to vacate, abandon, extinguish and release any rights the City of Cleveland may have in an easement granted to construct, maintain and operate an elevated roadway and bridge with necessary slopes known as COLUMBUS ROAD N.W. and also known as the COLUMBUS ROAD VIADUCT as shown in Volume 117, Page 6 of Cuyahoga County Map Records;

And, to vacate, abandon, extinguish and release any rights the City of Cleveland may have in a pedestrian easement as provided in Ordinance Number 47814, adopted by the Council of the City of Cleveland on January 6, 1919, and amended by Ordinance Number 67538-A, passed by the Council of the City of Cleveland on April 27, 1925.

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

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

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

Res. No. 2191-99.

By Councilman Westbrook.

An emergency resolution withdrawing objection to the renewal of a D1, D2, D3, D3A and D6 Liquor Permit to 10510-12 Madison, 1st Fl. & Bsmt., and repealing Res. No. 1511-98, objecting to said renewal.

Whereas, this Council objected to the renewal of a D1, D2, D3, D3A and D6 Liquor Permit to 10510-12 Madison, 1st Fl. & Bsmt., by Res. No. 1511-98, adopted August 19, 1998; and

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

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

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

Section 1. That objection to the renewal of a D1, D2, D3, D3A and D6 Liquor Permit to 10510-12 Madison, 1st Fl. & Bsmt., be and the same is hereby withdrawn and Res. No. 1511-98, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

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

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

Res. No. 2192-99.

By Councilman Cintron.

An emergency resolution withdrawing objection to the issuance of a C1 Liquor Permit to 4423 Detroit Avenue, and repealing Res. No. 1998-99, objecting to said issuance.

Whereas, this Council objected to the issuance of a C1 Liquor Permit to 4423 Detroit Avenue, by Res. No. 1998-99, adopted by Council November 15, 1999; and

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

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

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

Section 1. That objection to the issuance of a C1 Liquor Permit to 4423 Detroit Avenue, be and the same is hereby withdrawn and Res.

No. 1998-99, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate issuance thereof.

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

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

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

Res. No. 2193-99.

By Councilman Westbrook.

An emergency resolution objecting to the stock transfer of a D5 and D6 Liquor Permit to 10630 Berea Rd. Rear.

Whereas, Council has been notified by the Director of Liquor Control of an application for the stock transfer of a D5 and D6 Liquor Permit to Permit No. 8840362, 10630 Berea Road Inc., 10630 Berea Rd. Rear, Cleveland, Ohio 44102; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the stock transfer of a D5 and D6 Liquor Permit to Permit No. 8840362, 10630 Berea Road Inc., 10630 Berea Rd.

Rear, Cleveland, Ohio 44102 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

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

Res. No. 2194-99.

By Councilman Cimperman.

An emergency resolution objecting to the stock transfer of a D1, D2, D3 and D3A Liquor Permit to 5353 Dolloff Road.

Whereas, Council has been notified by the Director of Liquor Control of an application for the stock transfer of a D1, D2, D3 and D3A Liquor Permit to Permit No. 2482000, Elkos Inc., 5353 Dolloff Road, Cleveland, Ohio 44127; and

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

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

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

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

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

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

Whereas, this resolution constitutes an emergency measure providing for the immediate preservation of the public peace, property, safety and welfare pursuant to Section 4303.26 of the Ohio Revised Code. Council's objection to said permit must be received by the

Director of Liquor Control within 30 days of notification; now, therefore,

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

Section 1. That Council does hereby record its objection to the stock transfer of a D1, D2, D3 and D3A Liquor Permit to Permit No. 2482000, Elkos Inc., 5353 Dolloff Road, Cleveland, Ohio 44127 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

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

SECOND READING EMERGENCY ORDINANCES PASSED

Ord. No. 316-96.

By Councilmen Paulenske, Johnson, Rybka and Rokakis (by departmental request).

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to convey to the Board of Trustees of the Cleveland Public Library certain easement rights in property known as Eastman Park and declaring said easement rights no longer needed for public use.

Approved by Directors of Parks, Recreation and Properties, City Planning Commission, Finance, Law; Relieved of Committee on City Planning; Recommended by Committees on Public Parks, Property and Recreation, Finance.

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

Ord. No. 1164-96.

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

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to purchase a site for a east side maintenance facility at 6410-12 Central Avenue, for the Division of Parks Maintenance, Department of Parks, Recreation and Properties.

Approved by Directors of Parks, Recreation and Properties, City Planning Commission, Finance, Law; Relieved of Committee on City Planning; Recommended by Committees on Public Parks, Property and Recreation, Finance; when amended as follows:

1. In the title, strike lines 6, 7 and 8 in their entirety and insert in lieu thereof the following: **"for the Department of Community Development."**

2. In Section 2, lines 1 and 2, strike "Parks, Recreation and Properties" and insert in lieu thereof **"Community Development"**.

Amendments agreed to.

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

In compliance with Section 33 of the Charter, a copy of the legislation was furnished to each member of Council before final passage.

Ord. No. 1816-98.

By Councilmen Cimperman, Willis, Rybka 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 on the north side of Branch Avenue between West 11th and West 14th Street to Triple Crown Investment.

Approved by Directors of Parks, Recreation and Properties, City Planning Commission, Finance, Law; Relieved of Committee on City Planning; Recommended by Committees on Public Parks, Property and Recreation, Finance.

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

Ord. No. 1266-99.

By Councilmen Jackson and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Community Development to expend funds and to enter into contract with various non-profit agencies for the implementation of the Emergency Shelter Grant Program and with Cuyahoga County for the operation of the Cleveland/Cuyahoga County Office of Homeless Services.

Approved by Directors of Community Development, Finance, Law; Recommended by Committees on Community and Economic Development, Finance; when amended as follows:

1. Insert new Section 2 to read as follows:

"Section 2. That the contract with Cleveland Health Care for the Homeless shall specify that services shall be provided to Mental Health Services, Inc. located at 1701 Payne, Cleveland, Ohio and the Salvation Army facility located at 2100 Lakeside Avenue, Cleveland, Ohio."

2. Renumber existing Sections 2, 3, 4 and 5, respectively, to **"Section 3"**, **"Section 4"**, **"Section 5"** and **"Section 6"**.

Amendments agreed to.

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

In compliance with Section 33 of the Charter, a copy of the legislation was furnished to each member of Council before final passage.

Ord. No. 1414-99.

By Councilmen Willis and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Public Utilities to employ one or more professional consultants to design, provide and install a comprehensive security system, including maintenance and

training; authorizing the purchase by contract of labor and materials necessary to provide and install fencing, gates, barriers, and related items for the Divisions of Water, Cleveland Public Power and Water Pollution Control, Department of Public Utilities.

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

1. In Section 1, at the end, add the following: **"Prior to presenting a resolution to the Board of Control for the selection of consultant(s), the Director of Public Utilities shall resort to the Committee on Public Utilities concerning the results of the canvass, including the Director's anticipated recommendation to the Board of Control and the compensation proposed to be paid for the services."**

Amendment agreed to.

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

In compliance with Section 33 of the Charter, a copy of the legislation was furnished to each member of Council before final passage.

Ord. No. 1419-99.

By Councilmen Sweeney, Westbrook and Johnson (by departmental request).

An emergency ordinance determining the method of making the public improvement of constructing roadway modifications to the West Hangar Road at Cleveland Hopkins International Airport, including all site improvements and appurtenances necessary and incidental; authorizing said director to enter into contract for the making of the improvement; and to employ one or more architects or engineers necessary to design the improvement.

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

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

"An emergency ordinance authorizing the Director of Port Control to employ architects or engineers to provide professional services necessary to design roadway modifications to the West Hangar Road at Cleveland Hopkins International Airport."

2. In the whereas clause, line two, after "department" insert the following **"and because the rehabilitation of the West Hangar Road is vital for the continued expansion and development of the Airport operations pursuant to the Master Plan, and because this upgrade is necessary for providing access to the West Side Cargo ramp facility and the proposed Consolidated Maintenance Facility."**

3. Strike Sections 1 and 2 in their entirety.

4. Renumber existing Sections 3 and 4, respectively to new **"Section 1"** and **"Section 2"**.

5. In existing Section 3, strike lines 7 and 8 in their entirety and insert in lieu thereof the following: **"preparation of plans and specifications necessary for the roadway modifications to the West Hangar**

Road at Cleveland Hopkins International Airport, including all site improvements and appurtenances necessary and incidental thereto, for the Division of Cleveland Hopkins International Airport, Department of Port Control."

6. After existing Section 4, add new "Section 3" to read as follows:

"Section 3. That if the total cost of the contracts authorized herein exceeds four hundred thirty one thousand dollars (\$431,000.00), then Council must authorize the additional expenditures."

7. Renumber existing Section 5 to new **"Section 4"**.

Amendments agreed to.

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

In compliance with Section 33 of the Charter, a copy of the legislation was furnished to each member of Council before final passage.

Ord. No. 1568-99.

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

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with True Resource, Inc. to provide economic development assistance to partially finance the acquisition of machinery and equipment and to renovate the facility located at 2686 Lisbon Road, Cleveland, Ohio.

Approved by Directors of Economic Development, City Planning Commission, Finance, Law; Relieved of Committee on City Planning; Recommended by Committees on Community and Economic Development, Finance.

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

Ord. No. 1569-99.

By Councilmen Jones, 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 in Block C-1 of the Cleveland Industrial Park to the Jaylin Group, Inc.

Approved by Directors of Economic Development, City Planning Commission, Finance, Law; Relieved of Committee on City Planning; Recommended by Committees on Community and Economic Development, Finance.

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

Ord. No. 1658-99.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 3902-08 Franklin Boulevard to Mark G. Pokrandt.

Approved by Directors of Community Development, City Planning Commission, Finance, Law; Relieved of Committee on City Planning; Recommended by Committees on Community and Economic Development, Finance.

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

Ord. No. 1659-99.

By Councilmen Britt, 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 at the northeast corner of East 105th Street and Euclid Avenue to the Cleveland Clinic Foundation.

Approved by Directors of Community Development, City Planning Commission, Finance, Law; Relieved of Committee on City Planning; Recommended by Committees on Community and Economic Development, Finance.

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

Ord. No. 1660-99.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 13113 Gilmore Avenue to Lillian Flores.

Approved by Directors of Community Development, City Planning Commission, Finance, Law; Relieved of Committee on City Planning; Recommended by Committees on Community and Economic Development, Finance.

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

Ord. No. 1661-99.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 13218 Thornhope Road to Henry C. Neely and Geraldine Neely.

Approved by Directors of Community Development, City Planning Commission, Finance, Law; Relieved of Committee on City Planning; Recommended by Committees on Community and Economic Development, Finance.

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

Ord. No. 1750-99.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 2921 Alpine Street to Laura M. Little.

Approved by Directors of Community Development, City Planning Commission, Finance, Law; Relieved of Committee on City Planning; Recommended by Committees on Community and Economic Development, Finance.

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

Ord. No. 1752-99.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program

and located at 7510 Lorain Avenue to William J. Ripcho.

Approved by Directors of Community Development, City Planning Commission, Finance, Law; Relieved of Committee on City Planning; Recommended by Committees on Community and Economic Development, Finance.

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

Ord. No. 1756-99.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 12407 Harvard Avenue to Anthony R. Ford and Alletrius M. Ford.

Approved by Directors of Community Development, City Planning Commission, Finance, Law; Relieved of Committee on City Planning; Recommended by Committees on Community and Economic Development, Finance.

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

Ord. No. 1758-99.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 9604 Nelson Avenue to Gail F. Stubbs.

Approved by Directors of Community Development, City Planning Commission, Finance, Law; Relieved of Committee on City Planning; Recommended by Committees on Community and Economic Development, Finance.

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

Ord. No. 1759-99.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located east of 9122 Saxe Avenue to Ernest R. D'Amato and Kathleen D'Amato.

Approved by Directors of Community Development, City Planning Commission, Finance, Law; Relieved of Committee on City Planning; Recommended by Committees on Community and Economic Development, Finance.

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

Ord. No. 1760-99.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 12713 Longmead Avenue to John C. Bella and Alice F. Bella.

Approved by Directors of Community Development, City Planning Commission, Finance, Law; Relieved of Committee on City Planning; Recommended by Committees on Community and Economic Development, Finance.

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

Ord. No. 1816-99.

By Councilmen Willis and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by contract of not to exceed forty five pieces of equipment necessary for distribution maintenance, for the Division of Water, Department of Public Utilities.

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

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

Ord. No. 1840-99.

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

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to grant to FirstEnergy Corp. certain easement rights in property located in the vicinity of 2519 Market Avenue and declaring said easement rights no longer needed for public use.

Approved by Directors of Parks, Recreation and Properties, City Planning Commission, Finance, Law; Relieved of Committee on City Planning; Recommended by Committees on Public Parks, Property and Recreation, Finance.

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

Ord. No. 1842-99.

By Councilmen Cimperman, Willis, 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 on the east side of West 15th Street between Abbey Road and Fairfield Road to 1501 Companies, Ltd. for business development.

Approved by Directors of Parks, Recreation, and Properties, City Planning Commission, Finance, Law; Relieved of Committee on City Planning; Recommended by Committees on Public Parks, Property, and Recreation, Finance; when amended as follows:

1. Insert new Section 3 to read as follows:

"Section 3. That prior to conveyance of the above-described property, a landscape plan shall be presented to and approved by the Director of the City Planning Commission."

2. Renumber existing Sections 3 and 4, respectively, to new **"Section 4"** and **"Section 5"**.

Amendments agreed to.

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

In compliance with Section 33 of the Charter, a copy of the legislation was furnished to each member of Council before final passage.

Ord. No. 1843-99.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program

and located at 903 East 147th Street to Edna B. Franklin.

Approved by Directors of Community Development, City Planning Commission, Finance, Law; Relieved of Committee on City Planning; Recommended by Committees on Community and Economic Development, Finance; when amended as follows:

1. In Section 5, at the end, strike the period and insert in lieu thereof the following: **"including such restrictive covenants and reversionary interests as may be specified by the Board of Control, the Director of Community Development or the Director of Law."**

Amendment agreed to.

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

In compliance with Section 33 of the Charter, a copy of the legislation was furnished to each member of Council before final passage.

Ord. No. 1847-99.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 2138 West 96th Street to Cecily Annette Lewis, a.k.a. Cecily A. Lewis.

Approved by Directors of Community Development, City Planning Commission, Finance, Law; Relieved of Committee on City Planning; Recommended by Committees on Community and Economic Development, Finance; when amended as follows:

1. In Section 5, at the end, strike the period and insert in lieu thereof the following: **"including such restrictive covenants and reversionary interests as may be specified by the Board of Control, the Director of Community Development or the Director of Law."**

Amendment agreed to.

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

In compliance with Section 33 of the Charter, a copy of the legislation was furnished to each member of Council before final passage.

Ord. No. 1848-99.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 3792 East 114th Street to Donnell Tate, Jr.

Approved by Directors of Community Development, City Planning Commission, Finance, Law; Relieved of Committee on City Planning; Recommended by Committees on Community and Economic Development, Finance; when amended as follows:

1. In Section 5, at the end, strike the period and insert in lieu thereof the following: **"including such restrictive covenants and reversionary interests as may be specified by the Board of Control, the Director of Community Development or the Director of Law."**

Amendment agreed to.

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

In compliance with Section 33 of the Charter, a copy of the legislation was furnished to each member of Council before final passage.

Ord. No. 1853-99.

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

An emergency ordinance authorizing the Director of Economic Development to enter into an Enterprise Zone Agreement with Actron Manufacturing Company to provide for a ten year abatement for certain tangible personal property and real estate taxes as an incentive to acquire machinery, equipment, furniture and fixtures and to expand its operation by relocating to and renovating a facility located at 15825 Industrial Parkway in the Cleveland Area Enterprise Zone.

Approved by Directors of Economic Development, City Planning Commission, Finance, Law; Relieved of Committee on City Planning; Recommended by Committees on Community and Economic Development, Finance.

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

Ord. No. 1872-99.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 5916 Utica Avenue to Barbara Thompson.

Approved by Directors of Community Development, City Planning Commission, Finance, Law; Relieved of Committee on City Planning; Recommended by Committees on Community and Economic Development, Finance; when amended as follows:

1. In Section 5, at the end, strike the period and insert in lieu thereof the following: **"including such restrictive covenants and reversionary interests as may be specified by the Board of Control, the Director of Community Development or the Director of Law."**

Amendment agreed to.

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

In compliance with Section 33 of the Charter, a copy of the legislation was furnished to each member of Council before final passage.

Ord. No. 1873-99.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at the Easterly part of 1552 Addison Road to Michelle Denise Lewis.

Approved by Directors of Community Development, City Planning Commission, Finance, Law; Relieved of Committee on City Planning; Recommended by Committees on Community and Economic Development, Finance; when amended as follows:

1. In Section 5, at the end, strike the period and insert in lieu thereof the following: **"including such restrictive covenants and reversionary interests as may be specified by the Board of Control, the Director of Community Development or the Director of Law."**

Amendment agreed to.

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

In compliance with Section 33 of the Charter, a copy of the legislation was furnished to each member of Council before final passage.

Ord. No. 1874-99.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 7518 Melrose Avenue to Harry Arrington.

Approved by Directors of Community Development, City Planning Commission, Finance, Law; Relieved of Committee on City Planning; Recommended by Committees on Community and Economic Development, Finance; when amended as follows:

1. In Section 5, at the end, strike the period and insert in lieu thereof the following: **"including such restrictive covenants and reversionary interests as may be specified by the Board of Control, the Director of Community Development or the Director of Law."**

Amendment agreed to.

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

In compliance with Section 33 of the Charter, a copy of the legislation was furnished to each member of Council before final passage.

Ord. No. 1875-99.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 6802 Quimby Avenue to Bertha Williams.

Approved by Directors of Community Development, City Planning Commission, Finance, Law; Relieved of Committee on City Planning; Recommended by Committees on Community and Economic Development, Finance; when amended as follows:

1. In Section 5, at the end, strike the period and insert in lieu thereof the following: **"including such restrictive covenants and reversionary interests as may be specified by the Board of Control, the Director of Community Development or the Director of Law."**

Amendment agreed to.

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

In compliance with Section 33 of the Charter, a copy of the legislation was furnished to each member of Council before final passage.

Ord. No. 1876-99.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 1614 East 85th Street to Patrick Prince.

Approved by Directors of Community Development, City Planning Commission, Finance, Law; Relieved of Committee on City Planning; Recommended by Committees on Community and Economic Development, Finance; when amended as follows:

1. In Section 5, at the end, strike the period and insert in lieu thereof the following: **"including such restrictive covenants and reversionary interests as may be specified by**

the Board of Control, the Director of Community Development or the Director of Law."

Amendment agreed to.
The rules were suspended. Yeas 18. Nays 0. Read third time in full. Passed. Yeas 18. Nays 0.

In compliance with Section 33 of the Charter, a copy of the legislation was furnished to each member of Council before final passage.

Ord. No. 1877-99.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 8316 Linwood Avenue to Archie Ross and Anna Ross.

Approved by Directors of Community Development, City Planning Commission, Finance, Law; Relieved of Committee on City Planning; Recommended by Committees on Community and Economic Development, Finance; when amended as follows:

1. In Section 5, at the end, strike the period and insert in lieu thereof the following: **"including such restrictive covenants and reversionary interests as may be specified by the Board of Control, the Director of Community Development or the Director of Law."**

Amendment agreed to.

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

In compliance with Section 33 of the Charter, a copy of the legislation was furnished to each member of Council before final passage.

Ord. No. 1976-99.

By Councilmen Westbrook, Melema, Cimperman and Patmon (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 at 2201 West 93rd Street to West Tech LLC for the development of housing.

Approved by Directors of Community Development, City Planning Commission, Finance, Law; Relieved of Committee on City Planning; Recommended by Committees on Community and Economic Development, Finance; when amended as follows:

1. In the title, at the end, strike the period and insert the following language: **"; authorizing the Directors of Economic Development and Community Development to enter into a Neighborhood Development Investment Fund contract with WTech, LLC to provide economic development assistance to partially finance the renovation of the former West Technical High School for rental housing located at 2201 W. 93rd Street, Cleveland, Ohio; authorizing the Director of Community Development to enter into a project agreement with WTech, LLC for the acquisition, clearance and redevelopment of certain lands located at 2201 W. 93rd Street."**

2. Insert the following whereas clauses after the first one:

"Whereas, through Ordinance No. 56-94, passed June 13, 1994, the City established the Neighborhood Development Investment Program and the Neighborhood Development Investment Fund (NDIF) for the purposes of stimulating the development of major opportunities for job creation,

retention, and expansion in the City's neighborhoods; and

Whereas, WTech, LLC, has submitted a proposal which the Director of Community Development has determined to be a satisfactory means of achieving the purposes of elimination and prevention of blighting influence at 2201 West 93rd Street; and"

3. Insert new Sections 2 to 16 to read as follows:

"Section 2. That, subject to the provisions of Section 9 of this ordinance, the Directors of Economic Development and Community Development are hereby authorized to enter into a Neighborhood Development Investment Fund contract with WTech, LLC to provide for the economic development assistance to partially finance the renovation of the former West Technical High School located at 2201 West 93rd Street, Cleveland, Ohio into 184 units of market rate rental housing.

Section 2. That the terms of said contract shall comply with the requirements of the Neighborhood Development Investment Program and NDIF, as set forth in Section 1 of Ordinance No. 56-94, passed June 13, 1994, and shall be in accordance with the terms as set forth in the Executive Summary contained in File No. _____, except that under the heading "Special Conditions"; the second condition of the Executive Summary is hereby amended to read as follows:

"2. The City will require best efforts by the borrower and its tenants to employ 30% of construction contracts and supplier purchase orders for the project to minority-owned businesses and 10% to female-owned businesses."

The terms of the City of Cleveland NDIF Loan, as repeated in the Executive Summary, shall be as follows:

The City will cross-collateralize the loan and have a third mortgage on the apartments and a 1st mortgage on the athletic field. The loan term will be 12 year/25 year amortization with a balloon payment due at maturity. The interest rate will be 0% for the first three years, then 4% thereafter. Upon successful completion of Phase II, the interest rate will be reduced to 3%. The mortgage on the athletic field will be released upon commencement of Phase II.

No payments will be due during the first three years, followed by interest only the next 4 years of operation. The loan then fully amortizes in year eight based on a 25 year schedule.

The City will not close its loan until firm financing commitments for both the construction and permanent financing have been issued and accepted by the Developers.

The terms of this loan as set forth herein shall not be changed unless first authorized by an ordinance of Council.

Section 4. That the costs of said contract shall not exceed Two Million Dollars (\$2,000,000.00), and shall be paid from Fund No. 10 SF 501, Request No. 1175.

Section 5. That the Directors of Economic Development and Community Development are hereby authorized to accept collateral as set forth in the Executive Summary contained in the file referenced in Section 3 of this ordinance in order to secure repayment of said loan. Any security instrument shall be pre-

pared and approved by the Director of Law.

Section 6. That the Directors of Economic Development and Community Development are hereby authorized to accept monies in repayment of such loan and to deposit said monies in Fund No. 10 SF 502.

Section 7. That the Directors of Economic Development and Community Development are hereby authorized to charge and accept fees in an amount not to exceed the maximum allowable under federal regulations and expend such fees to cover costs incurred in the preparation of the loan application, closing and servicing of the loan. Such fees shall be deposited to and expended from Fund No. 17 SF 305, Loan Fees Fund.

Section 8. That the Director of Law is hereby authorized to prepare said contract and such other documents as may be appropriate to complete the transaction.

Section 9. That, prior to entering into any contract authorized herein, the Director of Finance is required and hereby is directed to certify that said contract is in compliance with the provision of Section 1 of Ordinance No. 56-94 regarding the use of such funds for construction and/or rehabilitation of housing units within the City, and to certify that appropriated funds equal to the contract amount set forth in Section 4 of this ordinance are available to be allocated to such contract.

Section 10. That notwithstanding and as an exception to the provision of Title V of the Community Development Code and Chapters 181 and 183 in the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Community Development is authorized to enter into and execute a project agreement for and on behalf of the City of Cleveland with WTech, LLC, (the "Redeveloper") for the acquisition, disposition and private redevelopment for the property located at 2201 W. 93rd Street, Cleveland, Ohio.

Section 11. That the project agreement authorized by this Ordinance shall include without limitation the following terms and conditions:

(a) an agreement by the City of Cleveland to convey, by official deed or deeds, certain property more fully described in this ordinance; provided that the deed or deeds shall contain such restrictive covenants, reversionary interests or similar provisions as may, in the judgment of the Director of Community Development, be required to insure the elimination of conditions of blight and deterioration and for the prevention of recurrence of said conditions;

(b) a commitment by the Redeveloper to comply with all Federal and state real property acquisition requirements, including without limitation relocation assistance, to the extent Federal or state funding is used for acquisition;

(c) a commitment by the Redeveloper to pay all costs of demolition required to develop the property; and

(d) such other requirements as the Director of Community Development may deem necessary to protect the interests of the City of Cleveland.

(e) that Redeveloper shall present all design drawings, specifications, and other construction documents to the City Planning Commission and its Design Review Committee for

approval prior to the issuance of permits by the Division of Building and Housing.

Section 12. That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the property referenced above may be conveyed to the Redeveloper pursuant to the project agreement and is more fully described in Section 1 of this ordinance.

Section 13. That this Council finds the conveyance to the Redeveloper of the property described above, for the purposes of redevelopment, constitute a public use of said property.

Section 14. That by and at the direction of the Board of Control, the Commissioner of Purchases and Supplies is authorized to convey the property described herein at a price not less than the fair reuse value. As used in this Section, "fair reuse value" means the fair market value of the property taking into account all restrictions, reversionary interests and similar encumbrances placed by the City of Cleveland in the deed or deeds of conveyance.

Section 15. That the conveyance to the Redeveloper shall be made by official quitclaim deed to be prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain provisions including such restrictive covenants and reversionary interests as may be specified by the Board of Control, or Director of Law protecting the parties as their respective interests require and shall specifically contain a provision against the erection of any advertising signs or billboards except permitted identification signs.

Section 16. That the Mayor, the Director of Community Development, the Director of Law, and appropriate City officials are authorized to execute such certifications and documents, and take such other actions as may be necessary or appropriate in connection with carrying out the terms of the project agreement."

4. Strike existing Section 2 and 3 in their entirety.

5. Re-number existing Section 4 to new "Section 17".

Amendments agreed to.

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

In compliance with Section 33 of the Charter, a copy of the legislation was furnished to each member of Council before final passage.

Ord. No. 1979-99.

By Councilmen Cintron, Gordon, O'Malley, Melena, Westbrook, Cimperman and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into a grant agreement with Neighborhood Health Care, Inc. d.b.a. Neighborhood Family Practice to provide economic development assistance to support leasehold improvement costs for their facility located at 3569 Ridge Road, Cleveland, Ohio 44102.

Approved by Directors of Economic Development, City Planning Commission, Finance, Law; Relieved of Committee on City Planning; Recommended by Committees on Community and Economic Development, Finance.

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

Councilman Coats left the meeting after declaring a conflict of interest with Ordinance No. 1980-99.

Ord. No. 1980-99.

By Councilmen Melena and Patmon (by departmental request).

An emergency ordinance to amend the fifth whereas clause, Section 1 and Section 2 of Ordinance No. 1742-88, passed July 14, 1988, relating to an Enterprise Zone Agreement between the City of Cleveland and LTV Steel Company, Inc.; and to amend Contract No. 41275 relative thereto.

Approved by Directors of Economic Development, City Planning Commission, Finance, Law; Relieved of Committee on City Planning; Recommended by Committees on Community and Economic Development, Finance.

The rules were suspended. Yeas 17. Nays 0. Read third time in full. Passed. Yeas 17. Nays 0.

Councilman Coats entered the meeting.

Ord. No. 1982-99.

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

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Manufacturing Road, LLC to provide economic development assistance to partially finance the acquisition of a building at 4700 Manufacturing Road, Cleveland, Ohio 44135.

Approved by Directors of Economic Development, Finance, Law; Recommended by Committees on Community and Economic Development, Finance.

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

Ord. No. 2061-99.

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

An emergency ordinance authorizing the Director of Economic Development to enter into a Neighborhood Development Investment Fund contract with C.A.J. Properties, Inc., to provide economic development assistance to partially finance the acquisition of property and the construction of a new cement mixing facility, located at 5000 Crayton Avenue, Cleveland, Ohio.

Approved by Directors of Economic Development, City Planning Commission, Finance, Law; Relieved of Committees on Community and Economic Development, City Planning; Recommended by Committee on Finance.

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

Ord. No. 2093-99.

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

An emergency ordinance to amend Section 3 of Ordinance No. 1776-A-90, passed April 22, 1991, as amended by Ordinance No. 960-99, passed June 7, 1999, relating to and establishing the City of Cleveland as a Community Reinvestment Area, except the area defined as the "Downtown Plan Area" by the Civic Vision 2000 Plan.

Approved by Directors of Community Development, City Planning Commission, Finance, Law; Relieved of Committee on City Planning; Recommended by Committees on Community and Economic Development, Finance.

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

Ord. No. 2095-99.

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

An emergency ordinance to amend Section 5 of Ordinance No. 2831-86, passed February 9, 1987, as amended by Ordinance No. 1171-94, passed July 20, 1994, and Ordinance No. 959-99, passed June 7, 1999, 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.

Approved by Directors of Community Development, City Planning Commission, Finance, Law; Relieved of Committee on City Planning; Recommended by Committees on Community and Economic Development, Finance.

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

**SECOND READING
ORDINANCES PASSED**

Ord. No. 1131-99.

By Councilman Rybka.

An ordinance to change the Use District of lands on the north side of Grant Avenue, S.E., to the north side of War Avenue, S.E. to the east side of E. 66 Street to west of E. 68 Street (Map Change No. 1995, Sheet No. 6)

Approved by Directors of City Planning Commission, Law; Recommended by Committee on City Planning.

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

Ord. No. 1270-99.

By Councilman O'Malley.

An ordinance to change the Use District of lands on the southerly side of Carlos Ave., S.W., and the easterly side of W. 47 Street (Map Change No. 1997, Sheet No. 2).

Approved by Directors of City Planning Commission, Law; Recommended by Committee on City Planning.

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

Ord. No. 1271-99.

By Councilman Jones.

An ordinance to change the Use District of lands on the southerly side of the Erie Railroad tracks between E. 146 Street and west of E. 154 Street (Map Change No. 1994, Sheet No. 10).

Approved by Directors of City Planning Commission, Law; Recommended by Committee on City Planning.

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

Ord. No. 1433-99.

By Councilman Cintron.

An ordinance to establish a Planned Unit Development Overlay District and approve the corresponding Planned Unit Development project on properties located on the northwest and southwest corners of

Center Street and Riverbed and the southeast corner of Center Street and Washington, and shown as Map Change No. 1991, Sheet No. 1; and to change the use and area districts on said parcels of land. (Map Change No. 1991, Sheet No. 1)

Approved by Director of City Planning Commission, Law; Recommended by Committee on City Planning; when amended as follows:

1. In Section 1, strike the legal description in its entirety and insert in lieu thereof the following:

"Beginning at the intersection of the southeasterly extension of the northeasterly line of Sublot No. 570 in the Buffalo Company Allotment as recorded in Volume 3, Page 51 and D.B. N13-39 of the Cuyahoga County Map Records and the center line of Riverbed Street, N.W.; thence southwesterly along said center line of Riverbed Street, N.W. to its intersection with the southeasterly extension of the southwesterly line of Sublot No. 755 in said Buffalo Company Allotment; thence northwesterly along said southeasterly extension and along said southwesterly line of said Sublot No. 755 to its intersection with the southwesterly line of Sublot No. 754 in said Buffalo Company Allotment; thence northwesterly along said southwesterly line of said Sublot No. 754 to its intersection with the northwesterly line thereof; thence northeasterly along said northwesterly line of said Sublot No. 754 to its intersection with the northwesterly line thereof; thence northeasterly along said northwesterly line of said Sublot No. 754 to its intersection with the northwesterly line of said Sublot No. 751, 750, and 749 in said Buffalo Company Allotment to its intersection with the northeasterly line of Sublot No. 1 in the Buffalo Company D.B. Subdivision as recorded in Volume 22, Page 609 of the Cuyahoga County Map Records; thence southeasterly along said northeasterly line of said Sublot No. 1 and continuing southeasterly along the northeasterly lines of Sublots Nos. 1, 2, 3, and 4 in said Buffalo Company D.B. Subdivision to its intersection with the northwesterly line thereof; thence northeasterly along said northwesterly line of said Sublot No. 4 and continuing northeasterly along the northwesterly line of Sublot No. 5 in said Buffalo Company D.B. Subdivision to its intersection with the northwesterly line thereof; thence southeasterly along said northeasterly line of said Sublot No. 5 to its intersection with the southeasterly line of Permanent Parcel No. 3-18-19; thence northeasterly along said southeasterly line of said Permanent Parcel No. 3-18-19 to its intersection with the northeasterly line thereof; thence northwesterly along said northeasterly line of said Permanent Parcel No. 3-18-19 to its intersection with the southeasterly line thereof; thence northeasterly along said southeasterly line of said Permanent Parcel No. 3-18-19 and along its northeasterly extension to the center line of Center Street, N.W.; thence southeasterly along said center line of Center Street, N.W. to its intersection with the southwesterly extension of the southeasterly line of Sublot No. 562 in said Buffalo Company Allotment; thence northeasterly along said southeasterly line of said Sublot No. 562 to its intersection with said northeasterly line of said Sublot No. 520; thence southeasterly along said northeasterly line of said Sublot No. 520 and along its southeasterly extension to the place of beginning."

Amendment agreed to.

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

Ord. No. 1434-99.

By Councilman O'Malley.

An ordinance to change the Use District of lands on the northwest, southwest, and northeast corners of Carlos Ave., S.W., and W. 47 Street (Map Change No. 1998, Sheet No. 2).

Approved by Director of City Planning Commission, Law; Recommended by Committee on City Planning.

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

Ord. No. 1600-99.

By Councilman Melena.

An ordinance to change the Use and Area Districts of lands on the north side of Bridge Avenue, N.W. and the west side of West 52 Street. (Map Change No. 1999, Sheet No. 1)

Approved by Directors of City Planning Commission, Law; Recommended by Committee on City Planning.

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

THIRD READING EMERGENCY ORDINANCES PASSED

Ord. No. 1707-99.

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

An emergency ordinance authorizing the Director of Public Service to enter into a second amendment to Contract No. 52806 with Dodson Stillson and Associates for professional design services necessary to design the rehabilitation of East 40th Street, Phase III.

Read third time. Passed. Yeas 18. Nays 0.

Ord. No. 1708-99.

By Councilmen Cimperman, Lewis, Jackson, Rybka, Sweeney, Robinson and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Public Service to enter into a first amendment to Contract No. 52878 with Michael Benza and Associates for professional design services necessary to design the rehabilitation of East 55th Street, Phase III.

Read third time. Passed. Yeas 18. Nays 0.

Ord. No. 1905-99.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Public Service to enter into a requirement contract without competitive bidding with Pavement Technology for the purchase of reclaimer asphalt rejuvenating agent, for the Division of Streets, Department of Public Service.

Read third time. Passed. Yeas 18. Nays 0.

Ord. No. 1961-99.

By Councilmen Cintron and Patmon (by departmental request).

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

Read third time. Passed. Yeas 18. Nays 0.

Ord. No. 2041-99.

By Councilman Patmon (by departmental request).

An emergency ordinance authorizing the Director of Finance to solicit proposals from one or more

financial institutions for the installation, operation and maintenance of one or more automatic teller machines.

Read third time. Passed. Yeas 18. Nays 0.

Ord. No. 2042-99.

By Councilman Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of long distance telephone service for all City exchanges and one or more concession agreements for long distance service to coin operated telephones and the provision of prepaid debit/calling card services for a period of three years, for the Division of Information System Services, Department of Finance.

Read third time. Passed. Yeas 18. Nays 0.

Ord. No. 2043-99.

By Councilman Patmon (by departmental request).

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

Read third time. Passed. Yeas 18. Nays 0.

THIRD READING EMERGENCY RESOLUTIONS ADOPTED

Res. No. 2063-99.

By Councilman Patmon (by departmental request).

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

Read third time. Adopted. Yeas 18. Nays 0.

Res. No. 2064-99.

By Councilman Patmon (by departmental request).

An emergency resolution requesting the County Auditor to make tax advances during the year 2000 pursuant to Section 321.34, Ohio Revised Code.

Read third time. Adopted. Yeas 18. Nays 0.

MOTION

By Councilman Robinson, seconded by Councilman Melena and unanimously carried that the absence of Councilman Patricia J. Britt, Councilman Kenneth L. Johnson and Councilman Robert J. White, be and is hereby authorized.

The Council adjourned at 8:55 p.m. to meet at the Call of the Chair.



Clerk of Council

THE CALENDAR

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

NONE

BOARD OF CONTROL

December 8, 1999

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, December 8, 1999, at 11:00 a.m., with Mayor White presiding.

Present: Mayor White, Directors Carter, Carmody, Konicek, Balraj, Ricchiuto, Whitlow, Acting Director Sheperd, Directors Jackson, Hudecek, Patterson, Warren, Axelrod.

Absent: None.

Others: Myrna Branche, Commissioner, Purchases and Supplies, Linda Walker, Acting Director, Office of Equal Opportunity.

On motion, the following resolutions were adopted.

Resolution No. 792-99.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland, the bid of Royal Landscape, Inc. for the public improvement of Cardinal Mindzenty Plaza Renovations Phase II and a 10% contingency allowance for the Division of Water, Department of Public Utilities, received on October 8, 1999, pursuant to the authority of Ordinance No. 2096-92, passed December 14, 1992 and Ordinance No. 1254-92, passed June 15, 1992, for a unit basis for the improvement in the aggregate amount of Two Hundred Seventy Nine Thousand Five Hundred Ninety Six Dollars and Fifty Seven Cents (\$279,596.57) is hereby affirmed and approved as the lowest responsible bid; and the Director of Public Utilities is hereby authorized to enter into contract for said improvement with said bidder.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by Royal Landscape, Inc., for the above-mentioned public improvement is hereby approved:

SUBCONTRACTOR	WORK
Cook Paving & Construction	MBE \$42,700.00
Barrow Sign	FBE \$1,270

Yeas: Mayor White, Directors Carmody, Konicek, Balraj, Ricchiuto, Whitlow, Acting Director Sheperd, Directors Jackson, Hudecek, Patterson, Warren, Axelrod.

Nays: None.

Absent: Director Carter.

Resolution No. 793-99.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authority of Ordinance No. 453-99, passed by the Council of the City of Cleveland on May 17, 1999, Occupational Compliance Group, is hereby selected from a list of firms determined after a full and complete canvass by the Director of Public Utilities, as the firm to be employed by contract to provide all HAZWOPER safety training services for a period of two years on an as needed basis, for the Division of Water, Department of Public Utilities.

Be it further resolved that the Director of Public Utilities hereby is requested to enter into a contract with

Occupational Compliance Group based upon its proposal dated September 24, 1999, which contract shall be prepared by the Director of Law, shall provide for furnishing of professional services as contained in said proposal, for an aggregate fee not in excess of \$96,620.00, and shall contain such additional provisions as the Director of Law deems necessary to protect and benefit the public interest.

Yeas: Mayor White, Directors Carmody, Konicek, Balraj, Ricchiuto, Whitlow, Acting Director Sheperd, Directors Jackson, Hudecek, Patterson, Warren, Axelrod.

Nays: None.

Absent: Director Carter.

Resolution No. 794-99.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Clarklift of Cleveland, Inc. (all items) for the following: diesel-powered lift truck for the Division of Water, Department of Public Utilities, received on the 22nd day of October, 1999, pursuant to the authority of Ordinance No. 2000-98, passed on December 14, 1998, which on the basis of the order quantities would amount to Twenty Eight Thousand Seven Hundred Seventy Dollars (\$28,770.00) (Net), is hereby approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into contract for such items.

Yeas: Mayor White, Directors Carmody, Konicek, Balraj, Ricchiuto, Whitlow, Acting Director Sheperd, Directors Jackson, Hudecek, Patterson, Warren, Axelrod.

Nays: None.

Absent: Director Carter.

Resolution No. 795-99.

By Director Balraj.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Standen Contracting Company, for the public improvement of Phase 2 Continuation of the Residential Sound Insulation Program, Group "D-99", for the Division of Cleveland Hopkins International Airport, Department of Port Control, received on September 17, 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 \$1,251,948.00, 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 subcontractors by Standen Contracting Company for the public improvement of the Phase 2 Continuation of the Residential Sound Insulation Program, Group "D-99", hereby is approved:

Thanos Contracting	(FBE) \$113,692.00
Bumgarner Contracting	(MBE) \$200,511.00

Yeas: Mayor White, Directors Carmody, Konicek, Balraj, Ricchiuto, Whitlow, Acting Director Sheperd, Directors Jackson, Hudecek, Patterson, Warren, Axelrod.

Nays: None.

Absent: Director Carter.

Resolution No. 796-99.

By Director Balraj.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Koch Corporation, for the public improvement of Phase 2 Continuation of the Residential Sound Insulation Program, Group "G-99", for the Division of Cleveland Hopkins International Airport, Department of Port Control, received on September 16, 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 \$1,274,254.24, 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 subcontractors by Koch Corporation for the public improvement of the Phase 2 Continuation of the Residential Sound Insulation Program, Group "G-99", hereby is approved:

Kems Construction	(MBE) \$193,433.00
Chem-Ty Environmental	(FBE) \$64,145.00

Yeas: Mayor White, Directors Carmody, Konicek, Balraj, Ricchiuto, Whitlow, Acting Director Sheperd, Directors Jackson, Hudecek, Patterson, Warren, Axelrod.

Nays: None.

Absent: Director Carter.

Resolution No. 797-99.

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 "H-99", for the Division of Cleveland Hopkins International Airport, Department of Port Control, received on September 22, 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 \$1,023,603.80, 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 subcontractors by Interstate Design & Construction Company for the public improvement of the Phase 2 Continuation of the Residential Sound Insulation Program, Group "H-99", hereby is approved:

MAP International	(MBE) \$165,000.00
Ressler Contracting	(FBE) \$81,854.00

Yeas: Mayor White, Directors Carmody, Konicek, Balraj, Ricchiuto, Whitlow, Acting Director Sheperd, Directors Jackson, Hudecek, Patterson, Warren, Axelrod.

Nays: None.

Absent: Director Carter.

Resolution No. 798-99.

By Director Ricchiuto.
Resolved by the Board of Control of the City of Cleveland, that all bids received on November 12, 1999 for Diesel Fuel Item 2 (a, b and c) for the Division of Motor Vehicle Maintenance, Department of Public Service, pursuant to the authority of Ordinance No. 950-99, passed by the Council of the City of Cleveland on June 7, 1999, be and the same are hereby rejected.

Yeas: Mayor White, Directors Carmody, Konicek, Balraj, Ricchiuto, Whitlow, Acting Director Sheperd, Directors Jackson, Hudecek, Patterson, Warren, Axelrod.

Nays: None.

Absent: Director Carter.

Resolution No. 799-99.

By Director Ricchiuto.
Resolved by the Board of Control of the City of Cleveland that the bid of Cargill, Inc., Salt Division (Alternate 1) for an estimated quantity of Eighty Five Thousand (85,000) tons of rock salt for the Division of Street Maintenance, Department of Public Service, for the period of one (1) year beginning with the date of execution of a contract, received on November 4, 1999, pursuant to the authority of Ordinance No. 1119-99, passed August 11, 1999, which on the basis of the estimated quantity would amount to approximately One Million Eight Hundred Nine Thousand Six Hundred Five and No/100 Dollars (\$1,809,605.00) 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. 08785
which shall be certified against such contract in the sum of One Million Eight Hundred Nine Thousand Six Hundred Five and No/100 Dollars (\$1,809,605.00).

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

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by Cargill, Inc. Salt Division is hereby approved:

L.T. Services Inc.	FBE 3.33%
Granger Truckng, Inc.	MBE 18.88%

Yeas: Mayor White, Directors Carmody, Konicek, Balraj, Ricchiuto, Whitlow, Acting Director Sheperd, Directors Jackson, Hudecek, Patterson, Warren, Axelrod.

Nays: None.

Absent: Director Carter.

Resolution No. 800-99.

By Director Guzman.
Whereas, Resolution No. 737-99, adopted by this Board of Control November 3, 1999, pursuant to Ordinance No. 2839-90, passed January 28, 1991, approved the bid of Gardiner Service Co., d.b.a. The Gardiner Trane Company, as the lowest

and best for two installation of direct fired air make up units; and

Whereas, the city invited bids for the purchase of said units only with the intention of having City employees perform the installation; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that Board of Control Resolution No. 737-99, adopted November 3, 1999, affirming and approved the bid of Gardiner Service Co., d.b.a. The Gardiner Trane Company, as the lowest and best for the purchase of two direct fire air make up units for the Department of Public Safety, hereby is amended by substituting "purchase" for "installation," where appearing.

Be it further resolved that all other provisions of said Resolution No. 737-99 not expressly amended hereby shall remain in full force and effect.

Yeas: Mayor White, Directors Carmody, Konicek, Balraj, Ricchiuto, Whitlow, Acting Director Sheperd, Directors Jackson, Hudecek, Patterson, Warren, Axelrod.

Nays: None.

Absent: Director Carter.

Resolution No. 801-99.

By Director Guzman.
Resolved by the Board of Control of the City of Cleveland that the bid of Medtronic Physio-Control Corporation for an estimated quantity of Lifepak 12 ECG monitor/defibrillators for the Division of EMS, Department of Public Safety, for the period of one (1) year beginning with the date of execution of a contract, received on October 15, 1999, pursuant to the authority of Ordinance No. 1954-98, passed December 14, 1998, which on the basis of the estimated quantity would amount to Seventy-three thousand six hundred forty-seven and 20/100 Dollars (\$73,647.20) 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: 10617
Items 1 as specified
which shall be certified against such contract in the sum of Seventy-Three Thousand Six Hundred Forty-Seven and 20/100 Dollars (\$73,647.20).

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: Mayor White, Directors Carmody, Konicek, Balraj, Ricchiuto, Whitlow, Acting Director Sheperd, Directors Jackson, Hudecek, Patterson, Warren, Axelrod.

Nays: None.

Absent: Director Carter.

Resolution No. 802-99.

By Director Jackson.
Resolved, by the Board of Control of the City of Cleveland that the bid of Able Contracting Group, Inc. for an estimated quantity of Labor and Materials to repair or replace fencing at various baseball diamonds for the Division of Park Maintenance and Properties, Department of Parks, Recreation and Properties,

for the period of one (1) year beginning with the date of execution of a contract, received on September 10, 1999, pursuant to the authority of Ordinance No. 2107-98, passed February 8, 1999, which on the basis of the estimated quantity would amount to Fifty Nine Thousand, Seven Hundred Forty Seven and 00/100 Dollars (\$59,747), 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. 12105
which shall be certified against such contract in the sum of Two Thousand Nine Hundred Eighty Seven and 00/100 Dollars (\$2987.00).
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: Mayor White, Directors Carter, Carmody, Konicek, Balraj, Ricchiuto, Whitlow, Acting Director Sheperd, Directors Jackson, Hudecek, Patterson, Warren, Axelrod.

Nays: None.

Absent: None.

Resolution No. 803-99.

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 Nos. 143-04-100 and 142-26-062 under said Land Reutilization Program; and

Whereas, Ordinance No. 2069-99 passed November 22, 1999, authorized the sale of said parcels for a consideration established by the Board of Control at not less than the Fair Market Value; and

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

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 2069-99, passed November 22, 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 Amistad Development Corporation or designee for the sale and development of Permanent Parcel Nos. 143-04-100 and 142-26-062, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Yeas: Mayor White, Directors Carter, Carmody, Konicek, Balraj, Ricchiuto, Whitlow, Acting Director Sheperd, Directors Jackson, Hudecek, Patterson, Warren, Axelrod.

Nays: None.

Absent: None.

Resolution No. 804-99.

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 Nos. 106-10-048, 106-10-049 and 106-10-050 under said Land Reutilization Program; and

Whereas, Ordinance No. 1994-99, passed November 29, 1999, authorized the sale of said parcels for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Emanuel Leaks and Marna Leaks have proposed to the City to purchase and develop said parcels; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 1994-99, passed November 29, 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 Emanuel Leaks and Marna Leaks for the sale and development of Permanent Parcel Nos. 106-10-048, 106-10-049 and 106-10-050, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Yeas: Mayor White, Directors Carter, Carmody, Konicek, Balraj, Ricchiuto, Whitlow, Acting Director Sheperd, Directors Jackson, Hudecek, Patterson, Warren, Axelrod.

Nays: None.

Absent: None.

Resolution No. 805-99.

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. 104-20-010 under said Land Reutilization Program; and

Whereas, Ordinance No. 1272-99, passed November 29, 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, Capitol Development Group, Inc. 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. 1272-99, passed November 29, 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 Capitol Development Group, Inc. for the sale and development of Permanent Parcel No. 104-20-010, 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 \$1,200.00, 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: None.

Nays: Mayor White, Directors Carter, Carmody, Konicek, Balraj, Ricchiuto, Whitlow, Acting Director Sheperd, Directors Jackson, Hudecek, Patterson, Warren, Axelrod.

Absent: None.

Resolution No. 806-99.

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. 106-17-082 under said Land Reutilization Program; and

Whereas, Ordinance No. 2073-99, passed November 22, 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, Monica Brenston Hamilton 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. 2073-99, passed November 22, 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 Monica Brenston Hamilton for the sale and development of Permanent Parcel No. 106-17-082, 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: Mayor White, Directors Carter, Carmody, Konicek, Balraj, Ricchiuto, Whitlow, Acting Director Sheperd, Directors Jackson, Hudecek, Patterson, Warren, Axelrod.

Nays: None.

Absent: None.

JEFFREY B. MARKS,
Secretary

CIVIL SERVICE NOTICES**General Information**

Application blanks and information, regarding minimum entrance qualifications, scope of examination, and suggested reference materials may be obtained at the office of the Civil Service Commission, Room 119, City Hall, East 6th Street, and Lakeside Avenue.

Application blanks must be properly filled out on the official form prescribed by the Civil Service Commission and filed at the office of the commission not later than the final closing date slated in the examination announcement.

EXAMINATION RESULTS: Each applicant whether passing or failing will be notified of the results of the examination as soon as the commission has graded the papers. Thereafter, eligible lists will be established which will consist of the

names of those candidates who have been successful in all parts of the examination.

PHYSICAL EXAMINATION: All candidates for original entrance positions who are successful in other parts of the examinations must submit to a physical examination.

ANNE BLOOMBERG,
President

SCHEDULE OF THE BOARD OF ZONING APPEALS**MONDAY, DECEMBER 27, 1999****NO MEETING****REPORT OF THE BOARD OF ZONING APPEALS****MONDAY, DECEMBER 13, 1999**

At the meeting of the Board of Zoning Appeals on Monday, December 13, 1999, the following appeals were heard by the Board:

The following appeals were **Approved:**

Calendar No. 99-507: 431 East 152nd Street

Agency Homes, owners, and Rick Thompson, agent, appeal to change the use of an existing approximate 32' x 104' one-story masonry storage building into an office building situated on a 40' x 140' parcel and located in a Multi-Family District; approval subject to submission of revised landscaping plan showing the break-up of the existing paving in the front of the building and replacing it with grass and landscaping.

Calendar No. 99-513: 4579 South Hills Drive

Nancy Sullivan, owner, appeals to construct an 8' x 26' open front porch to an existing 26' x 26' two-story frame dwelling situated on an approximate 45' x 139' irregular shaped corner parcel and located in a One-Family District.

Calendar No. 99-515: 10906 Grantwood Avenue

Milton Hardley, owner, and Frank Dimora c/o Reliable Builders, agent, appeal to enclose an existing approximate 7'-5" x 24' one-story front porch of an existing 33' x 24' two dwelling house situated on a 40' x 114' parcel and located in a Two-Family District.

The following appeal was **Denied:**

Calendar No. 99-508: 1275 West 91st Street

Kenny Lowery, owner, appeals to install a parking area in front of an existing 2 1/2-story frame one-family house situated on an approximate 95' x 95' irregular shaped corner parcel and located in a Two-Family District.

The following appeals were **Postponed:**

Calendar No. 99-258: 7239 Kinsman Road postponed to January 10, 2000.

Calendar No. 99-506: 15407 Kinsman Road postponed to January 17, 2000.

The following appeals were **Withdrawn**:

Calendar No. 99-514: 912 Evangeline Road

Celeste Walton, owner, appeals under Section 367.09 of the Codified Ordinances from a Notice of Violation issued by the Commissioner of Building and Housing, Department of Community Development, for an existing fence located on the south side of property adjacent to the dwelling house which is in excess of the permitted fence height.

Calendar No. 99-500: 4284 West 150th Street

Speedway Super America, owner c/o Dave Thomas, appeals to install (1) 3' x 3.8' canopy sign, (1) 8' x 5' Reader Board Sign, (1) 15.6' x 3' canopy sign and a 20' x 11-3/4' goal post and identification ground sign to an existing nonconforming gas station all situated on an approximate 209' x 229' corner parcel and located in a Residence Office District.

On December 13, 1999, in Executive Session:

The following appeals were heard on Monday, December 6, 1999, and said decisions were approved and adopted by the Board on December 13, 1999.

The following appeals were **Approved**:

Calendar No. 99-297: 6225 Storer Avenue

Scott Kulab, owner, appealed to construct a 34' x 36' one-story gas station mini-mart addition to an existing 40' x 24' one-story gas station building all situated on an approximate 109' x 120' corner parcel and located in a General Retail District; revised plan showing 6' landscaping strip on either side of the property and board-on-board privacy fencing with a 3' landscaping strip to the rear of the site.

Calendar No. 99-498: 1212 West 67th Street

John J. Staunton, owner, appeals to construct a 14' x 38' garage addition to an existing 22' x 44' two-family house situated on a 40' x 110' parcel and located in a Two-Family District.

Calendar No. 99-502: 5809 West Clinton Avenue

Greg Mueller, owner, appeals to construct a 20' x 20' one-story garage to the rear property of an existing 26' x 42' two-family house situated on a 40' x 135' parcel and located in a Two-Family District.

The following appeals were **Denied**:

Calendar No. 99-504 4563 West 130th Street

Timothy Rowe, owner, and Don Hamilton, tenant, appeals to change the use of an existing 72' x 27' one-story masonry building into a used car lot, office and repair garage all situated on a 146' x 95' corner parcel and located in a General Retail Business District.

Calendar No. 99-299 19991 Villaview Road

Rick Case Enterprises, owner, and Bernd Melster, d.b.a. Flags and More, appeals to install (10) 3'-6" wide x 5'-10" high nylon banners and

streamers to existing light poles around a car lot corner parcel located in a Residence Industry District.

EUGENE CRANFORD, JR.,
Secretary

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

Re: Report of the Meeting of
December 8, 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 L-40-99.

RE: Appeal of John Braidich, appeals from a LETTER OF DENIAL FOR RENEWAL OF ELECTRICAL CONTRACTOR LICENSE of the Commissioner of the Division of Assessments & Licenses dated October 15, 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. Braidich to renew his ELECTRICAL CONTRACTOR LICENSE without retaking the test, and without payment of the late filing fees. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Bowes.

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

* * *

Docket L-41-99.

RE: Appeal of Thomas E. Rancour, appeals from a LETTER OF DENIAL FOR RENEWAL OF JOURNEYMAN PLUMBER LICENSE of the Commissioner of the Division of Assessments & Licenses dated October 12, 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. Rancour to renew his JOURNEYMAN PLUMBER LICENSE without retaking the test, but with payment of the late filing fees. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Bowes.

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

* * *

Docket L-42-99.

RE: Appeal of John Nemeth, appeals from a LETTER OF DENIAL FOR RENEWAL OF ELECTRICAL CONTRACTOR LICENSE of the Commissioner of the Division of Assessments & Licenses dated October 22, 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. Nemeth to renew his ELECTRICAL CONTRACTOR LICENSE without retaking the test and without payment of the late filing fees. Motion so in order. Motioned by Mr. Sullivan and seconded by Mr. Bowes.

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

* * *

Docket L-43-99.

RE: Appeal of Larry F. Wisniewski, appeals from a LETTER OF DENIAL FOR RENEWAL OF ELECTRICAL CONTRACTOR LICENSE of the Commissioner of the Division of Assessments & Licenses dated November 12, 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. Wisniewski to renew his ELECTRICAL CONTRACTOR LICENSE without retaking the test and without payment of the late filing fees. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Bowes.

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

* * *

Docket L-44-99.

RE: Appeal of John Fyfe, appeals from a LETTER OF DENIAL FOR RENEWAL OF MASTER PLUMBER LICENSE of the Commissioner of the Division of Assessments & Licenses dated November 12, 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. Fyfe to renew his MASTER PLUMBER LICENSE without retaking the test, and without payment of the late filing fees. Motion so in order. Motioned by Mr. Sullivan and seconded by Mr. Bowes.

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

* * *

Docket A-238-99.

RE: Appeal of IMC Mortgage Company, Mortgagee of the Two & One-half Story Frame Residential Property located on the premises known as 7002 Clement Avenue from a VACATE FORTHWITH/CONDEMNATION ORDER/EXTERIOR MAINTENANCE/GARAGE CONDEMNATION of the Commissioner of the Division of Building and Housing dated August 26, 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/EXTERIOR MAINTENANCE/GARAGE CONDEMNATION and LETTER OF INTENTION TO DEMOLISH by requiring the Appellant to clean the grounds and remove all debris from the property within two (2) weeks, and to grant the Appellant two (2) months in which to obtain permits and abate 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/EXTERIOR MAINTENANCE/GARAGE CONDEMNATION 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 February 22, 2000. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Sullivan.

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

* * *

Docket A-241-99.

RE: Appeal of Talal Kirallah, Owner of the Two Story Masonry Four (4) Dwelling Units/Restaurant/Nightclub located on the premises known as 3351-59 West 117th Street from an ORDER TO VACATE/CONDEMNATION ORDER/ELECTRICAL VIOLATIONS dated October 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 ORDER TO VACATE/CONDEMNATION ORDER/ELECTRICAL VIOLATIONS and LETTER OF INTENTION TO DEMOLISH by requiring Appellant to obtain all permits within one (1) week and to grant the Appellant two (2) months in which to abate 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 ORDER TO VACATE/CONDEMNATION ORDER/ELECTRICAL VIOLATIONS 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 February 22, 2000. Motion so in order. Motioned by Mr. Sullivan and seconded by Mr. Williams.

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

* * *

Docket A-242-99.

RE: Appeal of Genobia Lorraine Tutt, Owner of the Two & One-half Story Frame Residential Property located on the premises known as 10732 Gooding Avenue from a CONDEMNATION ORDER dated September 21, 1999, of the Commissioner of the Division of Building and Housing 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 for abatement of the violations or to sell the property, noting that the property is to remain boarded and secured and the grounds debris during that period of time. 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 March 22, 2000. Motion so in order. Motioned by Mr. Sullivan and seconded by Mr. Williams.

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

* * *

Docket A-243-99.

RE: Appeal of Charles & Kristi Webb, Owner of the Two & One-half Story Frame Residential Property and Existing Swimming Pool located on the premises known as 3728 Bosworth Road from a NOTICE OF VIOLATION/NO PERMIT FOR SWIMMING POOL of the Commissioner of the Division of Building and Housing dated May 14, 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 the Appellant to maintain his pool as indicated, granting the variance and allowing the Appellant to be five feet (5 ft.) from the rear property line and side lot line, noting that the yard is secured from public access, and to waive the late filing fees. Motion so in order. Motioned by Mr. Bowes and seconded by Mr. Sullivan.

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

* * *

Docket A-244-99.

RE: Appeal of William E. Hawkins II & Nancy K. Hawkins, Owners of the Property located on the premises known as 3804 St. Clair Avenue from a NOTICE OF VIOLATION/FIRE CODE of the Commissioner of the Division of Building and Housing dated September 17, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

Docket A-244-99 has been POSTPONED; to be rescheduled for January 5, 2000.

* * *

Docket A-295-99.

RE: Appeal of Cuyahoga Metropolitan Housing Authority (C.M.H.A.), Owner of the Property located on the premises known as 1850 Coltman Road from a NOTICE OF VIOLATION/FIRE CODE of the Commissioner of the Division of Building and Housing dated September 24, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

No action; Docket A-295-99 will be rescheduled for December 22, 1999.

* * *

Docket A-308-99.

RE: Appeal of The International Preparatory School, Owner of the Property located on the premises known as 10701 Shaker Boulevard from an ADJUDICATION ORDER of the Commissioner of the Division of Building and Housing dated Novem-

ber 23, 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 following variances:

- that the stair guard rails variance is granted to permit the triangle to exist, noting the stairs are three (3) feet from grade and will otherwise be properly enclosed.

- that the windowless story in the southwest corner of the first floor must be made compliant; either a limited sprinkler system or with openings complying with the codified ordinance; that occupancy will not occur in the area until code conditions are met.

- that the one of the ramps is to be made ADA compliant with respect to slope in that case the railings can remain as they are. The other ramp must have signs indicating slope of the ramp if it does not comply, that wooden ramps are acceptable on the exterior of the building, and that the railings need not comply because they approximately 36 inches above grade.

- that the elevator must have signs stating that assistance is required for handicap use without modifying the existing elevator for ADA compliance; notwithstanding that the Federal Government can require ADA compliance.

- that the toilet room variance from ADA dimensions is granted to 15 inches from 18 inches clearance.

- that the two hour enclosure with access through the stairwell to other areas must have proper signage, noting proper exiting, allowing the students to understand that they can not go through the stairwell to exit the floor, but should use the stairwell. Instructions are to be given to the younger children indicating exactly what that means.

- that fire dampers are to be installed in the ducts penetrating the stairwells to provide two hour enclosure of the stairwell.

- that the actual occupancy load of 400 is to be posted and not exceeded.

- that the variance is granted as required to the width of flights and landings to allow existing conditions to remain.

- that no corridor use by the students is to be less than 60 inches wide granting the variance to the 72 inches.

- that the penthouse structure need not be protected with the provision that a limited area sprinkler system be used in lieu of structure protection.

- that conforming single doors may be used in lieu of the proposed double doors in areas where the double doors are not possible.

- that the main corridor office lobby furniture must be restricted and direction of egress be indicated to preclude the installation of any furniture or obstructions in the egress path.

- that a variance is granted to permit a 7 foot 5 inch ceiling to be installed under the ductwork on the 3rd level.

- that the fire watch be continued until the project is complete; copies of the fire watch are to be faxed to the City Administration on a daily basis.

- that no intrusive construction will occur during occupied hours.

- that the elimination of corridors will also mean that corridor restric-

tions as far as fire separation cannot be enforced in those areas.

•that a schedule be submitted by the Appellant by the 10th of December noting the completion schedule of all items.

•that the schedule submitted must meet the approval of the administration anticipating no extension.

•the property is REMANDED to the Division of Building and Housing for supervision and further action. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Bowes.

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

* * *

Docket A-309-99.

RE: Appeal of Lee Memorral A.M.E. Church, Owner of the Masonry Commercial Property located on the premises known as 861 East 105th Street from a NOTICE OF VIOLATION/HVAC of the Commissioner of the Division of Building and Housing dated May 6, 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 and permit the furnaces to remain installed as they are, with the provision that the down time required for any repairs be reasonable, reasonable being less than one day. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Bowes.

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

* * *

Docket A-334-99.

RE: Appeal of Old Arcade, LLC, Owner of the Property located on the premises known as 410 Superior Avenue (a.k.a. 401 Euclid Avenue) from an ADJUDICATION ORDER of the Commissioner of the Division of Building and Housing dated December 6, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

No action; Docket A-334-99 will be rescheduled for December 22, 1999.

* * *

APPROVAL OF RESOLUTIONS:

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

A-209-99—Joseph Grant.
A-225-99—C & J Really Corp.
A-236-99—Victor Sanchez & Pepe Sanchez.
A-240-99—James B. Short.

Yeas: Messrs. Bowes, Williams, Saunders, Sullivan. Nays: None. Not Voting: Mr. Denk.

* * *

APPROVAL OF MINUTES:

Separate motions were entered by Mr. Sullivan and seconded by Mr. Saunders for Approval and Adoption

of the Minutes as presented by the Secretary, subject to the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC):

November 24, 1999

Yeas: Messrs. Bowes, Williams, Saunders, Sullivan. Nays: None. Not Voting: Mr. Denk.

* * *

JOSEPH F. DENK,
CHAIRMAN

PUBLIC NOTICE

NONE

NOTICE OF PUBLIC HEARING

NONE

CITY OF CLEVELAND BIDS

For All Departments

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

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

187.10 Negotiated contracts; Notice required in Advertisement for Bids.

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

WEDNESDAY, DECEMBER 22, 1999

Diesel Fuel, Item 2 (A, B and C), for the Division of Motor Vehicle Maintenance, Department of Port Control, as authorized by Ordinance No. 950-99, passed by the Council of the City of Cleveland, June 7, 1999.

December 8, 1999 and December 15, 1999

WEDNESDAY, DECEMBER 29, 1999

Maintenance and Repair of the Computerized Access Control System, Fire Detection System, CCTV, Time and Attendance Interface Equipment and Associated Equipment, for the Division of Cleveland Hopkins International Airport, Department of Port Control, as authorized by Ordinance No. 2096-99.

Upgrade and Relocation of the Life Safety System Command Center at the Cleveland Convention Center, for the Division of Convention Center and Stadium, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 761-98, passed by the Council of the City of Cleveland, May 25, 1998.

A MANDATORY PRE-BID MEETING WILL BE HELD ON WEDNESDAY, DECEMBER 15, 1999, 10:00 A.M., IN THE CLEVELAND CONVENTION CENTER, 501 LAKESIDE AVENUE.

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

December 8, 1999 and December 15, 1999

FRIDAY, JANUARY 14, 2000

Air Filters, Materials and Related Services for Air Handling Units, for the various divisions of the Department of Port Control, as authorized by Ordinance No. 454-99, passed by the Council of the City of Cleveland, May 24, 1999.

A PRE-BID MEETING WILL BE HELD ON WEDNESDAY, JANUARY 5, 2000, 1:30 P.M., IN THE DEPARTMENT OF PORT CONTROL'S BAGGAGE CLAIM CONFERENCE ROOM, TERMINAL BUILDING, CLEVELAND HOPKINS INTERNATIONAL AIRPORT, 5300 RIVERSIDE DRIVE.

December 8, 1999 and December 15, 1999

THURSDAY, JANUARY 6, 2000

Night Vision Binoculars, for the Division of Police, Department of Public Safety, as authorized by Ordinance No. 182-99, passed by the Council of the City of Cleveland, June 7, 1999.

G.R.E.A.T. Supplies, for the Division of Police, Department of Public Safety, as authorized by Ordinance No. 183-99, passed by the Council of the City of Cleveland, March 29, 1999.

Typewriters, for the Division of Police, Department of Public Safety, as authorized by Ordinance No. 182-99, passed by the Council of the City of Cleveland, June 7, 1999.

December 15, 1999 and December 22, 1999

THURSDAY, JANUARY 13, 2000

Recreation Centers Locker Renovation, for the Department of Parks, Recreation and Properties, as authorized by Ordinance No. 1605-98, passed by the Council of the City of Cleveland.

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

December 15, 1999 and December 22, 1999

WEDNESDAY, JANUARY 26, 2000

Rehabilitation of the Parma Reservoir Exterior and Interior, and Replacement and Addition of Piping and Valves, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 1612-96, passed by the Council of the City of Cleveland, December 16, 1996.

A DEPOSIT OF TWO HUNDRED FIFTY DOLLARS (\$250.00) CERTIFIED CHECK WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS. THE DEPOSIT WILL BE REFUNDED IF THE PLANS AND SPECIFICATIONS ARE RETURNED IN GOOD CONDITION WITHIN FIFTEEN (15) DAYS AFTER THE BID OPENING DATE.

A PRE-BID MEETING WILL BE HELD ON WEDNESDAY, JANUARY 5, 2000, 10:00 A.M. AT THE PARMA CONTROL CENTER GARAGE, PARMA RESERVOIR, 5953 DEERING AVENUE, PARMA HEIGHTS, OHIO.

December 15, 1999 and December 22, 1999

ADOPTED RESOLUTIONS AND ORDINANCES

Res. No. 2133-99.

By Councilman Cintron.

An emergency resolution objecting to the stock transfer of a D5 Liquor Permit to 3194 W. 25th St., 1st Fl. & Bsmt.

Whereas, Council has been notified by the Director of Liquor Control of an application for the stock transfer of a D5 Liquor Permit to Permit No. 6213011, Muggs Inc., 3194 W. 25th St., 1st Fl. & Bsmt., Cleveland, Ohio 44109; and

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

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

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

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

Whereas, the place for which the permit is sought is so located with

respect to the neighborhood that it substantially interferes with public decency, sobriety, peace or good order; and

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

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

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

Section 1. That Council does hereby record its objection to the stock transfer of a D5 Liquor Permit to Permit No. 6213011, Muggs Inc., 3194 W. 25th St., 1st Fl. & Bsmt., Cleveland, Ohio 44109 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted December 6, 1999.

Effective December 14, 1999.

Res. No. 2134-99.

By Councilman Johnson.

An emergency resolution objecting to the issuance of a C1 Liquor Permit to 3111 E. 93rd St.

Whereas, Council has been notified by the Director of Liquor Control of an application for the issuance of a C1 Liquor Permit to Permit No. 3571058, Sabah Hanani, DBA Little Eagle Food Market, 3111 E. 93rd St., Cleveland, Ohio 44104; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the issuance of a C1 Liquor Permit to Permit No. 3571058, Sabah Hanani, DBA Little Eagle Food Market, 3111 E. 93rd St., Cleveland, Ohio 44104 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted December 6, 1999.

Effective December 14, 1999.

Res. No. 2135-99.

By Councilman Polensek.

An emergency resolution objecting to the transfer of ownership of a a D1, D2, D3 and D6 Liquor Permit to 15610 Waterloo Rd., 1st Fl. & Bsmt.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a D1, D2, D3 and D6 Liquor Permit from Permit No. 3420935, Grutta Inc., DBA Report Center Tavern, 15610 Waterloo Rd., 1st Fl. & Bsmt., Cleveland, Ohio 44110, to Permit No. 3564840, Hanada Corp., DBA Cozy Spot, 15610 Waterloo Rd., 1st Fl. & Bsmt., Cleveland, Ohio 44110; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a D1, D2, D3 and D6 Liquor Permit from Permit No. 3420935, Grutta Inc., DBA Report Center Tavern, 15610 Waterloo Rd., 1st Fl. & Bsmt., Cleveland, Ohio 44110, to Permit No. 3564840, Hanada Corp., DBA Cozy Spot, 15610 Waterloo Rd., 1st Fl. & Bsmt., Cleveland, Ohio 44110 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted December 6, 1999.

Effective December 14, 1999.

Ord. No. 1426-99.
By Councilmen Coats and Johnson
(by departmental request).

An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the Ohio Department of Public Safety for the 2000 Selective Traffic Enforcement Program.

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

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

Section 1. That the Director of Public Safety is hereby authorized to apply for and accept a grant in the amount of \$49,985.45, from the Ohio Department of Public Safety, to conduct the 2000 Selective Traffic Enforcement Program, for the purposes set forth in the application and according thereto; that the

Director of Public Safety is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the application for said grant.

Section 2. That the application for said grant, File No. 1426-99-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

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

Passed December 6, 1999.

Effective December 14, 1999.

Ord. No. 1656-99.
By Councilmen Coats and Johnson
(by departmental request).

An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the U.S. Department of Justice for the 1999 Local Law Enforcement Block Grant Program; and to enter into contract for the purchase by requirement contract of equipment and supplies needed to implement the program.

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

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

Section 1. That the Director of Public Safety is hereby authorized to apply for and accept a grant in the amount of \$2,000,000, from the U.S. Department of Justice, to conduct the 1999 Local Law Enforcement Block Grant Program, for the purposes set forth in the application and according thereto; that the Director of Public Safety is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the application for said grant.

Section 2. That the application for said grant, File No. 1656-99-A, made a part hereof as if fully rewritten herein, including the obligation of the City of Cleveland to provide cash matching funds in the sum of \$222,222, payable from Fund No. 10 SF 025, is hereby approved in all respects.

Section 3. That the Director of Public Safety is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the necessary items of equipment and supplies needed to implement the program, as described in the application. 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 the grant term may be taken if deemed desir-

able by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term. The cost of said contract shall be charged against the fund or funds to which are credited the grant proceeds accepted pursuant to this ordinance and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance.

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

Passed December 6, 1999.

Effective December 14, 1999.

Ord. No. 1744-99.
By Councilmen Westbrook and Johnson
(by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of security guard services, for the Department of Port Control, for a period not to exceed two years.

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

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

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

Section 2. That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 8226).

Section 3. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force

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

Passed December 6, 1999.
Effective December 14, 1999.

Ord. No. 1821-99.
By Councilmen Sweeney and Johnson (by departmental request).
An emergency ordinance authorizing the purchase by requirement contract of gasoline, for the Division of Motor Vehicle Maintenance, Department of Public Service.

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

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

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

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 9661)

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

Passed December 6, 1999.
Effective December 14, 1999.

Ord. No. 1822-99.
By Councilmen Sweeney and Johnson (by departmental request).
An emergency ordinance authorizing the purchase by requirement contract of Meyer snowplow and spreader parts, including installation, if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service, for a period not to exceed two years.

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

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

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

Section 2. That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 9665)

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

Passed December 6, 1999.
Effective December 14, 1999.

Ord. No. 1823-99.
By Councilmen Sweeney and Johnson (by departmental request).
An emergency ordinance authorizing the purchase by requirement contract of remanufactured transmissions, including labor for installation, if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service.

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

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

Section 1. That the Director of Public Service is hereby authorized to make a written 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 remanufactured transmissions, including labor for installation, if necessary, in the approximate amount as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Motor Vehicle Maintenance, Department of Public Service. Bids shall be taken in such manner as to permit an award

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

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 9667)

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

Passed December 6, 1999.
Effective December 14, 1999.

Ord. No. 1824-99.
By Councilmen Sweeney and Johnson (by departmental request).
An emergency ordinance authorizing the purchase by requirement contract of tire repair road service, for the Division of Motor Vehicle Maintenance, Department of Public Service.

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

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

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

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 9664)

Section 3. That this ordinance is hereby declared to be an emergency measure and, provided it receives

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

Passed December 6, 1999.

Effective December 14, 1999.

Ord. No. 1825-99.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of manhole risers, for the Division of Streets, Department of Public Service.

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

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

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

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 8737)

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

Passed December 6, 1999.

Effective December 14, 1999.

Ord. No. 1826-99.

By Councilmen Sweeney and Johnson (by departmental request).

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

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

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

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

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 purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 9668)

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

Passed December 6, 1999.

Effective December 14, 1999.

Ord. No. 1827-99.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of traffic cones, safety drums, flashers, lights and batteries, for the Division of Streets, Department of Public Service.

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

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

Section 1. That the Director of Public Service is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of traffic cones, safety drums, flashers, lights and batteries in the approximate amount as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Streets, Department of Public Service. Bids shall be

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

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 8728)

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

Passed December 6, 1999.

Effective December 14, 1999.

Ord. No. 1828-99.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of emulsion, purging solution and emulsion service management, for the Division of Streets, Department of Public Service.

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

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

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

Section 2. 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 8730)

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

Passed December 6, 1999.

Effective December 14, 1999.

Ord. No. 1829-99.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of gutter brooms and gutter broom sets, for the Division of Streets, Department of Public Service.

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

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

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

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 8729)

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

Passed December 6, 1999.

Effective December 14, 1999.

Ord. No. 1830-99.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of asphalt concrete, for the Division of Streets, Department of Public Service.

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

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

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

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 8732)

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

Passed December 6, 1999.

Effective December 14, 1999.

Ord. No. 1831-99.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of SSI tack coat, for the Division of Streets, Department of Public Service.

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

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

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

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

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 8736)

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

Passed December 6, 1999.

Effective December 14, 1999.

Ord. No. 1832-99.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of cold mix material, for the Division of Streets, Department of Public Service.

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

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

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

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certi-

fy thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 8735)

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

Passed December 6, 1999.

Effective December 14, 1999.

Ord. No. 1834-99.
By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of plow blades and curb bumpers, for the Division of Streets, Department of Public Service.

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

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

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

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial procurement thereunder, which procurement, together with all subsequent procurements, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 8731)

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

Passed December 6, 1999.

Effective December 14, 1999.

Ord. No. 1835-99.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of guard rail elements, posts, end wings, and necessary hardware, for the Division of Streets, Department of Public Service.

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

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

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

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 8727)

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

Passed December 6, 1999.

Effective December 14, 1999.

Ord. No. 1836-99.

By Councilmen Sweeney and Johnson (by departmental request).

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

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

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

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

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

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 9666)

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

Passed December 6, 1999.

Effective December 14, 1999.

Ord. No. 1837-99.

By Councilmen Sweeney and Johnson (by departmental request).

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

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

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

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

sioner of Purchases and Supplies until provision is made for the requirements for the entire one year period.

Section 2. That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made an order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 9663)

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

Passed December 6, 1999.

Effective December 14, 1999.

**Ord. No. 1903-99.
By Councilmen Gordon and Johnson (by departmental request).**

An emergency ordinance authorizing the Director of Public Health to enter into contracts with the Ohio Department of Public Health for performance of environmental assessments of the residences of Medicaid-eligible children, for the Division of Environment, Department of Public Health.

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

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

Section 1. That the Director of Public Health is hereby authorized to enter into two contracts with the State of Ohio, Department of Health, under which the City will perform environmental assessments for lead hazards in residences occupied by Medicaid-eligible children during the period from September 1, 1999 through June 30, 2000 and July 1, 2000 through June 30, 2001. The contracts shall provide that the City will receive compensation for performing such assessments in the estimated amount of \$18,750 for the contract from September 1, 1999 through June 30, 2000, and \$22,125.00 for the contract from July 1, 2000 through June 30, 2001, and such other funds that may become available during the contract periods. The Director of Finance is hereby authorized to receive and accept such compensation on behalf of the City and the Director of Public Health is authorized to sign such documents as are necessary to enter into said contract.

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

Passed December 6, 1999.

Effective December 14, 1999.

**Ord. No. 1904-99.
By Councilmen Gordon and Johnson (by departmental request).**

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Cuyahoga County Board of Health for the 2000 Immunization Action Plan Grant.

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

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

Section 1. That the Director of Public Health is hereby authorized to apply for and accept a grant in the approximate amount of \$125,658.00, and any other funds as they become available during the grant term, from the Cuyahoga County Board of Health, to conduct the 2000 Immunization Action Plan Grant, for the purposes set forth in the program description and according thereto; that the Director of Public Health is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the program description for said grant.

Section 2. That the program description for said grant, File No. 1904-99-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

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

Passed December 6, 1999.

Effective December 14, 1999.

**Ord. No. 2055-99.
By Councilmen Cintron and Patton (by departmental request).**

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

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

Whereas, the Greater Cleveland Ecology Association has proposed to lease said property from the City for use in a Christmas tree recycling program for City of Cleveland residents in exchange for grinding Christmas trees delivered by the Division of Waste Collection at no cost to the City; and

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

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

Section 1. That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland,

Ohio, 1976, the Director of Public Service is authorized to lease to the Greater Cleveland Ecology Association, an 8 foot tub grinder for the purpose of grinding Christmas trees collected from the residents of the City of Cleveland by the Division of Waste Collection.

Section 2. That the term of the lease authorized by Section 1 shall commence December 27, 1999, and end February 11, 2000.

Section 3. That the property described in Section 1 shall be leased to the Greater Cleveland Ecology Association at no rental fee, and in exchange, they shall grind Christmas trees collected by the Division of Waste Collection from City of Cleveland residents, at no cost to the City of Cleveland.

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

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

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

Passed December 6, 1999.

Effective December 14, 1999.

**Ord. No. 2123-99.
By Councilman Gordon.**

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with the Old Brooklyn Community Development Corporation to acquire and rehabilitate a house located at 3119 Denison Avenue, for operation of the Art House, in Ward 15.

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

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

Section 1. That the Director of Community Development to enter into an agreement with the Old Brooklyn Community Development Corporation to acquire and assist in the rehabilitation of a house located at 3119 Denison Avenue, for operation of the Art House, in Ward 15.

Section 2. That the costs of said contract shall be in an amount not to exceed One Hundred Seventy-Five Thousand Dollars (\$175,000.00) and shall be paid from Fund No. 10 SF 166.

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

Section 4. That this ordinance is hereby declared to be an emergency measure and, provided it receives

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

Passed December 6, 1999.

Effective December 14, 1999.

Ord. No. 2124-99.

By Councilman Gordon.

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Senior Citizen Resources, Inc. for the holiday meals program for senior citizens and disabled persons in Ward 15.

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

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

Section 1. That the Director of Community Development to enter into an agreement with Senior Citizen Resources, Inc. for the holiday meals program for senior citizens and disabled persons in Ward 15, including those living in the following apartments: Spring Hill Villa; Valley Road Villa; Deaconess Kraft; Deaconess Zane; and Crestview.

Section 2. That the costs of said contract shall be in an amount not to exceed Five Thousand and Five Dollars (\$5,005.00) and shall be paid from Fund No. 10 SF 166.

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

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

Passed December 6, 1999.

Effective December 14, 1999.

Ord. No. 2125-99.

By Councilmen Patmon and Willis.

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with FAMICOS for development of the Heritage Lane Neighborhood District improvement project, located along East 105th Street in Wards 8 and 9.

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

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

Section 1. That the Director of Community Development to enter into an agreement with FAMICOS for development of the Heritage Lane Neighborhood District improvement project, located along

East 105th Street in Wards 8 and 9.

Section 2. That the costs of said contract shall be in an amount not to exceed One Hundred Thousand Dollars (\$100,000.00), of which Fifty Thousand Dollars (\$50,000.00) shall be paid from Ward 8 Fund No. 10 SF 166 and Fifty Thousand Dollars (\$50,000.00) shall be paid from Ward 9 Fund No. 10 SF 166.

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

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

Passed December 6, 1999.

Effective December 14, 1999.

Ord. No. 2126-99.

By Councilmen Patmon, Willis and Coats.

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Northeastern Neighborhood Development Corporation to employ a consultant to assist with the development and initiation of economic development projects in Wards 8, 9 and 10.

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

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

Section 1. That the Director of Community Development to enter into an agreement with Northeastern Neighborhood Development Corporation to employ a consultant to assist with the development and initiation of economic development projects in Wards 8, 9 and 10.

Section 2. That the costs of said contract shall be in an amount not to exceed Thirty-Three Thousand Dollars (\$33,000.00), of which Eleven Thousand Dollars (\$11,000.00) shall be paid from Ward 8 Fund No. 10 SF 166; Eleven Thousand Dollars (\$11,000.00) shall be paid from Ward 9 Fund No. 10 SF 166; and Eleven Thousand Dollars (\$11,000.00) shall be paid from Ward 10 Fund No. 10 SF 166.

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

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

Passed December 6, 1999.

Effective December 14, 1999.

Ord. No. 2127-99.

By Councilman Polensek.

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with the Collinwood and Nottingham Villages Development Corporation for the renovation of property located at 15614 St. Clair Avenue in Ward 11.

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

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

Section 1. That the Director of Community Development to enter into an agreement with the Collinwood and Nottingham Villages Development Corporation for the renovation of property to be used as office spaces located at 15614 St. Clair Avenue in Ward 11.

Section 2. That the costs of said contract shall be in an amount not to exceed Thirteen Thousand Dollars (\$13,000.00) and shall be paid from Fund No. 10 SF 166.

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

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

Passed December 6, 1999.

Effective December 14, 1999.

Ord. No. 2128-99.

By Councilman Polensek.

An emergency ordinance authorizing and directing the Director of Finance, on behalf of Cleveland Municipal Court, to enter into contract with International Business Machines Corporation (IBM) for computer maintenance and support services for the Cleveland Integrated Justice Information System for a period not to exceed one year.

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

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

Section 1. That the Director of Finance, on behalf of Cleveland Municipal Court, is hereby authorized and directed to enter into contract with International Business Machines Corporation (IBM) for computer maintenance and support services for the Cleveland Integrated Justice Information System for a period not to exceed one (1) year.

Section 2. That the costs of said contract shall be in an amount not to exceed Fifty Thousand Dollars (\$50,000.00) and shall be paid from Fund No. 10 SF 086.

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

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

Passed December 6, 1999.

Effective December 14, 1999.

Ord. No. 2129-99.

By Councilman Polensek.

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with the Northeast Shores Development Corporation to provide architectural, engineering and construction services for the Town Center project located at East 174th Street and Lakeshore Boulevard in Ward 11.

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

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

Section 1. That the Director of Community Development to enter into an agreement with the Northeast Shores Development Corporation to provide architectural, engineering and construction services for the Town Center project located at East 174th Street and Lakeshore Boulevard in Ward 11.

Section 2. That the costs of said contract shall be in an amount not to exceed Forty-Four Thousand Six Hundred Eighty-Seven Dollars (\$44,687.00) and shall be paid from Fund No. 10 SF 166.

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

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

Passed December 6, 1999.

Effective December 14, 1999.

Ord. No. 2130-99.

By Councilman Cimperman.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to hang banners on St. Clair Ave., Marquette Ave., and from East 61st to East 64th Sts., using utility poles (by separate permission) for the period of Nov. 29, 1999 to Jan 7, 2000, inclusive.

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

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

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio 1976, the Director of Public Ser-

vice is hereby authorized and directed to issue a permit to the St. Clair Business Association, 6220 St. Clair Ave., Cleveland, Ohio 44103, to install, maintain and remove thirty-three (33) banners to be hung on Cleveland Public Power utility poles, (by separate permission) publicizing their the St. Clair Avenue Business area and the "Welcome Winter" celebration for the period of November 29, 1999 to January 7, 2000, inclusive, on the following addresses and pole numbers: St. Clair Ave. (S. Side) # MT18-13, MT18-15, MT18-17; Marquette to E. 61st St. MT18-18, MT18-19, MT18-20, MT18-21, MT18-23, MT18-24, MT18-25; St. Clair Ave. (N. Side) MT19-1, MT19-5; Marquette to E. 61st St. MT19-6; MT19-7, MT19-8, MT19-9, MT19-10, MT19-11, MT19-12; St. Clair (S. Side) MT18-26, MT18-27, MT18-28, MT18-29; E. 61st to E. 64th Sts. MT18-30, MT18-32, MT18-33; St. Clair Ave. (N. Side) MT19-14, MT19-15, MT19-16, MT19-17; E. 61st to E. 64th Sts. MT19-20, MT19-21, MT19-22 for the period of November 29, 1999 to January 7, 2000, inclusive, and which banners shall be approved by the Director of Public Service in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said decorations, and said banners shall be removed promptly upon the expiration of said permit.

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

Passed December 6, 1999.

Effective December 14, 1999.

Ord. No. 2131-99.

By Councilmen Cimperman and Cintron.

An emergency ordinance authorizing and directing the Director of Public Service to issue one or more permits to the Tremont Development Corporation to hang Christmas Wreaths and Aluminum Banding on utility poles (by separate permission) on various streets in Wards 13 and 14 for the periods of Nov. 24, 1999 to Jan. 10, 2000, inclusive, celebrating the Christmas Season.

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

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

Section 1. That notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio 1976, the Director of Public Service is hereby authorized and directed to issue one or more permits to the Tremont

West Development Corporation, 2190 Professor Avenue, Cleveland, Ohio 44113, to install, maintain and remove approximately sixty-three (63) Christmas Wreaths and Aluminum Bandings to be hung on Cleveland Public Power and C.E.I. utility poles, (by separate permission) on various streets in Wards 13 and 14 as follows: Sacket & Scranton SE Corner, 406124; Clover & Scranton NE Corner, 40678; Corning & Scranton NE, 40675; Meyer & Scranton, NE40608; Holmden & Scranton, CEI; Buhner & Scranton, NW 42826 & 42816; Prame & Scranton, CEI; Starkweather & Scranton 2-CEI poles and NE-68 AOM1251, CPP; Literary & Professor, CEI; College & Professor 2-CEI poles and SE47955 & SW47956, CPP poles; Jefferson & Professor, 2-CEI poles; Starkweather & Professor, 2-CEI poles; Literary & W. 7th, 1-CEI pole and SE47931, CPP pole; College & W. 7th, 1-CEI pole; Jefferson & W. 7th, 1-CEI pole; Marquardt & W. 7th, 1-CEI pole and NE48036, CPP pole; Starkweather & W. 7th, 1-CEI pole; W. 10th & Starkweather, 1-CEI pole; Clark & W. 14, 2-CEI poles and SE44645, CPP pole; W. 10th & Jefferson, 46259; W. 10th & Kenilworth, 46115 & 46184; W. 10th & Literary, 47915; W. 10th & Fairfield, 47911; W. 14th & Kenilworth, 46147; W. 11th & Starkweather, HOM-1A-11; W. 11th St. & Kenilworth, 46120; W. 11th & Literary, 46192; W. 11th & Fairfield, 46136; W. 11th & Starkweather, 46214; W. 11th & Kenilworth, 46121; Professor & Literary, 47921; W. 14th & Fairfield, HOM-1-18; W. 14th & Clark, 44642; W. 14th & Branch Ct., 44539; W. 14 & Auburn, 44536; W. 14th & Mentor, 44668; W. 14th & Rowley, 44780; W. 14th & Holmden, 44710; W. 14th & Starkweather, HOM-1A-1, HOM-1-32 & HOM-1-7; W. 14th & Kenilworth, HOM-1-29; Scranton & Starkweather, 44421; Scranton & Auburn, 44413; Scranton & Mentor, 44519; Scranton & Clark, 42834; Scranton & Valentine, 40681; Scranton & Brainard, 40609; Scranton & Holmden, 42814; Scranton & Castle, 42760; for the period of November 24, 1999 to January 10, 2000, inclusive, celebrating the Christmas Season; and which Christmas Wreaths and Aluminum Bandings shall be approved by the Director of Public Service in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a Christmas Wreath or Aluminum Banding will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banners, and said banners shall be removed promptly upon the expiration of said permit.

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

Passed December 6, 1999.

Effective December 14, 1999.

Ord. No. 2132-99.

By Councilman Westbrook (by request).

An emergency ordinance authorizing the Director of Public Service to issue a permit to St. Rose of Lima Parish to encroach into the right-of-way of Detroit Avenue between West 110th to West 116th Streets for twelve (12) banners to be hung on utility poles (by separate permission) celebrating St. Rose's Parish 100-Year Anniversary from Dec. 15, 1999 to Dec. 15, 2000.

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

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

Section 1. That the Director of Public Service hereby is authorized to issue a permit, revocable at the will of Council, and assignable by the Permittee with the written consent of the Director of Public Service to St. Rose of Lima Parish, 11411 Detroit Avenue, Cleveland, Ohio 44102, its successors and assigns, for the construction, use and maintenance of twelve (12) banners to be hung on Cleveland Public Power utility poles (by separate permission) for the period of December 15, 1999 to December 15, 2000, to celebrate the St. Rose of Lima Parish 100-Year Anniversary, and which banners will encroach into the public right-of-way of Detroit Avenue between West 110th and West 116th Streets at the locations described as follows:

LOCATION:	POLE NUMBER:	OWNER:
Detroit Ave. / W. 110th St.	E7-11, E7-12, E8-14	C.P.P.
Detroit Ave. / W. 111th St.	E7-13, E8-13	C.P.P.
Detroit Ave. / W. 114th St.	E7-17, E7-19, E8-9, E8-7	C.P.P.
Detroit Ave. / W. 116th St.	E7-21, E7-23, E8-5	C.P.P.

Section 2. That said banners will be hanged within the public right-of-way as aforesaid, and will be constructed in accordance with plans and specifications approved by the Commissioner of Engineering and Construction.

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

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

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

Passed December 6, 1999.

Effective December 14, 1999.

COUNCIL COMMITTEE MEETINGS

Monday, December 13, 1999

City Planning (Zoning) Committee: 8:30 A.M.—Present: Cimperman, Chairman; Rybka, Vice Chairman; Jackson, O'Malley, Robinson. Excused: Dolan, White.

Public Parks, Property and Recreation Committee (Joint with Finance Committee): 9:30 A.M.—Present: Rybka, Chairman; Britt, Sweeney, Brady. Excused: Dolan, Vice Chairman, Johnson.

Finance Committee (Joint with Public Parks, Property and Recreation Committee): 9:30 A.M.—Present: Patmon, Chairman; Rybka, Vice Chairman; Cintron, Lewis, Melena, O'Malley, Polensek, Robinson, Sweeney. Excused: Dolan, Johnson.

Finance Committee: 10:00 A.M.—Present: Patmon, Chairman; Rybka, Vice Chairman; Cintron, Dolan, Lewis, Melena, O'Malley, Polensek, Robinson, Sweeney. Excused: Johnson.

Wednesday, December 15, 1999

Finance Committee: 10:00 A.M.—Present: Patmon, Chairman; Rybka, Vice Chairman; Cintron, Dolan, Lewis, O'Malley, Polensek, Robinson, Sweeney. Excused: Johnson, Melena.

Index

Bold figures—Final Publication; D—Defeated; R—Reprint; T—Tabled; V—Vetoed;
 Bold type in sections indicates amendments

Agreements

Architectural, engineering and construction services — Town Center project — East 174th Street and Lakeshore Boulevard (Ward 11) — Community Development (O 2129-99) **2321**
 Cory-Glenville Community of Shalom Multipurpose Building — construction — FAMICOS Foundation — Community Development (O 2184-99) 2298
 Economic development projects in Wards 8, 9 and 10 — consultant — Northeastern Neighborhood Development Corporation — Community Development (O 2126-99) **2320**

Lorain Avenue, 9201 — renovation of a historic mixed-use building — Cudell Improvement, Inc. — Community Development (O 2185-99) 2298

Shaker Square Commercial District (the “Project”) — rehabilitation & redevelopment — reconvey title to Shaker Square of Ohio, Inc. — Economic Development (O 2176-99) 2295

Shaker Square Commercial District redevelopment project — tax increment — Shaker Heights City School District — payments — Economic Development Department (O 2175-99) 2294

St. Clair Avenue, 15614 (Ward 11) — renovation of property — Collinwood and Nottingham Villages Development Corporation — Community Development (O 2127-99) **2320**

Banners

“Winter Welcome” celebration — banners — St. Clair Business Association (O 2130-99)..... **2321**

St. Rose’s Parish 100-Year Anniversary — (12) banners — St. Rose of Lima Parish (O 2132-99)..... **2322**

Board of Building Standards and Building Appeals

Bosworth Road, 3728, (Ward 19) – Charles and Kristi Webb, owner - appeal resolved on 12/8/99 (Doc. A-243-99) 2311

Braidich, John – appeal resolved on 12/8/99 (Doc. L-40-99) 2310

Clement Avenue, 7002, (Ward 12) – IMC Mortgage Company, mortgagee - appeal resolved on 12/8/99 (Doc. A-238-99) 2310

Coltman Road, 1850, (Ward 6) – Cuyahoga Metropolitan Housing Authority (C.M.H.A.), owner - appeal rescheduled to 12/22/99 on 12/8/99 (Doc. A-295-99)..... 2311

East 105th Street, 861, (Ward 8) – Lee Memorial A.M.E. Church, owner - appeal resolved on 12/8/99 (Doc. A-309-99) 2312

East 125th Street, 794, (Ward 9) – Joseph Grant, owner - appeal adopted on 12/8/99 (Doc. A-209-99) 2312

East 173rd Street, 1419, (Ward 11) – James B. Short, owner - appeal adopted on 12/8/99 (Doc. A-240-99) 2312

Euclid Avenue, 7348-50, (Ward 5) – C & J Realty Corp., owner - appeal adopted on 12/8/99 (Doc. A-225-99) 2312

Fyfe, John – appeal resolved on 12/8/99 (Doc. L-44-99) 2310

Gooding Avenue, 10732, (Ward 8) – Genobia Lorraine Tutt, owner - appeal resolved on 12/8/99 (Doc. A-242-99) 2311

Nemeth, John – appeal resolved on 12/8/99 (Doc. L-42-99) 2310

Rancour, Thomas E. – appeal resolved on 12/8/99 (Doc. L-41-99) 2310

Shaker Boulevard, 10701, (Ward 6) – The International Preparatory School, owner - appeal resolved on 12/8/99 (Doc. A-308-99)..... 2311

St. Clair Avenue, 3804, (Ward 13) – William E. Hawkins, II and Nancy K. Hawkins, owners - appeal postponed to 1/5/2000 on 12/8/99 (Doc. A-244-99) 2311

Superior Avenue, 410, (a.k.a. 401 Euclid Avenue), (Ward 13) – Old Arcade, LLC, owner - appeal rescheduled to 12/22/99 on 12/8/99 (Doc. A-334-99)..... 2312

West 117th Street, 3351-59, (Ward 19) – Talal Kirallah, owner - appeal resolved on 12/8/99 (Doc. A-241-99) 2311

West 33rd Street, 3735-41, (Ward 15) – Victor Sanchez and Pepe Sanchez, owners - appeal adopted on 12/8/99 (Doc. A-236-99) 2312

Wisniewski, Larry F. – appeal resolved on 12/8/99 (Doc. L-43-99) 2310

Board of Control - Cardinal Mindszenty Plaza

Cardinal Mindszenty Plaza renovations, Phase II - contract pursuant to Ord. 1254-92 and 2096-92 to Royal Landscape, Inc. - Division of Water, Dept. of Public Utilities (BOC Res. 792-99) 2307

Board of Control - Cleveland Hopkins International Airport Division

Residential Sound Insulation Program, Phase 2 Continuation (Group D-99) - contract pursuant to Ord. 930-95 and 469-98 to Standen Contracting Company - Division of Cleveland Hopkins International Airport, Dept. of Port Control (BOC Res. 795-99)..... 2307

Residential Sound Insulation Program, Phase 2 Continuation (Group G-99) - contract pursuant to Ord. 930-95 and 469-98 to Koch Corporation - Division of Cleveland Hopkins International Airport, Dept. of Port Control (BOC Res. 796-99) 2307

Residential Sound Insulation Program, Phase 2 Continuation (Group H-99) - contract pursuant to Ord. 930-95 and 469-98 to Interstate Design & Construction Company - Division of Cleveland Hopkins International Airport, Dept. of Port Control (BOC Res. 797-99) 2307

Board of Control - Community Development Department

East 55th Street, 1835 (Ward 7) - PPN 104-20-010 - to Capitol Development Group, Inc. pursuant to Ord. 1272-99 - rejected (BOC Res. 805-99)	2309
Kollin Avenue, 16221 and East 147th Street (Ward 1) - PPN 143-04-100 and 142-26-062 - to Amistad Development Corporation pursuant to Ord. 2069-99 (BOC Res. 803-99).....	2308
Lexington Avenue, 7611 (Ward 7) - PPN 106-17-082 - to Monica Brenston Hamilton pursuant to Ord. 2073-99 (BOC Res. 806-99)	2309
Melrose Avenue, 7317, 7311, 7307-09 (Ward 7) - PPN 106-10-048/049/050 - to Emanuel Leaks and Marna Leaks pursuant to Ord. 1994-99 (BOC Res. 804-99)	2309

Board of Control - Emergency Medical Service Division

Lifepak 12 ECG monitor / defibrillators - contract pursuant to Ord. 1954-98 to Medtronic Physio-Control Corporation - Division of Emergency Medical Service, Dept. of Public Safety (BOC Res. 801-99).....	2308
--	------

Board of Control - Land Reutilization Program

East 55th Street, 1835 (Ward 7) - PPN 104-20-010 - to Capitol Development Group, Inc. pursuant to Ord. 1272-99 - rejected (BOC Res. 805-99)	2309
Kollin Avenue, 16221 and East 147th Street (Ward 1) - PPN 143-04-100 and 142-26-062 - to Amistad Development Corporation pursuant to Ord. 2069-99 (BOC Res. 803-99).....	2308
Lexington Avenue, 7611 (Ward 7) - PPN 106-17-082 - to Monica Brenston Hamilton pursuant to Ord. 2073-99 (BOC Res. 806-99)	2309
Melrose Avenue, 7317, 7311, 7307-09 (Ward 7) - PPN 106-10-048/049/050 - to Emanuel Leaks and Marna Leaks pursuant to Ord. 1994-99 (BOC Res. 804-99)	2309

Board of Control - Land Reutilization Program (Ward 1)

Kollin Avenue, 16221 and East 147th Street (Ward 1) - PPN 143-04-100 and 142-26-062 - to Amistad Development Corporation pursuant to Ord. 2069-99 (BOC Res. 803-99).....	2308
--	------

Board of Control - Land Reutilization Program (Ward 7)

East 55th Street, 1835 (Ward 7) - PPN 104-20-010 - to Capitol Development Group, Inc. pursuant to Ord. 1272-99 - rejected (BOC Res. 805-99)	2309
Lexington Avenue, 7611 (Ward 7) - PPN 106-17-082 - to Monica Brenston Hamilton pursuant to Ord. 2073-99 (BOC Res. 806-99)	2309
Melrose Avenue, 7317, 7311, 7307-09 (Ward 7) - PPN 106-10-048/049/050 - to Emanuel Leaks and Marna Leaks pursuant to Ord. 1994-99 (BOC Res. 804-99)	2309

Board of Control - Motor Vehicle Maintenance Division

Diesel fuel - pursuant to Ord. 950-99 - all bids rejected - Division of Motor Vehicle Maintenance, Dept. of Public Service (BOC Res. 798-99)	2308
--	------

Board of Control - Park Maintenance and Properties Division

Fencing at baseball diamonds, labor and materials to repair or replace - contract pursuant to Ord. 2107-98 to Able Contracting Group, Inc. - Division of Park Maintenance and Properties, Dept. of Parks, Recreation and Properties (BOC Res. 802-99)	2308
---	------

Board of Control - Parks, Recreation and Properties Department

Fencing at baseball diamonds, labor and materials to repair or replace - contract pursuant to Ord. 2107-98 to Able Contracting Group, Inc. - Division of Park Maintenance and Properties, Dept. of Parks, Recreation and Properties (BOC Res. 802-99)	2308
---	------

Board of Control - Port Control Department

Residential Sound Insulation Program, Phase 2 Continuation (Group D-99) - contract pursuant to Ord. 930-95 and 469-98 to Standen Contracting Company - Division of Cleveland Hopkins International Airport, Dept. of Port Control (BOC Res. 795-99).....	2307
Residential Sound Insulation Program, Phase 2 Continuation (Group G-99) - contract pursuant to Ord. 930-95 and 469-98 to Koch Corporation - Division of Cleveland Hopkins International Airport, Dept. of Port Control (BOC Res. 796-99)	2307
Residential Sound Insulation Program, Phase 2 Continuation (Group H-99) - contract pursuant to Ord. 930-95 and 469-98 to Interstate Design & Construction Company - Division of Cleveland Hopkins International Airport, Dept. of Port Control (BOC Res. 797-99)	2307

Board of Control - Professional Service Contracts

HAZWOPER safety training services - contract pursuant to Ord. 453-99 to Occupational Compliance Group - Division of Water, Dept. of Public Utilities (BOC Res. 793-99) 2307

Board of Control - Public Improvement Contracts

Cardinal Mindszenty Plaza renovations, Phase II - contract pursuant to Ord. 1254-92 and 2096-92 to Royal Landscape, Inc. - Division of Water, Dept. of Public Utilities (BOC Res. 792-99) 2307
Direct fired air make up units - amend BOC Res. 737-99 - Dept. of Public Safety (BOC Res. 800-99) 2308
Residential Sound Insulation Program, Phase 2 Continuation (Group D-99) - contract pursuant to Ord. 930-95 and 469-98 to Standen Contracting Company - Division of Cleveland Hopkins International Airport, Dept. of Port Control (BOC Res. 795-99)..... 2307
Residential Sound Insulation Program, Phase 2 Continuation (Group G-99) - contract pursuant to Ord. 930-95 and 469-98 to Koch Corporation - Division of Cleveland Hopkins International Airport, Dept. of Port Control (BOC Res. 796-99) 2307
Residential Sound Insulation Program, Phase 2 Continuation (Group H-99) - contract pursuant to Ord. 930-95 and 469-98 to Interstate Design & Construction Company - Division of Cleveland Hopkins International Airport, Dept. of Port Control (BOC Res. 797-99) 2307

Board of Control - Public Safety Department

Direct fired air make up units - amend BOC Res. 737-99 - Dept. of Public Safety (BOC Res. 800-99) 2308
Lifepak 12 ECG monitor / defibrillators - contract pursuant to Ord. 1954-98 to Medtronic Physio-Control Corporation - Division of Emergency Medical Service, Dept. of Public Safety (BOC Res. 801-99)..... 2308

Board of Control - Public Service Department

Diesel fuel - pursuant to Ord. 950-99 - all bids rejected - Division of Motor Vehicle Maintenance, Dept. of Public Service (BOC Res. 798-99) 2308
Rock salt - contract pursuant to Ord. 1119-99 to Cargill, Inc., Salt Division - Division of Streets, Dept. of Public Service (BOC Res. 799-99)..... 2308

Board of Control - Public Utilities Department

Cardinal Mindszenty Plaza renovations, Phase II - contract pursuant to Ord. 1254-92 and 2096-92 to Royal Landscape, Inc. - Division of Water, Dept. of Public Utilities (BOC Res. 792-99) 2307
HAZWOPER safety training services - contract pursuant to Ord. 453-99 to Occupational Compliance Group - Division of Water, Dept. of Public Utilities (BOC Res. 793-99) 2307
Lift trucks, diesel powered - contract pursuant to Ord. 2000-98 to Clarklift of Cleveland, Inc. - Division of Water, Dept. of Public Utilities (BOC Res. 794-99) 2307

Board of Control - Requirement Contracts

Fencing at baseball diamonds, labor and materials to repair or replace - contract pursuant to Ord. 2107-98 to Able Contracting Group, Inc. - Division of Park Maintenance and Properties, Dept. of Parks, Recreation and Properties (BOC Res. 802-99) 2308
Lifepak 12 ECG monitor / defibrillators - contract pursuant to Ord. 1954-98 to Medtronic Physio-Control Corporation - Division of Emergency Medical Service, Dept. of Public Safety (BOC Res. 801-99)..... 2308
Rock salt - contract pursuant to Ord. 1119-99 to Cargill, Inc., Salt Division - Division of Streets, Dept. of Public Service (BOC Res. 799-99)..... 2308

Board of Control - Standard Purchase Contracts

Lift trucks, diesel powered - contract pursuant to Ord. 2000-98 to Clarklift of Cleveland, Inc. - Division of Water, Dept. of Public Utilities (BOC Res. 794-99) 2307

Board of Control - Streets Division

Rock salt - contract pursuant to Ord. 1119-99 to Cargill, Inc., Salt Division - Division of Streets, Dept. of Public Service (BOC Res. 799-99)..... 2308

Board of Control - Water Division

Cardinal Mindszenty Plaza renovations, Phase II - contract pursuant to Ord. 1254-92 and 2096-92 to Royal Landscape, Inc. - Division of Water, Dept. of Public Utilities (BOC Res. 792-99)	2307
HAZWOPER safety training services - contract pursuant to Ord. 453-99 to Occupational Compliance Group - Division of Water, Dept. of Public Utilities (BOC Res. 793-99)	2307
Lift trucks, diesel powered - contract pursuant to Ord. 2000-98 to Clarklift of Cleveland, Inc. - Division of Water, Dept. of Public Utilities (BOC Res. 794-99)	2307

Board of Zoning Appeals - Report

East 152nd Street, 431, (Ward 11) - Agency Homes, owners and Rick Thompson, agent - appeal heard on 12/13/99 (Cal. 99-507)	2309
Evangeline Road, 912, (Ward 11) - Celeste Walton, owner - appeal withdrawn on 12/13/99 (Cal. 99-514)	2310
Grantwood Avenue, 10906, (Ward 8) - Milton Hardley, owner and Frank Dimora, c/o Reliable Builders, agent - appeal heard on 12/13/99 (Cal. 99-515)	2309
Kinsman Road, 15407, (Ward 3) - Kim Scott, owner - appeal postponed to 1/17/2000 on 12/13/99 (Cal. 99-506)	2309
Kinsman Road, 7239, (Ward 5) - James Strong, owner and Lillie Muston, tenant - appeal postponed to 1/10/2000 on 12/13/99 (Cal. 99-258)	2309
South Hills Drive, 4579, (Ward 15) - Nancy Sullivan, owner - appeal heard on 12/13/99 (Cal. 99-513)	2309
Storer Avenue, 6225, (Ward 17) - Scott Kollab, owner - appeal granted and adopted on 12/13/99 (Cal. 99-297)	2310
Villaview Road, 19991, (Ward 11) - Rick Case Enterprises, owner, and Bernd Melster, d.b.a. Flags and More, agent - appeal denied and adopted on 12/13/99 (Cal. 99-299)	2310
West 130th Street, 4563, (Ward 20) - Timothy Rowe, owner and Don Hamilton, tenant - appeal denied and adopted on 12/13/99 (Cal. 99-504)	2310
West 150th Street, 4284, (Ward 20) - Speedway SuperAmerica, owner c/o Dave Thomas - appeal withdrawn on 12/13/99 (Cal. 99-500)	2310
West 67th Street, 1212, (Ward 17) - John J. Staunton, owner - appeal granted and adopted on 12/13/99 (Cal. 99-498)	2310
West 91st Street, 1275, (Ward 17) - Kenny Lowery, owner - appeal heard on 12/13/99 (Cal. 99-508)	2309
West Clinton Avenue, 5809, (Ward 17) - Greg Mueller, owner - appeal granted and adopted on 12/13/99 (Cal. 99-502)	2310

Bridges

West 44th Street bridge — rehabilitating — Service Department (O 2169-99)	2293
---	------

Budget Commission

Budget Commission — accepting amount and rates — tax levies certifying — County Auditor (R 2063-99)	2306
---	------

City of Cleveland Bids

Air filters, materials and services for air handling units - Department of Port Control - per Ord. 454-99 - bid due January 14, 2000 (advertised 12/8/99 and 12/15/99)	2312
Computerized Access Control system, Fire detection system, CCTV, Time and Attendance interface equipment, maintenance and repair of - Department of Port Control - Division of Cleveland Hopkins International Airport - per Ord. 2096-99 - bid due December 29, 1999 (advertised 12/8/99 and 12/15/99)	2312
Diesel fuel - Department of Port Control - Division of Motor Vehicle Maintenance - per Ord. 950-99 - bid due December 22, 1999 (advertised 12/8/99 and 12/15/99)	2312
G.R.E.A.T. supplies - Department of Public Safety - Division of Police - per Ord. 183-99 - bid due January 6, 2000 (advertised 12/15/99 and 12/22/99)	2312
Life Safety System Command Center, upgrade and relocation of - Department of Parks, Recreation and Properties - Division of Convention Center and Stadium - per Ord. 761-98 - bid due December 29, 1999 (advertised 12/8/99 and 12/15/99)	2312
Night vision binoculars - Department of Public Safety - Division of Police - per Ord. 182-99 - bid due January 6, 2000 (advertised 12/15/99 and 12/22/99)	2312
Parma Reservoir exterior and interior rehabilitation and replacement and addition of piping and valves - Department of Public Utilities - Division of Water - per Ord. 1612-96 - bid due January 26, 2000 (advertised 12/15/99 and 12/22/99)	2313
Powdered activated carbon - Department of Public Utilities - Division of Water - per C.O. Sec. 129.24 - bid due December 29, 1999 (advertised 12/8/99 and 12/15/99)	2312
Recreation Centers locker renovations - Department of Parks, Recreation and Properties - per Ord. 1605-98 - bid due January 13, 2000 (advertised 12/15/99 and 12/22/99)	2312
Typewriters - Department of Public Safety - Division of Police - per Ord. 182-99 - bid due January 6, 2000 (advertised 12/15/99 and 12/22/99)	2312

City Planning Commission

Authorizing the Commissioner — Purchases and Supplies — to convey the board of trustee — Cleveland Public Library — Eastman Park declaring — easement rights no longer needed for public use (O 316-96) 2300

City Planning Department

Bridge Avenue N.W. and West 52nd Street — change Use and Area Districts (O 1600-99)..... 2306
 Carlos Avenue S.W. — West 47th Street — Change Use District (O 1270-99) 2305
 Carlos Avenue S.W. and West 47th Street — northwest, southwest and northeast corners — change the Use District (O 1434-99) 2306
 Erie Railroad tracks between East 146 Street and west of East 154 Street — change Use District (O 1271-99)..... 2305
 Euclid Avenue Church of God — designating — Cleveland Landmark (O 2178-99) 2296
 Grant Avenue S.E., War Avenue, East 66th St., East 68th Street — change the Use District (O 1131-99)..... 2305
 Planned Unit Development Overlay District — northwest and southwest corners of Center Street and Riverbed — southeast corner of Center Street and Washington (O 1433-99)..... 2305
 W. Superior Avenue, Lockwood Drive, Columbus Road — change Use, Area and Height District (O 2179-99)..... 2297

Cleveland Area Enterprise Zone

Industrial Parkway, 15825 — machinery, equipment, furniture and fixtures — Actron Manufacturing Company — Enterprise Zone Agreement — Economic Development (O 1853-99)..... 2303

Cleveland Hopkins International Airport

West Hangar Road — public improvement — site improvements — Cleveland Hopkins International Airport (O 1419-99)..... 2301

Cleveland Industrial Park

Block C-1 — Cleveland Industrial Park — sell City property — Jaylin Group, Inc. (O 1569-99)..... 2301

Cleveland Municipal Court

Computer and maintenance and support — Cleveland Integrated Justice Information System — Cleveland Municipal Court — (IBM) — Finance Department (O 2128-99) 2320

Cleveland Public Power

Comprehensive security system — fencing, gates, barriers — Water Division — Cleveland Public Power - Water Pollution Control (O 1414-99) 2301

Codified Ordinances

Dishonored check fee — new Section 127.42 — Codified Ordinances (O 2154-99)..... 2288
 Sidewalk obstructions — amend Section 507.06 — Codified Ordinances (O 2181-99) 2297

Collinwood Village Development Corporation

St. Clair Avenue, 15614 (Ward 11) — renovation of property — Collinwood and Nottingham Villages Development Corporation — Community Development (O 2127-99) 2320

Communications

1999 Annual Report — 2000 Service Goals — Youth Opportunities Unlimited (F 2149-99) 2287
 Emergency Requisition (RE-3546) — Purchases and Supplies Division (F 2148-99) 2287
 Sales Request No. 90182 — Purchases and Supplies Division (F 2147-99)..... 2287

Community Development

Addison Road, 1552 — Land Reutilization Program — Michelle Denise Lewis (O 1873-99).....	2303
Alpine Street, 2921 — Land Reutilization Program — Laura M. Little (O 1750-99).....	2302
Architectural, engineering and construction services — Town Center project — East 174th Street and Lakeshore Boulevard (Ward 11) — Community Development (O 2129-99)	2321
Art House, Ward 15 — 3119 Denison Avenue — acquire and rehabilitate house — Community Development (O 2123-99).....	2319
Cleveland/Cuyahoga County Office of Homeless Services — Emergency Shelter Grant Program — Community Development (O 1266-99).....	2301
Cory-Glenville Community of Shalom Multipurpose Building — construction — FAMICOS Foundation — Community Development (O 2184-99)	2298
East 105th Street and Euclid Avenue, northeast corner — sell City-owned property — Cleveland Clinic Foundation (O 1659-99).....	2302
East 114th Street, 3792 — Land Reutilization Program — Donnell Tate, Jr. (O 1848-99).....	2303
East 147th Street, 903 — Land Reutilization Program — Edna B. Franklin (O 1843-99).....	2302
East 85th Street, 1614 — Land Reutilization Program — Patrick Prince (O 1876-99).....	2303
Economic development projects in Wards 8, 9 and 10 — consultant — Northeastern Neighborhood Development Corporation — Community Development (O 2126-99)	2320
Establishing Cleveland as a Community Reinvestment Area — amend Section 3 of Ordinance No. 1776-A-90 — except "Downtown Plan Area" (O 2093-99)	2305
Establishing Community Reinvestment Area — Lakeside Avenue north, West 6th Street east, St. Clair Avenue south, West 9th Street west (O 2095-99).....	2305
Franklin Boulevard, 3902-08 — Land Reutilization Program — Mark G. Pokrandt (O 1658-99).....	2301
Gilmore Avenue, 13113 — Land Reutilization Program — Lillian Flores (O 1660-99).....	2302
Harvard Avenue, 12407 — Land Reutilization Program — Anthony R. Ford and Alletrius M. Ford (O 1756-99)	2302
Heritage Lane Neighborhood District improvement — East 105th Street (Ward 8 and 9) — FAMICOS — Community Development (O 2125-99).....	2320
Holiday meals program — senior citizens and disabled persons (Ward 15) — Senior Citizen Resources, Inc. — Community Development (O 2124-99)	2320
Lakeview Place Housing Project — construction — Northeastern Neighborhood Development Corporation — Community Development (O 2188-99).....	2298
Linwood Avenue, 8316 — Land Reutilization Program — Archie Ross and Anna Ross (O 1877-99).....	2304
Longmead Avenue, 12713 — Land Reutilization Program — John C. Bella and Alice F. Bella (O 1760-99).....	2302
Lorain Avenue, 4407 — improvement — Spanish American Committee — Community Development (O 2182-99).....	2297
Lorain Avenue, 7510 — Land Reutilization Program — William J. Ripcho (O 1752-99).....	2302
Lorain Avenue, 9201 — renovation of a historic mixed-use building — Cudell Improvement, Inc. — Community Development (O 2185-99)	2298
Melrose Avenue, 7518 — Land Reutilization Program — Harry Arrington (O 1874-99)	2303
Miles Park Carnegie Library renovation, Garrett Morgan Place cul-de-sac fencing, lease truck — Union Miles Development Corporation — Community Development (O 2186-99)	2298
Nelson Avenue, 9604 — Land Reutilization Program — Gail F. Stubbs (O 1758-99)	2302
Quimby Avenue, 6802 — Land Reutilization Program — Bertha Williams (O 1875-99)	2303
Saxe Avenue, 9122 — Land Reutilization Program — Ernest R. D'Amato and Kathleen D'Amato (O 1759-99).....	2302
St. Clair Avenue, 15614 (Ward 11) — renovation of property — Collinwood and Nottingham Villages Development Corporation — Community Development (O 2127-99)	2320
Thornhope Road, 13218 — Land Reutilization Program — Henry C. Neely and Geraldine Neely (O 1661-99).....	2302
Utica Avenue, 5916 — Land Reutilization Program — Barbara Thompson (O 1872-99)	2303
West 50th Street, 3409 — Land Reutilization Program — Living in Cleveland Center (O 2183-99).....	2297
West 93rd Street, 2201 — sell — West Tech LLC — Purchases and Supplies Commissioner (O 1976-99).....	2304
West 96th Street, 2138 — Land Reutilization Program — Cecily Annette Lewis aka Cecily A. Lewis (O 1847-99)	2303
West Boulevard, 1264 — acquisition of property — Cudell Improvement, Inc. — Community Development (O 2189-99).....	2298

Community Reinvestment Area

Establishing Cleveland as a Community Reinvestment Area — amend Section 3 of Ordinance No. 1776-A-90 — except "Downtown Plan Area" (O 2093-99)	2305
Establishing Community Reinvestment Area — Lakeside Avenue north, West 6th Street east, St. Clair Avenue south, West 9th Street west (O 2095-99).....	2305

Condolences

Ballard, Milton (R 2195-99)..... 2287
 Blake, Herman J. (R 2202-99)..... 2287
 Gothard, Pat (R 2203-99)..... 2287
 Hodge, Juanita (R 2197-99)..... 2287
 James, Catherine (R 2200-99)..... 2287
 McKinley Pointdexter, Grover (R 2199-99)..... 2287
 McTaggart, Ruth I. (R 2201-99)..... 2287
 Miller, Dorothy L. (R 2196-99)..... 2287
 O'Connor, Kathleen A. (R 2198-99)..... 2287

Congratulations

Carmody, Chris (R 2205-99)..... 2287
 Heckman, John Nevin (R 2206-99)..... 2287
 Horton, David & Catherine (R 2204-99)..... 2287
 St. Ignatius Wildcats (R 2207-99)..... 2287

Contracts

East 40th Street, Phase III — public improvement — Service Department
 (O 1707-99)..... 2306
 East 55th Street, Phase III — public improvement — Service Department
 (O 1708-99)..... 2306
 Empowerment Zone Labor Force Development Area — Economic Development and Personnel
 Department (O 2177-99)..... 2296
 Environmental assessments of the residences of Medicaid-eligible children — Ohio
 Department of Public Health — Department of Public Health (O 1903-99)..... **2319**
 Hardware and software maintenance — BanTec USA, Inc. — Water Division
 (O 2158-99)..... 2288
 Lisbon Road, 2686 — True Resource, Inc. — economic development assistance — Economic
 Development (O 1568-99)..... 2301
 Manufacturing Road, 4700 — acquisition of building — Manufacturing Road, LLC — Economic
 Development (O 1982-99)..... 2305
 Refurbished aluminum sign blanks — Division of Traffic Engineering and Parking — Service
 Department (O 2162-99)..... 2289
 West 61st Street retaining wall rehabilitation — alterations and modifications in
 Contract No. 54089 — Markie Construction Company, Inc. — Service Department
 (O 2167-99)..... 2292

County Auditor

Budget Commission — accepting amount and rates — tax levies certifying — County Auditor
 (R 2063-99)..... 2306
 Tax advances — year 2000 — County Auditor (R 2064-99)..... 2306

Cudell Improvement, Inc.

Lorain Avenue, 9201 — renovation of a historic mixed-use building — Cudell Improvement,
 Inc. — Community Development (O 2185-99)..... 2298
 West Boulevard, 1264 — acquisition of property — Cudell Improvement, Inc. — Community
 Development (O 2189-99)..... 2298

Cuyahoga County

Cleveland/Cuyahoga County Office of Homeless Services — Emergency Shelter Grant Program
 — Community Development (O 1266-99)..... 2301
 Harvard Avenue rehabilitation — from East 116th Street to East 154th Street — consent
 — Cuyahoga County — accept allocation — County Motor Vehicle License Tax Funds
 (O 2166-99)..... 2290
 Shaker Square Commercial District redevelopment project — tax increment — Shaker Heights
 City School District — payments — Economic Development Department (O 2175-99)..... 2294
 West 140th Street — rehabilitation — payment of City of Cleveland — County of Cuyahoga
 (O 2159-99)..... 2289

Cuyahoga County Board of Health

2000 Immunization Action Plan Grant — grant — Cuyahoga County Board of Health — Health
 Department (O 1904-99)..... **2319**

Disabled Persons

Holiday meals program — senior citizens and disabled persons (Ward 15) — Senior Citizen Resources, Inc. — Community Development (O 2124-99)	2320
---	------

Easements

Columbus Road N.W. — intention to vacate — vacate, abandon, extinguish and release City of Cleveland rights — two easement — Columbus Road Viaduct (R 2190-99)	2299
Market Avenue, 2519 — easement rights — FirstEnergy Corp. — Parks, Recreation and Properties (O 1840-99)	2302

Economic Development Department

Block C-1 — Cleveland Industrial Park — sell City property — Jaylin Group, Inc. (O 1569-99).....	2301
Cement mixing facility — 5000 Crayton Avenue — Neighborhood Development Investment Fund — C.A.J. Properties, Inc. — Economic Development (O 2061-99).....	2305
Empowerment Zone Labor Force Development Area — Economic Development and Personnel Department (O 2177-99).....	2296
Industrial Parkway, 15825 — machinery, equipment, furniture and fixtures — Actron Manufacturing Company — Enterprise Zone Agreement — Economic Development (O 1853-99).....	2303
LTV Steel Company, Inc. — Enterprise Zone Agreement — amend fifth whereas clause Sections 1 and 2 of Ordinance No. 1742-88 (O 1980-99)	2305
Lisbon Road, 2686 — True Resource, Inc. — economic development assistance — Economic Development (O 1568-99).....	2301
Manufacturing Road, 4700 — acquisition of building — Manufacturing Road, LLC — Economic Development (O 1982-99).....	2305
Neighborhood Family Practice — 3569 Ridge Road — grant agreement — Economic Development (O 1979-99).....	2305
Shaker Square Commercial District (the "Project") — rehabilitation & redevelopment — reconvey title to Shaker Square of Ohio, Inc. — Economic Development (O 2176-99)	2295
Shaker Square Commercial District redevelopment project — tax increment — Shaker Heights City School District — payments — Economic Development Department (O 2175-99)	2294
Shaker Square Redevelopment Area — Economic Development — Service Department — grants — "NOACA" — State of Ohio Department of Development 629 (O 2173-99)	2294
Shaker Square Redevelopment Area — designating — approving Shaker Square Area Urban Redevelopment Plan (O 2174-99)	2294

Emergency Shelter Grant Program

Cleveland/Cuyahoga County Office of Homeless Services — Emergency Shelter Grant Program — Community Development (O 1266-99).....	2301
--	------

Enterprise Zone Agreement

Industrial Parkway, 15825 — machinery, equipment, furniture and fixtures — Actron Manufacturing Company — Enterprise Zone Agreement — Economic Development (O 1853-99).....	2303
LTV Steel Company, Inc. — Enterprise Zone Agreement — amend fifth whereas clause Sections 1 and 2 of Ordinance No. 1742-88 (O 1980-99)	2305

Environment Division

Environmental assessments of the residences of Medicaid-eligible children — Ohio Department of Public Health — Department of Public Health (O 1903-99).....	2319
---	------

Famicos Foundation

Cory-Glenville Community of Shalom Multipurpose Building — construction — FAMICOS Foundation — Community Development (O 2184-99)	2298
Heritage Lane Neighborhood District improvement — East 105th Street (Ward 8 and 9) — FAMICOS — Community Development (O 2125-99).....	2320

Fees

Dishonored check fee — new Section 127.42 — Codified Ordinances (O 2154-99).....	2288
--	------

Finance Department

1998 Ohio income tax master file data — pay cost of extraction — Finance Department
(O 2155-99)..... 2288
Automatic teller machines — installation, operation and maintenance — Finance Department
(O 2041-99)..... 2306
Budget Commission — accepting amount and rates — tax levies certifying — County Auditor
(R 2063-99) 2306
Computer and maintenance and support — Cleveland Integrated Justice Information System
— Cleveland Municipal Court — (IBM) — Finance Department (O 2128-99) **2320**
Dishonored check fee — new Section 127.42 — Codified Ordinances (O 2154-99)..... 2288
Long distance telephone service — coin operated telephones — prepaid debit/calling card
— Information System Services Division — Finance Department (O 2042-99)..... 2306
Moral Claims — Finance Department (O 2043-99)..... 2306
Tax advances — year 2000 — County Auditor (R 2064-99)..... 2306

Glenville Street facility

Ridge Road Service Center, Glenville Service Center and Glenville Streets Facility
— renovating and rehabilitating — Service Department (O 2168-99)..... 2292

Grants

1999 Local Law Enforcement Block Grant program — grant — Safety Department — U.S.
Department of Justice (O 1656-99)..... **2314**
2000 Immunization Action Plan Grant — grant — Cuyahoga County Board of Health — Health
Department (O 1904-99)..... **2319**
2000 Selective Traffic Enforcement Program — grant — Ohio Department of Public Safety
(O 1426-99)..... **2314**
Neighborhood Family Practice — 3569 Ridge Road — grant agreement — Economic Development
(O 1979-99)..... 2305
Shaker Square Redevelopment Area — Economic Development — Service Department — grants
— “NOACA” — State of Ohio Department of Development 629 (O 2173-99) 2294

Greater Cleveland Ecology Association

Tub grinder — Christmas tree recycling program — Greater Cleveland Ecology Association
— Service Department (O 2055-99) **2319**

Health Department

2000 Immunization Action Plan Grant — grant — Cuyahoga County Board of Health — Health
Department (O 1904-99)..... **2319**
Environmental assessments of the residences of Medicaid-eligible children — Ohio
Department of Public Health — Department of Public Health (O 1903-99)..... **2319**

Homeless

Cleveland/Cuyahoga County Office of Homeless Services — Emergency Shelter Grant Program
— Community Development (O 1266-99)..... 2301

IBM Corporation

Computer and maintenance and support — Cleveland Integrated Justice Information System
— Cleveland Municipal Court — (IBM) — Finance Department (O 2128-99) **2320**

Income Tax

1998 Ohio income tax master file data — pay cost of extraction — Finance Department
(O 2155-99)..... 2288

Information System Services Division

Long distance telephone service — coin operated telephones — prepaid debit/calling card
— Information System Services Division — Finance Department (O 2042-99)..... 2306

LTV Steel Company

LTV Steel Company, Inc. — Enterprise Zone Agreement — amend fifth whereas clause
Sections 1 and 2 of Ordinance No. 1742-88 (O 1980-99) 2305

Land Reutilization Program

Addison Road, 1552 — Land Reutilization Program — Michelle Denise Lewis (O 1873-99).....	2303
Alpine Street, 2921 — Land Reutilization Program — Laura M. Little (O 1750-99).....	2302
East 114th Street, 3792 — Land Reutilization Program — Donnell Tate, Jr. (O 1848-99).....	2303
East 147th Street, 903 — Land Reutilization Program — Edna B. Franklin (O 1843-99).....	2302
East 85th Street, 1614 — Land Reutilization Program — Patrick Prince (O 1876-99).....	2303
Franklin Boulevard, 3902-08 — Land Reutilization Program — Mark G. Pokrandt (O 1658-99).....	2301
Gilmore Avenue, 13113 — Land Reutilization Program — Lillian Flores (O 1660-99).....	2302
Harvard Avenue, 12407 — Land Reutilization Program — Anthony R. Ford and Alletrius M. Ford (O 1756-99)	2302
Linwood Avenue, 8316 — Land Reutilization Program — Archie Ross and Anna Ross (O 1877-99).....	2304
Longmead Avenue, 12713 — Land Reutilization Program — John C. Bella and Alice F. Bella (O 1760-99).....	2302
Lorain Avenue, 7510 — Land Reutilization Program — William J. Ripcho (O 1752-99).....	2302
Melrose Avenue, 7518 — Land Reutilization Program — Harry Arrington (O 1874-99)	2303
Nelson Avenue, 9604 — Land Reutilization Program — Gail F. Stubbs (O 1758-99)	2302
Quimby Avenue, 6802 — Land Reutilization Program — Bertha Williams (O 1875-99)	2303
Saxe Avenue, 9122 — Land Reutilization Program — Ernest R. D'Amato and Kathleen D'Amato (O 1759-99).....	2302
Thornhope Road, 13218 — Land Reutilization Program — Henry C. Neely and Geraldine Neely (O 1661-99).....	2302
Utica Avenue, 5916 — Land Reutilization Program — Barbara Thompson (O 1872-99)	2303
West 50th Street, 3409 — Land Reutilization Program — Living in Cleveland Center (O 2183-99).....	2297
West 96th Street, 2138 — Land Reutilization Program — Cecily Annette Lewis aka Cecily A. Lewis (O 1847-99)	2303

Landmark

Euclid Avenue Church of God — designating — Cleveland Landmark (O 2178-99)	2296
--	------

Liquor Permits

Berea Road, 10630 (Ward 18) — Objecting to stock transfer (R 2193-99)	2300
Detroit Avenue, 4423 (Ward 14) — Withdrawing objection to issuance of C1 Liquor Permit (R 2192-99)	2299
Dolloff Road, 5353 (Ward 13) — Objecting to stock transfer (R 2194-99)	2300
East 93rd Street, 3111 (Ward 4) — objecting to issuance of C1 (R 2134-99).....	2313
Madison Avenue, 10510-12 first floor and basement (Ward 18) — Withdrawing objection to renewal (R 2191-99)	2299
Waterloo Road, 15610 first floor and basement — (Ward 11) objecting to transfer of ownership (R 2135-99)	2313
West 25th Street, 3194 first floor and basement — objecting to stock transfer (Ward 14) (R 2133-99)	2313

Living in Cleveland Center

West 50th Street, 3409 — Land Reutilization Program — Living in Cleveland Center (O 2183-99).....	2297
--	------

Mayor's Appointments

Livingstone, Mr. Fred — Community Relations Board — expire March 31, 2003 (F 2152-99)	2287
--	------

Moral Claims

Moral Claims — Finance Department (O 2043-99).....	2306
--	------

Motor Vehicle Maintenance Division

Automotive and truck oils, lubricants and solvents — Motor Vehicle Maintenance (O 1836-99).....	2318
Equipment and vehicle batteries — Motor Vehicle Maintenance (O 1826-99).....	2316

Gasoline — purchase — Motor Vehicle Maintenance (O 1821-99)..... **2315**
 Heavy duty construction equipment — repair and maintain — Motor Vehicle Maintenance
 Division (O 1837-99)..... **2318**
 Meyer snowplow and spreader parts — purchase — Motor Vehicle Maintenance
 (O 1822-99)..... **2315**
 Police motorcycles repair — Motor Vehicle Maintenance Division — Service Department
 (O 2163-99)..... 2290
 Remanufactured transmissions — purchase — Motor Vehicle Maintenance (O 1823-99)..... **2315**
 Tire repair road service — purchase — Motor Vehicle Maintenance (O 1824-99)..... **2315**
 Tires — Motor Vehicle Maintenance Division (O 1961-99)..... 2306

NOACA

Shaker Square Redevelopment Area — Economic Development — Service Department — grants
 — “NOACA” — State of Ohio Department of Development 629 (O 2173-99)..... 2294

Neighborhood Development Investment Fund

Cement mixing facility — 5000 Crayton Avenue — Neighborhood Development Investment Fund
 — C.A.J. Properties, Inc. — Economic Development (O 2061-99)..... 2305

Neighborhood Family Practice

Neighborhood Family Practice — 3569 Ridge Road — grant agreement — Economic Development
 (O 1979-99)..... 2305

Northeast Shores Development Corporation

Architectural, engineering and construction services — Town Center project — East 174th
 Street and Lakeshore Boulevard (Ward 11) — Community Development (O 2129-99)..... **2321**

Northeastern Neighborhood Development Corporation

Economic development projects in Wards 8, 9 and 10 — consultant — Northeastern
 Neighborhood Development Corporation — Community Development (O 2126-99)..... **2320**
 Lakeview Place Housing Project — construction — Northeastern Neighborhood Development
 Corporation — Community Development (O 2188-99)..... 2298

Ohio Department of Health

Environmental assessments of the residences of Medicaid-eligible children — Ohio
 Department of Public Health — Department of Public Health (O 1903-99)..... **2319**

Ohio Revised Code

Shaker Square Redevelopment Area — designating — approving Shaker Square Area Urban
 Redevelopment Plan (O 2174-99)..... 2294

Old Brooklyn Community Development Corporation

Art House, Ward 15 — 3119 Denison Avenue — acquire and rehabilitate house — Community
 Development (O 2123-99)..... **2319**

Parks, Recreation and Properties Department

Authorizing the Commissioner — Purchases and Supplies — to convey the board of trustee
 — Cleveland Public Library — Eastman Park declaring — easement rights no longer
 needed for public use (O 316-96)..... 2300
 Eleven pumps for swimming pools — Recreation Division (O 2172-99)..... 2294
 Market Avenue, 2519 — easement rights — FirstEnergy Corp. — Parks, Recreation and
 Properties (O 1840-99)..... 2302
 Purchase a site for a east side maintenance facility at 6410-12 Central Avenue
 (O 1164-96)..... 2300
 Sell of City-owned property - north side - Branch Avenue between West 11th Street and West
 14th Street - Department of Parks, Recreation and Properties (O 1816-98)..... 2301
 Superior Avenue, NW and Columbus Road, NW, PPN. 101-15-036 — Sell — Cleveland
 Hospitality Partners, Ltd. — Purchases and Supplies Division (O 2171-99)..... 2293
 West 15th Street — between Abbey Road and Fairfield Road — sell — 1501 Companies, Ltd.
 — Purchases and Supplies (O 1842-99)..... 2302

Permits

“Winter Welcome” celebration — banners — St. Clair Business Association (O 2130-99).....	2321
Christmas Season — Christmas Wreaths and Aluminum Banding (Wards 13 & 14) - Tremont Development Corporation (O 2131-99).....	2321
Parking lot, security fencing, and safety gates — West 29th Street and Vermont Avenue — right-of-way (O 2160-99).....	2289
St. Rose’s Parish 100-Year Anniversary — (12) banners — St. Rose of Lima Parish (O 2132-99).....	2322

Personnel Department

Empowerment Zone Labor Force Development Area — Economic Development and Personnel Department (O 2177-99).....	2296
---	------

Planned Unit Development Overlay District

Planned Unit Development Overlay District — northwest and southwest corners of Center Street and Riverbed — southeast corner of Center Street and Washington (O 1433-99).....	2305
---	------

Police Cars

Police motorcycles repair — Motor Vehicle Maintenance Division — Service Department (O 2163-99).....	2290
---	------

Port Control Department

Security guard services — Port Control Department (O 1744-99).....	2314
West Hangar Road — public improvement — site improvements — Cleveland Hopkins International Airport (O 1419-99).....	2301

Purchases and Supplies Department

Block C-1 — Cleveland Industrial Park — sell City property — Jaylin Group, Inc. (O 1569-99).....	2301
East 105th Street and Euclid Avenue, northeast corner — sell City-owned property — Cleveland Clinic Foundation (O 1659-99).....	2302
East 40th Street, Phase III — public improvement — Service Department (O 1707-99).....	2306
East 55th Street, Phase III — public improvement — Service Department (O 1708-99).....	2306
Emergency Requisition (RE-3546) — Purchases and Supplies Division (F 2148-99).....	2287
Sales Request No. 90182 — Purchases and Supplies Division (F 2147-99).....	2287
Shaker Square Commercial District (the “Project”) — rehabilitation & redevelopment — reconvey title to Shaker Square of Ohio, Inc. — Economic Development (O 2176-99).....	2295
Superior Avenue, NW and Columbus Road, NW, PPN. 101-15-036 — Sell — Cleveland Hospitality Partners, Ltd. — Purchases and Supplies Division (O 2171-99).....	2293
West 15th Street — between Abbey Road and Fairfield Road — sell — 1501 Companies, Ltd. — Purchases and Supplies (O 1842-99).....	2302
West 93rd Street, 2201 — sell — West Tech LLC — Purchases and Supplies Commissioner (O 1976-99).....	2304

Recreation Division

Eleven pumps for swimming pools — Recreation Division (O 2172-99).....	2294
--	------

Resolutions — Miscellaneous

Budget Commission — accepting amount and rates — tax levies certifying — County Auditor (R 2063-99).....	2306
Home Depot urged to utilize and employ Cleveland construction firms and workers (R 2187-99).....	2299
Tax advances — year 2000 — County Auditor (R 2064-99).....	2306

Ridge Road Service Center

Ridge Road Service Center, Glenville Service Center and Glenville Streets Facility — renovating and rehabilitating — Service Department (O 2168-99).....	2292
---	------

Right-of-Way

Parking lot, security fencing, and safety gates — West 29th Street and Vermont Avenue — right-of-way (O 2160-99).....	2289
--	------

Safety Department

1999 Local Law Enforcement Block Grant program — grant — Safety Department — U.S. Department of Justice (O 1656-99).....	2314
2000 Selective Traffic Enforcement Program — grant — Ohio Department of Public Safety (O 1426-99).....	2314
Furniture, fixtures and appliances — various divisions — Safety Department (O 2170-99).....	2293

Senior Citizen Resources, Inc.

Holiday meals program — senior citizens and disabled persons (Ward 15) — Senior Citizen Resources, Inc. — Community Development (O 2124-99)	2320
--	------

Service Department

“Winter Welcome” celebration — banners — St. Clair Business Association (O 2130-99).....	2321
Aluminum signs — Division of Traffic Engineering and Parking — Service Department (O 2164-99).....	2290
Asphalt concrete — Street Division (O 1830-99)	2317
Automotive and truck oils, lubricants and solvents — Motor Vehicle Maintenance (O 1836-99).....	2318
Christmas Season — Christmas Wreaths and Aluminum Banding (Wards 13 & 14) - Tremont Development Corporation (O 2131-99)	2321
Cold mix material — Streets Division (O 1832-99)	2317
East 40th Street, Phase III — public improvement — Service Department (O 1707-99).....	2306
East 55th Street, Phase III — public improvement — Service Department (O 1708-99).....	2306
Electronic traffic signal equipment — Division of Traffic Engineering and Parking — Service Department (O 2165-99)	2290
Emulsion, purging solution and emulsion service management — Streets Division (O 1828-99).....	2316
Equipment and vehicle batteries — Motor Vehicle Maintenance (O 1826-99).....	2316
Gasoline — purchase — Motor Vehicle Maintenance (O 1821-99).....	2315
Guard rail elements, posts, end wings and necessary hardware — Streets Division (O 1835-99).....	2318
Gutter brooms and gutter broom sets — Street Division (O 1829-99).....	2317
Harvard Avenue rehabilitation — from East 116th Street to East 154th Street — consent — Cuyahoga County — accept allocation — County Motor Vehicle License Tax Funds (O 2166-99).....	2290
Heavy duty construction equipment — repair and maintain — Motor Vehicle Maintenance Division (O 1837-99)	2318
Manhole risers — Streets Division (O 1825-99)	2316
Meyer snowplow and spreader parts — purchase — Motor Vehicle Maintenance (O 1822-99).....	2315
Parking lot, security fencing, and safety gates — West 29th Street and Vermont Avenue — right-of-way (O 2160-99).....	2289
Plow blades and curb bumpers — Streets Division (O 1834-99).....	2318
Police motorcycles repair — Motor Vehicle Maintenance Division — Service Department (O 2163-99).....	2290
Reclaimite asphalt rejuvenating agent — Pavement Technology — Streets Division — Service Department (O 1905-99)	2306
Refurbished aluminum sign blanks — Division of Traffic Engineering and Parking — Service Department (O 2162-99).....	2289
Remanufactured transmissions — purchase — Motor Vehicle Maintenance (O 1823-99).....	2315
Ridge Road Service Center, Glenville Service Center and Glenville Streets Facility — renovating and rehabilitating — Service Department (O 2168-99).....	2292
SSI tack coat — Streets Division (O 1831-99).....	2317
Shaker Square Redevelopment Area — Economic Development — Service Department — grants — “NOACA” — State of Ohio Department of Development 629 (O 2173-99)	2294
St. Rose’s Parish 100-Year Anniversary — (12) banners — St. Rose of Lima Parish (O 2132-99).....	2322
Tire repair road service — purchase — Motor Vehicle Maintenance (O 1824-99).....	2315
Tires — Motor Vehicle Maintenance Division (O 1961-99)	2306

Traffic cones, safety drums, flashers, lights and batteries — Streets Division (O 1827-99).....	2316
Traffic paint — Division of Traffic Engineering and Parking — Service Department (O 2161-99).....	2289
Tub grinder — Christmas tree recycling program — Greater Cleveland Ecology Association — Service Department (O 2055-99)	2319
West 140th Street — rehabilitation — payment of City of Cleveland — County of Cuyahoga (O 2159-99).....	2289
West 44th Street bridge — rehabilitating — Service Department (O 2169-99).....	2293
West 61st Street retaining wall rehabilitation — alterations and modifications in Contract No. 54089 — Markie Construction Company, Inc. — Service Department (O 2167-99).....	2292
Sewers	
Snyder Avenue area Sewer — replacing — Utilities Department (O 2157-99)	2288
Towley Avenue sewer — replacing — Utilities Department (O 2156-99).....	2288
Shaker Heights City School District	
Shaker Square Commercial District redevelopment project — tax increment — Shaker Heights City School District — payments — Economic Development Department (O 2175-99)	2294
Shaker Square Redevelopment Area	
Shaker Square Redevelopment Area — Economic Development — Service Department — grants — “NOACA” — State of Ohio Department of Development 629 (O 2173-99)	2294
Shaker Square Redevelopment Area — designating — approving Shaker Square Area Urban Redevelopment Plan (O 2174-99)	2294
Sidewalks	
Sidewalk obstructions — amend Section 507.06 — Codified Ordinances (O 2181-99)	2297
Signs	
Aluminum signs — Division of Traffic Engineering and Parking — Service Department (O 2164-99).....	2290
Spanish American Committee	
Lorain Avenue, 4407 — improvement — Spanish American Committee — Community Development (O 2182-99).....	2297
Statement of Work Acceptance	
Terrace Construction Company — Contract No. 54338A — Utilities Department (F 2151-99)	2287
Triad Engineering & contracting — Contract No. 52206A — Utilities Department (F 2150-99)	2287
Streets	
Harvard Avenue rehabilitation — from East 116th Street to East 154th Street — consent — Cuyahoga County — accept allocation — County Motor Vehicle License Tax Funds (O 2166-99).....	2290
West 140th Street — rehabilitation — payment of City of Cleveland — County of Cuyahoga (O 2159-99).....	2289
Streets - Vacation	
Columbus Road N.W. — intention to vacate — vacate, abandon, extinguish and release City of Cleveland rights — two easement — Columbus Road Viaduct (R 2190-99)	2299
Tuscan Avenue N.W. — intention to vacate (R 2180-99)	2296
Streets Division	
Asphalt concrete — Street Division (O 1830-99)	2317
Cold mix material — Streets Division (O 1832-99)	2317
Emulsion, purging solution and emulsion service management — Streets Division (O 1828-99).....	2316

Guard rail elements, posts, end wings and necessary hardware — Streets Division
(O 1835-99)..... **2318**
Gutter brooms and gutter broom sets — Street Division (O 1829-99)..... **2317**
Manhole risers — Streets Division (O 1825-99) **2316**
Plow blades and curb bumpers — Streets Division (O 1834-99)..... **2318**
Reclaimite asphalt rejuvenating agent — Pavement Technology — Streets Division —
Service Department (O 1905-99) 2306
SSI tack coat — Streets Division (O 1831-99)..... **2317**
Traffic cones, safety drums, flashers, lights and batteries — Streets Division
(O 1827-99)..... **2316**

Swimming Pools

Eleven pumps for swimming pools — Recreation Division (O 2172-99)..... 2294

Traffic Engineering and Parking Division

Aluminum signs — Division of Traffic Engineering and Parking — Service Department
(O 2164-99)..... 2290
Electronic traffic signal equipment — Division of Traffic Engineering and Parking
— Service Department (O 2165-99) 2290
Refurbished aluminum sign blanks — Division of Traffic Engineering and Parking — Service
Department (O 2162-99)..... 2289
Traffic paint — Division of Traffic Engineering and Parking — Service Department
(O 2161-99)..... 2289

U.S. Department of Justice

1999 Local Law Enforcement Block Grant program — grant — Safety Department — U.S.
Department of Justice (O 1656-99)..... **2314**

Union Miles Development Corporation

Miles Park Carnegie Library renovation, Garrett Morgan Place cul-de-sac fencing, lease
truck — Union Miles Development Corporation — Community Development (O 2186-99) 2298

Utilities Department

Comprehensive security system — fencing, gates, barriers — Water Division — Cleveland
Public Power - Water Pollution Control (O 1414-99) 2301
Forty five pieces of equipment for distribution maintenance — Water Division
(O 1816-99)..... 2302
Hardware and software maintenance — BanTec USA, Inc. — Water Division
(O 2158-99)..... 2288
Snyder Avenue area Sewer — replacing — Utilities Department (O 2157-99) 2288
Terrace Construction Company — Contract No. 54338A — Utilities Department
(F 2151-99) 2287
Towley Avenue sewer — replacing — Utilities Department (O 2156-99)..... 2288
Triad Engineering & contracting — Contract No. 52206A — Utilities Department
(F 2150-99) 2287

Water Division

Comprehensive security system — fencing, gates, barriers — Water Division — Cleveland
Public Power - Water Pollution Control (O 1414-99) 2301
Forty five pieces of equipment for distribution maintenance — Water Division
(O 1816-99)..... 2302
Hardware and software maintenance — BanTec USA, Inc. — Water Division
(O 2158-99)..... 2288

Water Pollution Control Division

Comprehensive security system — fencing, gates, barriers — Water Division — Cleveland
Public Power - Water Pollution Control (O 1414-99) 2301

Youth Opportunities Unlimited

1999 Annual Report — 2000 Service Goals — Youth Opportunities Unlimited
(F 2149-99) 2287

Zoning

Bridge Avenue N.W. and West 52nd Street — change Use and Area Districts
(O 1600-99)..... 2306

Carlos Avenue S.W. — West 47th Street — Change Use District (O 1270-99)..... 2305

Carlos Avenue S.W. and West 47th Street — northwest, southwest and northeast corners —
change the Use District (O 1434-99)..... 2306

Erie Railroad tracks between East 146 Street and west of East 154 Street — change Use
District (O 1271-99)..... 2305

Grant Avenue S.E., War Avenue, East 66th St., East 68th Street — change the Use District
(O 1131-99)..... 2305