

The City Record

Official Publication of the City of Cleveland


September the Twenty-Seventh, Two Thousand

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

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DIRECTORY OF CITY OFFICIALS

CITY COUNCIL—LEGISLATIVE

President of Council—Michael D. Polensek

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

MAYOR – Michael R. White

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

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

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

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

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

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

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

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

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

Parking Facilities – Dennis Donahue, Commissioner, Public Auditorium, E. 6th and Lakeside Ave.
 Park Maintenance and Properties – Richard L. Silva, Commissioner, Public Auditorium – E. 6th & Lakeside.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The City Record



OFFICIAL PUBLICATION OF THE CITY OF CLEVELAND

Vol. 87

WEDNESDAY, SEPTEMBER 27, 2000

No. 4529

CITY COUNCIL

MONDAY, SEPTEMBER 25, 2000

The City Record

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

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

Interim subscriptions prorated
\$6.25 per month

Address all communications to

RUBY F. MOSS

Clerk of Council
216 City Hall

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL

1998-2001

MONDAY

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

MONDAY—Alternating

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

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

MONDAY

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

TUESDAY

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

TUESDAY—Alternating

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

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

WEDNESDAY—Alternating

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

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

WEDNESDAY—Alternating

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

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

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

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

OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio

Monday, September 25, 2000.

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, Johnson, Jones, Lewis, Melena, O'Malley, Patmon, Robinson, Rybka, Sweeney, Westbrook, White and Willis.

Also present were Mayor White and Directors Carter, Brooks, Konicek, Sheffield-McClain, Whitlow, Guzman, Jackson, Hudecek, Patterson, Warren, Morrison and Acting Director Owens.

Absent: Directors Ricchiuto and Alexander.

Pursuant to Ordinance No. 2976-76, the Council Meeting was opened with a prayer offered by Rev. Father Cyril Crume of St. James Anglican Church, located at 5607 Whittier Avenue. Pledge of Allegiance.

MOTION

On the motion of Councilman Cintron, the Clerk was instructed to correct the journal of the August 7, 2000 meeting of the Council (City Record Volume 87, page 2026), to reflect the correct amendment to Second Reading Emergency Ordinance No. 1196-2000, by striking the following:

“Ord. No. 1196-2000.

By Councilman Patmon (by departmental request).

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

Approved by the Directors of Finance, Law; Recommended by Committee on Finance; when amended as follows:

1. In Section 1, line 7, delete “\$694,600.00” and insert in lieu thereof “\$424,600.00”.

Amendment agreed to.”

And inserting in lieu thereof:

“Ord. No. 1196-2000.

By Councilman Patmon (by departmental request).

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

Approved by the Directors of Finance, Law; Recommended by Committee on Finance; when amended as follows:

1. In Section 1, line 7, delete “\$694,600.00” and insert in lieu thereof “\$494,600.00”.

Amendment agreed to.”

and further, that the Clerk be instructed to publish these amendments correctly in the September 27, 2000 City Record. Seconded by Councilman Jones.

MOTION

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

COMMUNICATIONS

File No. 1653-2000.

To the Department of Public Safety — Gift — from the N.C.P.C. & ADT S.S., Inc. Received.

File No. 1654-2000.

From the Department of Public Safety — Forfeit of funds to the Law Enforcement Trust Fund. Received.

File No. 1655-2000.

From the Great Lakes Science Center — Annual Report 1999 — Explaining the Wonders of Science. Received.

CONDOLENCE RESOLUTIONS

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

Res. No. 1656-2000—Willie Dan Calhoun.

Res. No. 1657-2000—Ruby Jones.

Res. No. 1658-2000—Odie Houston.

CONGRATULATION RESOLUTIONS

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

Res. No. 1659-2000—Fr. Joseph Romansky.

Res. No. 1660-2000—Carole F. Hoover.

Res. No. 1661-2000—Edward D. Cervenak.

Res. No. 1662-2000—Larry Chernauskas.

Res. No. 1663-2000—Emily Schell Gregor.

Res. No. 1664-2000—David Jakupca.

Res. No. 1665-2000—Wayne F. Zimmerman.

Res. No. 1666-2000—Dr. Edgar B. Jackson, Jr.

Res. No. 1667-2000—Walter and Mary Belle Gardner.

RECOGNITION RESOLUTIONS

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

Res. No. 1668-2000—Senator George V. Voinovich.

Res. No. 1669-2000—Rev. Otis Moss, Jr.

Res. No. 1670-2000—Judge Raymond L. Pianka.

Res. No. 1671-2000—Robert F. Filippi.

Res. No. 1672-2000—Fr. Gediminas K. Kijauskas, S.J.

Res. No. 1673-2000—Councilwoman Dona Brady.

Res. No. 1674-2000—John Borkowski.

Res. No. 1675-2000—Fr. David F. Fallon.

FIRST READING EMERGENCY ORDINANCES REFERRED

Ord. No. 1676-2000.
By Councilmen O'Malley and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by contract of not to exceed three hundred sixty winter jacket liners, for the Division of Cleveland Public Power, Department of Public Utilities.

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

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

Section 1. That the Director of Public Utilities is hereby authorized to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: not to exceed three hundred sixty (360) winter jacket liners, to be purchased by the Commissioner of Purchases and Supplies for a gross price for the Division of Cleveland Public Power, Department of Public Utilities.

Section 2. That the cost of said contract hereby authorized shall be paid from Fund No. 58 SF 001, Request No. 31512.

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. 1677-2000.

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

An emergency ordinance authorizing the purchase by contract of one folding/insert system, for the Division of Cleveland Public Power, Department of Public Utilities.

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

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

Section 1. That the Director of Public Utilities is hereby authorized to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: one folding/insert system, to be purchased by the Commissioner of Purchases and Supplies for a gross price for the Division of Cleveland Public Power, Department of Public Utilities.

Section 2. That the cost of said contract hereby authorized shall be paid from Fund No. 58 SF 001, Request No. 31513.

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. 1678-2000.

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

An emergency ordinance authorizing the purchase by requirement contract of meter reading computers, for the Division of Cleveland Public Power, Department of Public Utilities.

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

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

Section 1. That the Director of Public Utilities is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of meter reading computers in the estimated sum of \$60,000 to be purchased by the Commissioner of Pur-

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

Section 2. That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 31511)

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. 1679-2000.

By Councilmen Cintron and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of reclaimed or virgin 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 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 16379)

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. 1680-2000.
By Councilmen Cintron and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of rock salt, 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 rock salt 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 16375)

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. 1681-2000.
By Councilmen Cintron, Cimperman and Patmon (by departmental request).

An emergency ordinance determining the method of making the public improvement of grinding pavement and authorizing the Director of Public Service to enter into a public improvement requirement 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 grinding pavement, for the Division of Streets, Department of Public Service, by a public improvement requirement contract duly let to the lowest responsible bidder upon a unit basis for the improvement.

Section 2. That the Director of Public Service is hereby authorized to enter into a requirement contract for the making of the above public improvement with the lowest responsible bidder after competitive bidding upon a unit basis for the improvement for the period of not to exceed one year. 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 Director of Public Service until provision is made for the requirements for the entire year. (RL 29213)

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, City Planning Commission, Finance, Law; Committees on Public Service, City Planning, Finance.

Ord. No. 1682-2000.
By Councilmen Cintron and Patmon (by departmental request).

An emergency ordinance to amend Section 1 of Ordinance No. 2159-99, passed March 27, 2000, relating to 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, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

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

Section 1. That Section 1 of Ordinance No. 2159-99, passed March 27, 2000, is hereby amended to read as follows:

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, payable from Fund No. 20 SF 364 and from the fund and subfunds to which are credited the proceeds of the sale of the general obligation bonds of the City of Cleveland authorized by Ordinance No. 899-2000, passed June 19, 2000.

Section 2. That existing Section 1 of Ordinance No. 2159-99, passed March 27, 2000, is hereby repealed.

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

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

Ord. No. 1683-2000.
By Councilmen Gordon and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to repair and maintain elevators located at various health centers, for the Division of Health, Department of Public Health, 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 Health is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two years of the necessary items of labor and materials necessary to repair and maintain elevators located at various health centers, 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 Health, Department of Public Health. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than 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 31303)

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 Health, Finance, Law; Committees on Public Health, Finance.

Ord. No. 1684-2000.

By Councilmen Cimperman and Polensek.

An emergency ordinance authorizing the Director of Public Safety to enter into a Lease with the Cleveland Police Historical Society, Inc. & Museum, located on the second floor of the Third District Police Station in Ward 13.

Whereas, pursuant to Section 183.01 of Codified Ordinances of Cleveland, Ohio, 1976, the City may enter into leases of real estate; and

Whereas, the Cleveland Police Historical Society, Inc. & Museum desires to lease certain space located on the second floor of the Third District Police Station located in Ward 13 for the purpose of operating and maintaining a museum to honor and commemorate service in the Cleveland Police Department; 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 Public Safety is authorized to enter into a Lease with the Cleveland Police Historical Society, Inc. & Museum ("Lessee") for approximately _____ square feet of space located on the second floor of the Third District Police Station for the operation and maintenance of a museum to honor and commemorate service in the Cleveland Police Department for a period of thirty (30) years. Rent for the premises shall be _____. All costs for improvements to the leased premises shall be paid by Lessee. Lessee shall pay all utilities costs for the leased premises and Lessee shall maintain the premises in good condition. The agreement authorized herein shall be prepared by the Director of Law and shall contain such terms and conditions as said director deems necessary to protect and benefit the public interest.

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

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

Ord. No. 1685-2000.

By Councilmen Polensek and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of various on-road vehicles and off-road equipment, including labor and materials necessary for vehicle rehabilitation for the various divisions of City government, excluding 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 Finance is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of various on-road vehicles and off-road equipment, including labor and materials necessary for vehicle rehabilitation, excluding the Divisions of Police, Fire, Emergency Medical Service, and Traffic Engineering, Department of Public Safety, as such vehicles and equipment are described in File No. 1685-2000-A, in the estimated sum of \$11,791,220.00, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of City government, excluding the Divisions of Police, Fire, Emergency Medical Service, and Traffic Engineering, 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 17766)

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

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

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

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

Ord. No. 1686-2000.

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

An emergency ordinance authorizing the Directors of Economic Development and Public Service to apply for and accept grants from the Economic Development Administration and the Ohio Department of Development for the West 67th Place Reconstruction Project; authorizing said Directors to employ one or more consultants or one or more firms of consultants necessary to design the project; determining the method of making the public improvement of constructing the Project; authorizing said Directors to enter into contract for the making of such improvement; and authorizing the Commissioner of Purchases and Supplies to acquire for right-of-way purposes such real property as is necessary to make 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 the Directors of Economic Development and Public Service are hereby authorized to apply for and accept grants as set forth below totaling \$1,450,000 from the following agencies: \$975,000 from Economic Development Administration and \$475,000 from the Ohio Department of Development, for the West 67th Place Reconstruction Project (the "Improvement"), for the purposes set forth in the grant description and according thereto; that the Directors of Economic Development and 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 be and they hereby are appropriated for the purposes set forth in the grant description for said grants.

Section 2. That the grant description for said grants, File No. 1686-2000-A, made a part hereof as if fully rewritten herein, including the obligation of the City of Cleveland to provide cash matching funds in the sum of up to \$250,000 from Fund No. 17 SF 006 and any other fund or subfunds appropriated for such use and the sum of up to \$250,000 from Fund No. 10 SF 166 and any other fund or subfunds appropriated for such use, is hereby approved in all respects.

Section 3. That the Directors of Economic Development or Public Service, as appropriate, are hereby authorized to employ by contract one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to design the Improvement.

The selection of said consultant or consultants for such services shall

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

Section 4. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of constructing the Improvement, for the Departments of Economic Development and Public Service, by contract duly let to the lowest responsible bidder after competitive bidding on a unit basis for the Improvement.

Section 5. That the Directors of Economic Development or Public Service, as appropriate, are hereby authorized to enter into contract for the making of the above public improvement with the lowest responsible bidder after competitive bidding on 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 on a unit basis.

Section 6. That notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Commissioner of Purchases and Supplies is hereby authorized to acquire for right-of-way purposes such real property as is necessary to make the Improvement. The consideration to be paid for such property shall be determined by the Board of Control.

Section 7. That the cost of said Improvement, professional services and property acquisition herein contemplated shall be paid from the fund or funds to which are credited the proceeds of the grant accepted pursuant to this ordinance and the cash matches authorized herein.

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 from and after the earliest period allowed by law.

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

Ord. No. 1687-2000.
By Councilmen Melena and Patmon (by departmental request).

An emergency ordinance to amend the title and Section 2 of Ordinance No. 944-2000, passed June 19, 2000, relating to the sale of City-owned property no longer needed for public use located in Block A-5 of the Cleveland Industrial Park.

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

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

Section 1. That the title and Section 2 of Ordinance No. 944-2000, passed June 19, 2000, are hereby amended to read, respectively, as follows:

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to sell City-owned property no longer needed for public use located in Block A-5 of the Cleveland Industrial Park to Scovil-Hanna Realty, LLC d.b.a. Arrowhead Industries Corp. and **Trio Diversified Company.**

Section 2. That by and at the direction of the Board of Control, the Commissioner of Purchases and Supplies is authorized to sell the one-half of the above-described property to Scovil-Hanna Realty, LLC d.b.a. Arrowhead Industries Corp. and the other half to **Trio Diversified Company**, at prices not less than fair market value as determined by the Board of Control.

Section 2. That the existing title and Section 2 of Ordinance No. 944-2000, passed June 19, 2000, are hereby repealed.

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

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

Ord. No. 1688-2000.
By Councilmen Westbrook, 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 and a grant agreement with the Eliza Jennings Group to provide economic development assistance to partially finance the renovation of real property and the acquisition of personal property located at 10603 Detroit Avenue, Cleveland, Ohio.

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 purpose of stimulating the development of major opportunities for job creation, retention, and expansion in the City's neighborhoods; and

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

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

Section 1. That, subject to the provisions of Section 9 of this ordinance, the Director of Economic Development is hereby authorized to enter into a Neighborhood Development

Investment Fund contract and a Neighborhood Development Investment Fund grant agreement with The Eliza Jennings Group to provide economic development assistance to partially finance the renovation of real property and the acquisition of personal property located at 10603 Detroit Avenue, Cleveland, Ohio.

Section 2. That the terms of said contract and grant agreement 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. 1688-2000-A.

Section 3. That the costs of said contract shall not exceed One Million Two Hundred Thousand Dollars (\$1,200,000.00), and shall be paid from Fund No. 10 SF 501, Request No. 26622.

Section 4. That the costs of said grant shall not exceed Four Hundred Thousand Dollars (\$400,000.00), and shall be paid from Fund No. 10 SF 501, Request No. 26621.

Section 5. That the Director of Economic Development is hereby authorized to accept collateral as set forth in the Executive Summary contained in the file referenced in this ordinance in order to secure repayment of said loan. Any security instrument shall be prepared and approved by the Director of Law.

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

Section 7. That the Director of Economic Development is hereby authorized to charge and accept fees in an amount not to exceed the maximum allowable 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 loan 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, grant agreement 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 to certify that un-appropriated funds equal to the contract amount set forth in this ordinance have been collected by the City and are available to be allocated to such contract.

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.

**FIRST READING
ORDINANCES REFERRED**

Ord. No. 1689-2000.

By Councilman Coats.

An ordinance to establish a Planned Unit Development Overlay District (PUD) and approve the corresponding Planned Unit Development project on properties located on the west side of Quilliams Road from the city boundary line north to 9 Mile Creek (Map Change No. 2019, Sheet No. 7)

Whereas, Aberdeen Homes, Inc. has submitted an application to the Director of the City Planning Commission proposing the creation of a Planned Unit Development (PUD) Overlay District on properties located on the west side of Quilliams Road, N.E., north of Runnymede Boulevard, N.E. to 9 Mile Creek and construction of a PUD project to be known as "Aberdeen Homes" on said properties; and

Whereas, the Director of the City Planning Commission has accepted said application and has provided written notification of his acceptance of the application to the member of the Council whose ward the proposed PUD Overlay District and PUD project are located, and said member of Council has objected; and

Whereas, the Council of the City of Cleveland has determined that the proposed PUD Overlay District and PUD project meet the purposes and the approval standards set forth in Chapter 334 of the Codified Ordinances of Cleveland, Ohio, 1976, now, therefore:

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

Section 1. That the area outlined on the site plan and described in the legal description known as Map Change No. 2019, Sheet No. 7 and known as Aberdeen Homes be and the same is hereby designated as a Planned Unit Development (PUD) Overlay District, in accordance with the provisions of Chapter 334 of the Codified Ordinances of Cleveland, Ohio, 1976.

**Legal Description
EDGEHILL PARCEL
CLUSTER HOMES DEVELOPMENT
12.2233 Acres
August 2000**

Situated in the City of Cleveland, County of Cuyahoga, State of Ohio, known as being a part of Lot No. 51 of Tract 10 and being further bounded and described as follows:

Beginning at the iron pin monument found on the centerline of Quilliams Road, being at the southeast corner of Original Lot 51 of Tract 10:

Thence North 89 degrees, 57 minutes, 30 seconds West a distance of 30.00 feet to the northwest terminus of said Quilliams Road, said point being at the northeast corner of the TRI-ROAD DEV COMPANY MONTICELLO SUBDIVISION as shown by the plat recorded in Volume 142, Page 29 of PLATS and being also referenced by a 1/2 inch diameter iron pin found 0.20 feet south and 0.15 feet east);

Thence continuing North 89 degrees, 57 minutes, 30 seconds West along north line of said subdivision and the KOVAC SUBDIVISION as shown by the plat recorded in Volume 192, Page 77 of PLATS a distance of 477.51 feet to an iron pin

set and being the southeast corner of land now in the name of Godfrey & M. Pettus by deed recorded in Volume 85-7125, Page 0012 of the OFFICIAL RECORDS;

Thence along the east line of said Pettus land and the east line of land now in the name of Bertha P. Dixon by deed recorded in Volume 94-0348, Page 0031 of the OFFICIAL RECORDS and the east line of land now in the name of E.W. & G.S. Burrows by deed recorded in Volume 85-2063, Page 0021 of the OFFICIAL RECORDS and the east line of land now in the name of Peter N. & K.P. Kirsanow by deed recorded in Volume 15614 Page 0723 North 26 degrees, 58 minutes, 20 seconds West a distance of 661.98 feet to an 5/8 inch diameter iron pin set at the southwest corner of the BELVOIR VILLAGE SUBDIVISION NO. 3 as shown by the plat recorded in Volume 165, Page 15 of PLATS;

Thence along the south line of said subdivision the following courses and distances:

Thence North 52 degrees, 34 minutes, 20 seconds East a distance of 20.24 feet to an iron pin set;

Thence North 16 degrees, 23 minutes, 35 seconds West a distance of 21.43 feet to an iron pin set;

Thence North 50 degrees, 04 minutes, 45 seconds East a distance of 123.36 feet to a 5/8 inch diameter iron pin found;

Thence South 86 degrees 35 minutes, 40 seconds East a distance of 74.83 feet to a 5/8 inch diameter iron pin found;

Thence South 71 degrees, 15 minutes, 50 seconds East a distance of 177.22 feet to a 5/8 inch diameter iron pin found;

Thence North 31 degrees, 16 minutes, 20 seconds West a distance of 99.00 feet to an iron pin set;

Thence North 16 degrees, 53 minutes, 10 seconds East a distance of 46.20 feet to a point in the center of 9 MILE CREEK;

Thence North 69 degrees, 13 minutes, 50 seconds East a distance of 241.53 feet to a point in the center of 9 MILE CREEK;

Thence North 83 degrees, 31 minutes, 10 seconds East a distance of 79.20 feet to a point in the center of 9 MILE CREEK;

Thence South 58 degrees, 411 minutes, 50 seconds East a distance of 75.00 feet to a point in the center of 9 MILE CREEK;

Thence South 49 degrees, 32 minutes, 30 seconds East a distance 122.80 feet to an iron pin set at the west line of block "H" as shown by the plat of GREEN BELVOIR HOUSING CORPORATION NO. 3 as recorded in Volume 141, Page 12 of PLATS;

Thence South 00 degrees, 11 minutes, 50 seconds East along said block and the west line of SELTZER ROUND COMPANY MONTICELLO SUBDIVISION as shown by the plat recorded in Volume 109, Page 30 of PLATS, passing through iron pins found at 289.59 feet and 464.99 feet, a distance 772.04 feet to the principal point of beginning and containing therein 12.2233 acres of land.

This description prepared by ZWICK ASSOCIATES, INC., Donald E. Himes, Registered Surveyor No. 6163, North datum used is the deed bearing of record for the south line of Original Lot 51. All iron pins set are 5/8 inch diameter, 30 inches long, with ZWICK cap.

Section 2. That the designation of land described in Section 1 and as outlined in red on the map hereto attached shall be identified as Map Change No. 2019, Sheet No. 7 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.

Section 3. That the PUD project depicted in the site plan contained in the above mentioned file which has been proposed for the PUD Overlay District created by Section 1 and which is to be known as Aberdeen Homes is hereby approved.

Section 4. 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.

Councilman O'Malley left the meeting.

**FIRST READING EMERGENCY
RESOLUTION REFERRED**

Res. No. 1690-2000.

By Councilmen Dolan, O'Malley, Rybka, Melena, Polensek, Patmon and Lewis.

An emergency resolution strongly opposing proposed mergers of major air carriers including the proposed merger of US Airways and United Airlines and urging the U.S. Senate to disapprove said proposed merger as not being in the public interest.

Whereas, airport authorities, consumer groups, economists, and many members of Congress have raised many problems with the proposed merger of United Airlines and US Airways; and

Whereas, most observers agree that the United Airlines/US Airways merger would be the beginning of a final industry consolidation that could result in only three major carriers (eg. American/Northwest; Delta/Continental/TWA; and United/US Airways) serving 80-90% of domestic air travelers; and

Whereas, approval of proposed mergers such as that of United Airlines and US Airways would substantially reduce competition at most airports, potentially increase air fares for local travelers and adversely affect existing relationships between airlines and airports; and

Whereas, approval of proposed mergers such as that of United Airlines and US Airways would cause all airports to have a more difficult time attracting low fare competitors; and

Whereas, such mergers could enable the three remaining air carriers, without violating antitrust laws, to divide the U.S. market into three locational monopolies where they would have absolute control of pricing and schedules; and

Whereas, on July 25, 2000, Senate Commerce Committee Chairman McCain and Aviation Subcommittee Chairman Gorton introduced Resolution 344 stating that the United Airlines/US Airways merger is not in the public interest and should be disapproved; and

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

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

Section 1. That this Council strongly opposes proposed mergers of major air carriers, including the proposed merger of United Airlines and US Airways and urges the U.S. Senate to follow Resolution 344 calling for the disapproval of the United Airlines/US Airways merger as not being in the public interest.

Section 2. That the Clerk of Council is hereby directed to transmit certified copies of this resolution to Senate Commerce Committee Chairman McCain and Aviation Subcommittee Chairman Gorton; to U.S. Senators Mike DeWine and George Voinovich; to U.S. Representatives Dennis Kucinich, Stephanie Tubbs-Jones, Sherrod Brown and Steven LaTourette to Airports Council International — North America, and to Association of American Airport Executives.

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.

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

FIRST READING EMERGENCY ORDINANCES READ IN FULL AND PASSED

Ord. No. 1691-2000.

By Councilmen Cimperman.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 2978 Nursery Avenue, 4473, 4479, 4481 Douse Avenue, and 3340 East 49th Street to Cleveland Housing Network Limited Partnership XVII.

Whereas, the City of Cleveland adopted and implemented 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. 123-19-064, as more fully described in Section 2 below, to Cleveland Housing Network Limited Partnership XVII.

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

P. P. No. 123-19-064

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 31 in P.D. and N.P. Glazier's Subdivision of part of Original One Hundred Acre Lot No. 324, as shown by the recorded plat in Volume 4 of Maps, Page 40 of Cuyahoga County Records, and being 33 feet front on the Westerly side of Nursery Street, S.E. (formerly Orchard Street), and extending back of equal width 133 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 3. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 123-19-111 as more fully described in Section 4 below, to Cleveland Housing Network Limited Partnership XVII.

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

P. P. No. 123-19-111

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Easterly 30 feet from front to rear of Sublot No. 32 in Thomas S. and Mary L. Douse's Subdivision of part of Original One Hundred Acre Lot No. 82, as shown by the recorded plat in Volume of Maps, Page 28 of Cuyahoga County Records, and being 30 feet front on the Northerly side of Douse Avenue, S.E., and extending back 121.08 feet on the Northeasterly line, about 121.39 feet on the Southwesterly line, and having a rear line of 30 feet, as appears by said plat.

Section 5. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 123-19-112 as more fully described in Section 6 below, to Cleveland Housing Network Limited Partnership XVII.

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

P. P. No. 123-19-112

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Northeasterly half of Sublot No. 31, in Thomas S. and Mary L. Douse's Subdivision of part of Original One Hundred Acre Lot No. 282, as shown by the recorded plat in Volume 8 of Maps, Page 28 of Cuyahoga County Records, and being 20 feet front on the Northwesterly side of Douse Avenue, S.E., and extending back 121.08 feet on the Southwesterly line about 121.39 feet on the Northeasterly line, and having a rear line of 20 feet, as appears by said plat.

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southwesterly half of Sublot No. 31 in Thomas S. and Mary L. Douse's Subdivision of part of Original One Hundred Acre Lot No. 282, as shown by the recorded plat in Volume 8 of Maps, Page 28 of Cuyahoga County Records and being 20 feet front on the Northerly side of Douse Avenue, S.E., and extending back 121.08 feet on the Southwesterly line, 121.35 feet

on the Northeasterly line and having a rear line of 20 feet, as appears by said plat.

Section 7. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 123-19-113 as more fully described in Section 8 below, to Cleveland Housing Network Limited Partnership XVII.

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

P. P. No. 123-19-113

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southwesterly 30 feet of Sublot No. 30 in the Thomas S. and Mary L. Douse's Allotment of part of Original One Hundred Acre Lot No. 282, as shown by the recorded plat in Volume 8 of Maps, Page 28 of Cuyahoga County Records, and being 30 feet front on the Northwesterly side of Douse Avenue, S.E., and extending back 121 feet 7-1/2 inches on the Southwesterly line, about 122 feet 2-1/2 inches on the Northwesterly line, and having a rear line of 30 feet, as appears by said plat.

Section 9. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 131-18-020 as more fully described in Section 10 below, to Cleveland Housing Network Limited Partnership XVII.

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

P. P. No. 131-18-020

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Sublot No. 15 in Joseph Stanley's Subdivision of part of Original One Hundred Acre Lot No. 284 as shown by the recorded plat in Volume 13 of Maps, Page 14 of Cuyahoga County Records and being a parcel of land 40.00 feet front on the Westerly side of East 49th Street (formerly Petrie Street) and extending back of equal width 149.85 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 11. 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 12. 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 13. That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of

Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest including such restrictive covenants and reversionary interests as may be specified by the Board of Control, the Director of Community Development or the Director of Law.

Section 14. 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 19. Nays 0. Read second time. Read third time in full. Passed. Yeas 19. Nays 0.

Ord. No. 1692-2000.

By Councilman Cimperman.

An emergency ordinance consenting and approving the issuance of a permit for a Footrace on October 21, 2000, sponsored by HMS Sports.

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

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

Section 1. That pursuant to Section 411.66 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of a Footrace sponsored by HMS Sports on October 21, 2000, starting at Burke Lakefront Airport and proceed to Erieside to West 3rd Street, West 3rd Street to Lakeside Avenue, Lakeside to West 9th Street, West 9th Street to St. Clair Avenue, St. Clair Avenue to West 3rd Street, West 3rd Street to Erieside, Erieside to North Marginal, North Marginal to East 26th Street turn around and return to finish, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

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

The rules were suspended. Yeas 19. Nays 0. Read second time. Read third time in full. Passed. Yeas 19. Nays 0.

Ord. No. 1693-2000.

By Councilman Johnson.

An emergency ordinance to amend Section 2 of Ordinance No. 1449-99 passed August 11, 1999, relating to an agreement with Buckeye Area Development Corporation to perform various services and to purchase equipment for the benefit of Ward 4 of the City of Cleveland, using Ward 4 Neighborhood Equity Funds.

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

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

Section 1. That Section 2 of Ordinance No. 1449-99, passed August 11, 1999, is hereby amended to read as follows:

Section 2. That the cost of said contract shall be in an amount not to exceed \$240,000 and shall be paid from Fund No. 10, SF 166.

Section 2. That the existing Section 2 of Ordinance No. 1449-99, passed August 11, 1999 is hereby repealed.

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

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

The rules were suspended. Yeas 19. Nays 0. Read second time. Read third time in full. Passed. Yeas 19. Nays 0.

Ord. No. 1694-2000.

By Councilman Lewis.

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Wade Park Cluster of Churches in order to carry out the public purpose of providing mentoring for troubled youth through the use of Ward 7 Neighborhood Equity Funds.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with Wade Park Cluster of Churches in order to carry out the public purpose of providing mentoring for troubled youth.

Section 2. That the cost of said contract shall be in an amount not to exceed \$38,000 and shall be paid from Fund No. 10 SF 166.

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

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

shall take effect and be in force from and after the earliest period allowed by law.

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

The rules were suspended. Yeas 19. Nays 0. Read second time. Read third time in full. Passed. Yeas 19. Nays 0.

Ord. No. 1695-2000.

By Councilman O'Malley.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to St. Leo's Church to stretch banners at 4940 Broadview Road for the period from October 1, 2000 to November 1, 2000, inclusive, publicizing their annual Oktoberfest.

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

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

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances, of Cleveland, Ohio, 1976, the Director of the Department of Public Service is hereby authorized and directed to issue a permit to St. Leo's Church to install, maintain and remove banners at 4940 Broadview Road, for the period from October 1, 2000 to November 1, 2000, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

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

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

The rules were suspended. Yeas 19. Nays 0. Read second time. Read third time in full. Passed. Yeas 19. Nays 0.

Ord. No. 1696-2000.

By Councilman O'Malley.

An emergency ordinance to amend the Title and Sections 1 and 2 of Ordinance No. 189-2000, passed February 7, 2000, relating to economic assistance to Cypress Beverage for the construction of their store using Ward 16 Neighborhood Equity Funds.

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

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

Section 1. That the Title and Sections 1 and 2 of Ordinance No. 189-

2000, passed February 7, 2000, are hereby amended to read as follows:

An emergency ordinance authorizing the Director of Community Development to enter into a grant agreement with Cypress Beverage using Ward 16 Neighborhood Equity Funds for the construction of a structure which is determined by this Council to further the public purpose of creating or preserving jobs and employment opportunities to preserve the economic welfare of the State.

Section 1. That the Director of Community Development is authorized to enter into a grant agreement with Cypress Beverage using Ward 16 Neighborhood Equity Funds for the construction of a structure which is determined by this Council to further the public purpose of creating or preserving jobs and employment opportunities to preserve the economic welfare of the State.

Section 2. Said grant shall be for reimbursement of costs incurred by the grantee after February 7, 2000 in an amount not to exceed \$10,000 and shall be paid from Fund No. 10, SF 166.

Section 2. That the existing Title and Sections 1 and 2 of Ordinance No. 189-2000, passed February 7, 2000 are hereby repealed.

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

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

The rules were suspended. Yeas 19. Nays 0. Read second time. Read third time in full. Passed. Yeas 19. Nays 0.

Ord. No. 1697-2000.

By Councilman Patmon.

An emergency ordinance to amend Section 2 of Ordinance No. 874-2000, passed May 15, 2000, relating to an agreement with Glenville Development Corporation for the Glenville Safezone program and partial support of a youth program, using Ward 8 Neighborhood Equity Funds.

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

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

Section 1. That Section 2 of Ordinance No. 874-2000, passed May 15, 2000, is hereby amended to read as follows:

Section 2. That the cost of said contract shall be for work incurred by the grantee after April 24, 2000 and shall be in an amount not to exceed \$5,600 and shall be paid from Fund No. 10, SF 166.

Section 2. That the existing Section 2 of Ordinance No. 874-2000, passed May 15, 2000 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 19. Nays 0. Read second time. Read third time in full. Passed. Yeas 19. Nays 0.

Ord. No. 1698-2000.

By Councilman Patmon.

An emergency ordinance to amend Section 2 of Ordinance No. 1241-2000, passed July 17, 2000, relating to an agreement with Glenville Development Corporation for their Annual Ward 8 Clean-up Drive and Summer Intern Program through the use of Ward 8 Neighborhood Equity Funds.

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

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

Section 1. That Section 2 of Ordinance No. 1241-2000, passed July 17, 2000 is hereby amended to read as follows:

Section 2. That the cost of said contract shall be for work completed between May 1, 2000 and September 30, 2000 and shall be in an amount not to exceed \$5,425 and shall be paid from Funds No. 10 SF 166.

Section 2. That the existing Section 2 of Ordinance No. 1241-2000, passed July 17, 2000 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 19. Nays 0. Read second time. Read third time in full. Passed. Yeas 19. Nays 0.

Ord. No. 1699-2000.

By Councilman Polensek.

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with The Salvation Army, Cleveland Temple in order to carry out the public purpose of providing education to residents by providing G.E.D training with the addition of a teacher and new computer software through the use of Ward 11 Neighborhood Equity Funds.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with The Salvation Army, Cleveland Temple in order to carry out the public purpose of providing education to residents by providing

G.E.D training with the addition of a teacher and new computer software.

Section 2. That the cost of said contract shall be in an amount not to exceed \$5,908 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 19. Nays 0. Read second time. Read third time in full. Passed. Yeas 19. Nays 0.

Ord. No. 1700-2000.

By Councilman Polensek.

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Collinwood Community Services Center in order to carry out the public purpose of providing an afterschool program that will provide an environment that will develop leadership, teamwork, communication and learning skills through the use of Ward 11 Neighborhood Equity Funds.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with Collinwood Community Services Center in order to carry out the public purpose of providing an afterschool program that will provide an environment that will develop leadership, teamwork, communication and learning skills.

Section 2. That the cost of said contract shall be in an amount not to exceed \$34,700 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 19. Nays 0. Read second time. Read third time in full. Passed. Yeas 19. Nays 0.

Ord. No. 1701-2000.**By Councilman Westbrook.**

An emergency ordinance to amend Section 3 of Ordinance No. 115-2000, passed January 24, 2000, relating to the public improvement of rehabilitating and improving the baseball diamonds at Jasper Field through the use of Ward 18 Neighborhood Equity Funds.

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

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

Section 1. That Section 3 of Ordinance No. 115-2000, passed January 24, 2000, is hereby amended to read as follows:

Section 3. That an amount not to exceed **Three Hundred Fifty-Five Thousand Dollars (\$355,000)** for said improvement hereby authorized shall be certified from Fund No. 10, SF 166, with such other costs, if any, to be paid by such funds as identified by the Department of Parks, Recreation and Properties.

Section 2. That the existing Section 3 of Ordinance No. 115-2000, passed January 24, 2000 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 19. Nays 0. Read second time. Read third time in full. Passed. Yeas 19. Nays 0.

FIRST READING EMERGENCY RESOLUTIONS READ IN FULL AND ADOPTED

Res. No. 1702-2000.**By Councilman Jones.**

An emergency resolution urging the President of the United States, and the United States Congress, to take emergency action to reduce oil prices.

Whereas, the price of oil has more than tripled since January 1999 to over \$35.00 per barrel, the highest price since the Gulf War crisis 10 years ago, and threatens to go even higher over the coming weeks and months; and

Whereas, the high level of oil prices has already led to massive social conflict and economic hardship in western Europe and other parts of the world; and

Whereas, the high level of oil prices threatens severe economic hardship against the citizens of Cleveland this Winter, especially the elderly and those on fixed incomes since home heating oil prices have increased by an average of 50% over the past 12 months, and skyrocketing energy prices could cause a hyper-inflationary explosion throughout the economy; and

Whereas, oil prices have continued to rise despite increased production by OPEC countries, suggesting that other factors, such as speculation in oil price futures and

other markets, are to blame for the oil price crisis; and

Whereas, the skyrocketing of oil prices began just weeks after the purchase of AMOCO by British Petroleum in August 1998, and a merger of oil giants Exxon and Mobil in December 1998, leading to suspicion that oil markets are being manipulated upwards, to generate the super-profits needed to pay the massive cost of mergers and acquisitions among multinational corporations; now therefore:

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

Section 1. That the Council of the City of Cleveland urges the President of the United States, and the United States Congress, to take emergency action to reduce oil prices, including an investigation of possible market manipulation through speculation or other unfair practices, and the possibility of bypassing the oil multinational corporations completely, by negotiating government-to-government purchasing agreements directly with the oil-producing countries.

Section 2. That the Clerk of Council be and she hereby is directed to transmit two certified copies of this resolution to the President of the United States, the United States Congress and the Mayor of the City of Cleveland, urging them to take emergency action to reduce oil prices, and to investigate the possibility of market manipulation through speculation and other unfair practices.

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

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

The rules were suspended. Yeas 19. Nays 0. Read second time. Read third time in full. Adopted. Yeas 19. Nays 0.

Res. No. 1703-2000.**By Councilman Rybka.**

An emergency resolution objecting to the transfer of ownership of a D5 Liquor Permit to 3876 East 65th Street, 1st Fl. & Bsmt.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a D5 Liquor Permit from Permit No. 7503002, Ron Mar East 65th Street Inc., DBA Mrs. Lounge, 3876 East 65th Street, 1st Fl. & Bsmt., Cleveland, Ohio 44105, to Permit No. 4173863, JCK Johns Inc., DBA Mrs Lounge, 3876 East 65th Street, 1st Fl. & Bsmt., Cleveland, Ohio 44105; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a D5 Liquor Permit to Permit No. 7503002, Ron Mar East 65th Street Inc., DBA Mrs. Lounge, 3876 East 65th Street, 1st Fl. & Bsmt., Cleveland, Ohio 44105, to Permit No. 4173863, JCK Johns Inc., DBA Mrs Lounge, 3876 East 65th Street, 1st Fl. & Bsmt., Cleveland, Ohio 44105 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

Section 2. That the Clerk of Council be and she 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 19. Nays 0. Read second time. Read third time in full. Adopted. Yeas 19. Nays 0.

Res. No. 1704-2000.**By Councilman White.**

An emergency resolution urging the Governor of Ohio to implement a food stamp waiver for Ohio's labor surplus areas to assist working adults.

Whereas, across the country, families are facing hardships of moving from welfare to work as a result of the welfare reform policy; and

Whereas, in 1999, 40 percent of Ohio families receiving public assistance were from the 19 counties in Northeast Ohio, which makes this region one of the most severely impacted by welfare reform; and

Whereas, changes implemented as

a result of welfare reform have caused much confusion about who is eligible for food stamps; and

Whereas, the state of Ohio's food stamp application process is already an intricate one, which is further complicated by the requirement that working individuals must reapply for eligibility every three months; and

Whereas, the length and requirements of the application make it a difficult process for many people, especially the working poor; and

Whereas, a recent nationwide poll of low-income individuals eligible for food stamps showed that 75 percent were not aware of their eligibility; and

Whereas, 80 percent of the food stamp reductions in Cuyahoga County in 1999 were from City of Cleveland residents; and

Whereas, over 60 percent of those receiving food stamps nationally are children or elderly; and

Whereas, four years ago, the food banks in Ohio were successful in having a line item placed into the state budget for \$1.5 million to be distributed annually to Ohio food banks for the purchase of food; and

Whereas it was the position of the Ohio food banks that public dollars formerly being spent on food stamps be made available to food providers; and

Whereas, the Greater Cleveland Committee on Hunger is urging a permanent line item for the Ohio Food Purchase Program; and

Whereas, according to federal legislation, states are given the opportunity to seek waivers of food stamp eligibility for individuals in geographic areas with high unemployment rates or an insufficient number of jobs; and

Whereas, the state of Ohio has been granted such waiver and the Governor of Ohio has declined to implement it; and

Whereas, through the implementation of a food stamp waiver for Ohio's labor surplus areas, Cleveland, which currently qualify as a labor surplus area could provide food stamp benefits for eligible residents; now, therefore

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

Section 1. That the Council of the City of Cleveland strongly urges Ohio Governor Robert Taft to implement a food stamp waiver for Ohio's labor surplus areas to assist working adults and provide food stamp benefits to eligible residents.

Section 2. That the Clerk of Council be and she hereby is directed to transmit two certified copies of this resolution to Ohio Governor Robert Taft, urging him to implement a food stamp waiver for Ohio's labor surplus areas to assist working adults and provide food stamp benefits to eligible residents.

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

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

The rules were suspended. Yeas 19. Nays 0. Read second time. Read third time in full. Adopted. Yeas 19. Nays 0.

SECOND READING EMERGENCY ORDINANCES

Ord. No. 1068-2000.

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

An emergency ordinance to amend the title, the third whereas clause and Section 2 of Ordinance No. 530-93, passed June 14, 1993, relating to an Enterprise Zone Agreement with R.S.I. Company, or its designee.

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

Ord. No. 1386-2000.

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

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to test and dispose of PCB oils and contaminate materials and to retro-fill or filter contaminated transformers, for the Division of Cleveland Public Power, Department of Public Utilities, for a period not to exceed two years.

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

Ord. No. 1392-2000.

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

An emergency ordinance authorizing the Mayor to apply for and accept a Water Supply Revolving Loan Account loan to finance the construction of the Parma Reservoir renovation project.

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

Ord. No. 1393-2000.

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

An emergency ordinance to amend Section 3 of Ordinance No. 1743-99, passed June 19, 2000, relating to rates, rules and regulations for water service provided by the Division of Water, Department of Public Utilities.

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

Ord. No. 1591-2000.

By Councilmen Gordon and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Ohio Department of Health for the 2001 State Childhood Lead Poisoning Prevention Program.

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

SECOND READING ORDINANCES

Ord. No. 1217-2000.

By Councilman Patmon (by departmental request).

An ordinance to assess the cost and expense of construction and

repairing of sidewalks and curbing. (East Side)

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

Ord. No. 1218-2000.

By Councilman Patmon (by departmental request).

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

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

SECOND READING EMERGENCY ORDINANCES PASSED

Ord. No. 1574-2000.

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

An emergency ordinance authorizing the acquisition and disposition of real property and the improvements located thereon comprising Longwood Apartments, accepting a grant from the United States Department of Housing and Urban Development in connection with the redevelopment of that property, authorizing agreements with the United States Secretary of Housing and Urban Development and with new Longwood Associates L.P. in connection therewith and authorizing and approving related matters.

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 first whereas clause line 6, strike "and the improvements thereon" and insert in lieu thereof the following: ", the improvements thereon and a Housing Assistance Payments ("HAP") contract, tenant leases and other personal property related thereto, all"; and in line 7, strike "(the "Property")" and insert in lieu thereof "(collectively, the "Property")".

2. In Section 1, line 3, strike "Supplies is" and insert in lieu thereof "Supplies and the Director of Community Development, as appropriate, are"; and in line 7 at the end, strike the period and insert the following: ", the improvements thereon, the HAP contract, tenant leases and the other personal property related to the operation and maintenance of the Property.".

3. In Section 4, line 12, strike "and the Mayor" and insert in lieu thereof ", the Mayor and the Director of Community Development, as appropriate,"; and in line 14, strike "conveying the Property" and insert in lieu thereof "and related assignments, bills of sale or other agreements conveying the Property (including the HAP contract, the leases and the other personal property related to the operation and maintenance of the Project)".

4. In Section 4, at the end, insert the following new paragraph:

"The Developer shall be required by the Redevelopment Agreement, Deed or other writing to meet the following terms in addition to all other requirements imposed upon the Developer:

(1) To use best efforts to meet the following Minority Business Enter-

prise and Female Business Enterprise subcontractor participation goals:

**30% MBE; and
10% FBE.**

(2) To use best efforts to meet the following permanent and temporary hiring goals:

**33-1/3% minorities and females; and
50% City of Cleveland residents.**

Notwithstanding paragraphs (1) and (2) above, if these hiring goals negatively impact the up-front HUD grant funding, then these goals may be waived or reduced by the Director of Community Development.

(3) To use best efforts to maximize the energy efficiency of the housing units built on the Property."

Amendments agreed to.

The rules were suspended. Yeas 19. Nays 0. Read third time in full. Passed. Yeas 19. 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. 1575-2000.

By Mayor White and Councilman Polensek.

An emergency ordinance authorizing the Director of Community Development to expend funds for the operation of the Your Home Program and to enter into contracts under that Program.

Approved by Directors of Community Development, Finance, Law; Relieved of Committee on Community and Economic Development; Recommended by Committees on Finance; when amended as follows:
1. Insert new Section 4 to read as follows:

"Section 4. That except for the thirty seven loans that are ready to proceed to closing as identified at the September 25, 2000 Finance Committee, and which may proceed to closing upon enactment of this ordinance, all other loans under this Program shall have the following requirements:

(1) That the first mortgage rate shall not be greater than 2% over the then prevailing first mortgage market rates, as determined by the Director of Community Development; and

(2) That non-profit agencies shall be utilized for the rehabilitation work on the homes that are subject to this Program.

Section 5. That six months after the passage of this ordinance the Director of Community Development shall submit a report to the Chairman of the Community Development Committee on the status of the Program and shall also provide a copy to all members of Council."

2. Renumber existing Section 4 to new "Section 6".

Amendments agreed to.

The rules were suspended. Yeas 19. Nays 0. Read third time in full. Passed. Yeas 19. 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. 1603-2000.

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

An emergency ordinance authorizing the Directors of Economic Development and Community Development

to enter into contract amendments with Famicos Foundation and Lexington Village Associates Phase I for the refinancing of certain properties known as the Lexington Village project in the Hough area.

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

The rules were suspended. Yeas 19. Nays 0. Read third time in full. Passed. Yeas 19. Nays 0.

MOTION

By Councilman Cintron, and seconded by Councilman Jones, and unanimously carried that the absence of Councilman Patricia J. Britt be and is hereby authorized.

MOTION

The Council adjourned at 8:20 p.m. to meet on Monday, October 2, 2000, at 7:00 p.m. in the Council Chambers.



Clerk of Council

THE CALENDAR

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

ORDINANCES

Ord. No. 1068-2000.

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

An emergency ordinance to amend the title, the third whereas clause and Section 2 of Ordinance No. 530-93, passed June 14, 1993, relating to an Enterprise Zone Agreement with R.S.I. Company, or its designee.

Ord. No. 1217-2000.

By Councilman Patmon (by departmental request).

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

Ord. No. 1218-2000.

By Councilman Patmon (by departmental request).

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

Ord. No. 1386-2000.

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

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to test and dispose of PCB oils and contaminate materials and to retro-fill or filter contaminated transformers, for the Division of Cleveland Public Power, Department of Public Utilities, for a period not to exceed two years.

Ord. No. 1392-2000.

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

An emergency ordinance authorizing the Mayor to apply for and accept a Water Supply Revolving Loan Account loan to finance the construction of the Parma Reservoir renovation project.

Ord. No. 1393-2000.

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

An emergency ordinance to amend Section 3 of Ordinance No. 1743-99, passed June 19, 2000, relating to rates, rules and regulations for water service provided by the Division of Water, Department of Public Utilities.

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

Ord. No. 1591-2000.

By Councilmen Gordon and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Ohio Department of Health for the 2001 State Childhood Lead Poisoning Prevention Program.

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

BOARD OF CONTROL

September 20, 2000

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, September 20, 2000, at 11:00 a.m. with Mayor White presiding.

Present: Mayor White, Director Carter, Acting Directors Robinson, Sundheimer, Savas, Directors Ricchitto, Whitlow, Guzman, Jackson, Hudecek, Patterson, Warren, Alexander.

Absent: None.

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

On motion, the following resolutions were adopted.

Resolution No. 640-00.

By Director Brooks.

Whereas, by Resolution No. 620-00, adopted September 13, 2000, pursuant to the authority of Ordinance No. 620-00, passed by the Cleveland City Council May 17, 1999, this Board of Control approved the bid of Woodhill Supply, Inc., as the lowest and best bid for the purchase of Hand Tools and Hand-Held Power Tools, items 1, 2, 3, 4 and 8; and

Whereas, in said Resolution No. 620-00, item 1 was incorrectly included in the list of items to be awarded; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that Board of Control Resolution 620-00, adopted September 13, 2000, affirming and approving the bid of Woodhill Supply, Inc. as the lowest and best for the purchase of hand tools and hand-held power tools for various divisions of City Government, Department of Finance, hereby is amended by deleting item 1 from the items approved by the Board of Control.

Be it further resolved that all other provisions of said resolution not expressly amended hereby shall remain in full force and effect.

Yeas: Mayor White, Director Carter, Acting Directors Robinson, Sundheimer, Savas, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson, Warren, Alexander.

Nays: None.

Absent: None.

Resolution No. 641-00.

By Director Brooks.

Whereas, by Resolution No. 452-00, adopted July 5, 2000, pursuant to the authority of Ordinance No. 291-98, passed by the Cleveland City Council March 23, 1998, this Board of Control approved the bid of Duellman Electric Supply, as the lowest and best bid for the purchase of Standard Wire (Items 1-17, 18-20, 28-32, 33-36 and 37-42); and

Whereas, in said Resolution No. 452-00, the bidder's name was incorrectly stated as Duellman Electric Supply; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland the Board of Control Resolution No. 452-00, adopted July 5, 2000, affirming and approving the bid of Duellman Electric Supply as the lowest and best for the purchase of Standard Wire for the various divisions of City Government, Department of Finance, hereby is amended by changing the bidder name to "Southern Electric Supply Company, Inc. dba Rexel Duellman".

Be it further resolved, that all other provisions of said resolution not expressly amended hereby shall remain in full force and effect.

Yeas: Mayor White, Director Carter, Acting Directors Robinson, Sundheimer, Savas, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson, Warren, Alexander.

Nays: None.

Absent: None.

Resolution No. 642-00.

By Director Sheffield-McClain.

Be it resolved by the Board of Control of the City of Cleveland, that pursuant to the authority of Ordinance No. 1067-99 passed by the Council of the City of Cleveland June 14, 1999, the firms of Ciuni & Panichi, Dingus & Daga, and Kevin L. Penn are hereby selected upon the nomination of the Director of Port Control, as determined after a full and complete canvass by the Director of Port Control, as the firms to be employed for the purpose of providing auditing services to determine whether financial operations of the concessionaires and vendors are being recorded properly; internal procedures are adequate to meet the objectives of the lease; financial reports to the Department of Port Control are reliable and accurate and are in compliance with the lease agreement; and whether subleases, if any, are in compliance with the primary lease agreement as it relates to the financial interests of the city.

Be it further resolved that the Director of Port Control is hereby authorized to enter into a contract with 1) Ciuni & Panichi based upon its proposal dated June 14, 2000, which contract authorized shall provide that the compensation to be paid shall not exceed \$3,900.00; 2)

Dingus & Daga based upon its proposal dated June 12, 2000, which contract authorized shall provide that the compensation to be paid shall not exceed \$71,000.00; 3) Kevin L. Penn based upon its proposal dated June 14, 2000, which contract authorized shall provide that the compensation to be paid shall not exceed \$22,500.00. These contracts shall be prepared by the Director of Law and shall contain such other provisions, as said Director deems necessary to protect and benefit the public interest.

Yeas: None.

Nays: Mayor White, Director Carter, Acting Directors Robinson, Sundheimer, Savas, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson, Warren, Alexander.

Absent: None.

Resolution No. 643-00.

By Director Sheffield-McClain.

Be it resolved by the Board of Control of the City of Cleveland, that pursuant to the authority of Ordinance No. 1067-99 passed by the Council of the City of Cleveland June 14, 1999, the firms of Ciuni & Panichi, Dingus & Daga, and Kevin L. Penn are hereby selected upon the nomination of the Director of Port Control, as determined after a full and complete canvass by the Director of Port Control, as the firms to be employed for the purpose of providing auditing services to determine whether financial operations of the concessionaires and vendors are being recorded properly; internal procedures are adequate to meet the objectives of the lease; financial reports to the Department of Port Control are reliable and accurate and are in compliance with the lease agreement; and whether subleases, if any, are in compliance with the primary lease agreement as it relates to the financial interests of the city.

Be it further resolved that the Director of Port Control is hereby authorized to enter into a contract with 1) Ciuni & Panichi based upon its proposal dated June 14, 2000, which contract authorized shall provide that the compensation to be paid shall not exceed \$11,700.00; 2) Dingus & Daga based upon its proposal dated June 12, 2000, which contract authorized shall provide that the compensation to be paid shall not exceed \$61,000.00; 3) Kevin L. Penn based upon its proposal dated June 14, 2000, which contract authorized shall provide that the compensation to be paid shall not exceed \$26,700.00. These contracts shall be prepared by the Director of Law and shall contain such other provisions, as said Director deems necessary to protect and benefit the public interest.

Yeas: Mayor White, Director Carter, Acting Directors Robinson, Sundheimer, Savas, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson, Warren, Alexander.

Nays: None.

Absent: None.

Resolution No. 644-00.

By Director Ricchiuto.

Be it resolved by the Board of Control of the City of Cleveland that, pursuant to the authority of Section 181.18 of the Codified Ordina-

nances of Cleveland, Ohio 1976, Commissioner of Purchases and Supplies, is hereby authorized to solicit bids, in the manner provided by the applicable sections of the Codified Ordinances, for the sale of waste paper for recycling, including the collection, removal, transport and recycling of such waste paper and the provision of large, intermediate and desk-side containers necessary and appropriate therefor, and the Director of Public Service is hereby authorized and directed to make a written contract, for not to exceed one (1) year, with the highest and best bidder upon a unit basis, as determined by the Board of Control, for the Department of Public Service.

Yeas: Mayor White, Director Carter, Acting Directors Robinson, Sundheimer, Savas, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson, Warren, Alexander.

Nays: None.

Absent: None.

Resolution No. 645-00.

By Director Guzman.

Resolved by the Board of Control of the City of Cleveland that the bid of Standard Law Enforcement Supply Co., for an estimated quantity of Shotguns, for the Division of Police, Department of Public Safety, for the period of one (1) year beginning with the date of execution of a contract received on August 18, 2000, pursuant to the authority of Section 135.065 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to Sixty Seven Thousand, Six Hundred and no/100 Dollars, (\$67,600.00), (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. 23276
Remington Magnum, 870 Pump,
Model 4907 Shotguns, as specified
which shall be certified against
such contract in the sum of Thirty
Three Thousand, Eight Hundred
and no/100 Dollars (\$33,800.00).

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, Director Carter, Acting Directors Robinson, Sundheimer, Savas, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson, Warren, Alexander.

Nays: None.

Absent: None.

Resolution No. 646-00.

By Director Hudecek.

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

Whereas, under said Program, the City has acquired Permanent Parcel No. 004-17-166 located at 2471 Thurman Street in Ward 13; and

Whereas, Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976 authorizes the Commissioner of Purchases and Supplies, when directed by the Director of Community Development and when certain specified conditions have been met, to sell Land Reutilization Program parcels to adjacent or abutting landowners; and

Whereas, John Zdinak, abutting/adjacent landowner, has proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 13 has consented to the proposed sale;

2. The parcel is either less than 4,800 square feet or less than 40 feet frontage;

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

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland, with John Zdinak for the sale and development of Permanent Parcel No. 004-17-166 located at 2471 Thurman Street, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Yeas: Mayor White, Director Carter, Acting Directors Robinson, Sundheimer, Savas, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson, Warren, Alexander.

Nays: None.

Absent: None.

Resolution No. 647-00.

By Director Hudecek.

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

Whereas, under said Program, the City has acquired Permanent Parcel No. 008-07-066 located at 3115 West 17th Street in Ward 14; and

Whereas, Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976 authorizes the Commissioner of Purchases and Supplies, when directed by the Director of Community Development and when certain specified conditions have been met, to sell Land Reutilization Program parcels to adjacent or abutting landowners; and

Whereas, Naoma McKinney and Leonard McKinney, Jr., abutting/adjacent landowners, have proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

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

2. The parcel is either less than 4,800 square feet or less than 40 feet frontage;

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

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland, with Naoma McKinney and Leonard McKinney, Jr. for the sale and development of Permanent Parcel No. 008-07-066 located at 3115 West 17th Street, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Yeas: Mayor White, Director Carter, Acting Directors Robinson, Sundheimer, Savas, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson, Warren, Alexander.

Nays: None.

Absent: None.

Resolution No. 648-00.

By Director Hudecek.

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

Whereas, under said Program, the City has acquired Permanent Parcel No. 103-22-080 located on East 37th Street in Ward 5; and

Whereas, Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976 authorizes the Commissioner of Purchases and Supplies, when directed by the Director of Community Development and when certain specified conditions have been met, to sell Land Reutilization Program parcels to adjacent or abutting landowners; and

Whereas, Greater Cleveland Habitat for Humanity, Inc., abutting/adjacent landowner, has proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 5 has consented to the proposed sale;

2. The parcel is either less than 4,800 square feet or less than 40 feet frontage;

3. The proposed purchaser of said parcel is neither tax delinquent nor

in violation of the Building and Housing Code; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland, with Greater Cleveland Habitat for Humanity, Inc. for the sale and development of Permanent Parcel No. 103-22-080 located on East 37th Street, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Yeas: Mayor White, Director Carter, Acting Directors Robinson, Sundheimer, Savas, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson, Warren, Alexander.

Nays: None.

Absent: None.

Resolution No. 649-00.

By Director Hudecek.

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

Whereas, City has acquired Permanent Parcel No. 023-14-023 under said Land Reutilization Program; and

Whereas, Ordinance No. 1660-1999 passed December 13, 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, Lillian Flores 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. 1660-1999 passed December 13, 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 Lillian Flores for the sale and development of Permanent Parcel No. 023-14-023, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Yeas: Mayor White, Director Carter, Acting Directors Robinson, Sundheimer, Savas, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson, Warren, Alexander.

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 Lake-side 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, OCTOBER 9, 2000****9:30 A.M.**

Calendar No. 00-248: East 100th Street and Miles Avenue (Ward 2)

Carmen Angelo, owner, appeals under the authority of Section 329.02(c) where the appellant has the right to appeal to the Board of Zoning Appeals from the refusal to approve the splitting of an 80' x 107' parcel into a 33' x 107' parcel and a 47' x 107' parcel all located on the northwest side of East 100th Street and Miles Avenue; said refusal being by Randall DeVaul, Commissioner, Engineering and Construction, and Hunter Morrison, Director, City Planning Commission, under authority of the Area Requirements where the splitting of the two parcels would create a substandard parcel contrary to Section 355.04 of the Codified Ordinances.

Calendar No. 00-260: 2120 Seymour Avenue (Ward 14)

Henrietta Bell, owner, appeals to install 198 linear feet of 6' high wooden fencing with a gate to the north, east and west rear yard of a 40' x 119' parcel located in a Multi-Family District on the north side of Seymour Avenue at 2120 Seymour Avenue; said installation being contrary to the Residential District Regulations where the maximum height of a fence in interior side yard may be no higher than the least distance between such fence and main structure on an adjacent lot and the distance between the neighboring house and the proposed fence is 3.3' which indicates the height of fencing allowed is 3.3' as stated in Section 337.23(a)(6) of the Codified Ordinances.

Calendar No. 00-261: 1520 East 108th Street (Ward 9)

Darlene Hawkins and Pearl Petty, owners, appeal to enclose an approximate 9' x 22' front porch with wooden fencing situated on a 70' x 133' parcel on the west side of East 108th Street located in a Limited One Family District at 1520 East 108th Street; said enclosure being contrary to the Yards and Courts Requirements where the proposed front porch projects 9' and enclosed front porches shall not project more than 4' and do not aggregate a vertical area in any story more than 20% of the area of the facade in that story as stated in Section 357.13(b)(4) of the Codified Ordinances.

Calendar No. 00-262: 4315 Bridge Avenue (Ward 14)

Grand Slam Properties, Inc., owner c/o David Hundertmark, appeals to install 7 new accessory off-street parking spaces in a Residence District to the rear of a 49' x 183' parcel located in a Two-Family District on the south side of Bridge Avenue at 4315 Bridge Avenue; said installation being contrary to the Residential District Regulations of Section 337.23(a)(6) where the maximum height of a fence in interior side yard may be no higher than the least distance between such fence and main structure on an adjacent lot and a 6' high fence is proposed and contrary to the Off-Street Parking and Loading Requirements of Section 340.05 where no such parking shall be located within 10' of any wall of a residential building or structure if such wall contains a ground floor opening designed to provide light or ventilation for such building or structure and Section 349.07(a) where access and maintenance driveways and maneuvering area shall be properly graded and drained and Section 349.07(b) where wheel bumper guards are required and Section 349.13(c) where parking spaces in a Residence District require Board of Zoning Appeal approval and contrary to the existing non-conformance use and expansion requirements of Section 359.01 of the Codified Ordinances.

Calendar No. 00-263: 7630 Lorain Avenue (Ward 17)

Ripcho Studio Inc., owner c/o Bill Ripcho, appeals to construct an approximate 8' x 132' "L" shaped one-story masonry building addition to the west of an existing one-story building all situated on a 105' x 132' parcel located in a General Retail Business District on the north side of Lorain Avenue at 7630 Lorain Avenue; said construction and addition being contrary to the Off-Street Parking and Loading Requirements of Section 340.04 where 22 parking spaces are required and 0 are shown and Section 349.07 where a 6' frontage landscaping strip is required and none is shown and Section 349.08 where screening of off-street parking is required and none is shown and a landscaping plan is required as stated in Section 352.10, Section 352.11 and Section 352.12 of the Codified Ordinances.

EUGENE CRANFORD, JR.,
Secretary

REPORT OF THE BOARD OF ZONING APPEALS**MONDAY, SEPTEMBER 25, 2000**

At the meeting of the Board of Zoning Appeals on Monday, September 25, 2000, the following appeals were heard by the Board:

The following appeals were **Approved:**

Calendar No. 00-249: 12408 Union Avenue

Enea Properties Inc. and Sprint Properties c/o Courtney Schmidt, owners, and SureSite Consulting Group, agent, appealed to install a telecommunications facility in an existing one-story building at the rear of an existing 160' x 100' one-story stores building and a 110'-6" high monopole tower on a 192' x 354' parcel in split zoning between General Retail and Two-Family Districts.

Calendar No. 00-250: 3382 East 149th Street

Cresthaven Development Corporation, owner c/o George Dedic, appealed to construct a one-story living room, bathroom and garage addition to the front of an existing one and one half dwelling unit in a Two-Family District.

Calendar No. 00-258: 719 East 99th Street

Cresthaven Development Corporation, owner c/o George Dedic, appealed to construct a two-story single family dwelling in a Two-Family District.

Calendar No. 00-259: 7670 Broadway Avenue

Joshua Simon, owner, and Allegheny Child Care Academy, tenant, appealed to establish a 60' x 136' one-story masonry building as a day care center in a Semi-Industry District.

Calendar No. 00-215: 3237-3239 Scranton Road

Hector Colon, Sr., owner, appealed to change the use of an existing one-story masonry service station building into an auto repair garage in a Multi-Family District.

The following appeal was **Denied:**

Calendar No. 00-230: 10327 Lorain Avenue

Joken Inc., owner, and McHearns Inc., d.b.a. McKenna's Pub, tenant, appealed from the disapproval of an application for a coin operated amusement device license.

The following appeals were **Postponed:**

Calendar No. 00-247: 11609 Miles Avenue postponed to October 9, 2000.

Calendar No. 00-251: 1925-1933 Columbus Road postponed to October 9, 2000.

On Monday, September 25, 2000, in Executive Session:

The following appeals were heard on Monday, September 18, 2000 and said decisions were approved and adopted by the Board on September 25, 2000.

The following appeals were **Approved**:

Calendar No. 00-237: 5303-09 Detroit Avenue

West Side Ecumenical Ministry, owner c/o Elving Otero, appealed to change the use of an existing 20' x 20' two-story masonry, building and existing 50' x 50' one-story masonry bakery building, both buildings connected, into a mixed use building for a children's day care and adult counseling services in a Semi-Industry District.

Calendar No. 00-245: 690 East 156th Street

The Cleveland Catholic Diocese and St. Mary's Church, owner, and Borchert Fencing Company appealed to install 402 feet of 6' high tubular steel fencing to the north, south and east of a 157' x 125' corner parcel in a General Retail Business District.

The following appeal was **Denied**:

Calendar No. 00-232: 1349 West 91st Street

James A. Davidson, owner, appealed to enclose an existing 27' x 7' one-story front porch of an existing two family house in a Two-Family District.

The following appeal was heard on Monday, September 11, 2000, and said decision was approved and adopted by the Board on September 25, 2000:

The following appeal was **Approved**:

Calendar No. 00-205: 6001 Storer Avenue, a.k.a. 6101 Storer Avenue Wilfredo Cajigas, owner, appealed to change the use of an existing one-story masonry gas station into an auto repair facility in a General Retail Business District.

The following appeal was heard on Monday, August 28, 2000, and said decision was approved and adopted by the Board on September 25, 2000:

The following appeal was **Approved**:

Calendar No. 00-195: 3363 East 93rd Street

Mazhar A. Khan, owner, appealed to remodel a one-story service station building in a Local Retail Business District.

EUGENE CRANFORD, JR.,
Secretary

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

NO MEETING

PUBLIC NOTICE

NONE

NOTICE OF PUBLIC HEARING

NONE

CITY OF CLEVELAND BIDS

For All Departments

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

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

187.10 Negotiated contracts; Notice required in Advertisement for Bids.

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

WEDNESDAY, OCTOBER 4, 2000

Jasper Park and Roberto Clemente Park Ball Diamond Improvements, for the Division of Research, Planning and Development, Department of Parks, Recreation and Properties, as authorized by Ordinance Nos. 1605-98 and 115-2000, passed by the Council of the City of Cleveland, October 19, 1998 and January 24, 2000, respectively.

A DEPOSIT OF TWENTY FIVE DOLLARS (\$25.00) CERTIFIED CHECK OR MONEY ORDER WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS. THE DEPOSIT WILL BE REFUNDED IF THE PLANS AND SPECIFICATIONS ARE RETURNED IN GOOD CONDITION WITHIN FIFTEEN (15) DAYS OF THE BID OPENING DATE.

Typewriter Maintenance, for the various divisions of City Government, Department of Finance, as authorized by Ordinance 292-98, passed by the Council of the City of Cleveland, March 23, 1998.

September 20, 2000 and September 27, 2000

WEDNESDAY, OCTOBER 11, 2000

New or Refurbished Seating, for the various divisions of the Department of Port Control, as authorized by Ordinance No. 413-2000, passed by the Council of the City of Cleveland.

Cleaning of the West Side Market, for the Department of Parks, Recreation and Properties, as authorized by Ordinance No. 366-2000, passed by the Council of the City of Cleveland, May 1, 2000.

A PRE-BID MEETING WILL BE HELD ON FRIDAY, OCTOBER 6, 2000, 3:00 P.M. PARTICIPANTS ARE REQUESTED TO MEET AT THE LOADING DOCK OF THE WEST SIDE MARKET, LOCATED AT 1979 W. 25TH STREET.

September 20, 2000 and September 27, 2000

WEDNESDAY, OCTOBER 18, 2000

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

Bypass Piping, Fittings and Valves, for the Division of Water, Department of Public Utilities, as authorized by Section 129.25 of the Codified Ordinances of the City of Cleveland, 1976.

Flight Helmets, for the Division of Police, Aviation Unit, Department of Public Safety, as authorized by Ordinance No. 1005-2000, passed by the Council of the City of Cleveland, July 17, 2000.

September 20, 2000 and September 27, 2000

FRIDAY, OCTOBER 20, 2000

Rental and/or Purchase of Flashers, Safety Lights, Arrow Bars and Traffic Control Devices, for the Department of Public Utilities, as authorized by Ordinance No. 1945-98, passed by the Council of the City of Cleveland, December 14, 1998.

A PRE-BID MEETING WILL BE HELD ON WEDNESDAY, OCTOBER 11, 2000, 10:30 A.M., IN THE DIVISION OF WATER, 4TH FLOOR ATRIUM CONFERENCE ROOM, 1201 LAKESIDE AVENUE, CLEVELAND, OHIO 44114

September 20, 2000 and September 27, 2000

WEDNESDAY, OCTOBER 18, 2000

Centralized Deicing Facility Project, for the Department of Port Control. BEGINNING FRIDAY, SEPTEMBER 27, 2000, AN ALL INCLUSIVE BID PACKAGE MAY BE **PURCHASED** FROM THE DIVISION OF PURCHASES AND SUPPLIES, CLEVELAND CITY HALL, 601 LAKESIDE AVENUE, ROOM 128, CLEVELAND, OHIO, 44114, FOR THE NON-REFUNDABLE COST OF TWO HUNDRED DOLLARS (\$200.00) **CERTIFIED CHECK OR MONEY ORDER ONLY**. PROSPECTIVE BIDDERS WILL RECEIVE A VOUCHER TO PRESENT TO THE DESIGNATED PRINTER FOR BID DOCUMENTS. OUT OF AREA BIDDERS — PLEASE PROVIDE FEDERAL EXPRESS, UPS OR OTHER ACCOUNT NUMBER FOR SHIPMENT.

A PRE-BID MEETING WILL BE HELD ON WEDNESDAY, OCTOBER 4, 2000, FROM APPROXIMATELY 10:00 A.M. TO 12:00 P.M., IN THE PROGRAM MANAGEMENT TEAM OFFICE CONFERENCE ROOM.

ENCE ROOM, 19501 FIVE POINTS ROAD, CLEVELAND, OHIO 44135 (LOCATED AT THE SE CORNER OF CARGO ROAD AND FIVE POINTS ROAD). QUESTIONS MAY BE DIRECTED TO THE ATTENTION OF DEBORAH MIDGETT VIA FACSIMILE AT (216) 664-2177 UNTIL THE CLOSE OF BUSINESS ON TUESDAY, OCTOBER 10, 2000.

PROJECT DETAILS: CONSTRUCT AN UNDERGROUND CONVEYANCE SYSTEM FOR COLLECTING AIRPLANE DEICER (GLYCOL) RUN-OFF. SYSTEM WILL INCLUDE 2 MILLION GALLON AND 50,000 GALLON STORAGE TANKS, PUMP STATION, ELECTRICAL AND PUMP HOUSING FACILITY, WET WELL AND OTHER ASSOCIATED APPURTENANCES. ENGINEER'S ESTIMATED CONSTRUCTION COST IS \$4 MILLION DOLLARS.

September 27, 2000 and October 4, 2000

THURSDAY, OCTOBER 19, 2000

Self-Contained Breathing Apparatus, for the Division of Fire, Department of Public Safety, as authorized by Ordinance No. 1005-2000, passed by the Council of the City of Cleveland, July 17, 2000.

9 MM Pistols, for the Division of Police, Department of Public Safety, as authorized by Section 135.06 of the Codified Ordinances of the City of Cleveland, 1976.

September 27, 2000 and October 4, 2000

WEDNESDAY, OCTOBER 25, 2000

Adjustable Valve Boxes, for the Division of Water, Department of Public Utilities, as authorized by Section 129.25 of the Codified Ordinances of the City of Cleveland, 1976.

A PRE-BID MEETING WILL BE HELD ON **FRIDAY, OCTOBER 13, 2000, 10:30 A.M.**, AT THE DISTRIBUTION MAINTENANCE FACILITY, TRAINING ROOM, 4600 HARVARD AVENUE, CLEVELAND, OHIO 44105. ATTENDANCE IS MANDATORY.

Computer Related Hardware Equipment, for the Various Divisions of City Government, Department of Finance, as authorized by Ordinance No. 362-2000, passed by the Council of the City of Cleveland, April 17, 2000.

A PRE-BID MEETING WILL BE HELD ON **WEDNESDAY, OCTOBER 11, 2000, 1:00 P.M.**, IN THE CONFERENCE ROOM OF THE DIVISION OF INFORMATION TECHNOLOGIES, 1404 EAST 9TH STREET - SUITE 400. THOUGH NOT MANDATORY, ATTENDANCE IS STRONGLY ENCOURAGED. AS THIS WILL BE THE ONLY OPPORTUNITY TO INTERFACE DIRECTLY WITH THE DIVISION OF INFORMATION TECHNOLOGY PERSONNEL AFTER THE PRE-BID MEETING, QUESTIONS MUST BE DIRECTED TO THE ATTENTION OF MITCHELL BROOKS, BUYER, IN THE DIVISION OF PURCHASES AND SUPPLIES VIA FACSIMILE AT (216) 664-2177.

September 27, 2000 and October 4, 2000

ADOPTED RESOLUTIONS AND ORDINANCES

Res. No. 1616-2000.

By Councilman Cimperman.
An emergency resolution withdrawing objection to the renewal of a D5 and D6 Liquor Permit to 1059 Old River Road, 2nd Fl., and repealing Res. No. 1522-2000 objecting to said renewal.

Whereas, this Council objected to the renewal of a D5 and D6 Liquor Permit to 1059 Old River Road, 2nd Fl., by Res. No. 1522-2000, adopted August 28, 2000; and

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

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

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

Section 1. That objection to the renewal of a D5 and D6 Liquor Permit to 1059 Old River Road, 2nd Fl., be and the same is hereby withdrawn and Res. No. 1522-2000, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

Adopted September 11, 2000.
Effective September 19, 2000.

Res. No. 1648-2000.

By Councilman White.
An emergency resolution withdrawing objection to the issuance of a C1 Liquor Permit to 4025 East 93rd Street, and repealing Res. No. 1278-2000 objecting to said issuance.

Whereas, this Council objected to the issuance of a C1 Liquor Permit to 4025 East 93rd Street, by Res. No. 1278-2000 adopted by Council on July 17, 2000; and

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

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

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

Section 1. That objection to the renewal of a C1 Liquor Permit to 1278-2000, be and the same is hereby withdrawn and Res. No. 1278-2000 containing said objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

shall take effect and be in force from and after the earliest period allowed by law.

Adopted September 18, 2000.

Awaiting the approval or disapproval of the Mayor.

Res. No. 1649-2000.

By Councilman Brady.
An emergency resolution withdrawing objection to the transfer of ownership of a D2, D2X, D3 and D6 Liquor Permit to 11022 Lorain Avenue, 1st Fl. Bsmt., and repealing Res. No. 1031-2000 objecting to said transfer of ownership.

Whereas, this Council objected to the transfer of ownership of a D2, D2X, D3 and D6 Liquor Permit to 11022 Lorain Avenue, 1st Fl. & Bsmt., by Res. No. 1031-2000 adopted by Council on June 5, 2000; and

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

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

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

Section 1. That objection to the transfer of ownership of a D2, D2X, D3 and D6 Liquor Permit to 11022 Lorain Avenue, 1st Fl. & Bsmt., be and the same is hereby withdrawn and Res. No. 1031-2000, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate transfer of ownership thereof.

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

Adopted September 18, 2000.

Awaiting the approval or disapproval of the Mayor.

Res. No. 1650-2000.

By Councilman Brady.
An emergency resolution urging Vocational Guidance Services to comply with all legal requirements to permit workers to seek union organization and representation.

Whereas, this Council of the City of Cleveland, through passage of numerous pieces of legislation, has recognized the rights of all workers to seek safe, fair working conditions and to be paid equitably for their work; and

Whereas, this Council has acknowledged the existence and need for federal laws protecting the rights of workers and ensuring their ability to seek union representation, if desired; and

Whereas, with the assistance of Local 47, SEIU, the workers of Vocational Guidance Services have joined together for the purposes of choosing a union to better their wages, benefits and working conditions when performing janitorial services at the Anthony J. Celebrezze Federal Building; and

Whereas, the Council of the City of Cleveland supports the rights of all workers, as provided by the law, to seek union representation and urges Vocational Guidance Services to comply with all laws governing union organization and representation; now therefore,

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

Section 1. That this Council of the City of Cleveland urges Vocational Guidance Services to comply with all legal requirements providing workers with a fair, non-confrontational, and expedient method for determining whether they want union representation.

Section 2. That the Clerk is hereby requested to transmit a copy of this resolution to Robert Comben, President and CEO of Vocational Guidance Services and Michael Murphy, President Local 47.

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 September 18, 2000.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1209-2000.

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

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

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

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

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

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

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

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

P. P. No. 104-18-033

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

Subject to zoning ordinances, if any.

Section 3. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 104-18-034 as more fully described in Section 4 below, to Cuyahoga Metropolitan Housing Authority.

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

P. P. No. 104-18-034

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

Also subject to all zoning ordinances, if any.

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

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

P. P. No. 104-18-047

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

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

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

P. P. No. 104-18-049

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

Subject to zoning ordinances, if any.

Section 9. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel Nos. 104-18-061 as more fully described in Section 10 below, to Cuyahoga Metropolitan Housing Authority.

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

P. P. No. 104-18-061

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

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

Subject to zoning ordinances, if any.

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

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

P. P. No. 104-18-065

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

Subject to zoning ordinances, if any.

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

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

P. P. No. 104-19-049

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

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

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

P. P. No. 104-19-094

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

Section 17. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 104-19-109 as

more fully described in Section 18 below, to Cuyahoga Metropolitan Housing Authority.

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

P. P. No. 104-19-109

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

Subject to zoning ordinances, if any.

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

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

P. P. No. 104-19-054

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

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

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

P. P. No. 104-19-058

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

(a) Subject Easement

Subject Easement for Common driveway from Louis Gorsetman Bella to Sarah Smith aka Sarah Smith Butler, dated September 21, 1950, filed for record November 17, 1950 at 2:56

p.m., and recorded in Volume 7095, Page 458 of Cuyahoga County Records.

Also subject to all zoning ordinances, if any.

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

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

P. P. No. 104-19-085

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

Beginning in the Southerly line of Whittier Avenue, N.E., at the North-easterly corner of said Sublot No. 32; thence Southerly along the Easterly line of said Sublot No. 32, 142.69 feet to the Southeasterly corner thereof; thence Westerly along the Southerly line of said Sublot No. 32 and said Sublot No. 30, 53 feet to a point, thence Northerly parallel with the Easterly line of said Sublot No. 30, 41.50 feet to a point; thence North-easterly in a direct line to a point in the Easterly line of said Sublot No. 30 distant Northerly, measured along said Easterly line, 80 feet from the Southeasterly corner of said Sublot No. 30; thence Northerly along the Easterly line of said Sublot No. 30, 62.29 feet to the Southerly line of Whittier Avenue, N.E.; thence Easterly along the Southerly line of Whittier Avenue, N.E., 40 feet to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

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

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

P. P. No. 104-19-087

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

Subject to zoning ordinances, if any.

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

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

P. P. No. 104-19-091

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

Also subject to all zoning ordinances, if any.

Section 29. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 104-21-116 as more fully described in Section 30 below, to Cuyahoga Metropolitan Housing Authority.

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

P. P. No. 104-21-116

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

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

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

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

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

Also subject to all zoning ordinances, if any.

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

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

P. P. No. 104-21-117

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

Subject to zoning ordinances, if any.

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

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

P. P. No. 104-21-118

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

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

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

P. P. No. 104-21-130

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

Maps, Page 30 of the Cuyahoga County Records and bounded and described as follows:

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

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

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

P. P. No. 104-21-132

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot Nos. 125 and 126 and the Easterly 2 feet of Sublot No. 127 in the Park Realty Company's Re-Subdivision of part of Original One Hundred Acre Lot No. 340, as shown by the recorded plat of said Re-Subdivision in Volume 26 of Maps, Page 30 of Cuyahoga County Records, and together forming a parcel of land having a frontage of 74 feet on the Southerly side of Belvidere Avenue, N.E., and extending back between parallel lines 90 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

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

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

P. P. No. 104-21-135

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

appears by said plat, be the same more or less, but subject to all legal highways.

Section 41. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 104-21-136 as more fully described in Section 42 below, to Cuyahoga Metropolitan Housing Authority.

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

P. P. No. 104-21-136

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

Subject to zoning ordinances, if any.

Section 43. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 104-21-137 as more fully described in Section 44 below, to Cuyahoga Metropolitan Housing Authority.

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

P. P. No. 104-21-137

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

Section 45. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 104-21-138 as more fully described in Section 46 below, to Cuyahoga Metropolitan Housing Authority.

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

P. P. No. 104-21-138

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

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

Section 47. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 104-21-139 as more fully described in Section 48 below, to Cuyahoga Metropolitan Housing Authority.

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

P. P. No. 104-21-139

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

Section 49. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 104-21-140 as more fully described in Section 50 below, to Cuyahoga Metropolitan Housing Authority.

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

P. P. No. 104-21-140

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

Subject to zoning ordinances, if any.

Section 51. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Sup-

plies is hereby authorized to sell Permanent Parcel No. 104-21-141 as more fully described in Section 52 below, to Cuyahoga Metropolitan Housing Authority.

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

P. P. No. 104-21-141

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

Section 53. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 104-21-142 as more fully described in Section 54 below, to Cuyahoga Metropolitan Housing Authority.

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

P. P. No. 104-21-142

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Subdivision 134 in the Park Realty Company's Re-Subdivision of a part of Original One Hundred Acre Lot No. 340, as shown by the recorded plat in Volume 26 of Maps, Page 30 of Cuyahoga County Records, and being 36 feet front on the Southerly side of Belvidere Avenue, N.E., (formerly Belvidere Avenue) and extending back of equal width, 90 feet deep as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

Section 55. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 104-18-028 as more fully described in Section 54 below, to Cuyahoga Metropolitan Housing Authority.

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

P. P. No. 104-18-028

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

Section 57. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 104-19-065 as more fully described in Section 54 below, to Cuyahoga Metropolitan Housing Authority.

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

P. P. No. 104-19-065

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

Subject to zoning ordinances, if any.

Section 59. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 104-20-035 as more fully described in Section 54 below, to Cuyahoga Metropolitan Housing Authority.

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

P. P. No. 104-20-035

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

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

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

Subject to right of way 10 feet wide (the center line of which is the dividing line between Sublot Nos. 10

and 11) recorded in Volume 997, Page 493 of Cuyahoga County Records.

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

Subject to zoning ordinances, if any.

Section 61. That all documents necessary to complete the conveyance authorized by this ordinance shall be executed within six (6) months of the effective date of this ordinance. If all of the documents are not executed within six (6) months of the effective date of this ordinance, or such additional time as may be granted by the Director of Community Development, this ordinance shall be repealed and shall be of no further force or effect.

Section 62. That the consideration for the subject parcel shall be established by the Board of Control and shall be not less than Fair Market Value taking into account such terms and conditions, restrictions and covenants as are deemed necessary or appropriate.

Section 63. That as one of the terms of conveyance of the parcels identified in this ordinance, Cuyahoga Metropolitan Housing Authority shall use its best efforts within budgetary constraints to maximize the energy efficiency of new housing it constructs on said parcels.

Section 64. That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest including such restrictive covenants and reversionary interests as may be specified by the Board of Control, the Director of Community Development or the Director of Law.

Section 65. 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 September 18, 2000.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1214-2000.

By Councilman Patmon (by departmental request.

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

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

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

Section 1. That the Director of the Community Relations Board is hereby authorized to apply for and

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

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

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

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

Passed September 18, 2000.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1215-2000.

By Councilman Britt.

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

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

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

Section 1. That Section 343.11 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 2215-96, passed April 7, 1997, is hereby amended to read as follows:

Section 343.11 General Retail Business Districts

(a) "General retail business" means an enterprise for profit for the convenience and service of, and dealing directly with, and accessible to, the ultimate consumer; neither injurious to adjacent premises or to the occupants thereof by reason of the emission of cinders, dust, fumes, noise, odors, refuse matter, smoke, vapor or vibrations; nor dangerous to life or property. It includes buildings or spaces necessary to a permitted use for making or storing

articles to be sold at retail on the premises. Except as provided in division (b) of this section, it does not include any establishment which supplies a retail outlet other than that on the premises, or any building or use specifically mentioned as permitted only in a Semi-Industry or Industry District.

(b) Permitted Buildings and Uses.

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

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

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

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

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

C. The sale of apparel of all kinds;

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

E. The sale of other goods or merchandise;

F. Eating places of all types;

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

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

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

1. Service garage.

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

3. Parking lot.

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

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

b. Where the distance from the street line to the front line's of the nearest buildings at the sides of the premises and within 100 feet of the premises is less than that required by division (I)(4)A.1.a. of this section, the barrier may be erected to a line joining the rear front corners of such buildings, or at the average distance of such buildings from the street line.

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

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

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

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

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

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

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

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

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

O. Retail poultry business: either as a main use or as an accessory use, including the storing and killing of poultry or game to be sold entirely at retail upon the premises and directly to the ultimate con-

sumer, provided that the enterprise is conducted in strict compliance with all applicable statutes, laws, rules and regulations, including those requiring rat-proofing, and that adjacent premises or the occupants thereof are not injured by reason of the emission of dust, odor, smoke or noise or the accumulation of refuse or offal, and provided further that the buildings in which the killing, storing and selling are done are either detached masonry structures or part of a masonry building used entirely for the handling of poultry and/or game.

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

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

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

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

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

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

(3) Hotels.

(4) Motels.

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

Section 2. That existing Section 343.11 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 2215-96, passed April 7, 1997, is hereby repealed.

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

Passed September 18, 2000.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1644-2000.

By Councilmen Melena, Westbrook, Brady and Sweeney.

An emergency ordinance to amend the Title and Sections 1 and 2 of Ordinance No. 1250-2000, passed July 17, 2000, relating to an agreement with Westside Industrial Retention & Expansion Network (WIRE-Net) for their agency operations, program and administrative support using Wards 17, 18, 19 and 20 Neighborhood Equity Funds.

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

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

Section 1. That the Title and Sections 1 and 2 of Ordinance No. 1250-2000, passed July 17, 2000, are hereby amended to read as follows:

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Westside Industrial Retention & Expansion Network (WIRE-Net) for their agency operations, program and administrative support through the use of Wards 17, 18, 19 and 20 Neighborhood Equity Funds.

Section 1. That the Director of Community Development is authorized to enter into an agreement with Westside Industrial Retention and Expansion Network (WIRE-Net) for their agency operations, program, and administrative support in order to carry out the public purpose of creating or preserving industrial jobs on the west side of Cleveland.

Section 2. That the cost of said contract shall be in an amount not to exceed \$103,700 and shall be paid from Fund No. 10 SF 166.

Section 2. That the existing title and Sections 1 and 2 of Ordinance No. 1250-2000, passed July 17, 2000 are hereby repealed.

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

Passed September 18, 2000.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1645-2000.

By Councilman Patmon.

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Informing Our Children, Inc (I.O.C.) for their tutoring, prevention education, child advocacy and family mediation services through the use of Ward 8 Neighborhood Equity Funds.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with Informing Our Children, Inc (I.O.C.) for their tutoring, prevention education, child advocacy and family mediation services, in order to carry out the public purpose of promoting children's health, education and welfare.

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

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

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

Passed September 18, 2000.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1646-2000.

By Councilman Patmon.

An emergency ordinance to amend Section 4 of Ordinance No. 1744-97, passed October 20, 1997, in conjunction with the Year 2000 project.

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

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

Section 1. That Section 4 of Ordinance No. 1744-97, passed October 20, 1997 is hereby amended to read as follows:

Section 4. That the costs for such services herein contemplated shall be paid from Fund Nos. 52 SF 001, 54 SF 001, 57 SF 001, 58 SF 001, 81 SF 001, 60 SF 001, 10 SF 165, 10 SF 006 and 50 SF 001, Request No. 23236, and no such funds shall be certified for the projects authorized herein after the effective date of this legislation.

Section 2. That existing Section 4 of Ordinance No. 1744-97, passed October 20, 1997 is hereby repealed.

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

Passed September 18, 2000.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1647-2000.

By Councilman Robinson.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to Muhammad Mosque No. 8 to stretch banners at the intersection of East 144th Street and Kinsman Avenue for the period from September 19, 2000 to October 19, 2000, inclusive, publicizing the Million Family March.

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

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

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances, of Cleveland, Ohio, 1976, the Director of the Department of Public Service is hereby authorized and directed to issue a permit to Muhammad Mosque No. 8 to install, maintain and remove banners at the intersection East 144th and Kinsman, (pole no. E-13 77A-6 DFT B 1993 SPN-06-3-55, pole no. CEN Coppers, MO-9-93 SSP-3-55), for the period from September 19, 2000 to October 19, 2000, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

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

Passed September 18, 2000.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1651-2000.

By Councilmen Polensek and Patmon (by departmental request).

An emergency ordinance to amend the title and Section 1 of Ordinance No. 2161-99, as amended by Ordinance No. 1004-2000, passed June 19, 2000, and to amend Section 1 of Ordinance Nos. 2162-99, 2164-99 and 2165-99, passed February 14, 1999, all as amended by Ordinance No. 1004-2000, passed June 19, 2000, relating to requirement contracts for the Division of Traffic Engineering and Parking, 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 title and Section 1 of Ordinance No. 2161-99, passed February 14, 2000, as amend-

ed by Ordinance No. 1004-2000, passed June 19, 2000, are hereby amended to read as follows:

An emergency ordinance authorizing the purchase by requirement contract of traffic paint and labor and materials necessary for line striping services, for the Division of Traffic Engineering and Parking, Department of Public Safety.

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 traffic paint and labor and materials necessary for line striping services in an amount not to exceed \$140,000, 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 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 existing title and Section 1 of Ordinance No. 2161-99, passed February 14, 2000, as amended by Ordinance No. 1004-2000, passed June 10, 2000, are hereby repealed.

Section 3. That Section 1 of Ordinance No. 2162-99 passed February 14, 1999, as amended by Ordinance No. 1004-2000, passed June 19, 2000, is hereby amended to read as follows:

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 refurbished aluminum sign blanks in an amount not to exceed \$55,000, 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 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 4. That Section 1 of Ordinance No. 2164-99, passed February 14, 1999, as amended by Ordinance No. 1004-2000, passed June 19, 2000, is hereby amended to read as follows:

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 re-

quirements for the period of one year for the necessary items of aluminum signs in an amount not to exceed \$230,000, 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 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 5. That Section 1 of Ordinance No. 2165-99, passed February 14, 1999, as amended by Ordinance No. 1004-2000, passed June 19, 2000, is hereby amended to read as follows:

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 various traffic signal equipment in an amount not to exceed \$375,000, 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 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 6. That Section 1 of Ordinance Nos. 2162-99, 2164-99 and 2165-99, passed February 14, 1999, all as amended by Ordinance No. 1004-2000, passed June 19, 2000, are hereby repealed.

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

Passed September 18, 2000.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1652-2000.
By Councilman O'Malley.
An emergency ordinance determining the method of making the public improvement of constructing turbidity and particle meters at various water treatment plants; 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 constructing turbidity and particle meters at the Garrett A. Morgan Water Treatment Plant, for the Division of Water, Department of Public Utilities, 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 Utilities is hereby authorized to enter into contract for the making of the above public improvement with the lowest responsible bidder after competitive bidding for a gross price for the improvement, provided, however, that each separate trade and each distinct component part of said improvement may be treated as a separate improvement, and each, or any combination, of such trades or components may be the subject of a separate contract for a gross price. Upon request of said Director the contractor shall furnish a correct schedule of unit prices, including profit and overhead, for all items constituting units of said improvement.

Section 3. That the cost of said improvement authorized in Section 1 herein shall be paid from Fund Nos. 52 SF 001, 52 SF 223, 52 SF 225, and from the fund or subfunds to which are credited the proceeds of the sale of future waterworks revenue bonds and bond anticipation notes issued for the purpose of making the improvement described in Section 1 of this ordinance, Request No. 23398.

Section 4. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of constructing turbidity and particle meters at the Nottingham Water Treatment Plant, for the Division of Water, Department of Public Utilities, by contract duly let to the lowest responsible bidder after competitive bidding for a gross price for the improvement.

Section 5. 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 for a gross price for the improvement, provided, however, that each separate trade and each distinct component part of said improvement may be treated as a separate improvement, and each, or any combination, of such trades or components may be the subject of a separate contract for a gross price. Upon request of said Director the contractor shall furnish a correct schedule of unit prices, including profit and overhead, for all items constituting units of said improvement.

Section 6. That the cost of said improvement authorized in Section 4 herein shall be paid from Fund Nos. 52 SF 001, 52 SF 223, 52 SF 225, and from the fund or subfunds to which are credited the proceeds of the sale of future waterworks revenue bonds and bond anticipation notes issued for the purpose of making the improvement described

in Section 4 of this ordinance, Request No. 23400.

Section 7. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of constructing turbidity and particle meters at the Baldwin Water Treatment Plan, for the Division of Water, Department of Public Utilities, by contract duly let to the lowest responsible bidder after competitive bidding for a gross price for the improvement.

Section 8. 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 for a gross price for the improvement, provided, however, that each separate trade and each distinct component part of said improvement may be treated as a separate improvement, and each, or any combination, of such trades or components may be the subject of a separate contract for a gross price. Upon request of said Director the contractor shall furnish a correct schedule of unit prices, including profit and overhead, for all items constituting units of said improvement.

Section 9. That the cost of said improvement authorized in Section 7 herein shall be paid from Fund Nos. 52 SF 001, 52 SF 223, 52 SF 225, and from the fund or subfunds to which are credited the proceeds of the sale of future waterworks revenue bonds and bond anticipation notes issued for the purpose of making the improvement described in Section 7 of this ordinance, Request No. 23399.

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

Passed September 18, 2000.

Awaiting the approval or disapproval of the Mayor.

REPRINT

Ord. No. 1196-2000.

By Councilman Patmon (by departmental request).

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

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

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

Section 1. That the Director of Finance is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the

requirements for the period of one year for the necessary items of equipment, computer and telecommunications equipment and operational equipment, in the estimated sum of \$494,600.00, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Department of Finance. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

Section 2. That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 1464, 4570, 4573, 4574, 4575, 4576 and 4577)

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

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

Passed August 7, 2000.

Effective August 17, 2000.

Res. No. 1615-2000.

By Councilman Cimperman.

An emergency resolution withdrawing objection to the renewal of a D5 and D6 Liquor Permit to 1059 Old River Road, 1st & 2nd Fls. & Patio, and repealing Res. No. 1521-2000 objecting to said renewal.

Whereas, this Council objected to the renewal of a D5 and D6 Liquor Permit to 1059 Old River Road, 1st & 2nd Fls. & Patio, by Res. No. 1521-2000, adopted August 28, 2000; and

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

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

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

Section 1. That objection to the renewal of a D5 and D6 Liquor Permit to 1059 Old River Road, 1st & 2nd Fls. & Patio, be and the same is hereby withdrawn and Res. No. 1521-2000, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

Adopted September 11, 2000.

Effective September 19, 2000, without the signature of the Mayor.

COUNCIL COMMITTEE MEETINGS

Monday, September 25, 2000

Public Parks, Property and Recreation Committee: 9:30 a.m.—Present: Rybka, Chairman; Dolan, Vice Chairman; Brady, Johnson, Sweeney, White. Excused: Britt.

Public Service Committee: 11:00 a.m.—Present: Sweeney, Vice Chairman; Coats, Johnson, Melena, O'Malley, Westbrook. Excused: Cintron, Chairman; Britt, Willis.

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

Tuesday, September 26, 2000

Community & Economic Development Committee: 9:30 a.m.—Present: Melena, Chairman; Brady, Cimperman, Cintron, Jackson, Robinson. Excused: Lewis, Vice Chairman; Jones, Willis.

Legislation Committee: 1:30 p.m.—Present: Lewis, Chairman; Jones, Vice Chairman; Brady, Coats, Gordon, Westbrook. Excused: Johnson.

Wednesday, September 27, 2000

Aviation and Transportation Committee: 10:00 a.m.—Present: Dolan, Chairman; O'Malley, Vice Chairman; Jones, Patmon, Rybka, Sweeney. Excused: Robinson.

City Planning Committee: 1:00 p.m.—Present: Cimperman, Chairman; Rybka, Vice Chairman; Dolan, Jackson, O'Malley. Excused: Robinson, White.

Public Utilities Committee: 1:30 p.m.—Present: O'Malley, Chairman; Coats, Dolan, Polensek, Westbrook, Willis. Excused: Patmon, Vice Chairman; Britt, Melena.

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