

The City Record

Official Publication of the Council of the City of Cleveland



April the Twenty-Third, Two Thousand and Three

Jane L. Campbell
Mayor

Frank G. Jackson
President of Council

Valarie J. McCall
City Clerk, Clerk of Council

Ward	Name
1	Joseph T. Jones
2	Robert J. White
3	Zachary Reed
4	Kenneth L. Johnson
5	Frank G. Jackson
6	Patricia J. Britt
7	Fannie M. Lewis
8	Sabra Pierce Scott
9	Kevin Conwell
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	Matthew Zone
18	Jay Westbrook
19	Dona Brady
20	Martin J. Sweeney
21	Michael A. Dolan

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PRESORTED STANDARD
U. S. POSTAGE PAID
CLEVELAND, OHIO

Permit No. 1372

DIRECTORY OF CITY OFFICIALS

CITY COUNCIL – LEGISLATIVE

President of Council – Frank G. Jackson

Ward	Name	Residence	
1	Joseph T. Jones	4691 East 177th Street	44128
2	Robert J. White	3760 East 126th Street	44105
3	Zachary Reed	3734 East 149th 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	Sabra Pierce Scott	9212 Kempton Avenue	44108
9	Kevin Conwell	774 East 131st Street	44108
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.	4326 Daisy Avenue	44109
15	Merle R. Gordon	1700 Denison Avenue	44109
16	Michael C. O'Malley	6710 Brookside Drive	44144
17	Matthew Zone	1228 West 69th Street	44102
18	Jay Westbrook	1278 West 103rd Street	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

City Clerk, Clerk of Council – Valarie J. McCall, 216 City Hall, 664-2840
First Assistant Clerk – Sandra Franklin

MAYOR – Jane L. Campbell

Rodney Jenkins, Executive Assistant
David M. McGuirk, Executive Assistant
Timothy Mueller, Executive Assistant
Craig Tame, Executive Assistant
Henry Guzman, Director, Office of Equal Opportunity
Margreat A. Jackson, Legislative Affairs Liaison
Erik Janas, Inter-Governmental Affairs Officer

DEPT. OF LAW – Subodh Chandra, Director, Galen L. Schuerlein, Acting Chief Counsel, Rm. 106
Karen E. Martinez, Law Librarian, Room 100

DEPT. OF FINANCE – Robert H. Baker, Director, Room 104;

Frank Badalamenti, Manager, Internal Audit
DIVISIONS: Accounts – Alan Schneider, Commissioner, Room 19
Assessments and Licenses – Dedrick Stephens, Commissioner, Room 122
City Treasury – Algeron Walker, Treasurer, Room 115
Financial Reporting and Control – James Gentile, Controller, Room 18
Information Systems Services – James S. Higgins, Commissioner, 1404 East 9th Street
Purchases and Supplies – Myrna Branche, Commissioner, Room 128
Printing and Reproduction – Michael Hewitt, Commissioner, 1735 Lakeside Avenue
Taxation – Nassim Lynch, Tax Administrator, 1701 Lakeside Avenue

DEPT. OF PUBLIC UTILITIES – Michael G. Konicek, Director, 1201 Lakeside Avenue

DIVISIONS – 1201 Lakeside Avenue
Cleveland Public Power – James F. Majer, Commissioner
Street Lighting Bureau – _____, Acting Chief
Utilities Fiscal Control – Dennis Nichols, Commissioner
Water – Julius Ciacchia, Jr., Commissioner
Water Pollution Control – Darnell Brown, Commissioner

DEPT. OF PORT CONTROL – John C. Mok, Director

Cleveland Hopkins International Airport, 5300 Riverside Drive
Burke Lakefront Airport – Khalid Bahhur, Commissioner
Cleveland Hopkins International Airport – Fred Szabo, Commissioner

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

DIVISIONS: Architecture – Kurt Weibusch, Commissioner, Room 517
Engineering and Construction – Randall E. DeVaul, Commissioner, Room 518
Motor Vehicle Maintenance, Daniel A. Novak, Commissioner, Harvard Yards
Streets – Randall T. Scott, Commissioner, Room 25
Traffic Engineering – Robert Mavec, Commissioner, 4150 East 49th Street, Building #1
Waste Collection and Disposal – Ron Owens, Commissioner, 5600 Carnegie Avenue

DEPT. OF PUBLIC HEALTH – Matthew Carroll, Acting Director, Mural Building, 1925 St. Clair Ave.

DIVISIONS: Air Quality – Commissioner
Correction – Robert Tasker, Commissioner, Cleveland House of Corrections, 4041 Northfield Rd.
Environment – Willie Bess, Acting Commissioner, Mural Building, 1925 St. Clair Ave.
Health – Dr. Wendy Johnson, Acting Commissioner, Mural Building, 1925 St. Clair Ave.

DEPT. OF PUBLIC SAFETY – James A. Draper, Director, Room 230

DIVISIONS: Dog Pound – John Baird, Chief Dog Warden, 2690 West 7th Street
Emergency Medical Service – Edward Eckart, Commissioner, 1708 South Pointe Drive
Fire – Kevin G. Gerrity, Chief, 1645 Superior Avenue
Police – Edward F. Lohn, Chief, Police Hdqtrs. Bldg., 1300 Ontario Street

DEPT. OF PARKS, RECREATION & PROPERTIES – James Glending, Acting Director

Cleveland Convention Center, Clubroom A, 1220 East 6th Street
DIVISIONS: Convention Center & Stadium – James Glending, Commissioner
Public Auditorium, East 6th Street and Lakeside Avenue
Parking Facilities – Dennis Donahue, Commissioner
Public Auditorium, East 6th Street and Lakeside Avenue
Park Maintenance and Properties – Richard L. Silva, Commissioner
Public Auditorium – East 6th Street and Lakeside Avenue
Property Management – Tom Nagle, Commissioner, East 49th Street & Harvard
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 – Sharon Dumas, Commissioner

DEPT. OF BUILDING AND HOUSING – James G. Williams, Director, Room 500

DIVISIONS: Code Enforcement – _____, Commissioner
Construction Permitting – _____, Commissioner

DEPT. OF PERSONNEL AND HUMAN RESOURCES – Eduardo A. Romero, Director, Room 121

DEPT. OF ECONOMIC DEVELOPMENT – Steven Sims, Director, Room 210

DEPT. OF AGING – Jane E. Fumich, Director, Room 122

DEPT. OF CONSUMER AFFAIRS – Kenya Taylor, Director

COMMUNITY RELATIONS BOARD – Room 11, Lorna Wisham, Director; Mayor Jane L. Campbell, Chairman Ex-Officio; Rev. Charles Lucas, Jr., Vice-Chairman; Councilman Kevin Conwell, Councilman Matthew Zone, City Council Representatives; Charles L. Patton, Jr., Paula Castleberry, Emmett Saunders, John Banno, Kathryn M. Hall, Evangeline Hardaway, Janet Jankura, Gia Hoa Ryan, Rev. Jesse Harris, Magda Gomez, Fred J. Livingstone, Margot James Copeland.

CIVIL SERVICE COMMISSION – Room 119, Reynaldo Galindo, President; Rev. Earl Preston, Vice President; Jonalyn M. Krupka, Secretary; Members: Diane M. Downing, Matthew Dotson.

SINKING FUND COMMISSION – Jane L. Campbell, President; Betsy Hruby, Asst. Sec'y.; Robert H. Baker, Director; Council President Frank G. Jackson.

BOARD OF ZONING APPEALS – Room 516, Carol A. Johnson, Chairman; Members: Margaret Hopkins, Ozell Dobbins, Joan Shaver Washington, Christopher Carmody, Eugene Cranford, Jr., Secretary.

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

BOARD OF REVISION OF ASSESSMENTS – Law Director Subodh Chandra, President; Finance Director Robert H. Baker, Secretary; Council President Frank G. Jackson.

BOARD OF SIDEWALK APPEALS – Service Director Mark Ricchiuto; Law Director Subodh Chandra; Councilman Martin J. Sweeney.

BOARD OF REVIEW – (Municipal Income Tax) – Law Director Subodh Chandra; Utilities Director Michael G. Konicek; Council President Frank G. Jackson.

CITY PLANNING COMMISSION – Room 501 – Christopher S. Ronayne, Director; Anthony J. Coyne, Chairman; David Bowen, Lillian W. Burke, Lawrence A. Lumpkin, Gloria Jean Pinkney, Rev. Sam Edward Small, Councilman Joseph Cimperman.

FAIR EMPLOYMENT WAGE BOARD – Room 210 – Gerald Meyer, Chair; Angela Caldwell, Vice Chair; Patrick Gallagher, Kathryn Jackson, Draydean McCaleb, Council Member Nelson Cintron, Ed Romero.

HOUSING ADVISORY BOARD – Room 310 – Keith Brown, Terri Hamilton Brown, Vickie Eaton-Johnson, Mike Foley, Eric Hodderson, Janet Loehr, Mark McDermott, Marcia Nolan, David Perkowski, Joan Shaver Washington, Keith Sutton, Council Member Merle Gordon.

FAIR HOUSING BOARD – Charles See, Chair; Cindy Barber, Vice Chair; Michael Doud, Doris Honsa, Richard Lenard.

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

MORAL CLAIMS COMMISSION – Law Director Subodh Chandra; Chairman; Finance Director Robert H. Baker; Council President Frank G. Jackson; Councilman Dona Brady; Councilman Martin J. Sweeney.

BOARD OF EXAMINERS OF ELECTRICIANS – Samuel Montfort, Chairman; Donald Bauknight, 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 – Paul Volpe, Chair; Ted Sande, Vice Chair; James Gibans, India Pierce Lee, Robert Madison, Randall B. Shorr, Chris Ronayne, N. Kurt Wiebusch, Council Member Joe Cimperman, Dwayne J. Simpson; Robert Keiser, Secretary.

CLEVELAND MUNICIPAL COURT JUSTICE CENTER – 1200 ONTARIO STREET JUDGE COURTROOM ASSIGNMENTS

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

Earle B. Turner – Clerk of Courts, Michael E. Flanagan – Court Administrator, Paul J. Mizerak – Bailiff; Kenneth Thomas – Chief Probation Officer, Gregory F. Clifford – Chief Magistrate

The City Record



OFFICIAL PUBLICATION OF THE COUNCIL OF THE CITY OF CLEVELAND

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WEDNESDAY, APRIL 23, 2003

No. 4663

CITY COUNCIL

MONDAY, APRIL 21, 2003

The City Record

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City Clerk, Clerk of Council
216 City Hall

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 2002-2005

MONDAY

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

MONDAY—Alternating

11:00 A.M. — **Public Service Committee:** Sweeney, Chairman; Jones, Vice Chairman; Brady, Cimperman, Johnson, O'Malley, Polensek, White, Zone.

11:00 A.M. — **Employment, Affirmative Action & Training Committee:** Lewis, Chairman; Conwell, Vice Chairman; Cintron, Coats, Johnson, Reed, Polensek.

MONDAY

2:00 P.M. — **Finance Committee:** Jackson, Chairman; Sweeney, Vice Chairman; Brady, Britt, Coats, Gordon, O'Malley, Reed, Scott, Westbrook, White.

TUESDAY

9:30 A.M. — **Community and Economic Development Committee:** Gordon, Chairman; Cimperman, Vice Chairman; Cintron, Coats, Jones, Lewis, Reed, Scott, Zone.

TUESDAY—Alternating

1:00 P.M. — **Health & Human Services Committee:** Britt, Chairman; Zone, Vice Chairman; Cintron, Conwell, Gordon, Scott, Polensek.

1:30 P.M. — **Legislation Committee:** White, Chairman; Scott, Vice Chairman; Dolan, Gordon, Johnson, Rybka, Westbrook.

WEDNESDAY—Alternating

10:00 A.M.—**Aviation & Transportation Committee:** Westbrook, Chairman; Sweeney, Vice Chairman; Britt, Dolan, Gordon, Reed, Rybka.

10:00 A.M. — **Public Safety Committee:** Reed, Chairman; Britt, Vice Chairman; Brady, Cimperman, Coats, Conwell, Jones, White, Zone.

WEDNESDAY—Alternating

1:30 P.M.—**Public Utilities Committee:** Coats, Chairman; O'Malley, Vice Chairman; Brady, Cintron, Jones, Polensek, Sweeney, Westbrook, Zone.

1:30 P.M.—**City Planning Committee:** Cimperman, Chairman, Rybka, Vice Chairman, Conwell, Lewis, O'Malley, Scott, Westbrook.

The following Committees are subject to the Call of the Chairman:
Rules Committee: Jackson, Chairman; O'Malley, Reed, Sweeney, Westbrook.

Personnel and Operations Committee: Gordon, Chairman; Britt, Cimperman, Coats, Scott.

Mayor's Appointment Committee: Coats, Chairman; Cintron, Reed, Pierce Scott, Westbrook.

OFFICIAL PROCEEDINGS CITY COUNCIL

NO MEETING

THE CALENDAR

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

NONE

BOARD OF CONTROL

April 16, 2003

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, April 16, 2003, at 10:30 a.m. with Mayor Campbell presiding.

Present: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Acting Directors Wasik, Carroll, Smith, Glending, Directors Hudecek, Romero, Acting Director Pesti, Directors Fumich, Taylor and Williams.

Absent: None.

Others: Myrna Branche, Commissioner, Purchases and Supplies.

Carol Whitaker, Acting Director, Office of Equal Opportunity.

On motion, the following resolutions were adopted.

Resolution No. 218-03.

By Director Ricchiuto.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of John M. Lance Ford, Inc. for an estimated quantity of Ford passenger car parts and labor if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service, for the period of one (1) year beginning with the date of execution of a contract, received on February 7, 2003, pursuant to the authority of Ordinance No. 983-02, passed by the Council of the City of Cleveland on June 17, 2002, which on the basis of the estimated quantity would amount to Five Hundred Fifty Thousand and no/100 Dollars (\$550,000.00) (2% Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 127442

which shall be certified against such contract in the total sum of One Hundred Twenty Thousand and 00/100 Dollars (\$120,000.00).

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

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Acting Directors Wasik, Carroll, Smith, Glending, Directors Hudecek, Romero, Acting Director Pesti, Directors Fumich and Williams.

Nays: None.

Absent: Director Taylor.

Resolution No. 219-03.

By Director Ricchiuto.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of Tire Distributors, Inc. for an estimated quantity of tire recapping, Groups A and B (all items), for the Division of Motor Vehicle Maintenance, Department of Public Service, for the period of two (2) years beginning with the date of execution of a contract, received on February 7, 2003, pursuant to the authority of Ordinance No. 2170-02,

passed by the Council of the City of Cleveland on December 9, 2002, which on the basis of the estimated quantity would amount to One Hundred Ninety Thousand Seven Hundred Twenty and no/100 Dollars (\$190,720.00) (Net), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 127441 which shall be certified against such contract in the sum of Eighty Thousand and no/100 Dollars (\$80,000.00).

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

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Acting Directors Wasik, Carroll, Smith, Glending, Directors Hudecek, Romero, Acting Director Pesti, Directors Fumich and Williams.

Nays: None.

Absent: Director Taylor.

Resolution No. 220-03.

By Director Ricchiuto.

Whereas, pursuant to the authority of Ordinance No. 951-99, passed by the Council of the City of Cleveland on June 14, 1999, and Resolution No. 404-00, adopted by this Board of Control on June 14, 2000, the City, through its Director of Public Service, entered into Contract No. 56588 with Parsons Brinckerhoff Ohio, Inc. (Engineer), to, supplement the regularly employed staff of the several departments of the City in order to obtain professional engineering services necessary to perform the Eagle Avenue Bridge and Alternative Analysis Study; and

Whereas, pursuant to the authority of Ordinance No. 817-01, passed by the Council of the City of Cleveland on June 19, 2001, the City entered into a first modification to said Contract increasing the City's cash match obligation to approximately One Hundred Five Thousand Dollars (\$105,000.00); and

Whereas, the City desires to modify the scope of services as recommended in the Ohio Department of Transportation's (ODOT) letter dated September 10, 2002; and

Whereas, Engineer has proposed in its letter dated March 10, 2003 to provide the engineering services as recommended by ODOT within the remaining contract amount; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that the Director of Public Service is hereby authorized to enter into a second modification to Contract No. 56588 with Parsons Brinckerhoff Ohio, Inc. for the revised services. The total compensation including the revised services, as recommended by ODOT shall not exceed the total compensation of the original agreement, five hundred twenty four

thousand eight hundred eighty-nine dollars (\$524,889.00). The modification authorized hereby shall be prepared by the Director of Law and shall include such additional provisions as said Director deems necessary to benefit and protect the public interest.

Be it further resolved that the compensation of the following subconsultant by Parsons Brinckerhoff Ohio, Inc., for the revised services authorized above hereby is approved:

DLZ Ohio, Inc.
(MBE) \$94,200.00
614 West Superior #1000
Cleveland, Ohio 44113

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Acting Directors Wasik, Carroll, Smith, Glending, Directors Hudecek, Romero, Acting Director Pesti, Directors Fumich and Williams.

Nays: None.

Absent: Director Taylor.

Resolution No. 221-03.

By Director Ricchiuto.

Be it resolved by the Board of Control of the City of Cleveland, that the bid of American International Corp. for the public improvement of Contract 1 Repairing & Constructing Sidewalks, Driveway Aprons, Curbing and Curb Ramps Base bid (Items I through 56) and Alternate I (Item 57) and Alternate III (Item 59) only for the Division of Engineering and Construction, Department, of Public Service, received on March 13, 2003, pursuant to the authority of Ordinance No. 138-03, passed March 24, 2003, upon a unit basis for the improvement, in the aggregate amount of One Million, One Hundred Eighty Thousand, Four Hundred Fifty-Five and 00/100 Dollars (\$1,180,455.00), is hereby affirmed and approved as the lowest responsible bid; and the Director of Public Service is hereby authorized to enter into contract for said improvement with said bidder.

Be it further resolved that the employment of the following sub-contractors by American International Corp. for the aforementioned public improvement hereby is approved:

Dan Ray Construction Co., Inc.
MBE — 15.00% — \$192,500.00
4500 Lee Road
Cleveland, Ohio 44128

Choice Construction Co., Inc.
FBE — 5.00% — \$64,400.00
30675 Solon Road
Solon, Ohio 44139

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Acting Directors Wasik, Carroll, Smith, Glending, Directors Hudecek, Romero, Acting Director Pesti, Directors Fumich and Williams.

Nays: None.

Absent: Director Taylor.

Resolution No. 222-03.

By Acting Director Glending.

Resolved, by the Board of Control of the City of Cleveland that the bid of Woodhill Supply for an estimated quantity of HVAC/R equipment —

Section 220 Item 7, Section 240 Item 3, Section 260 Item 7 less 10% discount, Section 300 Items 2, 3, 6, 7, 10-15 less 68.1% discount, Section 360 Item 4, Section 420 Item 1, Section 440 Items 3, 4, 6, Section 460 Item 1, Section, 480 Items 3-5 less 10% discount, Section 500 Items 2-4 less 20% discount, Section 540 Items 1-5 less 40% discount, Section 560 Item 1, Section 620 Item 4 less 10% discount, Section 640 Items 3, 4, 6 less 31% discount, Section 700 Items 2, 4 less 25% discount and Section 740 Items 3, 11 less 17% discount, for the Division of Property Management, Department of Parks, Recreation and Properties, for the period of two (2) years, received on November 20, 2002, pursuant to the authority of Ordinance 1116-02, passed June 17, 2002, which on the basis of the estimated quantity would amount to One Hundred Two Thousand and Fifty and 00/100 Dollars (\$102,050.00), is hereby affirmed and approved as the lowest and best bid, and the Director of Parks, Recreation and Properties is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 128776

which shall be certified against such contract in the sum of Twenty Thousand and 00/100 Dollars (\$20,000.00).

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

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Acting Directors Wasik, Carroll, Smith, Glending, Directors Hudecek, Romero, Acting Director Pesti, Directors Fumich, Taylor and Williams.

Nays: None.

Absent: None.

Resolution No. 223-03.

By Acting Director Glending.

Whereas, pursuant to Ordinance No. 140-03, passed by Cleveland City Council March 24, 2003, the Commissioner of Purchases and Supplies is authorized to quitclaim the City's interest in certain City-owned real property described therein and known as Washington Park to the Cleveland Municipal School District ("District") in consideration for the District agreeing to maintain and use the property for public park, recreation, and/or education purposes, and accessory uses related to any or all of such purposes; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that, pursuant to the authorization of Ordinance No. 140-03, passed by Cleveland City Council March 24, 2003, the Commissioner of Purchases and Supplies is directed to quitclaim the City's interest in certain City-owned real property described therein and known as Washington Park to the Cleveland Municipal School District ("District") in consideration for the District agreeing

to maintain and use the property for public park, recreation, and/or education purposes, and accessory uses related to any or all of such purposes. The quitclaim deed or deed to the District shall contain such terms and conditions as the Director of Parks, Recreation and Properties and the Director of Law deem necessary and appropriate to protect and benefit the interests of the City of Cleveland.

Be it further resolved that the Mayor and the Commissioner of Purchases and Supplies are hereby requested to execute and deliver the official deed or deeds of the City of Cleveland conveying said property.

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Acting Directors Wasik, Carroll, Smith, Glending, Directors Hudecek, Romero, Acting Director Pesti, Directors Fumich, Taylor and Williams.

Nays: None.
Absent: None.

Resolution No. 224-03.

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. 127-09-007 under said Land Reutilization Program; and

Whereas, Ordinance No. 2064-02 passed March 24, 2003, 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, Dale A. Palik and L.A. Palik have 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. 2064-02 passed March 24, 2003, 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 Dale A. Palik and L.A. Palik for the sale and development of Permanent Parcel No. 127-09-007, 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 \$1,500 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 Campbell, Directors Chandra, Baker, Konicek, Mok, Acting Directors Wasik, Carroll, Smith, Glending, Directors Hudecek, Romero, Acting Director Pesti, Directors Fumich, Taylor and Williams.

Nays: None.
Absent: None.

Resolution No. 225-03.

By Acting Director Glending.

Resolved by the Board of Control of the City of Cleveland, that all bids received on April 11, 2003, for property insurance for the Cleveland Brown's Stadium, for the Division of Convention Center & Stadium, Department of Parks, Recreation & Properties, pursuant to the authority of Ordinance No. 239-03, passed by the Council of the City of Cleveland on May 3, 2003, are hereby rejected.

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Acting Directors Wasik, Carroll, Smith, Glending, Directors Hudecek, Romero, Acting Director Pesti, Directors Fumich, Taylor and Williams.

Nays: None.
Absent: None.

JEFFREY B. MARKS,
Secretary

CIVIL SERVICE NOTICES

General Information

Application blanks and information, regarding minimum entrance qualifications, scope of examination, and suggested reference materials may be obtained at the office of the Civil Service Commission, Room 119, City Hall, East 6th Street, and Lakeside Avenue.

Application blanks must be properly filled out on the official form prescribed by the Civil Service Commission and filed at the office of the commission not later than the final closing date slated in the examination announcement.

EXAMINATION RESULTS: Each applicant whether passing or failing will be notified of the results of the examination as soon as the commission has graded the papers. Thereafter, eligible lists will be established which will consist of the names of those candidates who have been successful in all parts of the examination.

PHYSICAL EXAMINATION: All candidates for original entrance positions who are successful in other parts of the examinations must submit to a physical examination.

REYNALDO GALINDO,
President

SCHEDULE OF THE BOARD OF ZONING APPEALS

MONDAY, MAY 5, 2003

9:30 A.M.

Calendar No. 03-86: 11619 Lorain Avenue (Ward 19)

Jacqueline Slyman and Fred Peters, owners c/o Theresa Reid, agent, appeal to change the use of an existing 52' x 105' two-story masonry building with 12 dwelling units, an office and three stores to 12 dwelling units, an office and a tavern with a billiards table, all situated on an approximate 55' x 160' parcel located in a Local Retail Business District at 11619 Lorain Avenue; said change of use being contrary to the Business District Requirements of Section 343.01, where a pool table is not permitted in a Local Retail Business District but is first permitted in a General Retail Business District as stated in Section 343.11(b)(2)(1) and contrary to the Off-Street Parking and Loading Requirements, where 16 spaces are credited and 10 additional spaces are needed for a total of 26 required parking spaces as stated in Section 349.04(e) of the Codified Ordinances.

Calendar No. 03-87: 13014 Lorain Avenue (Ward 19)

Dorothy Milosavljevic, owner, appeals to add a tattooing use to an existing 900 sq. ft. nonconforming body piercing shop all situated on an approximate 20' x 100' parcel located in a General Retail Business District on the north side of Lorain Avenue at 13014 Lorain Avenue; said additional use being contrary to the Specific Use Regulations where the proposed use abuts a residential district to the north and is within 400' of Nathaniel Hawthorne Middle School and within 300' of Jefferson Parkland Playground and within 700' of a church at the northwest corner of West 128th Street and Lorain Avenue and no such use shall be established within 1000' of a residential district, a school, a library, a church, a playground or a park as stated in Section 347.12(a)(b)(1) of the Codified Ordinances.

Calendar No. 03-88: 3902 East 54th Street (Ward 12)

Cresthaven Development Corporation, owner c/o Juri Dedic, agent, appeals to construct an approximate 24' x 26' two-story, frame house with a 15' x 17' deck and a 20' x 20' detached garage all situated on an approximate 127' x 135' irregular shaped parcel located in a Two-Family District on the southwest corner of Orey Avenue and East 54th Street at 3902 East 54th Street; said construction being contrary to the Residential District Requirements, where permitted accessory buildings shall be located on the rear half of the lot as stated in Section 337.23(a) of the Codified Ordinances.

Calendar No. 03-90: 15610 Norway Avenue (Ward 21)

Tom and Sandy Campbell, owners, appeal to construct a 22' x 20' one-story frame, detached garage to the rear of a 45' x 125' parcel located in a Single Family District on the northerly side of Norway Avenue at 15610 Norway Avenue; said construction being contrary to Height Regulations, where a distance of 5'-6" from the neighboring house is proposed and a minimum distance of 10' or up to 15' is required as stated in Section 353.05 of the Codified Ordinances.

Calendar No. 03-91: 9803 Elwell Avenue (Ward 4)

Cleveland Housing Network, owner c/o Paul Kapsuk, agent, appeals to construct a 12' x 22' two-story room addition to an existing one family dwelling, all situated on an approximate 50' x 67' parcel located in a Two-Family District on the north side of Elwell Avenue at 9803 Elwell Avenue; said construction being contrary to the Area Requirements of Section 355.08, where the maximum gross floor area allowed is 1,650 sq. ft. and 2,024 sq. ft. is proposed and contrary to the Yards and Courts Requirements, where a 3' and/or 10' rear yard setback is proposed and 20' is required as stated in Section 357.08 of the Codified Ordinances.

Calendar No. 03-92: 5608 Dolloff Road (Ward 12)

Cleveland Housing Network, owner c/o Paul Kapsuk, agent, appeals to construct a 14' x 20' one-story wood frame garage with a gable roof, all situated on an

approximate 91' x 128' irregular shaped parcel located in a Two-Family District on the west side of Dolloff Road at 5608 Dolloff Road; said construction being contrary to the Residential District Requirements, where permitted accessory buildings shall be located on the rear half of the lot as stated in Section 337.23(a) of the Codified Ordinances.

Calendar No. 03-98: 3353 East 125th Street (Ward 3)

George Peterson, owner, appeals to enclose an existing 7' x 24' open front porch of an existing two family house all situated on a 40' x 147' parcel located in a Two-Family District on the east side of East 125th Street at 3353 East 125th Street; said enclosure being contrary to the Yards and Courts Requirements, where a 7' projection is proposed and 4' is allowed as stated in Section 357.13(b)(4) of the Codified Ordinances.

Calendar No. 03-99: 9417 Orleans Avenue (Ward 2)

Greater Christian Tabernacle Church, owner c/o John Rakauskas, agent, appeals to establish use of an existing two-story, 7,924 sq. ft. church building as a church and day care all situated on an approximate 146' x 227' irregular shaped parcel located in a Two-Family District on the north side of Orleans Avenue at 9417 Orleans Avenue; said proposed use being contrary to the Residential District Requirements, where the proposed use is located in a residential district and abuts a Two-Family District and a day care if located not less than 30' from any residence district not used for a similar purpose is subject to the Board of Zoning Appeals approval as stated in Section 337.03 of the Codified Ordinances.

EUGENE CRANFORD, JR.,
Secretary

REPORT OF THE BOARD OF ZONING APPEALS

MONDAY, APRIL 21, 2003

At the meeting of the Board of Zoning Appeals on Monday, April 21, 2003, the following appeals were heard by the Board:

The following appeals were **Approved:**

Calendar No. 03-74: 387 East 148th Street

Doris Kelly appealed to enclose a 7' x 12' front porch of a 25' x 25' one dwelling unit house in a Two-Family District; subject to condition.

Calendar No. 03-76: 5988 and 6040 Scovill Avenue, 2478 East 61st Street and 2477 East 59th Street

Cuyahoga Metropolitan Housing Authority appealed to construct 4 multi-family townhouse buildings on a 270' x 270' parcel in a Multi-Family District.

Calendar No. 03-77: 6156, 6220, 6328 Scovill Avenue; 6376, 6246, 6254 Scovill Avenue and 2479 East 61st and 2478 East 64th Streets

Cuyahoga Metropolitan Housing Authority appealed to construct 8

multi-family townhouse buildings on a 260' x 600' parcel in a Multi-Family District.

Calendar No. 03-78: 6460 and 6546 Scovill Avenue; 2479, 2499, 2515 East 64th Street and 2480, 2500, 2516 East 66th Street

Cuyahoga Metropolitan Housing Authority appealed to construct 8 multi-family townhouse buildings on a 260' x 600' parcel in a Multi-Family District.

Calendar No. 03-50: 2452 East 46th Street

Cuyahoga Metropolitan Housing Authority, owner, and Gale Thomas, tenant, appealed to establish use of a 5,600 sq. ft. area of a one-story masonry commercial building as a day care in a Multi-Family District.

The following appeals were **Denied:**

None.

The following appeals were **Postponed:**

Calendar No. 03-72: 10737-39 Lee Avenue postponed to May 27, 2003.

Calendar No. 03-73: 995 East 140th Street postponed to May 19, 2003.

Calendar No. 03-75: 2130 East 55th Street postponed to May 19, 2003.

Calendar No. 03-89: Appeal of Phone-Tel Technologies, Inc., 8901 Madison Avenue postponed to May 5, 2003.

Calendar No. 03-35: 6402 Lansing Avenue postponed to May 27, 2003.

On Monday, April 21, 2003, in Executive Session:

The following appeal was heard by the Board on Monday, April 14, 2003, and said decision was approved and adopted in Executive Session on Monday, April 21, 2003:

The following appeals were **Approved:**

Calendar No. 03-67: 3407 West 117th Street

Constantine Mavromichalis appealed to change the use of a 30' x 68' two-story masonry building from 2 dwelling units and a store to 3 dwelling units in a Local Retail Business District.

Calendar No. 03-49: 2928 Scranton Road

Immanuel Lutheran Church appealed to construct a 24' x 30' one-story, pre-fabricated steel storage building on the southwest corner of a parcel in a Multi-Family District.

The following appeals were **Denied:**

Calendar No. 03-69: 1978 West 50th Street

Faiz Salim appealed to change a two-story frame dwelling house from two dwelling units into three dwelling units in a Two-Family District.

Calendar No. 03-71: 3855 Ridge Road Lot's Real Estate, Inc. c/o Brian Alley, owner, and Santiago Mercado, tenant, appealed to change the use of a 30' x 42' one-story building from a gas station to an auto repair shop in a General 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

Notice of Public Hearing
By the Council Committee
On City Planning

Mercedes Cotner Committee Room 217
City Hall, Cleveland, Ohio
On Wednesday, April 30, 2003
1:00 P.M.

Notice is hereby given to all interested property owners that the Council Committee on City Planning will hold a public hearing in the Mercedes Cotner Committee Room 217, City Hall, Cleveland, Ohio, on Wednesday, April 30, 2003, at 1:00 P.M., to consider the following ordinances now pending in the Council:

Ord. No. 2335-02.

By Council Member Jones.

An ordinance to change the zoning of property east of East 146th Street, between Cranwood Avenue and Velma Avenue, to a Semi-Industry District and a "1" Height District. (Map Change No. 2063, Sheet No. 10)

Ord. No. 317-03.

By Council Members Jones and Cimperman (by departmental request).

An emergency ordinance to amend Section 1 of Ordinance No. 2253-02, passed January 27, 2003, relating to change the zoning of property on Lee Road, from Preibe Avenue to McCracken Road, to a One-Family Residential District.

Ord. No. 318-03.

By Council Member Britt.

An ordinance to change the zoning of property north of St. Luke's Hospital to Two-Family Residential and to a P.U.D. Overlay (Map Change No. 2068, Sheet No. 9)

Ord. No. 319-03.

By Council Member White.

An ordinance to change the zoning of property on the four corners of the intersection at Miles Avenue and East 93rd Street to a Local Retail Business District. (Map Change No. 2067, Sheet No. 6)

Ord. No. 320-03.

By Council Member Westbrook.
An ordinance to change the zoning of property east of W. 117th Street on the north and south sides of Madison Avenue to Semi-Industry (Map Change No. 2069, Sheet No. 1)

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

JOSEPH C. CIMPERMAN,
Chairman
Committee on City Planning

April 16, 2003 and April 23, 2003

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, APRIL 30, 2003

Labor & Materials Necessary To Repair Hydraulic Pump, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 2168-02, passed by the Council of the City of Cleveland, December 9, 2002.

Labor & Materials Necessary To Repair & Replace Hydraulic Cylinders, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by

Ordinance No. 2168-02, passed by the Council of the City of Cleveland, December 9, 2002.

Labor & Materials Necessary To Repair Vehicle Frames, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 2232-02, passed by the Council of the City of Cleveland, December 9, 2002.

Labor & Materials Necessary To Repair & Replace Auto Truck Glass, the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 2230-02, passed by the Council of the City of Cleveland, December 9, 2002.

Labor & Materials Necessary To Repair, Clean, Recore and Replace Radiators, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 2166-02, passed by the Council of the City of Cleveland, December 9, 2002.

April 16, 2003 and April 23, 2003

THURSDAY, MAY 1, 2003

Property Insurance for Cleveland Browns Stadium, for Division of Property Management, Department of Parks, Recreation & Properties, as authorized by Ordinance No. 239-03, passed by the Council of the City of Cleveland, March 3, 2003.

THERE WILL BE A MANDATORY PRE-BID MEETING, TUESDAY, APRIL 22, 2003, AT 11:00 A.M., AT THE CLEVELAND BROWNS STADIUM, LOCATED DOWNTOWN CLEVELAND. SERVICE ENTRANCE OFF OF WEST 3rd STREET, CONTACT MIKE MIRWALD AT 440-824-3658 IF FURTHER DIRECTIONS ARE NEEDED.

Urban Forest Property Maintenance Service, the Division of Park Maintenance and Properties, Department of Parks, Recreation & Properties, as authorized by Ordinance No. 179-03, passed by the Council of the City of Cleveland, March 3, 2003.

Three (3) 185 CFM/Trailer Mounted Air Compressors, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 1262-02, passed by the Council of the City of Cleveland, July 17, 2002.

Office Paper Recycling Program, for the Division of Waste Collection and Disposal, Department of Port Control, as authorized by Section 181.18, of the Codified Ordinances of Cleveland, Ohio, 1976.

Contract 3: Repairing and Constructing Curb Ramps including Casting Adjustments and Appurtenances for Streets Resurfaced, Reconstructed and/or Rehabilitated in 2002, for the Division of Engineering and Construction, Department of Public Service, as authorized by Ordinance No. 2237-02, passed by the Council of the

City of Cleveland, February 10, 2003.

THERE WILL BE A REFUNDABLE FEE OF FIFTY DOLLARS (\$50.00) IN THE FORM OF A CASHIER'S CHECK AND/OR MONEY ORDER.

April 16, 2003 and April 23, 2003

FRIDAY, MAY 2, 2003

Purchase of Chevrolet GMC Vehicle Parts & Labor, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 2233-02, passed by the Council of the City of Cleveland, December 2, 2002.

April 16, 2003 and April 23, 2003

THURSDAY, MAY 8, 2003

Two (2) Cab/Chassis with 65' Material Handling Aerial Device, for the Division of Motor Vehicle Maintenance and Various Divisions of City Government, Department of Public Service, as authorized by Ordinance No. 1262-02, passed by the Council of the City of Cleveland, July 17, 2002.

House of Corrections Site Development and Landscaping, for the Division of Architecture, Department of Public Service, as authorized by Ordinance No. 478-98, passed by the Council of the City of Cleveland, June 10, 1998.

THERE WILL BE A PRE-BID MEETING TUESDAY, APRIL 29, 2003 AT 10:00 A.M., HOUSE OF CORRECTIONS, LOCATED AT 4041 NORTHFIELD ROAD, HIGHLAND HILLS, OHIO.

THERE WILL BE A REFUNDABLE FEE OF FIFTY DOLLARS (\$50.00) IN THE FORM OF A CASHIER'S CHECK AND/OR MONEY ORDER.

April 16, 2003 and April 23, 2003

THURSDAY, MAY 8, 2003

2003 Sidewalk Assessment Program, for the Division of Engineering and Construction, Department of Public Service, as authorized by Ordinance No. 365-03, pending.

THERE WILL BE A REFUNDABLE FEE OF FIFTY DOLLARS (\$50.00) IN THE FORM OF A CASHIER'S CHECK AND/OR MONEY ORDER.

Arbor Park Village Phase 2, for the Division of Engineering and Construction, Department of Public Service, as authorized by Ordinance No. 427-03, pending.

THERE WILL BE A REFUNDABLE FEE OF FIFTY DOLLARS (\$50.00) IN THE FORM OF A CASHIER'S CHECK AND/OR MONEY ORDER.

April 23, 2003 and April 30, 2003

FRIDAY, MAY 9, 2003

Auto/Truck Spring Repair, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance

No. 2229-02, passed by the Council of the City of Cleveland, December 9, 2002.

One (1) 105' Steel Aerial Ladder and One (1) 100' Steel Aerial Ladder Platform, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 1845-02, passed by the Council of the City of Cleveland, October 7, 2002.

April 23, 2003 and April 30, 2003

THURSDAY, MAY 15, 2003

One (1) Emergency Medical Care Vehicle-Ambulance, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 1845-02, passed by the Council of the City of Cleveland, October 7, 2002.

April 23, 2003 and April 30, 2003

FRIDAY, MAY 16, 2003

Ready Mix Concrete, for various divisions, Department of Finance, as authorized by Ordinance No. 423-03, passed by the Council of the City of Cleveland, March 31, 2003.

THERE WILL BE A MANDATORY PRE-BID MEETING, TUESDAY, MAY 6, 2003, AT 10:30 A.M., AT THE CITY HALL, ROOM 517, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

April 23, 2003 and April 30, 2003

ADOPTED RESOLUTIONS AND ORDINANCES

Res. No. 656-03.

By Council Members O'Malley, Westbrook, Sweeney, Cimperman and Jackson (by departmental request).

An emergency resolution declaring it necessary to relay and repair sidewalks, aprons, driveway and curbs (including adjustments of castings and landscaping, if necessary) encroaching upon the public right-of-way on Woodhaven Avenue from West 63rd Street to Ridge Road, West 98th Street from Lorain Avenue to Walford Avenue and West 110th Street from Clifton Boulevard to Franklin Boulevard.

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 it is necessary and conducive to the public health and welfare that Woodhaven Avenue from West 63rd Street to Ridge Road, West 98th Street from Lorain Avenue to Walford Avenue and West 110th Street from Clifton Boulevard to Franklin Boulevard, be improved by relaying and repairing sidewalks, driveway aprons, and curbs (including adjustments of castings and landscaping, if necessary) encroaching upon the public right-of-way or otherwise improving

the right-of-way in accordance with plans, specifications and profiles, at the estimated cost of \$880,061.20, prepared and placed in File No. 656-03-A in the Office of the Clerk of Council, which plans, specifications and profiles are approved.

Section 2. That fifty percent (50%) of the cost and expense of the improvement, and less the entire cost of intersections, as shall be found to be a proper charge, shall be assessed on all lots and lands abutting on, and other specifically benefited property adjacent to Woodhaven Avenue from West 63rd Street to Ridge Road, West 98th Street from Lorain Avenue to Walford Avenue and West 110th Street from Clifton Boulevard to Franklin Boulevard, in proportion to the benefits which may result from the improvement, and it is determined that the lots and lands are specially benefited by the improvements. The Director of Public Service has fixed five (5) years as the estimated life of the improvements.

Section 3. That the entire amount to be levied shall be paid in five (5) annual installments, with interest on deferred payments at the rate of 4.31% per annum provided, however, that the owner of any property assessed may, at his option, pay the principal amount of the assessment in cash within 40 days from and after the passage of the assessing ordinance.

Section 4. That the remainder of the cost of the improvement not specifically assessed, as provided, shall be paid by the City of Cleveland, or out of funds made available to it by other sources, or governmental agencies.

Section 5. That the Director of Finance is directed to cause written notice to be served on the owner or each lot or parcel of land to be assessed, or on any other persons or corporations entitled by any provision of law to notice of the adoption of this resolution.

Section 6. That the Commissioner of Assessments and Licenses is authorized to prepare and file in the Office of the Clerk of Council an estimated assessment under the provisions of this resolution showing the amount of the assessment against each lot or parcel of land to be assessed. Such estimated assessments shall be based on the estimated cost of the improvement under the plans, specifications and profiles now on file in the Office of the Clerk of Council. The estimated assessment shall be filed in the Office of the Clerk and kept available for public inspection.

Section 7. That this resolution is declared to be an emergency measure and, provided it receives 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 April 14, 2003.

Effective April 16, 2003.

Res. No. 659-03.

By Council Member Jones.
An emergency resolution objecting to a New C1 and C2 Liquor Permit to 13800 Harvard Avenue.

Whereas, Council has been notified by the Department of Liquor Control of an application for a New C1 and C2 Liquor Permit at R & R Beverage, 13800 Harvard Avenue, Cleveland, Ohio 44128, Permanent Number 7150680; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to a New C1 and C2 Liquor Permit at R & R Beverage, 13800 Harvard Avenue, Cleveland, Ohio 44128, Permanent Number 7150680; and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted April 14, 2003.

Effective April 16, 2003.

Res. No. 660-03.

By Council Member O'Malley.
An emergency resolution withdrawing objection to the renewal of D1, D2, D3, D3A and D6 Liquor Permit at 6200 Brookpark Road and repealing Resolution No. 1673-02, objecting to said renewal.

Whereas, this Council objected to the renewal of a D1, D2, D3, D3A and D6 Liquor Permit to 6200 Brookpark Road by Resolution No. 1673-02 adopted by the Council on August 14, 2002; and

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

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

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

Section 1. That objection to the renewal of a D1, D2, D3, D3A and D6 Liquor Permit to 6200 Brookpark Road be and the same is hereby withdrawn and Resolution No. 1673-02, containing such 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 April 14, 2003.

Effective April 16, 2003.

Res. No. 661-03.

By Council Member Reed.

An emergency resolution withdrawing objection to the renewal of C1 and C2 Liquor Permit at 14300 Kinsman Road and repealing Resolution No. 1679-02, objecting to said renewal.

Whereas, this Council objected to the renewal of a C1 and C2 Liquor Permit to 14300 Kinsman Road by Resolution No. 1679-02 adopted by the Council on August 14, 2002; and

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

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

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

Section 1. That objection to the renewal of a C1 and C2 Liquor Permit to 14300 Kinsman Road be and the same is hereby withdrawn and Resolution No. 1679-02, containing such 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 April 14, 2003.

Effective April 16, 2003.

Res. No. 662-03.

By Council Members Reed, Jackson, Johnson, Lewis, Scott, Sweeney, Jones, Britt, White, Cimperman, Conwell, Gordon, Westbrook, Brady, O'Malley and Zone.

An emergency resolution supporting Issue 2, and encouraging voters to vote for Issue 2 on May 6th, in order to maintain, enrich, enhance, and preserve the Cleveland Public Library System.

Whereas, the Cleveland Public Library system plays a vital role in our community by providing access to people of all ages to a world of information; and

Whereas, the Cleveland Public Library is committed to providing library materials and programs for all ages at the Main Library downtown as well as at the 28 branches located throughout Cleveland; and

Whereas, the Cleveland Public Library system contains a Library for the Blind and Physically Handicapped, a Mobile Library and Public Administration Library; and

Whereas, computer access, electronic services and instructional classes are available at all branches and the Main Library; and

Whereas, the Cleveland Public Library is currently undertaking a Neighborhood Library Services Initiative, a comprehensive strategic planning process the goal of which is to integrate the best trends for urban library systems with the needs of Cleveland neighborhoods; and

Whereas, the cost to maintain and enhance the above mentioned services is great and the Library System is in need of increasing its revenue stream in order to ensure the continuation of such services; and

Whereas, Issue 2 is a 5.8 mill levy that would cost an owner of a \$50,000 home approximately \$88 per year; and

Whereas, the benefits of supporting Issue 2 are immeasurable: continued free and equitable access to worldwide information; preservation of the 28 neighborhood libraries, the Main Library and the special libraries; increased hours of service at neighborhood libraries, including year-round Saturday hours; more computers and computer training; special services for youth; additional services for seniors; and programs for the Hispanic community and new Americans; 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 hereby supports Issue 2 and encourages voters to vote for Issue 2 on May 6th, in order to maintain, enrich, enhance and preserve our Cleveland Public Library System.

Section 2. That the Clerk is hereby directed to transmit certified copies of this resolution to the members of the Library Board of Trustees and to Andrew A. Venable, Jr., Director of the Cleveland Public Library.

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 April 14, 2003.

Effective April 16, 2003.

Ord. No. 1940-02.

By Council Members Lewis, Gordon, Cimperman and Jackson (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on Quimby Avenue to Oriana House, Inc.

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 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. 104-20-016 as more fully described below, to Oriana House, Inc.

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

P. P. No. 104-20-016

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and bounded and described as follows, to wit: And known as being Sublot No. 42 in Johnson, Bates and Ston's Subdivision of part of Original One Hundred Acre Lot No. 340, as shown by the recorded plat of said Subdivision in Volume 8 of Maps, Page 24 of Cuyahoga County Records. Said Sublot No. 42 forms a parcel of land having a frontage of 50 feet on the Northerly side of Hough Avenue, N.E., and extending back between parallel lines 200 feet to the Southerly line of Belvidere Avenue, N.E., 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. 104-20-111 as more fully described below to Oriana House, Inc.

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

P. P. No. 104-20-111

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 11 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, and bounded and described as follows:

Beginning at a point in the Westerly line of said Sublot No. 11, which point bears Southerly, measured along said Westerly line, 106.92 feet from the Northwesterly corner thereof in the Southerly line of Quimby Avenue, N.E., (60 feet wide); thence Easterly along a line parallel with the Southerly line of Quimby Avenue, N.E., as aforesaid, 49.99 feet to a point in the Easterly line of said Sublot; thence Southerly along the Easterly line of said Sublot No. 11, 18.46 feet to a point; thence Westerly along a line parallel with the Southerly line of Quimby Avenue, N.E., as aforesaid, 49.99 feet to the Westerly line of said Sublot; thence Northerly along the Westerly line of said Sublot No. 11, 18.46 feet to the place of beginning, according to a survey by Bauer Surveys Company and dated September 23, 1947, be the same more or less, but subject to all legal highways.

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. 104-20-121 as more fully described below, to Oriana House, Inc.

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

P. P. No. 104-20-121

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, and bounded and described as follows:

Beginning 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, 55.48 feet to a point; thence Westerly parallel with the Southerly line of Quimby Avenue, N.E., 49.99 feet to a point in the Westerly line of said Sublot No. 10; thence Northerly along said Westerly line of Sublot No. 10, 55.48 feet to a point in the Southerly line of Quimby Avenue, N.E., which point is the Northwesterly corner of said Sublot No. 10; thence Easterly along the Southerly line of Quimby Avenue, N.E., 49.99 feet to the place of beginning, 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. 104-20-122 as more fully described, to Oriana House, Inc.

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

P. P. No. 104-20-122

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, 55.48 feet to a point and the principal place of beginning; thence Southerly along the Easterly line of Sublot No. 10, 18.66 feet to a point; thence Westerly parallel with the Southerly line of Quimby Avenue, 49.99 feet to a point in the Westerly line of Sublot No. 10; thence Northerly along said Westerly line of Sublot No. 10, 18.66 feet to a point; thence Easterly parallel with the Southerly line of Quimby Avenue 49.99 feet to the Easterly line of Sublot No. 10 and the principal place of beginning, be the same more or less, but subject to all legal highways.

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. 104-20-123 as more fully described below, to Oriana House, Inc.

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

P. P. No. 104-20-123

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, and bounded and described as follows:

Beginning 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 74.14 feet to a point and the principal place of beginning; thence Southerly along the Easterly line of Sublot No. 10, 18.82 feet to a point; thence Westerly parallel with the Southerly line of Quimby Avenue, N.E., 49.99 feet to a point in the Westerly line of Sublot No. 10; thence Northerly along said Westerly line of Sublot No. 10, 18.82 feet to a point; thence Easterly parallel with the Southerly line of Quimby Avenue, N.E., 49.99 feet to the Easterly line of Sublot No. 10 and the principal place of beginning as appears by the survey of Harold A. Brown, Registered Surveyor, No. 2066, dated August 21, 1950, be the same more or less, but subject to all legal highways.

Right of Way Easement in Volume 997, Page 493 of Cuyahoga County Records. For conditions, see record.

Also subject to all zoning ordinances, if any.

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.

Passed April 14, 2003.
Effective April 16, 2003.

Ord. No. 2114-02.**By Council Member Johnson.**

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on East 92nd Street to Miceli-Lograsso Development Corporation.

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. 126-23-015 as more fully described below, to Miceli-Lograsso Development Corporation.

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. 126-23-015

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 16 in A.L. McCurdy's Subdivision of part of Original One Hundred Acre Lot Nos. 424 and 425, as shown by the recorded plat in Volume 4 of Maps, Page 51 of Cuyahoga County Records, and bounded and described.

Beginning on the Northwesterly line of East 92nd Street (formerly Crown Avenue), at the most Southerly corner of said Sublot No. 16; thence Northeasterly 26.5 feet along the said Northwesterly line of East 92nd Street to a point; thence Northwesterly 83 feet parallel with the Southwesterly line of said Sublot No. 16 to a point; thence Northeasterly 2.5 feet parallel with the said Northwesterly line of East 92nd Street to a point; thence 3 feet 6 inches parallel with the Southwesterly line of said Sublot No. 16 to a point in the Northwesterly line thereof; thence Southwesterly 29 feet along the Northwesterly line of said Sublot No. 16 to the Westerly line thereof; thence Southeasterly 86 feet 6 inches along the Southwesterly line of said Sublot No. 16 to the place of beginning.

Reserving therefrom an easement of 8 feet on the North side of said lot said easement to be used for the purpose of ingress and egress to the rear 79.83 feet of said lot.

It is intended herewith to convey the front 86.5 feet of the above premises; 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. 126-23-017 as more fully described below to Miceli-Lograsso Development Corporation.

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

P. P. No. 126-23-017

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 18 in A.L. McCurdy Allotment of part of Original One Hundred Acre Lot No. 424 as shown by the recorded plat in Volume 4 of Maps, Page 51 of Cuyahoga County Records and being 40 feet front on the Northwesterly line of East 92nd Street and extending back between parallel lines 166.33 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

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. 126-23-044 as more fully described below, to Miceli-Lograsso Development Corporation.

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

P. P. No. 126-23-044

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

Sublot Nos. 15 and 16 in A.L. McCurdy's Subdivision of part of Original One Hundred Acre Lot Nos. 424 and 425, as shown by the recorded plat in Volume 4 of Maps, Page 51 of Cuyahoga County Records and bounded and described as follows:

Beginning on the Northwesterly line of East 92nd Street (formerly Corwin Avenue), at the most Southerly corner of said Sublot No. 16; thence Northeasterly 26.5 feet along the said Northwesterly line of East 92nd Street to a point for the principal place of beginning; thence Northeasterly 25.5 feet along the said Northwesterly line of East 92nd Street to the most Southerly corner of a parcel of land conveyed to Samuel and Meri Stubnar dated August 19, 1920, and recorded in Volume 2433, Page 205, of Cuyahoga County Records; thence Northwesterly 106 feet parallel with the Northeasterly line of said Sublot No. 16 to a point; thence Northeasterly 2.5 feet parallel with the said Northwesterly line of East 92nd Street to a point; thence Northwesterly 60.33 feet parallel with the Northeasterly line of said Sublot No. 15 to a point in the Northwesterly line thereof; thence Southwesterly 25.5 feet along the Northwesterly line of said Sublot Nos. 15 and 16 to a point distant Northeasterly 29 feet from the most Westerly corner of said Sublot No. 16; thence Southeasterly 83.33 feet parallel with the Southwesterly line of said Sublot No. 16 to a point; thence Southwesterly, 2.5 feet parallel with the said Northwesterly line of East 92nd Street to a point; thence Southeasterly 83 feet parallel with the Southwesterly line of said Sublot No. 16 to the principal place of beginning, be the same more or less, but subject to all legal highways.

Also subject to zoning ordinances, if any.

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. 126-24-046 as more fully described, to Miceli-Lograsso Development Corporation.

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

P. P. No. 126-23-046

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 16 in the A.L. Curdy Subdivision of part of Original One Hundred Acre Lot Nos. 424 and 425, as shown by the recorded plat in Volume 4 of Maps, Page 51 of Cuyahoga County Records and bounded and described as follows:

Beginning at the most Westerly corner of said Sublot No. 16; thence Northeasterly along the Northwesterly line of Sublot No. 16, 29 feet; thence Southeasterly parallel with the Southwesterly line of said Sublot No. 16, 79.83 feet to a point; thence Southwesterly parallel with the Northwesterly line of Sublot No. 16, 29 feet to the Southwesterly line thereof; thence Northwesterly along said Southwesterly line, 79.83 feet to the place of beginning, be the same more or less, but subject to all legal highways.

Section 9. That pursuant to Section 183.021 of the Codified Ordina-

nances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 126-24-002 as more fully described, to Miceli-Lograsso Development Corporation.

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

P. P. No. 126-24-002

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 51 in A.L. McCurdy's Subdivision of part of Original One Hundred Acre Lots Nos. 424 and 425, as shown by the recorded plat in Volume 4 of Maps, Page 51 of Cuyahoga County Records and being 40 feet front on the Southerly side of Buckeye Road and extending back of equal width 150 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

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. 126-24-009 as more fully described below, to Miceli-Lograsso Development Corporation.

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

P. P. No. 126-24-009

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Northerly 5 feet of Sublot No. 37, all of Sublot No. 38 and the Southerly 5 feet of Sublot No. 39 in Alexander A. McCurdy's Subdivision of part of Original One Hundred Acre Lot Nos. 424 and 425, as shown by the recorded plat in Volume 4 of Maps, Page 1 of Cuyahoga County Records, excepting from the above described premises that part thereof conveyed to the Cleveland and Youngstown Railroad Company by deed dated May 4, 1915 and recorded in Volume 1656, Page 520 of Cuyahoga County Records, and together forming a parcel of land 50 feet front on the Easterly side of East 92nd Street (formerly Corwin Street) about 97.45 feet deep on the Southerly line, about 116.21 feet deep on the Northerly line of 53.4 feet wide on the rear, as appears by said plat, be the same more or less, but subject to all legal highways.

Zoning Ordinances, if any.

Section 13. 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 14. 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 15. 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 16. 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 April 14, 2003.
Effective April 16, 2003.

Ord. No. 2175-02.
By Council Member Conwell.
An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on Superior Avenue to Temple of Deliverance Baptist Church.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 120-03-011, as more fully described below, to Temple of Deliverance Baptist Church.

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

P. P. No. 120-03-011

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot Nos. 51 and 52 in the Schatzinger and Hartwick Subdivision of part of Original One Hundred Acre Lot No. 387, as shown by the recorded plat in Volume 27 of Maps, Page 13 of Cuyahoga County Records, and bounded and described as follows:

Beginning at the intersection of the Southerly line of Superior Avenue, N.E. with the Easterly line of East 112th Street; thence Southerly along the Easterly line of East 112th Street, 75 feet; thence Easterly and parallel with Superior Avenue, N.E., about 80 feet to the

Easterly line of said Sublot No. 51; thence Northerly along said Easterly line of Sublot No. 51, 75 feet to the Southerly line of Superior Avenue, N.E., thence Westerly along said Southerly line of Superior Avenue, N.E. 80.74 feet to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

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

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

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

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

Passed April 14, 2003.
Effective April 16, 2003.

Ord. No. 2178-02.
By Council Member Reed.
An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 3307 East 123rd Street to Edward Blackshear, Jr.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 130-04-062, as more fully described below, to Edward Blackshear, Jr..

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

P. P. No. 130-04-062

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Northerly 8 feet of Sublot No. 98 and the Southerly 30 feet of Sublot No. 99 in the Crawford-Woodhill Subdivision of part of Original One Hundred Acre Lots Nos. 436, 444 and 445 as shown by the recorded plat of said Subdivision in Volume 47 of Maps, Page 12 of Cuyahoga County Records. Said parts of Sublot Nos. 98 and 99 together forming a parcel of land having a frontage of 38 feet on the Easterly side of East 123 Street, and extending back between parallel lines 140 feet as appears by said plat, be the same more or less, but subject to all legal highways.

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

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

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

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

Passed April 14, 2003.
Effective April 16, 2003.

Ord. No. 2179-02.
By Council Member Reed.
An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 9406 Union Avenue to Full Life Church of God in Christ, Inc.

Whereas, the City of Cleveland has elected to adopt and implement the procedures under Chapter 5722

of the Ohio Revised Code to facilitate reutilization of nonproductive lands situated within the City of Cleveland; and

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s), 135-01-126, as more fully described below, to Full Life Church of God in Christ, Inc.

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

P. P. No. 135-01-126

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being a part of Original One Hundred Acre Lot No. 449, bounded and described as follows:

Beginning at a point in the Southerly line of Union Avenue, S.E., 350 feet Easterly (measured along said Southerly line) from its intersection with the Easterly line of East 93rd Street (formerly Woodland Hills Avenue), said place of beginning being the Northwesterly corner of land conveyed to James F. Nejedlik by deed dated April 19, 1926, and recorded in Volume 3346, Page 515 of Cuyahoga County Records; thence Southerly along the Westerly line of land so conveyed of land so conveyed to James F. Nejedlik, 100 feet to the Southwesterly corner thereof; thence Westerly parallel with the Southerly line of Union Avenue, S.E., 42 feet to a point; thence Northerly parallel with the first described course, 100 feet to the Southerly line of Union Avenue S.E.; thence Easterly along the Southerly line of Union Avenue, S.E.; thence Easterly along the Southerly line of Union Avenue, S.E., 42 feet to the place of beginning, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

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

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

and covenants as are deemed necessary or appropriate.

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

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

Passed April 14, 2003.

Effective April 16, 2003.

Ord. No. 2451-02.

By Council Members Cimperman, Coats and Jackson (by departmental request).

An emergency ordinance determining the method of making the public improvement of replacing water mains and making various sewer repairs on the Euclid Corridor, and authorizing the Director of Public Utilities to enter into one or more contracts for the making of 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, under Section 167 of the Charter of the City of Cleveland, the Council determines to make the public improvement of replacing water mains and making various sewer repairs on the Euclid Corridor, for the Divisions of Water and Water Pollution Control, Department of Public Utilities, by one or more contracts 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 authorized to enter into one or more contracts 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 the improvement may be treated as a separate improvement, and each, or any combination, of the trades or components may be the subject of a separate contract for a gross price. Upon request of the Director the contractor shall furnish a correct schedule of unit prices, including profit and overhead, for all items constituting units of the improvement.

Section 3. That the cost of the improvement authorized shall be paid from Fund Nos. 52 SF 001, 52 SF 223, SF 52 225, 52 SF 227, 54 SF 001, Request No. 131732. Any con-

tract entered into under this ordinance shall contain the MBE, FBE, and workforce goals in effect at the time the contract was bid.

Section 4. That this ordinance is declared to be an emergency measure and, provided it receives 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 April 14, 2003.

Effective April 16, 2003.

Ord. No. 2467-02.

By Council Member Johnson.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 2652 and 2658 East 93rd Place and Cumberland Avenue to Greater Mount Tabor Missionary Baptist Church and authorizing the Director of Community Development and the Commissioner of Purchases and Supplies to accept comparable property in exchange for the City owned property described herein.

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. 126-14-016 as more fully described below, to Greater Mount Tabor Missionary Baptist Church.

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

P. P. No. 126-14-016

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Easterly part of Sublot No. 131 in Hamilton and Wayman's Subdivision of part of Original One Hundred Acre Lot No. 416, as shown by the recorded plat in Volume 5 of Maps, Page 22 of Cuyahoga County Records, and bounded and described as follows:

Beginning at a point in the Westerly line of East 93rd Street, (formerly Oakdale Street), at the North-easterly corner of said Sublot No. 131; thence Westerly along the Northerly line of said Sublot No. 131, 77 feet to a point; thence Southerly parallel with said Westerly line of

said East 93rd Street, 32 feet 2 inches to a point; thence Easterly parallel with the Northerly line of Cumberland Avenue, S.E., 14 feet to a point thence Southerly parallel with said Westerly line of East 93rd Street, 14 feet 10 inches to the Southerly line of said Sublot No. 131; thence Easterly along said Southerly line of said Sublot No. 131, 63 feet to the Westerly line of East 93rd Street; thence Northerly along the Westerly line of East 93rd Street, to the place of beginning, 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. 126-14-017 as more fully described below to Greater Mount Tabor Missionary Baptist Church.

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

P. P. No. 126-14-017

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Easterly 63 feet of Sublot No. 132 in Hamilton and Wyman's Subdivision of part of Original One Hundred Acre Lot No. 416 as shown by the recorded plat in Volume 5 of Maps, Page 22 of Cuyahoga County Records and being 46 feet 2 inches front on the Westerly side of East 93rd Street, (formerly Oakdale Street) and extending back of equal width 63 feet along the Northerly line of Cumberland Avenue, (formerly Charles Street) as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to 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. 126-14-097 as more fully described below, to Greater Mount Tabor Missionary Baptist Church.

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

P. P. No. 126-14-097

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Westerly 27 feet Sublot Nos. 131 and 132 in Hamilton and Wyman's Subdivision of part of Original One Hundred Acre Lot No. 416, as shown by the recorded plat in Volume 5 of Maps, Page 22 of Cuyahoga County Records and together forming a parcel of land 27 feet front on the Northerly side of Cumberland Avenue, S.E., (formerly Charles Avenue) and extending back of equal width between parallel lines 93 feet 2 inches, 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 Sup-

plies is hereby authorized to sell Permanent Parcel No. 126-14-098 as more fully described, to Greater Mount Tabor Missionary Baptist Church.

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

P. P. No. 126-14-098

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Easterly 30 feet of the Westerly 57 feet of Sublot Nos. 131 and 132 in Hamilton and Wyman's Subdivision of part of Original One Hundred Acre Lot No. 416, as shown by the recorded plat in Volume 5 of Maps, Page 22 of Cuyahoga County Records and together forming a parcel of land 30 feet front on the Northerly side of Cumberland Avenue, and extending back of equal width 93 feet 2 inches, 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 No. 126-14-099 as more fully described below, to Greater Mount Tabor Missionary Baptist Church.

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

P. P. No. 126-14-099

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublots Nos. 131 and 132 in Hamilton and Wyman's Subdivision of part of Original One Hundred Acre Lot No. 416, as shown by the recorded plat in Volume 5 of Maps, Page 22 of Cuyahoga County Records, bounded and described as follows:

Beginning in the Southerly line of said Sublot No. 132 and in the North Line of Cumberland Avenue, S.E., at a point 57 feet distant Easterly from the Southwesterly corner of said Sublot No. 132; thence Easterly in the Northerly line of Cumberland Avenue, S.E., a distance of 30 feet; thence Northerly in a line drawn parallel with the Westerly line of said Sublot No. 132 a distance of 61 feet; thence Westerly in a line drawn parallel with the Northerly line of Cumberland Avenue, S.E., a distance of 14 feet; thence Northerly in a line drawn parallel with the Westerly line of said Sublot No. 131 a distance of 32 feet 2 inches to the Northerly line of said Sublot No. 131; thence Westerly in the Northerly line of said Sublot No. 131 a distance of 16 feet; thence Southerly in a line drawn parallel with the Westerly lines of said Sublots Nos. 131 and 132 a distance of 93 feet 2 inches 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 zoning ordinances, if any.

Section 11. That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Commu-

nity Development and the Commissioner or Purchases and Supplies are authorized to accept from the Greater Mount Tabor Missionary Baptist Church in exchange for parcels described above, the following described comparable property which are portions of Kennedy Avenue, S.E. (50 feet wide) and East 92nd Place (12 feet wide) proposed to be vacated:

Section 12. That the real property to be acquired by this Ordinance is more fully described as follows:

Portions of Kennedy Avenue, S.E. (50 feet wide) and East 92nd Place, (12 feet wide) proposed to be vacated

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being portions of streets dedicated by the Hamilton and Wyman Allotment, in Volume 5 of Maps, Page 22 of Cuyahoga County Records and being bounded and described as follows:

Beginning at the Northeasterly corner of Sublot No. 127 in said Hamilton and Wyman Allotment; thence Westerly along the Southerly line of Kennedy Avenue, S.E., to the Northwesterly corner of said Sublot No. 127; thence Southerly, along the Westerly lines of Sublot Nos. 127, 128, 129 and 130 in said Allotment, to the Southwesterly corner of said Sublot No. 130; said corner of Sublot No. 130 being in the Easterly line of East 92nd Place, proposed to be vacated; thence Westerly, along the Westerly prolongation of the Southerly line of said Sublot No. 130, 6.00 feet to the centerline of said East 92nd Place; thence Northerly, along the centerline of said East 92nd Place and its Northerly prolongation, 212.17 feet to its intersection with the centerline of Kennedy Avenue, S.E., as aforesaid; thence Easterly, along the centerline of Kennedy Avenue, S.E., 156.00 feet to its intersection with the Westerly line of East 93rd Street, (60 feet wide); thence Southerly, along said Westerly line of East 93rd Street, 25.00 feet to the place of beginning containing 5,173 square feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 13. 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 14. 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 15. 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 inter-

ests as may be specified by the Board of Control, the Director of Community Development or the Director of Law.

Section 16. 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 April 14, 2003.
Effective April 16, 2003.

Ord. No. 10-03.
By Council Member Coats.
An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 973-75 East 140th Street to Mt. Holiness Church.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 115-03-110, as more fully described below, to Mt. Holiness Church.

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

P. P. No. 115-03-110

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 241 in Cowel, Brooks and Smyth's Subdivision of part of Original Euclid Township Lot Nos. 1 and 2, as shown by the recorded plat in Volume 9 of Maps, Page 11 of Cuyahoga County Records and being 40 feet front on the Easterly side of Adams Avenue (now known as East 140th Street) and extending back of equal width 137' 4" deep, as appears by said plat.

Also subject to all zoning ordinances, if any.

Section 3. That all documents necessary to complete the conveyance authorized by this ordinance shall be executed within six (6) months of the effective date of this ordinance. If all of the documents are not executed within six (6) months of the effective date of this ordinance, or such additional time as

may be granted by the Director of Community Development, this ordinance shall be repealed and shall be of no further force or effect.

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

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

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

Passed April 14, 2003.
Effective April 16, 2003.

Ord. No. 42-03.
By Council Member Jackson.
An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on the west side of East 80th Street, a.k.a. Permanent Parcel Number 127-02-011 to Shear Service, Inc.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 127-02-011 as more fully described below, to Shear Service, Inc.

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

P. P. No. 127-02-011

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No.

75 in Charles H. Seymour's Subdivision of part of Original One Hundred Acre Lot No. 431, as shown by the recorded plat in Volume 5, Page 38 of Cuyahoga County Records and being 40 feet front on the Westerly side of East 80th Street (formerly Atlantic Street) and extending back of equal width 132 feet 3 inches, as appears by said plat.

Also subject to all zoning ordinances, if any.

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

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

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

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

Passed April 14, 2003.
Effective April 16, 2003.

Ord. No. 135-03.
By Council Members Cimperman, Sweeney and Jackson (by departmental request).

An emergency ordinance authorizing the Director of Public Service to enter into a cost-sharing agreement with the Greater Cleveland Regional Transit Authority to financially cooperate in the replacement, rehabilitation or modification of basement areaways and vaults in connection with the Euclid Corridor Transportation Project; and authorizing; the Director to employ one or more professional consultants to provide services to design 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 Director of Public Service is authorized to enter into a cost-sharing agreement with the Greater Cleveland Regional Transit

Authority to financially cooperate in the replacement, rehabilitation or modification of basement areaways and vaults in connection with the Euclid Corridor Transportation Project; and further that the Director is authorized to accept the funds under the agreement.

Section 2. That the cost-sharing agreement shall be prepared by the Director of Law and shall contain terms and conditions necessary to protect and benefit the public interest.

Section 3. That the funds received from the Greater Cleveland Regional Transit Authority for this project are appropriated for this purpose and shall be deposited into the fund designated for that purpose.

Section 4. That after the City receives the Greater Cleveland Regional Transit Authority's share of funds for this project, the Director of Public Service is authorized to employ by contract or contracts 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 replacement, rehabilitation or modification of basement areaways and vaults in connection with the Euclid Corridor Transportation Project.

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

Section 5. That the costs for the services contemplated shall be paid from Fund No. 20 SF 439, Request No. 113859.

Section 6. That this ordinance is declared to be an emergency measure and, provided it receives 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 April 14, 2003.

Effective April 16, 2003.

Ord. No. 142-03.

By Council Member Jackson.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on scattered sites to Burten, Bell, Carr Development, Inc.

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, adminis-

tered and disposed of by the City of Cleveland through its Department of Community Development under the terms of Chapter 5722 of the Ohio Revised Code and Section 183.021 of Codified Ordinances of the City of Cleveland, 1976; and

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 103-30-051 as more fully described below, to Burten, Bell, Carr Development, Inc.

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

P. P. No. 103-30-051

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 22 in Henry Houtz's Subdivision of part of Original Ten Acre Lot No. 42, as shown by the recorded plat in Volume 3 of Maps, Page 3 of Cuyahoga County Records, and bounded and described as follows:

Beginning on the Northeasterly line of Scoville Avenue, S.E., at the most Westerly corner of said Sublot No. 22; thence Southeasterly along said Northeasterly line of Scoville Avenue, S.E. 30.04 feet; thence Northerly parallel with the Westerly line of East 37th Street, (formerly Forest Street), about 109.54 feet to the Southwesterly line of land conveyed to W.F. Walworth Trustee by deed dated March 16, 1892 and recorded in Volume 517 Page 94 of Cuyahoga County Records; thence Northwesterly along the Southwesterly line of land so conveyed to W.F. Walworth, Trustee, about 30 feet to the Northwesterly line of said Sublot No. 22; thence Southwesterly along said Northwesterly line of Sublot No. 22, about 111 feet, 1 inch to the place of beginning, 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. 103-30-054 as more fully described below to Burten, Bell, Carr Development, Inc.

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

P. P. No. 103-30-054

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 20 in Henry Houtz Allotment of part of Original Ten Acre Lot No. 42, as shown by the recorded plat in Volume 3 of Maps, Page 3 of Cuyahoga County Records and bounded and described as follows:

Commencing at the corner of Scoville Avenue and Long alley, (now known as East 36th Place) and running East on the North line of Scov-

ill Avenue 44 feet; thence North at right angles with the alley in the rear of said lot to said alley in the rear; thence Westerly on a line of said alley in the rear to Long Alley (now known as East 36th Place) about 44 feet; thence Southerly on line of said Long Alley (now known as East 36th Place) to Scoville Avenue, the place of beginning, the Westerly line hereof being 183 feet 3 inches deep, as appears by said plat, be the same more or less, but subject to all legal highways.

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. 103-30-106 as more fully described below, to Burten, Bell, Carr Development, Inc.

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

P. P. No. 103-30-106

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 22 in Henry Houtz's Subdivision of part of Original Ten Acre Lot No. 42, as shown by the recorded plat in Volume 3 of Maps, Page 3 of Cuyahoga County Records, and bounded and described as follows:

Beginning at the intersection of the Northwesterly line of East 37th Street with the Southwesterly line of Linden Court, S.E., thence Southwesterly 32.50 feet along said Northwesterly line of East 37th Street, to a point; thence Northwesterly 67.75 feet parallel with said Southwesterly line of Linden Court, S.E. to a point in the Northwesterly line of said line of said Sublot No. 22; thence Northeasterly 32.50 feet along the Northwesterly line of said Sublot No. 22 to a point in the said Southwesterly line of Linden Court, S.E.; thence Southeasterly 67.75 feet along the said Southwesterly line of Linden Court, S.E. to the place of beginning, 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. 103-31-009 as more fully described, to Burten, Bell, Carr Development, Inc.

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

P. P. No. 103-31-009

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 268 in Leonard Case's Subdivision of part of Original Ten Acre Lots Nos. 44, 46 and 47 as shown by the recorded plat in Volume 8 of Maps, Page 36 of Cuyahoga County Records, and being 50 feet front on the Westerly side of East 40th Street (formerly Case Avenue), and extending back of equal width 150 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 9. 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. 103-31-018 as more fully described below, to Burten, Bell, Carr Development, Inc.

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

P. P. No. 103-31-018

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as the Northerly 37-1/2 feet of Sublot No. 259 in Leonard Case's Allotment of part of Original Ten Acre Lots Nos. 44, 45, 46 and 47, as shown by the recorded plat in Volume 8 of Maps, Page 36 of Cuyahoga County Records, and being a parcel of land 37-1/2 feet front on the Westerly side of East 40th Street (formerly Case Avenue) and extending back of equal width 150 feet deep.

Also subject to all 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. 103-31-021 as more fully described below, to Burten, Bell, Carr Development, Inc.

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

P. P. No. 103-31-021

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southerly 37.5 feet of Sublot No. 257 in Leonard Case's Subdivision of part of Original Ten Acre Lots Nos. 44 and 47 inclusive, as shown by the recorded plat in Volume 8 of Maps, Page 36 of Cuyahoga County Records, and being 37.5 feet front on the Westerly side of Case Avenue (now known as East 40th Street) and extending back of equal width 150 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all 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. 103-31-022 as more fully described below, to Burten, Bell, Carr Development, Inc.

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

P. P. No. 103-31-022

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 256 in the Leonard Case Subdivision of part of Original Ten Acre Lots Nos. 44, 45, 46 and 47, as shown by the recorded plat in Volume 8 of Maps, Page 36 of Cuyahoga County Records, and being 50 feet front on the Westerly side of East 40th Street (formerly Case Avenue), and extending back of equal width 150 feet, 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 Sup-

plies is hereby authorized to sell Permanent Parcel No. 103-31-023 as more fully described below, to Burten, Bell, Carr Development, Inc.

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

P. P. No. 103-31-023

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 255 in Leonard Case's Subdivision of part of Original Ten Acre Lots Nos. 44, 45, 46 and 47, as shown by the recorded plat in Volume 8 of Maps, Page 36 of Cuyahoga County Records and being 50 feet front on the Westerly side of East 40th Street and extending back between parallel lines 150 feet, 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 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. 103-31-024 as more fully described below, to Burten, Bell, Carr Development, Inc.

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

P. P. No. 103-31-024

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 254 in Leonard Case's Subdivision of part of Original Ten Acre Lots Nos. 44 and 47 inclusive, as shown by the recorded plat in Volume 8 of Maps, Page 36 of Cuyahoga County Records, and being 50 feet front on the Westerly side of East 40th Street and extending back between parallel lines 150 feet deep, 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. 103-31-026 as more fully described below, to Burten, Bell, Carr Development, Inc.

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

P. P. No. 103-31-026

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 252 in Leonard Case's Subdivision of part of Original Ten Acre Lots Nos. 44, 45, 46 and 47 in Volume 8 of Maps, Page 36 of Cuyahoga County Records, and being 50 feet front on the Westerly side of East 40th Street, and extending back between parallel lines 150 feet deep, 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. 103-31-027 as more fully described below, to Burten, Bell, Carr Development, Inc.

Section 22. That the real property to be sold pursuant to this Ord-

nance is more fully described as follows:

P. P. No. 103-31-027

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 251 in Leonard Case's Subdivision of a part of Original Ten Acre Lots Nos. 44, 45, 46 And 47, as shown by the recorded plat in Volume 8 of Maps, Page 36 of Cuyahoga County Records, and being 50 feet front on the Westerly side of East 40th Street (formerly Case Avenue) and extending back of equal width 150 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Restriction of record and zoning ordinances.

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. 103-31-043 as more fully described below, to Burten, Bell, Carr Development, Inc.

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

P. P. No. 103-31-043

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 59 and the Southerly 10 feet of Sublot No. 61 in Charles H. Norton's Re-Subdivision of Charles H. Norton's Subdivision, of part of Original Ten Acre Lot No. 44, as shown by the recorded plat of said Re-Subdivision in Volume 3 of Maps, Page 24 of Cuyahoga County Records, and together forming a parcel of land 40 feet front on the Easterly side of East 38th Street (formerly Putnam Street), and extending back of equal width 125 feet 1 inch deep, according to said plat, be the same more or less, but subject to all legal highways.

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. 103-31-051 as more fully described below, to Burten, Bell, Carr Development, Inc.

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

P. P. No. 103-31-051

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 85 and the Northerly 15 feet from front to rear of Sublot No. 83 in Charles H. Norton's Re-Subdivision of part of Original Ten Acre Lot No. 44, as shown by the recorded plat in Volume 3 of Maps, Page 24 of Cuyahoga County Records, and together forming a parcel of land having a frontage of 45 feet on the Easterly side of East 38th Street (formerly Putnam Street), and extending back of equal width 125 feet 1 inch. As appears by said plat, be the same more or less, but subject to all legal highways.

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. 103-31-065 as more fully described below, to Burten, Bell, Carr Development, Inc.

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

P. P. No. 103-31-065

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Sublot No. 108 and the Southerly one-half of Sublot No. 110 in Charles H. Norton's Subdivision of part of Original Ten Acre Lot No. 44, as shown by the recorded plat of said Subdivision on Volume 3 of Maps, Page 24 of Cuyahoga County Records. Said Sublot No. 108 and part of Sublot No. 110 together forming a parcel of land having a frontage of 45 feet on the Westerly side of East 39th Street, and extending back between parallel lines 125 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

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. 103-31-074 as more fully described below, to Burten, Bell, Carr Development, Inc.

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

P. P. No. 103-31-074

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 82 and the Northerly one-half of Sublot No. 80 in Charles H. Norton's Re-Subdivision of part of Original Ten Acre Lot No. 44, as shown by the recorded plat of said Re-Subdivision in Volume 3 of Maps, Page 24 of Cuyahoga County Records. Said Sublot No. 82, and part of Sublot No. 80, together forming a parcel of land having a frontage of 45 feet on the Westerly side of East 39th Street, (formerly Osborn Street) and extends back between parallel lines 125 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

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. 103-31-093 as more fully described below, to Burten, Bell, Carr Development, Inc.

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

P. P. No. 103-31-093

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southerly 33 feet 4 inches of Subdivision 290 in Leonard Cases's Subdivision of part of Original Ten Acre Lots Nos. 44, 45, 46 and 47, as shown by the recorded plat in Volume 8 of Maps, Page 36 of Cuyahoga County Records, and being 33 feet 4 inches front on the Easterly side of East 39th Street (formerly Osborn Street), 125 feet 1/2 of an inch deep on the Southerly line, about 125 feet deep on the Northerly line, and 33 feet 4 inches wide in the rear, as appears by said plat, be the same more or less, but subject to all legal highways.

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. 103-31-094 as more fully described below, to Burten, Bell, Carr Development, Inc.

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

P. P. No. 103-31-094

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southerly 16, 8/12 feet front to rear of Sublot No. 289 and the Northerly 16 8/12 feet front from to rear to Sublot No. 290 in Leonard Case's Subdivision of part of Original Ten Acre Lots Nos. 44, 45, 46 and 47, as shown by the recorded plat in Volume 8 of Maps, Page 36 of Cuyahoga County Records. Said parts of Sublot Nos. 289 and 290 together forming a parcel of land having a frontage of 33 4/12 feet on the Easterly side of East 39th Street (formerly Osborn Street), and extending 125 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 35. 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 36. 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 37. 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 38. 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 April 14, 2003.

Effective April 16, 2003.

Ord. No. 143-03.

By Council Member Johnson.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at on Woodhill Road and Sophia Avenue to Olive Grove Missionary Baptist Church.

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. 126-37-029 as more fully described below, to Olive Grove Missionary Baptist Church.

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

P. P. No. 126-37-029

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Northerly 1/2 of Sublot No. 141 in W.H. Osborn and others' Re-Allotment of part of Original One Hundred Acre Lots Nos. 424 and 425, as shown by the recorded plat in Volume 5 of Maps, Page 25 of Cuyahoga County Records, and being 31 feet front on the Westerly side of Woodhill Road, S.E., and extending back of equal width 288 feet to a 12 foot alley, as appears by said plat, be the same more or less, but subject to all legal highways. Note: Also the part of vacated East 94th Place at Westerly end of lot accrues.

Also subject to all 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. 126-37-030 as more fully described below to Olive Grove Missionary Baptist Church.

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

P. P. No. 126-37-030

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southerly one-half of Sublot No. 141 in W.H. Osborn and Others Re-Allotment of part of Original One Hundred Acre Lots Nos. 424 and 425, as shown by the recorded plat in Volume 5 of Maps, Page 25 of Cuyahoga County Records, and also that portion of East 94th Place, a 12 foot wide alley to the rear thereof as vacated May 12, 1947 by City of Cleveland Ordinance No. 750-47, and together forming a parcel of land being 31 feet front on the Westerly side of Woodhill Road, S.E., (formerly Woodland Hills Avenue), and extending back of equal width 294

feet to the center line of aforesaid vacated alley, 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 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. 126-37-031 as more fully described below, to Olive Grove Missionary Baptist Church.

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

P. P. No. 126-37-031

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 140 in H. Osborne et.al. Re-Allotment of Sublot Nos. 139 and 148 inclusive of H.H. Amblers Subdivision of part of Original One Hundred Acre Lots Nos. 424 and 425 as shown by the recorded plat of said Re-Allotment in Volume 5 of Maps, Page 25 of Cuyahoga County Records, and being 62 feet front on the Westerly side of Woodhill Road and extending back of equal width 288 feet deep, as appears by said plat with an addition to Sublot No. 140, of one-half of vacated alleyway under Ordinance 750-47 of the City of Cleveland, dated May 12, 1947 and thus making the total depth 294 feet deep, also the following described premises known as being the Northeasterly 1/2 foot by 130 feet deep of Sublot No. 139 in the W.H. Osborne's et.al.'s Re-Allotment of Sublot Nos. 139 and 148 inclusive of H.H. Ambler's Allotment of Original One Hundred Acre Lots Nos. 424 and 425 in said City as recorded in Volume 5 of Maps, Page 25 of Cuyahoga County Records, 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. 126-37-032 as more fully described, to Olive Grove Missionary Baptist Church.

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

P. P. No. 126-37-032

Parcel No. 1

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 139 in W.H. Osborn's et.al.'s Re-Allotment of Sublot Nos. 139 to 148 both inclusive of H.H. Ambler's Allotment of part of Original One Hundred Acre Lots Nos. 424 and 425 in said City, and bounded and described as follows:

Beginning 28 feet Northerly from the intersection of the Northerly line of an alley with the Westerly line of Woodhill Road, S.E.; thence Westerly and parallel with the Northerly line of alley 124.83 feet; thence Northerly parallel with the Westerly line of said lot 31-10/10 feet; thence Easterly about 130 feet to a point in the Westerly line of Woodhill Road, S.E., 1/2 foot Southerly from the Northeasterly corner of said Sublot; thence Southerly along the Westerly line of said Woodhill Road, S.E.,

about 33 1/2 feet to the place of beginning, as per plat of said Re-Allotment recorded in Volume 5 of Maps, Page 25 of Cuyahoga County Records, be the same more or less, but subject to all legal highways.

Parcel No. 2

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 139 in W.H. Osborn's et.al.'s Re-Allotment of Sublot Nos. 139 to 148 both inclusive of H.H. Amblers et.al.'s Re-Allotment of a part of Original One Hundred Acre Lots Nos. 424 and 425, in said City and bounded and described as follows:

Beginning at the intersection of the Northerly line of an alley with the Westerly line of Woodhill Road, S.E.; thence Westerly along the Northerly line of said alley 120 feet to a point distant 158 feet Easterly from the Southwesterly corner of said Sublot; thence Northerly parallel with the Westerly line of said lot 26.53 feet; thence Easterly 124.85 feet to a point in the Westerly line of Woodhill Road 34 feet Southerly from the Northeasterly corner of said Sublot; thence Southerly along the Northerly line of said Woodhill Road, about 28 feet to the place of beginning, as per plat of said Re-Allotment recorded in Volume 5 of Maps, Page 25 of Cuyahoga County Records, be the same more or less, but subject to all legal highways.

Also subject to all 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 No. 126-37-033 as more fully described below, to Olive Grove Missionary Baptist Church.

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

P. P. No. 126-37-033

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 139 in W.H. Osborn, et.al. Re-Allotment of Sublot Nos. 139 to 148 both inclusive, of M.H. Ambler, et.al.'s Allotment of a part of Original One Hundred Acre Lots Nos. 424 and 425 in said City, bounded and described as follows:

Beginning at the Northerly line of an alley, at a point 120 feet Easterly from the Southwesterly corner of said Sublot No. 139; thence Northerly and parallel with the Westerly line of said Sublot to its Northerly line; thence Easterly along the Northerly line of said Sublot 38 feet; thence Southerly and parallel with the Westerly line of said Sublot, 60.53 feet to the Northerly line of said alley; thence Westerly, 38 feet to the place of beginning as per plat of said Re-Allotment recorded in Volume 5 of Maps, Page 25 of Cuyahoga County Records, be the same more or less, but subject to all legal highways.

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. 126-37-036 as more fully described below, to Olive Grove Missionary Baptist Church.

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

P. P. No. 126-37-036

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 139 in W.H. Osborn et. al.'s Re-Allotment of Sublot Nos. 139 to 148 both inclusive of N.H. Ambler's et. al. Allotment, of a part of Original One Hundred Acre Lots Nos. 424 and 425 in said City, bounded and described as follows:

Beginning at a point in the Southwesterly corner of said Sublot No. 139; thence Northerly along the Westerly line of said lot which is also the Easterly line of an alley 62 feet to the Northwesterly corner of said lot; thence Easterly along the Northerly line of said lot, 40 feet; thence Southerly and parallel with the Westerly line of said Sublot, 61.63 feet to the Southerly line of said lot; thence Westerly along the Southerly line of said Sublot which is also the Northerly line of an alley, 40 feet to the place of beginning, as per plat of said Re-Allotment recorded in Volume 5 of Maps, Page 25 of Cuyahoga County Records, be the same more or less, but subject to all legal highways. Note: Portion of vacated alley (East 94th Place) also accrue.

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. 126-37-037 as more fully described below, to Olive Grove Missionary Baptist Church.

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

P. P. No. 126-37-037

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot Nos. 4 and 5 in J.S. Stewart and G.H. Cromwell's Subdivision, of part of Original One Hundred Acre Lots Nos. 424 and 425, as shown by the recorded plat in Volume 7 of Maps, Page 21 of Cuyahoga County Records, bounded and described as follows:

Beginning at the intersection of the Westerly line of Woodhill Road, S.E. (formerly Woodland Hill Avenue) with the Northerly line of Sophia Avenue, S.E., (formerly Sophia Street); thence Northerly along said Westerly line of Woodhill Road, S.E., 109 feet 8-1/2 inches to the Northeasterly corner of said Sublot No. 5; thence Westerly along the Northerly line of said Sublot No. 5, 142 feet 2-3/4 inches to the Northeasterly corner of land conveyed to John Petro and Terez Petro by deed dated April 19, 1909 and recorded in Volume 1191, Page 507 of Cuyahoga County Records; thence Southerly along the Easterly line of land so conveyed to John Petro and Terez Petro 102 feet to the Northerly line of Sophia Avenue, S.E., thence Easterly along said Northerly line of Sophia Avenue, S.E., 101 feet 9-3/4 inches to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 15. 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 16. 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 17. 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 18. 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 April 14, 2003.

Effective April 16, 2003.

**Ord. No. 361-03.
By Council Member Conwell (by request).**

An emergency ordinance authorizing the Director of Public Service to issue a permit to University Hospitals of Cleveland to encroach into the right-of-way of Cornell Road S.E. by constructing an overhead pedestrian bridge to connect their buildings.

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

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

Section 1. That the Director of Public Service hereby is authorized to issue a permit, revocable at the will of Council, and assignable by the Permittee with the written consent of the Director of Public Service to University Hospitals of Cleveland, 11100 Euclid Avenue, Cleveland, Ohio 44106, for the construction, use and maintenance of an overhead pedestrian bridge at 2103 Cornell Road at the Research Institute Building, which will encroach into the public right-of-way of Cornell Road S.E. at the location described as follows:

**LEGAL DESCRIPTION/
ENCROACHMENT AREA/
WITHIN CORNELL ROAD, S.E.**

Situated in the City of Cleveland, County of Cuyahoga and the State of Ohio, and known as being part of 100 Acre Lot No. 403 and an Area of encroachment within Cornell Road S.E., 60.00 feet in width, having a

minimum clearance of 16.00 feet above the existing pavement;

Beginning on the northeasterly line of said Cornell Road S.E. at a point distant South 46°-07'-53" East as measured along said northeasterly line of Cornell Road S.E., 105.45 feet from its intersection with the southeasterly line of East 115th Street, 40.00 feet in width;

Course No. 1: thence South 46°-07'-53" East continuing along said northeasterly line of Cornell Road S.E., 12.00 feet;

Course No. 2: thence South 43°-50'-22" West, 60.00 feet to the southwesterly line said Cornell Road S.E.;

Course No. 3: thence North 46°-07'-53" West along said southwesterly line of Cornell Road S.E. 12.00 feet;

Course No. 4: thence North 43°-50'-22" East 60.00 feet to the place of beginning, according to a survey by Garrett & Associates, Inc. Registered Engineers and Surveyors, made in January, 2003, be the same more or less, but subject to all legal highways.

Bearings are to an assumed meridian and are used to denote angles only.

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

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

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

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

Passed April 14, 2003.

Effective April 16, 2003.

**Ord. No. 427-03.
By Council Members Jackson, Sweeney, Coats, Gordon and Cimperman (by departmental request).**

An emergency ordinance determining the method of making the public improvement of constructing site and infrastructure improvements associated with the Phase II redevelopment of Arbor Park Village; and authorizing the Directors of Public Service, Public Utilities or Community Development to enter into one or more public improvement contracts for the making of 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, under Section 167 of the Charter of the City of Cleveland, it is determined to make the public improvement of grading and paving, constructing streets, sidewalks, driveway aprons, curbing, curb ramps, median strips, intersections, utility boxes, casting adjustments, appurtenances, streetscaping, landscaping, installing water and sewer mains and connections, and other related site and infrastructure improvements in conjunction with the Phase II redevelopment of Arbor Park Village, for the Departments of Public Service, Public Utilities and Community Development, by one or more contracts duly let to the lowest responsible bidder or bidders after competitive bidding on a unit basis for the improvement.

Section 2. That the Directors of Public Service, Public Utilities or Community Development, as appropriate, are authorized to enter into one or more contracts for the making of the 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 the improvement may be treated as a separate improvement, and each, or any combination, of the trades or components may be the subject of a separate contract on a unit basis.

Section 3. That the cost of the improvement authorized shall be paid from Fund Nos. 14 SF 026, 14 SF 028, 20 SF 352, 20 SF 363, 20 SF 372, 20 SF 376, 20 SF 379, 20 SF 380, 20 SF 389, 52 SF 001, and 58 SF 001, Request No. 125713.

Section 4. That this ordinance is declared to be an emergency measure and, provided it receives 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 April 14, 2003.

Effective April 16, 2003.

**Ord. No. 494-03.
By Council Members Britt and Jackson (by departmental request).**

An emergency ordinance authorizing the Director of Public Health to enter into one or more contracts without competitive bidding with Clarke Mosquito Control, for the purchase of not to exceed two ULV foggers, for the Division of Environment, Department of Public Health.

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

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

Section 1. That this Council has determined that the within commodities are non-competitive and cannot be secured from any source other than Clarke Mosquito Control.

Therefore the Director of Public Health is authorized to make one or more written contracts with Clarke Mosquito Control on the basis of their proposal dated March 18, 2003, for the purchase of not to exceed two (2) ULV foggers, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Division of Environment, Department of Public Health.

Section 2. That the cost of the contract or contracts authorized shall be paid from Fund No. 01-500101-645500, Request No. 120956.

Section 3. That this ordinance is declared to be an emergency measure and, provided it receives 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 April 14, 2003.

Effective April 16, 2003.

Ord. No. 495-03.
By Council Members Britt and Jackson (by departmental request).

An emergency ordinance authorizing the Director of Public Health to enter into one or more contracts with the Ohio Department of Health in order for the City of Cleveland to receive compensation for conducting inspections of summer food program sites.

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 authorized to enter into one or more contracts with the Ohio Department of Health in order for the City of Cleveland to receive compensation for conducting inspections of summer food program sites.

Section 2. That this ordinance is declared to be an emergency measure and, provided it receives 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 April 14, 2003.

Effective April 16, 2003.

Ord. No. 496-03.
By Council Members Britt and Jackson (by departmental request).

An emergency ordinance authorizing the purchase by one or more requirement contracts of clothing, bedding and shoes for inmates, for the Division of Correction, Department of Public Health.

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

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

Section 1. That the Director of Public Health is authorized to make one or more written requirement contracts under the Charter and the

Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year of the necessary items clothing, bedding, and shoes for inmates, 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 Correction, Department of Public Health. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than one year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director of Finance. (RL 124391)

Section 3. That this ordinance is declared to be an emergency measure and, provided it receives 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 April 14, 2003.

Effective April 16, 2003.

Ord. No. 497-03.
By Council Members Britt and Jackson (by departmental request).

An emergency ordinance authorizing the purchase by one or more requirement contracts of prescription and non-prescription drugs for inmates, for the Division of Corrections, Department of Public Health.

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

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

Section 1. That the Director of Public Health is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year of the necessary items of prescription and non-prescription drugs for inmates, 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 Corrections, Department of Public Health. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than one year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director of Finance. (RL 124390)

Section 3. That this ordinance is declared to be an emergency measure and, provided it receives 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 April 14, 2003.

Effective April 16, 2003.

Ord. No. 498-03.
By Council Members Britt, White and Jackson (by departmental request).

An emergency ordinance to enact Section 141.21 of the Codified Ordinances of Cleveland, Ohio, 1976, relating to voluntary food safety training courses.

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

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

Section 1. That the Codified Ordinances of Cleveland, Ohio, 1976, are supplemented by enacting new Section 141.21 to read as follows:

Section 141.21 Voluntary Food Safety Training Courses

(a) The Director of Public Health is authorized to conduct voluntary food safety training courses in order to certify participants as being adequately trained in food safety throughout the year and to fix and collect fees from participants for such purposes.

(b) The Director of Public Health is authorized to make purchases and enter into one or more agreements under the Charter and relevant Codified Ordinances for course materials, supplies, and refreshments, and if necessary, rental of sites for the courses.

(c) The Director of Public Health shall deposit fees collected from participants in the courses into the Food Fund. The fees collected and placed in the Food Fund are appropriated for the purposes stated in this section. All expenditures made under this section shall be paid from the Food Fund and from other funds appropriated for use of the Department of Public Health.

Section 2. That this ordinance is declared to be an emergency measure and, provided it receives 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 April 14, 2003.

Effective April 16, 2003.

Ord. No. 546-03.
By Council Members Britt and Jackson (by departmental request).
An emergency ordinance authorizing the purchase by one or more requirement contracts of salting and snowplowing parking lots, walkways, and sidewalks at City health centers, for the division of Health, Department of Public Health.

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

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

Section 1. That the Director of Public Health is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year of the necessary items of salting and snowplowing parking lots, walkways, and sidewalks at City health centers, in the estimated sum of \$30,000, 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 a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than one year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director of Finance. (RL 133117)

Section 3. That this ordinance is declared to be an emergency measure and, provided it receives 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 April 14, 2003.
 Effective April 16, 2003.

Ord. No. 547-03.
By Council Members Britt and Jackson (by departmental request).
An emergency ordinance authorizing the Director of Public Health to lease space at property located at 9111 and 9119 Miles Avenue from Dominic Festa, or his designee, for a one-year period, for the public purpose of vehicle-storage parking for the Division of Air Quality, Department of Public Health.

Whereas, the City of Cleveland requires certain space located at 9111 and 9119 Miles Avenue for the public purpose of leasing space for vehicle-storage parking for the Division of Air Quality; and

Whereas, Dominic Festa, or his designee, has proposed to lease the space to the City of Cleveland; and

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

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

Section 1. That notwithstanding and as an exception to the provisions of Chapter 183 and in accordance with Section 183.01 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Health is authorized to lease from Dominic Festa, or its designee, approximately 9,000 square feet of space located at 9111 and 9119 Miles necessary to store approximately 50 vehicles.

Section 2. That the term of the lease authorized shall be for a one-year period beginning December 1, 2003.

Section 3. That the rent for the lease authorized shall be \$9,300.00, plus allocable utility, operating and maintenance costs.

Section 4. That the lease may authorize the City to make improvements to the leased premises under terms to be determined by the parties with the public purpose or purpose of leasing approximately 50 parking spaces necessary to store vehicles for the Division of Air Quality.

Section 5. That the cost of the lease shall be paid from Fund No. 13 SF 160, Request No. 121580.

Section 6. That the lease shall be prepared by the Director of Law and shall contain such authorized terms and conditions as are required to protect the interests of the City.

Section 7. That the Director of Public Health and the Director of Law, and other appropriate City officials, are authorized to execute other documents and certificates, and take other actions that may be necessary or appropriate to effect the lease authorized by this ordinance.

Section 8. That this ordinance is declared to be an emergency measure and, provided it receives 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 April 14, 2003.
 Effective April 16, 2003.

Ord. No. 548-03.
By Council Members Britt and Jackson (by departmental request).
An emergency ordinance authorizing the purchase by one or more contracts labor and materials necessary to install one atomic absorption analyzer and appurtenances, for the Division of Environment, Department of Public Health.

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

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

Section 1. That the Director of Public Health is authorized to make one or more written contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: labor and materials necessary to

install one atomic absorption analyzer and appurtenances, on a unit basis, for the Division of Environment, Department of Public Health.

Section 2. That the cost of the contract or contracts authorized shall be paid from Fund No. 13 SF 180, Request No. 134211.

Section 3. That this ordinance is declared to be an emergency measure and, provided it receives 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 April 14, 2003.
 Effective April 16, 2003.

Ord. No. 552-03.
By Council Members Gordon and Jackson (by departmental request).
An emergency ordinance authorizing the Director of Community Development to apply for and accept a grant from the State of Ohio Department of Development for the 2003-04 Home Weatherization Assistance Program; and to enter into contracts necessary 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 Community Development is authorized to apply for and accept a grant in the approximate amount of \$3,022,176.00, from the State of Ohio Department of Development to conduct the 2003-04 Home Weatherization Assistance Program; that the Director of Community Development is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes set forth in the executive summary for the grant contained in the file described below.

Section 2. That the executive summary for the grant, File No. 552-03-A, made a part of this ordinance as if fully rewritten is approved in all respects.

Section 3. That the Director of Community Development is authorized to enter into one or more contracts with individual landlords, tenants, contractors, and various non-profit organizations to provide weatherization assistance to low-income City residents through this program.

Section 4. That the costs of these contracts shall be paid from Fund Nos. 13 SF 975, 13 SF 976, and 13 SF 977.

Section 5. That this ordinance is declared to be an emergency measure and, provided it receives 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 April 14, 2003.
 Effective April 16, 2003.

Ord. No. 561-03.

By Council Members Cimperman, Gordon and Jackson (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Aqul Systems, Inc. to provide economic development assistance to partially finance working capital needs associated with their relocation to a site located within the City of Cleveland and to assist with product development, equipment, inventory, salaries, leasehold improvement, and all other associated costs.

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

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

Section 1. That the Director of Economic Development is authorized to enter into contract with Aqul Systems, Inc. to provide economic development assistance to partially finance working capital needs associated with their relocation from California to Cleveland, to assist with product development, purchase of furniture, fixtures, equipment, supplies, inventory, salaries, and to make leasehold improvements for the renovation of property at 310 W. Lakeside Avenue, or another City of Cleveland location which will be Aqul Systems', Inc. future location, and all other associated costs.

Section 2. That the terms of the loan shall be according to the terms set forth in the Summary contained in File No. 561-03-A.

Section 3. That the costs of the contract shall not exceed Two Hundred and Fifty Thousand Dollars (\$250,000.00), and shall be paid from Fund No. 17 SF 008, which funds are appropriated for this purpose, Request No. 103589.

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

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

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

Section 7. That the Director of Law is authorized to prepare the contract and other documents that are appropriate to complete the transaction.

Section 8. That this ordinance is declared to be an emergency measure and, provided it receives 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 April 14, 2003.
Effective April 16, 2003.

Ord. No. 562-03.

By Council Members Cimperman, Gordon and Jackson (by departmental request).

An emergency ordinance authorizing the Directors of Economic Development and Community Development to enter into contract with Rockwell Building Condominiums, LLC to provide economic development assistance to partially finance their acquisition and redevelopment of the Rockwell Building located at 1403 East 6th Street, and all other associated costs to redevelop the property located in Cleveland, Ohio.

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

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

Section 1. That the Directors of Economic Development and Community Development are authorized to enter into contract with Rockwell Building Condominiums, LLC to provide economic development assistance to partially finance the acquisition and redevelopment of the Rockwell Building located at 1403 East 6th Street, and all other associated costs to redevelop the property located in Cleveland, Ohio.

Section 2. That the terms of the loan shall be according to the terms set forth in the "Terms of Repayment" section, on page 3 of the Summary contained in File No. 562-03-A.

Section 3. That the costs of the contract shall not exceed Five Hundred Thousand Dollars (\$500,000.00), and shall be paid from Fund No. 17 SF 008, which funds are appropriated for this purpose, Request No. 103590.

Section 4. That the Directors of Economic Development and Community Development are authorized to accept the collateral as set forth in the Summary contained in the file referenced above in order to secure repayment of the loan. Any security instrument shall be prepared and approved by the Director of Law.

Section 5. That the Directors of Economic Development and Community Development are authorized to accept monies in repayment of the loan and to deposit the monies in Fund No. 17 SF 006.

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

Section 7. That the Director of Law is authorized to prepare the contract and other documents that are appropriate to complete the transaction.

Section 8. That this ordinance is declared to be an emergency measure and, provided it receives 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 April 14, 2003.
Effective April 16, 2003.

Ord. No. 599-03.

By Council Member Sweeney (by request).

An emergency ordinance to vacate portions of Forestwood Ave., Midvale Ave., West 192nd St., West 194th St., West 198th St., and West 202nd St.

Whereas, on the day of October 7, 2002, the Council of the City of Cleveland adopted Resolution No. 1934-02 declaring its intention to vacate portions of Forestwood Ave., Midvale Ave., West 192nd St., West 194th St., West 198th St., hereinafter described.

Whereas, notice of the adoption of the above Resolution No. 1934-02 has been served upon the owners of all the property abutting Forestwood Ave., Midvale Ave., West 192nd St., West 194th St., West 198th St., and West 202nd St, affected by said Resolution, notifying the said property owners of the time and place at which objections can be heard before the Board of Revision of Assessments, and

Whereas, on the 31st day of March 31, 2003, the Board of Revision of Assessments approved the vacation of Forestwood Ave., Midvale Ave., West 192nd St., West 194th St., West 198th St., and West 202nd St, hereinafter described, in accordance with the provisions of Section 176 of the Charter of the City of Cleveland; and

Whereas, this Council is satisfied that there is good cause for vacating Forestwood Ave., Midvale Ave., West 192nd St., West 194th St., West 198th St., and West 202nd St., hereinafter described and that it will not be detrimental to the general interest and ought to be made; and

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

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

Section 1. That all that portion of the following described real property: situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and being all that portion of:

Forestwood Avenue S.W., (70.00 feet wide) and its associated turnouts extending Westerly and Southwesterly from the Northerly prolongation of the Easterly line of West 192nd Street to the Northerly line of Midvale Avenue S.W. (50.00 feet wide).

Midvale Avenue S.W., (50.00 feet wide) and its associated turnouts extending Westerly from the Easterly line of the C. & D. Southwest Subdivision as shown by the recorded plat in Volume 174, Page 34, of Cuyahoga County Records to the Westerly line of West 202nd Street.

West 192nd Street, (width varies) and its associated turnouts extending Northerly from the Northerly line of Maplewood Avenue S.W. (width varies) to the Southerly line of Forestwood Avenue S.W. (70.00 feet wide).

West 194th Street, (50.00 feet wide) and its associated turnouts extending Northerly from the Southerly line of the C. & D. Southwest Subdivision as shown by the recorded plat in Volume 174 of Maps, Page 34 of Cuyahoga County Records to the Northerly line of said C. & D. Southwest Subdivision.

West 198th Street, (50.00 feet wide) and its associated turnouts extending Northerly from the Southerly line of the C. & D. Southwest subdivision as shown by the recorded plat in Volume 174 of Maps, Page

34 of Cuyahoga County map records to the Northerly line of said C. & D. Southwest Subdivision.

West 202nd Street, (50.00 feet wide) and its associated turnouts extending Southerly from the Northerly line of Midvale Avenue S.W. (50.00 feet wide) to its Southerly terminus, be and same is hereby vacated.

Section 2. That there be and hereby is reserved to the City of Cleveland an easement for existing Division of Water equipment, and Division of Water Pollution Control equipment.

The description of the easement for the Division of Water is as follows:

Being all that portion of West 194 Street (50 ft. wide) and West 198 Street (50 ft. wide) extending Southerly 65 feet from the Northerly line of the C. & D. Southwest Subdivision as shown by the recorded plat in Volume 194 page 34 of Cuyahoga County Map Records.

The description of the temporary easement for the Division of Water Pollution is as follows:

Being all that portion of West 194 Street (50 ft. wide) and West 198 Street (50 ft. wide) extending Southerly 65 feet from the Northerly line of the C. & D., and Midvale Avenue from West 198 Street to our existing easement. Southwest Subdivision as shown by the recorded plat in Volume 174 page 34 of Cuyahoga County Map Records. Temporary easements until the new permanent lines are approved. At that time the Director may release the temporary easements.

That no structures shall be hereinafter erected on the premises described in this easement except those constructed in accordance with the approval of, and in compliance with, plans approved by the Commissioner of the Division of Water Pollution Control and the Division of Water, of the City of Cleveland.

Section 3. That the Clerk of Council be and she is hereby directed to notify the Auditor of Cuyahoga County of the vacation of all that portions of Forestwood Ave., Midvale Ave., West 192nd St., West 194th St., West 198th St., and West 202nd St., herein provided by sending him a copy of this Ordinance.

Section 4. That this Ordinance is hereby declared to be an emergency measure, and provided it received 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 April 14, 2003.

Effective April 16, 2003.

Ord. No. 638-03.

By Council Member Lewis (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into an Empowerment Zone Section 108 contract with Stager-Beckwith Associates, Ltd. to provide economic development assistance to partially finance the acquisition, renovation, real property improvements, and new construction to the property located at 3813 Euclid Avenue, and all other associated costs to redevelop the property located in Cleveland, Ohio.

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

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

Section 1. That the Director of Economic Development is authorized to enter into an Empowerment Zone Section 108 contract with Stager-Beckwith Associates, Ltd. to provide economic development assistance to partially finance the acquisition, renovation, real property improvements, and new construction to the property located at 3813 Euclid Avenue, and all other associated costs to redevelop the property located in Cleveland, Ohio.

Section 2. That the terms of the loan shall be according to the terms set forth in the Summary contained in File No. 638-03-A.

Section 3. That the costs of the contract shall not exceed Five Million Dollars (\$5,000,000), and shall be paid from Fund Nos. 18 SF 001 and 18 SF 003, which funds are appropriated for this purpose, Request No. 124006.

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

Section 5. That the Director of Economic Development is authorized to accept monies in repayment of the loan and to deposit the monies in Fund No. 18 SF 002.

Section 6. That the Director of Economic Development is authorized to charge and accept fees in an amount not to exceed the maximum allowable fees under federal regulations and the fees are appropriated to cover costs incurred in the preparation of the loan application, closing and servicing of the loan. The fees shall be deposited to and expended from Fund No. 18 SF 004, Loan Fees Fund.

Section 7. That the Director of Law is authorized to prepare the contract and other documents that are appropriate to complete the transaction.

Section 8. That this ordinance is declared to be an emergency measure and, provided it receives 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 April 14, 2003.

Effective April 16, 2003.

Ord. No. 639-03.

By Council Member Lewis (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into an Enterprise Zone Agreement with Stager-Beckwith Associates, Ltd. to provide for a ten year seventy-five percent tax abatement for certain tangible real property improvements as an incentive to acquire, renovate, perform new construction, and for all other associated costs to the property located at 3813 Euclid Avenue in the Cleveland Area Enterprise Zone.

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

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

Whereas, Stager-Beckwith Associates, Ltd. (the "Enterprise") has proposed to acquire, renovate, and perform new construction on the property located at 3813 Euclid Avenue in the Cleveland Area Enterprise Zone; and

Whereas, the Enterprise has certified to the City that, it would be at a competitive disadvantage operating at this location if taxes on real property improvements were not abated; and

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

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

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

Section 2. That the Director of Economic Development is authorized to enter into an Enterprise Zone Agreement with the Enterprise to provide for a ten year seventy-five percent (75%) tax abatement on real property improvements as an incentive to acquire, renovate, perform new construction, and for all other associated costs to the property located at 3813 Euclid Avenue in the Cleveland Area Enterprise Zone; the abatement shall be subject to annual review of the Tax Incentive Review Council.

Section 3. That the terms of the tax abatement shall be in accordance with the terms in the Summary contained in File No. 639-03-A. These terms shall not be amended, nor shall the tax abatement be assignable or transferrable to any entity, without the prior legislative authorization by Cleveland City Council.

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

Section 5. That the Director of Law shall prepare and approve the agreement and that the agreement shall contain the terms and provi-

sions the director deems necessary to protect the City's interest.

Section 6. That this ordinance is declared to be an emergency measure and, provided it receives 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 April 14, 2003.
Effective April 16, 2003.

Ord. No. 653-03.
By Council Members Rybka, Gordon and Jackson (by departmental request).

An emergency ordinance to amend the title, Section 1, and Section 2 of Ordinance No. 1984-01, passed February 4, 2002, relating to an agreement with Slavic Village Development Corporation.

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, Section 1, and Section 2 of Ordinance No. 1984-01, passed February 4, 2002 are amended to read as follows:

An emergency ordinance authorizing the Director of Economic Development to enter into an agreement with Slavic Village Development Corporation for the acquisition, renovation, and demolition of property on Broadway Avenue between Marble Avenue and East 78th Street.

Section 1. That the Director of Economic Development is authorized to enter into an agreement with Slavic Village Development Corporation for the acquisition, renovation, and demolition of property on Broadway Avenue between Marble Avenue and East 78th Street for the continued revitalization of the Slavic Village/Broadway neighborhood.

Section 2. That the cost of the agreement shall not exceed \$155,000 and shall be paid from Fund No. 17 SF 652, Request No. 103591.

Section 2. That the existing title, Section 1, and Section 2 of Ordinance No. 1984-01, passed February 4, 2002 are repealed.

Section 3. That this ordinance is declared to be an emergency measure and, provided it receives 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 April 14, 2003.
Effective April 16, 2003.

Ord. No. 655-03.
By Council Member Conwell.
An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to Hessler Neighborhood Association to stretch a banner at 1961 Ford Drive using C.P.P. utility poles (by separate permission) for the period from May 16 to May 19, 2003, inclusive, for their special event.

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

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

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances, of Cleveland, Ohio, 1976, the Director of the Department of Public Service is hereby authorized and directed to issue a permit to Hessler Neighborhood Association to install, maintain and remove a banner at 1961 Ford Avenue using C.P.P. utility poles (by separate permission), for a period from May 16 to May 19, 2003, 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 April 14, 2003.
Effective April 16, 2003.

Ord. No. 657-03.
By Council Members O'Malley and Dolan.

An emergency ordinance authorizing the Director of Finance to enter into contract for the purchase of two (2) speed enforcement mobile detector units for use in Ward 16 and Ward 21 through the use of Restricted Income Tax funds after a dollar for dollar exchange of NEF funds for Restricted Income Tax funds.

Whereas, Codified Ordinance Section 191.0101 provides that Restricted Income Tax funds shall only be applied to certain payments; and

Whereas, the Department of Finance has agreed to exchange NEF funds for Restricted Income Tax funds; and

Whereas, this type of exchange and similar exchanges will increase revenue to the City's general fund; and

Whereas, NEF dollars from Ward 16 and Ward 21 were exchanged dollar for dollar for Restricted Income Tax funds; and

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

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

Section 1. That the Director of Finance is hereby authorized to enter into a written contract, in accordance with the Charter and the

Codified Ordinances of Cleveland, Ohio, 1976, for the purchase of two (2) speed enforcement mobile detector units and related equipment for use in Ward 16 and Ward 21.

Section 2. That the cost of said contract hereby authorized shall be paid from Fund No. 10 SF 166 and/or Fund No. 11 SF 006.

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 April 14, 2003.
Effective April 16, 2003.

Ord. No. 658-03.
By Council Member Rybka.

An emergency ordinance to amend Section 3 of Ordinance 287-02, passed on March 4, 2002 as it pertains to authorizing the expenditure of monies to provide, or assist in providing, housing pursuant to Section 16 of Article VIII, Ohio Constitution which program for housing assistance has been reviewed and approved by the City Housing Advisory Board pursuant to the requirements of the Ohio Constitution and the Ohio Revised Code; and authorizing the Director of Community Development to enter into contracts with individuals and/or families for housing assistance.

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. 287-02, passed on March 4, 2002, is hereby amended to read, respectively, as follows:

Section 3. That the cost of the contracts shall not exceed, in the aggregate, \$390,000 and shall be paid from Fund No. 10 SF 166.

Section 2. That existing Section 3 of Ordinance No. 287-02, passed on March 4, 2002, 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 April 14, 2003.
Effective April 16, 2003.

COUNCIL COMMITTEE MEETINGS

**Tuesday, April 22, 2003
9:30 A.M.**

Community and Economic Development Committee: Present: Gordon, Chair; Cimperman, Vice Chair; Reed, Scott, Zone, Jones, Coats. Authorized Absence: Cintron, Lewis.

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O—Ordinance; R—Resolution; F—File
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