

The City Record

Official Publication of the City of Cleveland


October the Sixth, Nineteen Hundred and Ninety-Nine

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

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DIRECTORY OF CITY OFFICIALS

CITY COUNCIL—LEGISLATIVE President of Council—Jay Westbrook

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

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

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

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

DEPT. OF FINANCE – Martin L. Carmody, Director, Room 104; Carlean Alford, Manager, Internal Audit
DIVISIONS – Accounts – Gayle Goodwin Smith, Commissioner, Room 19
City Treasury – Algeron Walker, Treasurer, Room 115
Assessments and Licenses – Robert J. Schneider, Commissioner, Room 122
Purchases and Supplies – Myrana Branche, Commissioner, Room 128
Printing and Reproduction – James D. Smith, Commissioner, 1735 Lakeside Avenue
Taxation – Nassim Lynch, Tax Administrator, 1701 Lakeside Avenue
Financial Reporting and Control – Robert Dolan, Controller, Room 18
Information Systems Services – Joyce Thomas, Acting Commissioner, 1404 E. 9th St.

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

DEPT. OF PORT CONTROL – Solomon F. Balraj, Director,
Cleveland Hopkins International Airport, 5300 Riversides Drive;
Cleveland Hopkins International Airport – Mark D. Vanloh, Commissioner
Burke Lakefront Airport – Michael C. Barth, Commissioner

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

DEPT. OF PUBLIC HEALTH – Michelle Whitlow, Acting Director, Mural Building, 1925 St. Clair Avenue
DIVISIONS – Health – Cheri Hahn, Acting Commissioner, Mural Building, 1925 St. Clair Avenue
Environment – Robin Puriani-Rogers, Acting Commissioner, Mural Building, 1925 St. Clair Avenue
Correction – Thomas Hardin, Commissioner, Cleveland House of Corrections, 4041 Northfield Road

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

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

Parking Facilities – Dennis Donahue, Acting Commissioner, Public Auditorium, E. 6th and Lakeside Ave.
Park Maintenance and Properties – Richard L. Silva, Acting Commissioner, Public Auditorium – E. 6th & Lakeside.
Recreation – Michael Cox, Commissioner, Room 8
Research, Planning & Development – Mark Fallon, Commissioner, 1501 N. Marginal Road, Burke Lakefront Airport

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

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

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

DEPT. OF AGING – Susan E. Axelrod, Director, Room 122

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

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

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

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

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

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

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

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

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

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

MORAL CLAIMS COMMISSION – Law Director Cornell P. Carter; Chairman; Finance Director Martin L. Carmody, Jr.; Council President Jay Westbrook; Councilman Roosevelt Coats; Councilman Martin J. Sweeney.

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

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

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

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

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

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

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OFFICIAL PUBLICATION OF THE CITY OF CLEVELAND

Vol. 86

WEDNESDAY, OCTOBER 6, 1999

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CITY COUNCIL

MONDAY, OCTOBER 4, 1999

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216 City Hall

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 1998-2001

MONDAY

9:30 A.M.—**Public Parks, Property & Recreation Committee:** Jones, Chairman; White, Vice Chairman; Britt, Polensek, Sweeney, Willis, Zone.

MONDAY—Alternating

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

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

MONDAY

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

TUESDAY

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

TUESDAY—Alternating

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

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

WEDNESDAY—Alternating

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

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

WEDNESDAY—Alternating

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

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

OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio

Monday, October 4, 1999.

The meeting of the Council was called to order, the President, Jay Westbrook in the Chair.

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

Also present were Chief of Staff Sheffield-McClain and Directors Carter, Carmody, Konicek, Balraj, Ricchiuto, Guzman, Jackson, Hudecek, Patterson, Warren, Dove, Axelrod, Morrison and Acting Director Whitlow.

Absent: Mayor White.

Pursuant to Ordinance No. 2926-76, the Council Meeting was opened with a prayer offered by Rabbi Schur of The Heights Jewish Center. Pledge of Allegiance.

MOTION

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

COMMUNICATIONS

File No. 1732-99.

From the Department of Health and Human Resources re: Healthy Start Program (Grant Numbers STH 39C011.) Received.

File No. 1733-99.

From the Cleveland Public Library re: Sari Feldman appointed to Deputy Director of the Cleveland Public Library. Received.

File No. 1734-99.

From the Cleveland Public Library re: Director's Report, September 16, 1999. Received.

File No. 1735-99.

From Precision Environmental Co. re: Cleveland Hopkins International Airport. Received.

File No. 1736-99.

From Bob Dolan, City Controller re: 1998 Comprehensive Annual Financial Report. Received.

FROM THE DEPARTMENT OF LIQUOR CONTROL

File No. 1737-99.

Re: Transfer of Ownership Application - 3375224 - Graystone Petroleum LLC, d.b.a. Petromart, 1201 East 185th Street. (Ward 11). Received.

File No. 1738-99.

Re: Transfer of Ownership Application - 8360320 - Soldat Enterprises, Inc., d.b.a. Leftys, 7663 Broadway Avenue, first floor and basement. (Ward 12). Received.

File No. 1739-99.

Re: Transfer of Ownership and Location Application - 15503800030 - Cleveland Sportservice, Inc. Cleveland Indians Baseball Park Except Level 2 and Ground Level Suites, 2401 Ontario Street. (Ward 13). Received.

COMMUNICATIONS

File No. 1740-99.

September 30, 1999

The Honorable Jay Westbrook
Cleveland City Council
601 Lakeside Avenue
Cleveland, Ohio 44114

Dear Council President Westbrook:

I am pleased to recommend Mr. Thomas F. Jones for appointment to the Police Review Board. This appointment is effective immediately upon approval of Council and will expire on August 8, 2002.

Thank you for your consideration.

Sincerely,
MICHAEL R. WHITE,
Mayor

Received. Referred to Committee on Mayor's Appointments.

CONDOLENCES RESOLUTIONS

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

Res. No. 1778-99—Laura Callahan.
Res. No. 1779-99—Mrs. Fair.

CONGRATULATIONS RESOLUTIONS

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

Res. No. 1780-99—Greater Cleveland Cross Country Team.

Res. No. 1781-99—Hortense Giudice Graf.

Res. No. 1782-99—Dr. Wojciech Rostafinski.

Res. No. 1783-99—Gloria Karpinski Battisti.

Res. No. 1784-99—Reverend Monsignor Leo Telesz.

Res. No. 1785-99—Tomasz Wyszynski.

Res. No. 1786-99—Fleet Medical Center, Cleveland Clinic Health System.

Res. No. 1787-99—Dr. Livesteen Carter.

Res. No. 1788-99—St. Rose of Lima Church — 100th Anniversary.

Res. No. 1789-99—Embie R. Bostic.

Res. No. 1790-99—Mother Maggie L. Mitchell.

WELCOME RESOLUTION

The rules were suspended and the following Resolution was adopted without objection:

Res. No. 1791-99—Alhaji Issaku Saiah.

FIRST READING EMERGENCY ORDINANCES REFERRED

Ord. No. 1741-99.

By Councilman Johnson (by departmental request).

An emergency ordinance authorizing the Director of Finance to enter into contract with Kronos Incorporated for the purchase of maintenance services for Kronos software, for the Division of Accounts, Department of Finance, for a period of not to exceed five years.

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

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

Section 1. That the Director of Finance is hereby authorized to enter into contract with Kronos Incorporated for professional services needed to maintain Timekeeper Central Software and Timekeeper C/S for Workgroups Software necessary to operate the Kronos Timekeeper Central System, for a period not to exceed five (5) years, and cancellable upon thirty days' written notice by said director, upon the basis of their proposal dated August 3, 1999, in the total sum of \$78,674.00, payable from Fund Nos. 01-999800-638000 and 52 SF 001, Request No. 1406.

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

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

Ord. No. 1742-99.

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

An emergency ordinance to amend Section 543.02 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 2012-95, passed April 1, 1996, relating to sewerage service charges within Cleveland.

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 charges of the Division of Water Pollution Control, Department of Public Utilities for

sewerage service within the City of Cleveland fixed by the Board of Control, be and the same are hereby approved.

Section 2. That Section 543.02 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 2012-95, passed April 1, 1996, is hereby amended to read as follows:

Section 543.02 Sewerage Service Charges within Cleveland.

(a) Regular beginning January 1, 2001 through December 31, 2001. The charge for any sewerage service provided by the City to persons, corporations or their premises located inside the territorial limits of the City shall be based upon the quantity of metered water used in or upon such premises and shall be assessed and collected at the rate of **six dollars and eighty-eight cents (\$6.88)** for each one thousand (1,000) cubic feet of water measured by meter in excess of the first 1,000 cubic feet of water metered per quarter, whether or not such water supply is derived from sources other than the water supply furnished by the City. A minimum charge of **six dollars and eighty-eight cents (\$6.88)** per quarter shall be assessed and collected for sewerage service for the first 1,000 cubic feet or less of water metered per quarter.

(b) Regular beginning January 1, 2002, through December 31, 2002. The charge for any sewerage service provided by the City to persons, corporations or their premises located inside the territorial limits of the City shall be based upon the quantity of metered water used in or upon such premises and shall be assessed and collected at the rate of **seven dollars and twenty-nine cents (\$7.29)** for each one thousand (1,000) cubic feet measured by meter in excess of the first 1,000 cubic feet of water metered per quarter, whether or not such water supply is derived from sources other than the water supply furnished by the City. A minimum charge of **seven dollars and twenty-nine cents (\$7.29)** per quarter shall be assessed and collected for sewerage services for the first 1,000 cubic feet or less of water metered per quarter.

(c) Regular beginning January 1, 2003, through December 31, 2003. The charge for any sewerage service provided by the City to persons, corporations or their premises located inside the territorial limits of the City shall be based upon the quantity of metered water used in or upon such premises and shall be assessed and collected at the rate of **seven dollars and seventy-three cents (\$7.73)** for each one thousand (1,000) cubic feet measured by meter in excess of the first 1,000 cubic feet of water metered per quarter, whether or not such water supply is derived from sources other than the water supply furnished by the City. A minimum charge of **seven dollars and seventy-three cents (\$7.73)** per quarter shall be assessed and collected for sewerage services for the first 1,000 cubic feet or less of water metered per quarter.

(d) Regular beginning January 1, 2004, through December 31, 2004. The charge for any sewerage service provided by the City to persons, corporations or their premises located inside the territorial limits of the City shall be based upon the quantity of metered water used in or upon such premises and shall be assessed and collected at the rate of

eight dollars and nineteen cents (\$8.19) for each one thousand (1,000) cubic feet measured by meter in excess of the first 1,000 cubic feet of water metered per quarter, whether or not such water supply is derived from sources other than the water supply furnished by the City. A minimum charge of **eight dollars and nineteen cents (\$8.19)** per quarter shall be assessed and collected for sewerage services for the first 1,000 cubic feet or less of water metered per quarter.

(e) Regular beginning January 1, 2005. The charge for any sewerage service provided by the City to persons, corporations or their premises located inside the territorial limits of the City shall be based upon the quantity of metered water used in or upon such premises and shall be assessed and collected at the rate of **eight dollars and sixty-nine cents (\$8.69)** for each one thousand (1,000) cubic feet measured by meter in excess of the first 1,000 cubic feet of water metered per quarter, whether or not such water supply is derived from sources other than the water supply furnished by the City. A minimum charge of **eight dollars and sixty-nine cents (\$8.69)** per quarter shall be assessed and collected for sewerage services for the first 1,000 cubic feet or less of water metered per quarter.

(f) **Special Homestead beginning January 1, 2001, through December 31, 2001.** A minimum charge for sewerage service provided by the City shall be made to homesteads within the territorial limits of the City owned by a person sixty-five years of age or older or permanently and totally disabled; provided that such person obtains a certificate of reduction in taxes pursuant to the Homestead Exemption provisions of R.C. 323.151 through 323.157. The charge for sewerage service provided to each homestead shall be based upon the quantity of metered water used in or upon such premises and shall be assessed and collected at a rate of **four dollars and twenty cents (\$4.20)** for each one thousand (1,000) cubic feet of water measured by meter in excess of the first 1,000 cubic feet of water metered per quarter, whether or not such water supply is furnished by the City. A minimum charge of **four dollars and twenty cents (\$4.20)** per quarter shall be assessed and collected for sewerage service for the first 1,000 cubic feet or less or water metered per quarter.

(g) **Special Homestead beginning January 1, 2002, through December 31, 2002.** A minimum charge for sewerage service provided by the City shall be made to homesteads within the territorial limits of the City owned by a person sixty-five years of age or older or permanently and totally disabled; provided that such person obtains a certificate of reduction in taxes pursuant to the Homestead Exemption provisions of R.C. 323.151 through 323.157. The charge for sewerage service provided to each homestead shall be based upon the quantity of metered water used in or upon such premises and shall be assessed and collected at a rate of **four dollars and forty-one cents (\$4.41)** for each one thousand (1,000) cubic feet of water measured by meter in excess of the first 1,000 cubic feet of water metered per quarter, whether or not such water supply is furnished by the City. A minimum charge of **four dollars and forty-one cents (\$4.41)** per quarter

shall be assessed and collected for sewerage service for the first 1,000 cubic feet or less or water metered per quarter.

(h) Special Homestead beginning January 1, 2003, through December 31, 2003. A minimum charge for sewerage service provided by the City shall be made to homesteads within the territorial limits of the City owned by a person sixty-five years of age or older or permanently and totally disabled; provided that such person obtains a certificate of reduction in taxes pursuant to the Homestead Exemption provisions of R.C. 323.151 through 323.157. The charge for sewerage service provided to each homestead shall be based upon the quantity of metered water used in or upon such premises and shall be assessed and collected at a rate of four dollars and sixty-three cents (\$4.63) for each one thousand (1,000) cubic feet of water measured by meter in excess of the first 1,000 cubic feet of water metered per quarter, whether or not such water supply is furnished by the City. A minimum charge of four dollars and sixty-three cents (\$4.63) per quarter shall be assessed and collected for sewerage service for the first 1,000 cubic feet or less or water metered per quarter.

(i) Special Homestead beginning January 1, 2004, through December 31, 2004. A minimum charge for sewerage service provided by the City shall be made to homesteads within the territorial limits of the City owned by a person sixty-five years of age or older or permanently and totally disabled; provided that such person obtains a certificate of reduction in taxes pursuant to the Homestead Exemption provisions of R.C. 323.151 through 323.157. The charge for sewerage service provided to each homestead shall be based upon the quantity of metered water used in or upon such premises and shall be assessed and collected at a rate of four dollars and eighty-six cents (\$4.86) for each one thousand (1,000) cubic feet of water measured by meter in excess of the first 1,000 cubic feet of water metered per quarter, whether or not such water supply is furnished by the City. A minimum charge of four dollars and eighty-six cents (\$4.86) per quarter shall be assessed and collected for sewerage service for the first 1,000 cubic feet or less or water metered per quarter.

(j) Special Homestead beginning January 1, 2005. A minimum charge for sewerage service provided by the City shall be made to homesteads within the territorial limits of the City owned by a person sixty-five years of age or older or permanently and totally disabled; provided that such person obtains a certificate of reduction in taxes pursuant to the Homestead Exemption provisions of R.C. 323.151 through 323.157. The charge for sewerage service provided to each homestead shall be based upon the quantity of metered water used in or upon such premises and shall be assessed and collected at a rate of five dollars and eleven cents (\$5.11) for each one thousand (1,000) cubic feet of water measured by meter in excess of the first 1,000 cubic feet of water metered per quarter, whether or not such water supply is furnished by the City. A minimum charge of five dollars and eleven cents (\$5.11) per quarter shall be assessed and collected for sewerage service for the first 1,000 cubic feet or less or water metered per quarter.

(k) In addition to those homesteads eligible for the special homestead rates prescribed by divisions (f) through (j) of this section, homesteads owned by a person sixty-five (65) years of age or older or permanently and totally disabled whose total annual income does not exceed **Twenty-three Thousand Dollars (\$23,000.00)** may be eligible for the special homestead rate established pursuant to divisions (f) through (j) of this section.

(l) The Director of Public Utilities shall prescribe the application form for the homestead rates set forth in division (f) of this section and shall have final approval on all applications.

(m) The sewerage service charges within the City shall be increased to meet the funding requirements of the Ohio Water Development Authority.

(n) Nothing contained in this section shall be held to authorize or require the payment of any sewer rental charge by any tax-supported department of the City.

Section 3. That existing Section 543.02 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 2012-95, passed April 1, 1996, is hereby repealed.

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

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

Ord. No. 1743-99.

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

An emergency ordinance to amend Sections 535.04, 535.05, 535.051, 535.06, 535.18 and 535.21 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by various ordinances, relating to rates, rules and regulations for water service provided by the Division of Water, Department of Public Utilities.

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

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

Section 1. That the rates, rules, and regulations of the Division of Water, Department of Public Utilities, for water service, fixed by the Board of Control, be and the same are hereby approved.

Section 2. That the following sections of the Codified Ordinances of Cleveland, Ohio, 1976:

Section 535.04, as amended by Ordinance No. 935-96, passed June 18, 1996,

Section 535.05, as amended by Ordinance No. 935-96, passed June 18, 1996,

Section 535.051, as amended by Ordinance No. 1524-95, passed January 29, 1996,

Section 535.06, as amended by Ordinance No. 935-96, passed June 18, 1996,

Section 535.18, as amended by Ordinance No. 311-98, passed May 4, 1998, and

Section 535.21, as amended by Ordinance No. 935-96, passed June 18, 1996,

are hereby amended to read, respectively, as follows:

Section 535.04 Direct Service Water Rates within Cleveland; Regular and Special Homestead

(a) Regular beginning 1/1/01 through 12/31/01

(1) A minimum service and consumption charge shall be made to each and every customer within the territorial limits of the City of Cleveland. The minimum charge for the first 1,000 cubic feet or less of water used during each three month billing period shall be **Seven Dollars and Seventy-Seven Cents (\$7.77)**.

(2) All water used in excess of 1,000 cubic feet during each three month billing period shall cost **Sixteen Dollars and Sixty-Two Cents (\$16.62)** per 1,000 cubic feet.

(b) Regular beginning 1/1/02 through 12/31/02

(1) A minimum service and consumption charge shall be made to each and every customer within the territorial limits of the City of Cleveland. The minimum charge for the first 1,000 cubic feet or less of water used during each three month billing period shall be **Eight Dollars and Twenty-Four Cents (\$8.24)**.

(2) All water used in excess of 1,000 cubic feet during each three month billing period shall cost **Seventeen Dollars and Sixty-Two Cents (\$17.62)** per 1,000 cubic feet.

(c) Regular beginning 1/1/03 through 12/31/03

(1) A minimum service, and consumption charge shall be made to each and every customer within the territorial limits of the City of Cleveland. The minimum charge for the first 1,000 cubic feet or less of water used during each three month billing period shall be **Eight Dollars and Seventy-Three Cents (\$8.73)**.

(2) All water used in excess of 1,000 cubic feet during each three month billing period shall cost **Eighteen Dollars and Sixty-Eight Cents (\$18.68)** per 1,000 cubic feet.

(d) Regular beginning 1/1/04 through 12/31/04

(1) A minimum service and consumption charge shall be made to each and every customer within the territorial limits of the City of Cleveland. The minimum charge for the first 1,000 cubic feet or less of water used during each three month billing period shall be **Nine Dollars and Twenty-Five Cents (\$9.25)**.

(2) All water used in excess of 1,000 cubic feet during each three month billing period shall cost **Nineteen Dollars and Eighty Cents (\$19.80)** per 1,000 cubic feet.

(e) Regular beginning 1/1/05

(1) A minimum service and consumption charge shall be made to each and every customer within the territorial limits of the City of Cleveland. The minimum charge for the first 1,000 cubic feet or less of water used during each three month billing period shall be **Nine Dollars and Eighty-One Cents (\$9.81)**.

(2) All water used in excess of 1,000 cubic feet during each three month billing period shall cost **Twenty Dollars and Ninety-Eight Cents (\$20.98)** per 1,000 cubic feet.

(f) Special Homestead beginning 1/1/01 through 12/31/01

A minimum service and consumption charge shall be made to homesteads within the territorial limits of the City of Cleveland owned by a person sixty-five years of age or older or permanently and totally disabled; provided that such person obtains a certificate of reduction in

taxes pursuant to the Homestead Exemption provisions of Sections 323.151 through 323.157 of the Revised Code. The charge for each 1,000 cubic feet of water used by each homestead shall be Three Dollars and **Seventy-Seven Cents (\$3.77)**. There shall be a minimum charge of Three Dollars and **Seventy-Seven Cents (\$3.77)** for the first 1,000 cubic feet or less used by each homestead during each three month billing period.

(g) **Special Homestead beginning 1/1/02 through 12/31/02**

A minimum service and consumption charge shall be made to homesteads within the territorial limits of the City of Cleveland owned by a person sixty-five years of age or older or permanently and totally disabled; provided that such person obtains a certificate of reduction in taxes pursuant to the Homestead Exemption provisions of Sections 323.151 through 323.157 of the Revised Code. The charge for each 1,000 cubic feet of water used by each homestead shall be Four Dollars (\$4.00). There shall be a minimum charge of Four Dollars (\$4.00) for the first 1,000 cubic feet or less used by each homestead during each three month billing period.

(h) **Special Homestead beginning 1/1/03 through 12/31/03**

A minimum service and consumption charge shall be made to homesteads within the territorial limits of the City of Cleveland owned by a person sixty-five years of age or older or permanently and totally disabled; provided that such person obtains a certificate of reduction in taxes pursuant to the Homestead Exemption provisions of Sections 323.151 through 323.157 of the Revised Code. The charge for each 1,000 cubic feet of water used by each homestead shall be Four Dollars and Twenty-Five Cents (\$4.25). There shall be a minimum charge of Four Dollars and Twenty-Five Cents (\$4.25) for the first 1,000 cubic feet or less used by each homestead during each three month billing period.

(i) **Special Homestead beginning 1/1/04 through 12/31/04**

A minimum service and consumption charge shall be made to homesteads within the territorial limits of the City of Cleveland owned by a person sixty-five years of age or older or permanently and totally disabled; provided that such person obtains a certificate of reduction in taxes pursuant to the Homestead Exemption provisions of Sections 323.151 through 323.157 of the Revised Code. The charge for each 1,000 cubic feet of water used by each homestead shall be Four Dollars and Fifty-One Cents (\$4.51). There shall be a minimum charge of Four Dollars and Fifty-One Cents (\$4.51) for the first 1,000 cubic feet or less used by each homestead during each three month billing period.

(j) **Special Homestead beginning 1/1/05**

A minimum service and consumption charge shall be made to homesteads within the territorial limits of the City of Cleveland owned by a person sixty-five years of age or older or permanently and totally disabled; provided that such person obtains a certificate of reduction in taxes pursuant to the Homestead Exemption provisions of Sections 323.151 through 323.157 of the Revised Code. The charge for each 1,000 cubic feet of water used by each homestead shall be Four Dollars and Seventy-Nine Cents (\$4.79).

There shall be a minimum charge of Four Dollars and Seventy-Nine Cents (\$4.79) for the first 1,000 cubic feet or less used by each homestead during each three month billing period.
(k) **The Director of Public Utilities shall prescribe the application form for the homestead rate and have final approval on all applications.**

Section 535.05 Direct Service Water Rates in Cuyahoga County Except Cleveland; Regular and Special Homestead

(a) Regular beginning 1/1/01 through 12/31/01

(1) A minimum service and consumption charge shall be made to each and every customer in the low and first high service districts. The minimum charge for the first 1,000 cubic feet or less of water used during each three month billing period shall be **Thirteen Dollars and Eighty-Six Cents (\$13.86)**. All water used in excess of 1,000 cubic feet during each three month billing period shall cost **Twenty-Nine Dollars and Fifty-Eight Cents (\$29.58)** per 1,000 cubic feet.

(2) A minimum service and consumption charge shall be made to each and every customer in the second high district. The minimum charge for the first 1,000 cubic feet or less of water used during each three month billing period shall be **Sixteen Dollars and One Cent (\$16.01)**. All water used in excess of 1,000 cubic feet during each three month billing period shall cost **Thirty-Four Dollars and Ninety-Five Cents (\$34.95)** per 1,000 cubic feet.

(3) A minimum service and consumption charge shall be made to each and every customer in the third high service district. The minimum charge for the first 1,000 cubic feet or less of water used during each three month billing period shall be **Eighteen Dollars and Seventy-Eight Cents (\$18.78)**. All water used in excess of 1,000 cubic feet during each three month billing period shall cost **Forty Dollars and Twelve Cents (\$40.12)** per 1,000 cubic feet.

(b) Regular beginning 1/1/02 through 12/31/02

(1) A minimum service and consumption charge shall be made to each and every customer in the low and first high service districts. The minimum charge for the first 1,000 cubic feet or less of water used during each three month billing period shall be **Fourteen Dollars and Sixty-Eight Cents (\$14.68)**. All water used in excess of 1,000 cubic feet during each three month billing period shall cost **Thirty-One Dollars and Thirty-Two Cents (\$31.32)** per 1,000 cubic feet.

(2) A minimum service and consumption charge shall be made to each and every customer in the second high district. The minimum charge for the first 1,000 cubic feet or less of water used during each three month billing period shall be **Sixteen Dollars and Ninety-Four Cents (\$16.94)**. All water used in excess of 1,000 cubic feet during each three month billing period shall cost **Thirty-Six Dollars and Ninety-Five Cents (\$36.95)** per 1,000 cubic feet.

(3) A minimum service and consumption charge shall be made to each and every customer in the third high service district. The minimum charge for the first 1,000 cubic feet or less of water used during each three month billing period shall be **Nineteen Dollars and**

Eighty-Five Cents (\$19.85). All water used in excess of 1,000 cubic feet during each three month billing period shall cost **Forty-Two Dollars and Forty-Two Cents (\$42.42)** per 1,000 cubic feet.

(c) Regular beginning 1/1/03 through 12/31/03

(1) A minimum service and consumption charge shall be made to each and every customer in the low and first high service districts. The minimum charge for the first 1,000 cubic feet or less of water used during each three month billing period shall be **Fifteen Dollars and Fifty-Four Cents (\$15.54)**. All water used in excess of 1,000 cubic feet during each three month billing period shall cost **Thirty-Three Dollars and Seventeen Cents (\$33.17)** per 1,000 cubic feet.

(2) A minimum service and consumption charge shall be made to each and every customer in the second high district. The minimum charge for the first 1,000 cubic feet or less of water used during each three month billing period shall be **Seventeen Dollars and Ninety-Three Cents (\$17.93)**. All water used in excess of 1,000 cubic feet during each three month billing period shall cost **Thirty-Nine Dollars and Six Cents (\$39.06)** per 1,000 cubic feet.

(3) A minimum service and consumption charge shall be made to each and every customer in the third high service district. The minimum charge for the first 1,000 cubic feet or less of water used during each three month billing period shall be **Twenty Dollars and Ninety-Nine Cents (\$20.99)**. All water used in excess of 1,000 cubic feet during each three month billing period shall cost **Forty-Four Dollars and Eighty-Five Cents (\$44.85)** per 1,000 cubic feet.

(d) Regular beginning 1/1/04 through 12/31/04

(1) A minimum service and consumption charge shall be made to each and every customer in the low and first high service districts. The minimum charge for the first 1,000 cubic feet or less of water used during each three month billing period shall be **Sixteen Dollars and Forty-Six Cents (\$16.46)**. All water used in excess of 1,000 cubic feet during each three month billing period shall cost **Thirty-Five Dollars and Thirteen Cents (\$35.13)** per 1,000 cubic feet.

(2) A minimum service and consumption charge shall be made to each and every customer in the second high district. The minimum charge for the first 1,000 cubic feet or less of water used during each three month billing period shall be **Eighteen Dollars and Ninety-Eight Cents (\$18.98)**. All water used in excess of 1,000 cubic feet during each three month billing period shall cost **Forty-One Dollars and Thirty Cents (\$41.30)** per 1,000 cubic feet.

(3) A minimum service and consumption charge shall be made to each and every customer in the third high service district. The minimum charge for the first 1,000 cubic feet or less of water used during each three month billing period shall be **Twenty-Two Dollars and Twenty Cents (\$22.20)**. All water used in excess of 1,000 cubic feet during each three month billing period shall cost **Forty-Seven Dollars and Forty-Three Cents (\$47.43)** per 1,000 cubic feet.

(e) Regular beginning 1/1/05

(1) A minimum service and consumption charge shall be made to each and every customer in the low and first high service districts. The minimum charge for the first 1,000 cubic feet or less of water used during each three month billing period shall be **Seventeen Dollars and Forty-Three Cents (\$17.43)**. All water used in excess of 1,000 cubic feet during each three month billing period shall cost **Thirty-Seven Dollars and Twenty-One Cents (\$37.21)** per 1,000 cubic feet.

(2) A minimum service and consumption charge shall be made to each and every customer in the second high district. The minimum charge for the first 1,000 cubic feet or less of water used during each three month billing period shall be **Twenty Dollars and Nine Cents (\$20.09)**. All water used in excess of 1,000 cubic feet during each three month billing period shall cost **Forty-Three Dollars and Sixty-Eight Cents (\$43.68)** per 1,000 cubic feet.

(3) A minimum service and consumption charge shall be made to each and every customer in the third high service district. The minimum charge for the first 1,000 cubic feet or less of water used during each three month billing period shall be **Twenty-Three Dollars and Forty-Seven Cents (\$23.47)**. All water used in excess of 1,000 cubic feet during each three month billing period shall be **Fifty Dollars and Sixteen Cents (\$50.16)** per 1,000 cubic feet.

(f) Special Homestead beginning 1/1/01 through 12/31/01

(1) A minimum service and consumption charge shall be made to homesteads in the low and first high service districts owned by a person sixty-five years of age or older or by a permanently and totally disabled persons; provided that such person obtains a certificate of reduction in taxes pursuant to the Homestead Exemption provisions of Sections 323.151 through 323.157 of the Revised Code. The charge for each 1,000 cubic feet of water used by each homestead shall be Six Dollars and **Fifty-Nine Cents (\$6.59)**. There shall be a minimum charge of Six Dollars and **Fifty-Nine Cents (\$6.59)** for the first 1,000 cubic feet or less used by each homestead during each three month billing period.

(2) A minimum service and consumption charge shall be made to homestead in the second high service district owned by a person sixty-five years of age or older or by a permanently and totally disabled person; provided that such person obtains a certificate of reduction in taxes pursuant to the Homestead Exemption provisions of Sections 323.151 through 323.157 of the Revised Code. The charge for each 1,000 cubic feet of water used by each homestead shall be Eight Dollars and **Fifty-Six Cents (\$8.56)**. There shall be a minimum charge of Eight Dollars and **Fifty-Six Cents (\$8.56)** for the first 1,000 cubic feet or less used by each homestead during each three month billing period.

(3) A minimum service and consumption charge shall be made to homesteads in the third high service district owned by a person sixty-five years of age or older or by a person permanently and totally disabled person; provided that such person obtains a certificate of reduction in taxes pursuant to the Homestead Exemption provisions of Section 323.151 through 323.157 of

the Revised Code. The charge for each 1,000 cubic feet of water used by each homestead shall be Ten Dollars and **Eighty-Six Cents (\$10.86)**. There shall be a minimum charge of Ten Dollars and **Eighty-Six Cents (\$10.86)** for the first 1,000 cubic feet or less used by each homestead during each three month billing period.

(g) Special Homestead beginning 1/1/02 through 12/31/02

(1) A minimum service and consumption charge shall be made to homesteads in the low and first high service districts owned by a person sixty-five years of age or older or by a permanently and totally disabled persons; provided that such person obtains a certificate of reduction in taxes pursuant to the Homestead Exemption provisions of Sections 323.151 through 323.157 of the Revised Code. The charge for each 1,000 cubic feet of water used by each homestead shall be Seven Dollars (**\$7.00**). There shall be a minimum charge of Seven Dollars (**\$7.00**) for the first 1,000 cubic feet or less used by each homestead during each three month billing period.

(2) A minimum service and consumption charge shall be made to homestead in the second high service district owned by a person sixty-five years of age or older or by a permanently and totally disabled person; provided that such person obtains a certificate of reduction in taxes pursuant to the Homestead Exemption provisions of Sections 323.151 through 323.157 of the Revised Code. The charge for each 1,000 cubic feet of water used by each homestead shall be Nine Dollars and Three Cents (**\$9.03**). There shall be a minimum charge of Nine Dollars and Three Cents (**\$9.03**) for the first 1,000 cubic feet or less used by each homestead during each three month billing period.

(3) A minimum service and consumption charge shall be made to homesteads in the third high service district owned by a person sixty-five years of age or older or by a person permanently and totally disabled person; provided that such person obtains a certificate of reduction in taxes pursuant to the Homestead Exemption provisions of Section 323.151 through 323.157 of the Revised Code. The charge for each 1,000 cubic feet of water used by each homestead shall be Eleven Dollars and Thirty-Nine Cents (**\$11.39**). There shall be a minimum charge of Eleven Dollars and Thirty-Nine Cents (**\$11.39**) for the first 1,000 cubic feet or less used by each homestead during each three month billing period.

(h) Special Homestead beginning 1/1/03 through 12/31/03

(1) A minimum service and consumption charge shall be made to homesteads in the low and first high service districts owned by a person sixty-five years of age or older or by a permanently and totally disabled persons; provided that such person obtains a certificate of reduction in taxes pursuant to the Homestead Exemption provisions of Sections 323.151 through 323.157 of the Revised Code. The charge for each 1,000 cubic feet of water used by each homestead shall be Seven Dollars and **Forty-Four Cents (\$7.44)**. There shall be a minimum charge of Seven Dollars and **Forty-Four Cents (\$7.44)** for the first 1,000 cubic feet or less used by each homestead during each three month billing period.

(2) A minimum service and consumption charge shall be made to homestead in the second high service district owned by a person sixty-five years of age or older or by a permanently and totally disabled person; provided that such person obtains a certificate of reduction in taxes pursuant to the Homestead Exemption provisions of Sections 323.151 through 323.157 of the Revised Code. The charge for each 1,000 cubic feet of water used by each homestead shall be Nine Dollars and Fifty-Two Cents (**\$9.52**). There shall be a minimum charge of Nine Dollars and Fifty-Two Cents (**\$9.52**) for the first 1,000 cubic feet or less used by each homestead during each three month billing period.

(3) A minimum service and consumption charge shall be made to homesteads in the third high service district owned by a person sixty-five years of age or older or by a person permanently and totally disabled person; provided that such person obtains a certificate of reduction in taxes pursuant to the Homestead Exemption provisions of Section 323.151 through 323.157 of the Revised Code. The charge for each 1,000 cubic feet of water used by each homestead shall be Eleven Dollars and Ninety-Six Cents (**\$11.96**). There shall be a minimum charge of Eleven Dollars and Ninety-Six Cents (**\$11.96**) for the first 1,000 cubic feet or less used by each homestead during each three month billing period.

(i) Special Homestead beginning 1/1/04 through 12/31/04

(1) A minimum service and consumption charge shall be made to homesteads in the low and first high service districts owned by a person sixty-five years of age or older or by a permanently and totally disabled persons; provided that such person obtains a certificate of reduction in taxes pursuant to the Homestead Exemption provisions of Sections 323.151 through 323.157 of the Revised Code. The charge for each 1,000 cubic feet of water used by each homestead shall be Seven Dollars and **Eighty-Nine Cents (\$7.89)**. There shall be a minimum charge of Seven Dollars and **Eighty-Nine Cents (\$7.89)** for the first 1,000 cubic feet or less used by each homestead during each three month billing period.

(2) A minimum service and consumption charge shall be made to homestead in the second high service district owned by a person sixty-five years of age or older or by a permanently and totally disabled person; provided that such person obtains a certificate of reduction in taxes pursuant to the Homestead Exemption provisions of Sections 323.151 through 323.157 of the Revised Code. The charge for each 1,000 cubic feet of water used by each homestead shall be Ten Dollars and Four Cents (**\$10.04**). There shall be a minimum charge of Ten Dollars and Four Cents (**\$10.04**) for the first 1,000 cubic feet or less used by each homestead during each three month billing period.

(3) A minimum service and consumption charge shall be made to homesteads in the third high service district owned by a person sixty-five years of age or older or by a person permanently and totally disabled person; provided that such person obtains a certificate of reduction in taxes pursuant to the Homestead Exemption provisions of Section 323.151 through 323.157 of the Revised Code. The charge for each

1,000 cubic feet of water used by each homestead shall be Twelve Dollars and Fifty-Six Cents (\$12.56). There shall be a minimum charge of Twelve Dollars and Fifty-Six Cents (\$12.56) for the first 1,000 cubic feet or less used by each homestead during each three month billing period.

(j) Special Homestead beginning 1/1/05

(1) A minimum service and consumption charge shall be made to homesteads in the low and first high service districts owned by a person sixty-five years of age or older or by a permanently and totally disabled persons; provided that such person obtains a certificate of reduction in taxes pursuant to the Homestead Exemption provisions of Sections 323.151 through 323.157 of the Revised Code. The charge for each 1,000 cubic feet of water used by each homestead shall be Eight Dollars and Thirty-Eight Cents (\$8.38). There shall be a minimum charge of Eight Dollars and Thirty-Eight Cents (\$8.38) for the first 1,000 cubic feet or less used by each homestead during each three month billing period.

(2) A minimum service and consumption charge shall be made to homestead in the second high service district owned by a person sixty-five years of age or older or by a permanently and totally disabled person; provided that such person obtains a certificate of reduction in taxes pursuant to the Homestead Exemption provisions of Sections 323.151 through 323.157 of the Revised Code. The charge for each 1,000 cubic feet of water used by each homestead shall be Ten Dollars and Sixty Cents (\$10.60). There shall be a minimum charge of Ten Dollars and Sixty Cents (\$10.60) for the first 1,000 cubic feet or less used by each homestead during each three month billing period.

(3) A minimum service and consumption charge shall be made to homesteads in the third high service district owned by a person sixty-five years of age or older or by a person permanently and totally disabled person; provided that such person obtains a certificate of reduction in taxes pursuant to the Homestead Exemption provisions of Section 323.151 through 323.157 of the Revised Code. The charge for each 1,000 cubic feet of water used by each homestead shall be Thirteen Dollars and Twenty Cents (\$13.20). There shall be a minimum charge of Thirteen Dollars and Twenty Cents (\$13.20) for the first 1,000 cubic feet or less used by each homestead during each three month billing period.

(k) The Director of Public Utilities shall prescribe the application form for the homestead rate and have final approval on all applications.

Section 535.051 Additional Eligibility for Special Homestead Rates

(a) In addition to those homesteads eligible for the special homestead rates prescribed by divisions (f) through (j) of Section 535.04 and divisions (f) through (j) of Section 535.05, homesteads owned by a person sixty-five years of age or older or permanently and totally disabled whose total annual income does not exceed Twenty-Three Thousand Dollars (\$23,000.00) may be eligible for the special homestead rate established for the service district in which the homestead is located pursuant to Sections 535.04 and 535.05 of these codified ordinances.

(b) The Director of Public Utilities shall prescribe the application form for the homestead rate and have final approval of all applications.

Section 535.06 Direct Water Service Rates in Summit and Medina Counties; Regular and Special Homestead

(a) Regular beginning 1/1/01 through 12/31/01

(1) A minimum service and consumption charge shall be made to each and every customer in Summit and Medina Counties. The minimum charge for the first 1,000 cubic feet or less of water used during each three month billing period shall be Eighteen Dollars and Seventy-Eight Cents (\$18.78).

(2) All water used in excess of 1,000 cubic feet during each three month billing period shall cost Forty Dollars and Twelve Cents (\$40.12) per 1,000 cubic feet.

(b) Regular beginning 1/1/02 through 12/31/02

(1) A minimum service and consumption charge shall be made to each and every customer in Summit and Medina Counties. The minimum charge for the first 1,000 cubic feet or less of water used during each three month billing period shall be Nineteen Dollars and Eighty-Five Cents (\$19.85).

(2) All water used in excess of 1,000 cubic feet during each three month billing period shall cost Forty-Two Dollars and Forty-Two Cents (\$42.42) per 1,000 cubic feet.

(c) Regular beginning 1/1/03 through 12/31/03

(1) A minimum service and consumption charge shall be made to each and every customer in Summit and Medina Counties. The minimum charge for the first 1,000 cubic feet or less of water used during each three month billing period shall be Twenty Dollars and Ninety-Nine Cents (\$20.99).

(2) All water used in excess of 1,000 cubic feet during each three month billing period shall cost Forty-Four Dollars and Eighty-Five Cents (\$44.85) per 1,000 cubic feet.

(d) Regular beginning 1/1/04 through 12/31/04

(1) A minimum service and consumption charge shall be made to each and every customer in Summit and Medina Counties. The minimum charge for the first 1,000 cubic feet or less of water used during each three month billing period shall be Twenty-Two Dollars and Twenty Cents (\$22.20).

(2) All water used in excess of 1,000 cubic feet during each three month billing period shall cost Forty-Seven Dollars and Forty-Three Cents (\$47.43) per 1,000 cubic feet.

(e) Regular beginning 1/1/05

(1) A minimum service and consumption charge shall be made to each and every customer in Summit and Medina Counties. The minimum charge for the first 1,000 cubic feet or less of water used during each three month billing period shall be Twenty-Three Dollars and Forty-Seven Cents (\$23.47).

(2) All water used in excess of 1,000 cubic feet during each three month billing period shall cost Fifty Dollars and Sixteen Cents (\$50.16) per 1,000 cubic feet.

(f) Special Homestead beginning 1/1/01 through 12/31/01

A minimum service and consumption charge shall be made to homesteads in Summit and Medina Counties owned by a person sixty-five

years of age or older or a permanently disabled person; provided that such person obtains a certificate of reduction in taxes pursuant to the Homestead Exemption provisions of Sections 323.151 through 323.157 of the Revised Code. The charge for each 1,000 cubic feet of water used by each homestead shall be Ten Dollars and Eighty-Six Cents (\$10.86). There shall be a minimum charge of Ten Dollars and Eighty-Six Cents (\$10.86) for the first 1,000 cubic feet or less used by each homestead during each three month billing period.

(g) Special Homestead beginning 1/1/02 through 12/31/02

A minimum service and consumption charge shall be made to homesteads in Summit and Medina Counties owned by a person sixty-five years of age or older or a permanently disabled person; provided that such person obtains a certificate of reduction in taxes pursuant to the Homestead Exemption provisions of Sections 323.151 through 323.157 of the Revised Code. The charge for each 1,000 cubic feet of water used by each homestead shall be Eleven Dollars and Thirty-Nine Cents (\$11.39). There shall be a minimum charge of Eleven Dollars and Thirty-Nine Cents (\$11.39) for the first 1,000 cubic feet or less used by each homestead during each three month billing period.

(h) Special Homestead beginning 1/1/03 through 12/31/03

A minimum service and consumption charge shall be made to homesteads in Summit and Medina Counties owned by a person sixty-five years of age or older or a permanently disabled person; provided that such person obtains a certificate of reduction in taxes pursuant to the Homestead Exemption provisions of Sections 323.151 through 323.157 of the Revised Code. The charge for each 1,000 cubic feet of water used by each homestead shall be Eleven Dollars and Ninety-Six Cents (\$11.96). There shall be a minimum charge of Eleven Dollars and Ninety-Six Cents (\$11.96) for the first 1,000 cubic feet or less used by each homestead during each three month billing period.

(i) Special Homestead beginning 1/1/04 through 12/31/04

A minimum service and consumption charge shall be made to homesteads in Summit and Medina Counties owned by a person sixty-five years of age or older or a permanently disabled person; provided that such person obtains a certificate of reduction in taxes pursuant to the Homestead Exemption provisions of Sections 323.151 through 323.157 of the Revised Code. The charge for each 1,000 cubic feet of water used by each homestead shall be Twelve Dollars and Fifty-Six Cents (\$12.56). There shall be a minimum charge of Twelve Dollars and Fifty-Six Cents (\$12.56) for the first 1,000 cubic feet or less used by each homestead during each three month billing period.

(j) Special Homestead beginning 1/1/05

A minimum service and consumption charge shall be made to homesteads in Summit and Medina Counties owned by a person sixty-five years of age or older or a permanently disabled person; provided that such person obtains a certificate of reduction in taxes pursuant to the Homestead Exemption provisions of Sections 323.151 through 323.157 of the Revised Code. The

charge for each 1,000 cubic feet of water used by each homestead shall be **Thirteen Dollars and Twenty Cents (\$13.20)**. There shall be a minimum charge of **Thirteen Dollars and Twenty Cents (\$13.20)** for the first 1,000 cubic feet or less used by each homestead during each three month billing period.

(k) The Director of Public Utilities shall prescribe the application form for the homestead rate and have final approval on all applications.

Section 535.18 Rates for Water Sold Through Master Meters

(a) The rates to be charged for the sale of water measured through Master Meters shall be as follows:

(1) To the City of Cleveland Heights: beginning 1/1/01 through 12/31/01, **\$22.53** per mcf; beginning 1/1/02 through 12/31/02, **\$23.85** per mcf; beginning 1/1/03 through 12/31/03, **\$25.25** per mcf; beginning 1/1/04 through 12/31/04, **\$26.73** per mcf; beginning 1/1/05, **\$28.30** per mcf.

(2) To the City of East Cleveland: beginning 1/1/01 through 12/31/01, **\$19.43** per mcf; beginning 1/1/02 through 12/31/02, **\$20.59** per mcf; beginning 1/1/03 through 12/31/03, **\$21.81** per mcf; beginning 1/1/04 through 12/31/04, **\$23.11** per mcf; beginning 1/1/05, **\$24.49** per mcf.

(3) To the City of Lakewood: beginning 1/1/01 through 12/31/01, **\$19.43** per mcf; beginning 1/1/02 through 12/31/02, **\$20.59** per mcf; beginning 1/1/03 through 12/31/03, **\$21.81** per mcf; beginning 1/1/04 through 12/31/04, **\$23.11** per mcf; beginning 1/1/05, **\$24.49** per mcf.

(4) To the City of Bedford: beginning 1/1/01 through 12/31/01, **\$22.93** per mcf; beginning 1/1/02 through 12/31/02, **\$24.25** per mcf; beginning 1/1/03 through 12/31/03, **\$25.65** per mcf; beginning 1/1/04 through 12/31/04, **\$27.13** per mcf; beginning 1/1/05, **\$28.70** per mcf.

(5) To the Village of Chagrin Falls: beginning 1/1/01 through 12/31/01, **\$26.00** per mcf; beginning 1/1/02 through 12/31/02, **\$27.52** per mcf; beginning 1/1/03 through 12/31/03, **\$29.13** per mcf; beginning 1/1/04 through 12/31/04, **\$30.84** per mcf; beginning 1/1/05, **\$32.65** per mcf.

(6) To the City of Berea: beginning 1/1/01 through 12/31/01, **\$24.99** per mcf; beginning 1/1/02 through 12/31/02, **\$26.15** per mcf; beginning 1/1/03 through 12/31/03, **\$27.37** per mcf; beginning 1/1/04 through 12/31/04, **\$28.67** per mcf; beginning 1/1/05, **\$30.05** per mcf.

(7) To Lake County: beginning 1/1/01 through 12/31/01, **\$24.24** per mcf; beginning 1/1/02 through 12/31/02, **\$25.40** per mcf; beginning 1/1/03 through 12/31/03, **\$26.62** per mcf; beginning 1/1/04 through 12/31/04, **\$27.92** per mcf; beginning 1/1/05, **\$29.30** per mcf.

(8) To Lorain County: beginning 1/1/01 through 12/31/01, **\$24.99** per mcf; beginning 1/1/02 through 12/31/02, **\$26.15** per mcf; beginning 1/1/03 through 12/31/03, **\$27.37** per mcf; beginning 1/1/04 through 12/31/04, **\$28.67** per mcf; beginning 1/1/05, **\$30.05** per mcf.

(9) To the City of North Ridgeville: beginning 1/1/01 through 12/31/01, **\$19.43** per mcf; beginning 1/1/02 through 12/31/02, **\$20.59** per mcf; beginning 1/1/03 through 12/31/03, **\$21.81** per mcf; beginning 1/1/04 through 12/31/04, **\$23.11** per mcf; beginning 1/1/05, **\$24.49** per mcf.

(10) To Geauga County: beginning 1/1/01 through 12/31/01, **\$25.60** per mcf; beginning 1/1/02 through 12/31/02, **\$30.12** per mcf; beginning 1/1/03 through 12/31/03, **\$31.73** per mcf; beginning 1/1/04 through 12/31/04, **\$33.44** per mcf; beginning 1/1/05, **\$35.25** per mcf.

(11) To Medina County: beginning 1/1/01 through 12/31/01, **\$25.60** per mcf; beginning 1/1/02 through 12/31/02, **\$30.12** per mcf; beginning 1/1/03 through 12/31/03, **\$31.73** per mcf; beginning 1/1/04 through 12/31/04, **\$33.44** per mcf; beginning 1/1/05, **\$35.25** per mcf.

(12) To the City of Hudson Village: beginning 1/1/01 through 12/31/01, **\$28.60** per mcf; beginning 1/1/02 through 12/31/02, **\$30.12** per mcf; beginning 1/1/03 through 12/31/03, **\$31.73** per mcf; beginning 1/1/04 through 12/31/04, **\$33.44** per mcf; beginning 1/1/05, **\$35.25** per mcf.

(13) To Summit County: beginning 1/1/01 through 12/31/01, **\$25.60** per mcf; beginning 1/1/02 through 12/31/02, **\$30.12** per mcf; beginning 1/1/03 through 12/31/03, **\$31.73** per mcf; beginning 1/1/04 through 12/31/04, **\$33.44** per mcf; beginning 1/1/05, **\$35.25** per mcf.

(14) To Portage County: beginning 1/1/01 through 12/31/01, **\$25.60** per mcf; beginning 1/1/02 through 12/31/02, **\$30.12** per mcf; beginning 1/1/03 through 12/31/03, **\$31.73** per mcf; beginning 1/1/04 through 12/31/04, **\$33.44** per mcf; beginning 1/1/05, **\$35.25** per mcf.

(b) All bills for water so furnished shall be rendered monthly to the municipality or district to which water is so furnished, and if not paid within fifteen (15) days after the date of billing by the City of Cleveland, such bills shall be subject to a penalty of five percent added thereto. In the event that any monthly bill is not paid within four (4) months after written notice is given by the City of Cleveland, the City of Cleveland may, at its option, cease to furnish water to such municipality or district pending payment of any overdue amount.

(c) Rates for Standby Emergency Water Service. The rates to be charged for standby emergency water service shall consist of an annual standby fee of \$3600.00 per year in addition to the charge for consumption provided in division (a) of this section. Standby fees for standby emergency water service shall be payable in advance. All bills for water furnished under this section shall be rendered upon the termination of customer's emergency period or, if the duration of the emergency is longer than thirty days, in thirty day intervals. In the event that any standby fee is not paid in advance or any consumption bill is not paid within four months after written notice is given by the City of Cleveland, the City of Cleveland may at its option, cease to furnish standby emergency water service to such customer pending payment of any overdue amount.

Section 535.21 Charges for Unmetered Fire Protection Service within the City and Direct Service Metropolitan Area

A charge shall be made for each unmetered fire supply connection within the limits of the City and direct service suburbs. The charge shall be determined in accordance with the size of the fire supply con-

nection through which water passes for use on the premises so supplied in accordance with the following schedule, for each three months or any part thereof:

Beginning **January 1, 2001**, through December 31, **2001**

Connection Size (Inches)	Fee
1-1/2	\$ 32.19
2	32.19
3	32.19
4	87.55
6	126.18
8	225.31
10	352.78
12	481.53

Beginning **January 1, 2002**, through December 31, **2002**

Connection Size (Inches)	Fee
1-1/2	\$ 33.15
2	33.15
3	33.15
4	90.18
6	129.96
8	232.07
10	363.36
12	495.97

Beginning **January 1, 2003**, through December 31, **2003**

Connection Size (Inches)	Fee
1-1/2	\$ 34.15
2	34.15
3	34.15
4	92.88
6	133.86
8	239.03
10	374.26
12	510.85

Beginning **January 1, 2004**, through December 31, **2004**

Connection Size (Inches)	Fee
1-1/2	\$ 35.17
2	35.17
3	35.17
4	95.67
6	137.87
8	246.21
10	385.49
12	526.18

Beginning **January 1, 2005**

Connection Size (Inches)	Fee
1-1/2	\$ 36.23
2	36.23
3	36.23
4	98.54
6	142.01
8	253.59
10	397.05
12	541.96

Charges shall be collected quarterly for each fire supply connection to cover inspection, testing, sealing and resealing of such service connections, stand-by pumpage capacity, and replacement or cleaning of distribution or trunk water mains to improve the water supply for fire protection purposes.

Section 3. That the following existing sections of the Codified Ordinances of Cleveland, Ohio, 1976:

Section 535.04, as amended by Ordinance No. 935-96, passed June 18, 1996,

Section 535.05, as amended by Ordinance No. 935-96, passed June 18, 1996,

Section 535.051, as amended by Ordinance No. 1524-95, passed January 29, 1996,

Section 535.06, as amended by Ordinance No. 935-96, passed June 18, 1996,

Section 535.18, as amended by Ordinance No. 311-98, passed May 4, 1998, and

Section 535.21, as amended by Ordinance No. 935-96, passed June 18, 1996, are hereby repealed.

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

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

Ord. No. 1744-99.
By Councilmen Westbrook and Johnson (by departmental request).
An emergency ordinance authorizing the purchase by requirement contract of security guard services, for the Department of Port Control, for a period not to exceed two years.

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

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

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

Section 2. That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 8226).

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

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

Ord. No. 1745-99.
By Councilmen Gordon and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Ohio Department of Health for the 2000 Lead Poisoning Prevention Program.

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

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

Section 1. That the Director of Public Health is hereby authorized to apply for and accept a grant in the approximate amount of \$82,998.00 and any other funds as they become available during the grant term, from the Ohio Department of Health, to conduct the 2000 Lead Poisoning Prevention Program, for the purposes set forth in the application and according thereto; that the Director of Public Health is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the application for said grant.

Section 2. That the application for said grant, File No. 1745-99-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

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

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

Ord. No. 1746-99.
By Councilmen Cimperman, Cinton, Jones, Robinson and Johnson (by departmental request).

An emergency ordinance determining the method of making the public improvement of rehabilitating, renovating, or otherwise improving Public Hall, Music Hall and Convention Center and the West Side Market; authorizing the Director of Parks, Recreation and Properties to enter into contract for the making of such improvement; and authorizing the purchase by contract of furniture and equipment necessary for the improvement.

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

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

Section 1. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of rehabilitating, renovating, or otherwise improving Public Hall, Music Hall and Convention Center and the West Side Market, for the Division of Convention Center and Stadium, Department of Parks, Recreation and Properties, by contract duly let to the lowest responsible bidder after competitive bidding for a gross price for the improvement.

Section 2. That the Director of Parks, Recreation and Properties is hereby authorized to enter into contract for the making of the above public improvement with the lowest responsible bidder after competitive bidding for a gross price for the improvement, provided, however, that each separate trade and each distinct component part of said improvement may be treated as a separate improvement, and each, or any combination, of such trades or components may be the subject of a separate contract for a gross price. Upon request of said director the contractor shall furnish a correct schedule of unit prices, including profit and overhead, for all items constituting units of said improvement.

Section 3. That the Director of Parks, Recreation and Properties is hereby authorized to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: furniture and equipment necessary for said improvement, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Convention Center and Stadium, Department of Parks, Recreation and Properties.

Section 4. That the cost of said improvement and purchases hereby authorized shall be paid from Fund Nos. 11 SF 006 and 20 SF 362, Request No. 5028.

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

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

Ord. No. 1747-99.
By Councilmen Cimperman, Jones, Robinson and Johnson (by departmental request).

An emergency ordinance determining the method of making the public improvement of rehabilitating, renovating, or otherwise improving City Hall; authorizing the Director of Parks, Recreation and Properties to enter into contract for the making of such improvement; and authorizing the purchase by contract of carpeting, furniture and equipment necessary for the improvement.

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

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

Section 1. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of rehabilitating, renovating, or otherwise improving City Hall, for the Department of Parks, Recreation and Properties, by contract duly let to the lowest responsible bidder after competitive bidding for a gross price for the improvement.

Section 2. That the Director of Parks, Recreation and Properties is hereby authorized to enter into con-

tract for the making of the above public improvement with the lowest responsible bidder after competitive bidding for a gross price for the improvement, provided, however, that each separate trade and each distinct component part of said improvement may be treated as a separate improvement, and each, or any combination, of such trades or components may be the subject of a separate contract for a gross price. Upon request of said director the contractor shall furnish a correct schedule of unit prices, including profit and overhead, for all items constituting units of said improvement.

Section 3. That the Director of Parks, Recreation and Properties is hereby authorized to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: carpeting, furniture and equipment necessary for said improvement, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Department of Parks, Recreation and Properties.

Section 4. That the cost of said improvement and purchases hereby authorized shall be paid from Fund Nos. 11 SF 006, 20 SF 362 and 20 SF 351, Request No. 5029.

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

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

Ord. No. 1748-99.
By Councilmen Patmon, Jones, Robinson and Johnson (by departmental request).

An emergency ordinance determining the method of making the public improvement of constructing, rehabilitating, renovating, replacing or otherwise improving certain City-owned parks, recreation facilities, and the Rockefeller Park Public Greenhouse, including site improvements and appurtenances; authorizing the Director of Parks, Recreation and Properties to enter into contract for the making of such improvement; authorizing said director to proceed with said improvement by the direct employment of the necessary labor for areas not otherwise improved; to employ one or more architectural, landscape architectural or engineering firms and other consultants necessary to provide professional services relating to such improvements; and authorizing the purchase by contract of furniture and equipment necessary for the improvement for the Divisions of Recreation and Research, Planning and Development, Department of Parks, Recreation and Properties.

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

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

Section 1. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of constructing, rehabilitating, renovating, replacing or otherwise improving certain City-owned parks, recreation facilities, and the Rockefeller Park Public Greenhouse, including all site improvements and appurtenances necessary and incidental thereto, for the Divisions of Recreation and Research, Planning and Development, Department of Parks, Recreation and Properties, by contract let to the lowest responsible bidder after competitive bidding for a gross price for the improvement.

Section 2. That the Director of Parks, Recreation and Properties is hereby authorized to enter into contract for the making of the above public improvement with the lowest responsible bidder after competitive bidding for a gross price for the improvement, provided, however, that each separate trade and each distinct component part of said improvement may be treated as a separate improvement, and each, or any combination of such trades or components may be the subject of a separate contract for a gross price. Upon request of said director, the contractor shall furnish a correct schedule of unit prices, including profit and overhead, for all items constituting units of said improvements.

Section 3. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of constructing, rehabilitating, renovating, replacing or otherwise improving certain City-owned parks, playgrounds, and the Rockefeller Park Public Greenhouse, including all site improvements and appurtenances necessary and incidental thereto, for the Divisions of Recreation and Research, Planning and Development, Department of Parks, Recreation and Properties, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.

Section 4. That the Director of Parks, Recreation and Properties is hereby authorized to enter into contract for the making of the above public improvement with the lowest responsible bidder after competitive bidding upon a unit basis for the improvement, provided, however, that each separate trade and each distinct component part of said improvement may be treated as a separate improvement, and each, or any combination of such trades or components may be the subject of a separate contract upon a unit basis.

Section 5. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of improving the areas of City-owned parks, playgrounds, and the Rockefeller Park Public Greenhouse, which were not otherwise improved by the public improvement contracts authorized above, for the Divisions of Recreation and Research, Planning and Development, Department of Parks, Recreation and Properties, by the direct employment of the necessary labor and the purchase or rental of the necessary supplies and materials for the making of such improvement, with a separate accounting as to each improvement so made.

Section 6. That the Director of Parks, Recreation and Properties is hereby authorized to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the items comprising the necessary supplies and materials necessary for said improvement, including the rental of necessary equipment, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Divisions of Recreation and Research, Planning and Development, Department of Parks, Recreation and Properties.

Section 7. That the Director of Parks, Recreation and Properties is hereby authorized to employ by contract or contracts one or more architectural, landscaping architectural or engineering consultants or one or more firms of architectural, landscaping architectural or engineering consultants and other consultants necessary for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to implement the public improvements authorized by this ordinance.

Section 8. That the selection of said consultants for such services shall be made by the Board of Control upon the such services shall be made by the Board of Control upon the nomination of the Director of Parks, Recreation and Properties from a list of qualified consultants available for such employment as may be determined after a full and complete canvass by the Director of Parks, Recreation and Properties for the purpose of compiling such a list. The compensation to be paid for such services shall be fixed by the Board of Control. The contract or contracts herein authorized shall be prepared by the Director of Law, approved by the Director of Parks, Recreation and Properties, and certified by the Director of Finance.

Section 9. That the Director of Parks, Recreation and Properties is hereby authorized to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: furniture and equipment to be utilized in connection with the making of the public improvements authorized by this ordinance, to be purchased by the Commissioner of Purchases and Supplies for a gross price for the Divisions of Recreation and Research, Planning and Development, Department of Parks, Recreation and Properties.

Section 10. That the costs of the improvements, professional services, rentals and purchases herein authorized shall be paid from Fund Nos. 11 SF 006, 20 SF 313, 20 SF 323, 20 SF 330, 20 SF 343, 20 SF 354, and 20 SF 361, Request No. 5027.

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

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

Ord. No. 1749-99.
By Councilmen Cimperman, Jackson, Robinson and Johnson (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 1580-82 East 45th Street to Dorothy Childs.

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), 104-27-006, as more fully described in Section 2 below, to Dorothy Childs.

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. 104-27-006

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 126 in J.M. Hoyt's Subdivision of part of Original Ten Acre Lots Nos. 123 and 124, as shown by the recorded plat in Volume 1 of Maps, Page 20, Cuyahoga County Records, and being 40 feet front on the Westerly side of East 45th Street and extending back between equal lines 134.417 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 3. That all documents necessary to complete the conveyance authorized by this ordinance shall be executed within six (6) months of the effective date of this ordinance. If all of the documents are not executed within six (6) months of the effective date of this ordinance, or such additional time as may be granted by the Director of Community Development, this ordinance shall be repealed and shall be of no further force or effect.

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

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

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

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

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

Ord. No. 1750-99.
By Councilmen Johnson, Jackson and Robinson (by departmental request).

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

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), 126-36-102, as more fully described in Section 2 below, to Laura M. Little.

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. 126-36-102

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being a part of Sublot No. 107 and part of Woodhill Court, S.E., (10.0 feet wide) vacated by Ordinance No. 102342, passed April 4, 1935 in N.H. Ambler and others' Subdivision of part of Original One Hundred Acre Lots Nos. 424 and 425, as shown by the recorded plat of said Subdivision in Volume 5, Page 25 of Cuyahoga County Records, and bounded and described as follows:

Beginning in the Southeast line of Alpine Street, S.E., 44 feet Southwesterly from the Northwesterly corner of said Sublot No. 107; thence Easterly parallel with the Northerly line of Sublot No. 107, 170 feet to the Southeasterly line of said Sublot; thence Southwesterly along the Southeasterly line of Sublot No. 107, about 45 and 3/12 feet to the Southwesterly corner of said vacated Woodhill Court, S.E.; thence Westerly along the Southerly line of said vacated Woodhill S.E., 170 feet to the Southeasterly line of said Alpine Street, S.E.; thence Northeasterly, along the Southeasterly line of said Alpine Street, S.E., 45 and 3/12 feet to the place of beginning, as

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

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

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

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

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

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

Ord. No. 1751-99.
By Councilmen Johnson, Jackson and Robinson (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 9702 Yeakel Avenue to Donald J. Traylor, Sr.

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), 126-17-030, as more fully described in Section 2 below, to Donald J. Traylor, Sr.

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. 126-17-030

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 99 in R. Yeakel Subdivision of part of Original One Hundred Acre Lot No. 417 and 425 as shown by the recorded plat in Volume 10 of Maps, Page 25 of Cuyahoga County Records and being 40 feet front on the Southerly side of Yeakel Avenue, S.E. and extending back of equal width, 116 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 3. That all documents necessary to complete the conveyance authorized by this ordinance shall be executed within six (6) months of the effective date of this ordinance. If all of the documents are not executed within six (6) months of the effective date of this ordinance, or such additional time as may be granted by the Director of Community Development, this ordinance shall be repealed and shall be of no further force or effect.

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

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

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

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

Ord. No. 1752-99.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 7510 Lorain Avenue to William J. Ripcho.

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). 006-07-083, as more fully described in Section 2 below, to William J. Ripcho.

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. 006-07-083

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 436 in James M. Hoyt's Subdivision of part of Original Brooklyn Township Lots Nos. 28 and 33 as shown by the recorded plat in Volume 3 of Maps, Page 37 of Cuyahoga County Records, and being 35 feet front on the Northerly side of Lorain Avenue, and extending back 132 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

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

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

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

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

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

Ord. No. 1753-99.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 4065 East 131st Street to Greater Harvard Avenue 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). 138-11-004, as more fully described in Section 2 below, to Greater Harvard Avenue 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. 138-11-004

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 1 in Ford, Morgan and Frisbie's Allotment of part of Original One Hundred Acre Lots Nos. 470 and 462, as shown by the recorded plat in Volume 24 of Maps, Page 5 of Cuyahoga County Records, and being 40.10 feet on the Easterly side of East 131st Street, (formerly Windfall Avenue) and extending back of equal width 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.

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

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

Ord. No. 1754-99.
By Councilmen White, Jackson, Robinson and Johnson (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 9222 Miles Avenue to Renee Stuart.

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). 134-09-016, as more fully described in Section 2 below, to Renee Stuart.

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. 134-09-016

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as part of Sublot No. 76 in Newburgh Village Allotment of part of Original One Hundred Acre Lot No. 464, as shown by the recorded plat in Volume 2 of Maps, Page 20 of Cuyahoga County Records, and bounded and described as follows:

Beginning at a point on the Southerly line of Miles Avenue, S.E. at the Northwesterly corner of premises conveyed to James P. Murray and Anna R. Murray, by deed dated November 29, 1898, and recorded in Volume 708, Page 90 of Cuyahoga County Records, and 26-1/2 feet Westerly from the Northeastly corner of said Sublot No. 76; thence Southerly along the Westerly line of the premises conveyed by said Deed, 100 feet; thence Westerly and parallel with said Southerly line of Miles Avenue, S.E., 36 feet; thence Northerly and parallel with the said Westerly line of premises as aforesaid, about 100 feet to the Southerly line of Miles Avenue S.E.; thence Easterly along the Southerly line of Miles Avenue S.E., about 37 feet to the place of beginning, be the same more or less, but subject to all legal highways.

Except the Northerly five feet of the above described premises which is included within the bounds of the Miles Avenue widening as recorded in Volume 11 of Maps, Page 14 of Cuyahoga County Records.

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.

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

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

Ord. No. 1755-99.
By Councilmen White, Jackson, Robinson and Johnson (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 3679 East 116th Street to LaFayette Carthon, 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). 137-08-010, as more fully described in Section 2 below, to LaFayette Carthon, Jr.

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. 137-08-010

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 268 in the Union Rice Subdivision

No. 2 of part of Original One Hundred Acre Lot No. 452, as shown by the recorded plat of said Subdivision in Volume 64 of Maps, Page 26 of Cuyahoga County Records. Said Sublot No. 268 has a frontage of 40 feet on the Easterly side of East 116th Street and extending back between parallel lines 130 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 3. That all documents necessary to complete the conveyance authorized by this ordinance shall be executed within six (6) months of the effective date of this ordinance. If all of the documents are not executed within six (6) months of the effective date of this ordinance, or such additional time as may be granted by the Director of Community Development, this ordinance shall be repealed and shall be of no further force or effect.

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

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

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

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

Ord. No. 1756-99.
By Councilmen White, Jackson, Robinson and Johnson (by departmental request).

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

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), 138-03-025, as more fully described in Section 2 below, to Anthony R. Ford and Alletrius M. Ford.

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. 138-03-025

Parcel No. 1

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original One Hundred Acre Lot No. 461, bounded and described as follows:

Beginning in the Southerly line of a parcel of land conveyed to Mary Keller by deed dated May 20, 1930 and recorded in Volume 1448, Page 233 of Cuyahoga County Records at the Northwesterly corner of a parcel of land conveyed to Stanley Siemientkowski and Irene Siemientkowski by deed dated February 9, 1946, and recorded in Volume 6048, Page 123 of Cuyahoga County Records; thence Easterly along the Southerly line of said parcel conveyed to Mary Keller, 40 feet to the Southeasterly corner thereof; thence Northerly along the Easterly line of said parcel so conveyed to Mary Keller, 62.80 feet to the Northwesterly corner thereof; thence Westerly along the Northerly line of said parcel so conveyed to Mary Keller 40 feet to its intersection with the Northerly prolongation of the Westerly line of the parcel conveyed to Stanley Siemientkowski and Irene Siemientkowski; thence Southerly along said Northerly prolongation, 62.80 feet to the place of beginning and being further known as part of Sublot No. 10 in The Frisbie Realty and Investment Company's Proposed Mars Hill Allotment of part of Original One Hundred Acre Lot No. 461, 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 Original One Hundred Acre Lot No. 461, and bounded and described as follows:

Beginning on the Northerly line of Harvard Avenue, S.E., at a point distant Easterly, measured along said Northerly line, 215 feet from its intersection with the Easterly line of East 123rd Street; thence Easterly along said Northerly line of Harvard Avenue, S.E., 40 feet; thence Northerly parallel with said Easterly line of East 123rd Street, 62.8 feet; thence Westerly parallel with said Northerly line of Harvard Avenue, S.E., 40 feet; thence Southerly parallel with said Easterly line of East 123rd Street, 62.8 feet to the place of beginning, and being further known as part of Sublot No. 10 in the Frisbie Realty and Investment Company's Proposed Mars Hill Allotment of part of Original One Hundred Acre Lot No. 461, 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 con-

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

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

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

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

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

Ord. No. 1757-99.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 9026 Harvard Avenue to House of Our Redeemer Missionary Baptist Church.

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

Whereas, real property acquired under the City's Land Reutilization Program is acquired, held, administered and disposed 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), 134-06-002, as more fully described in Section 2 below, to House of Our Redeemer 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. 134-06-002

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublots Nos. 34 and 35 in Newburgh Village plat of part of Original One Hundred Acre Lot No. 464, as shown by the recorded plat in Volume 2 of Maps, Page 20 of Cuyahoga County Records, bounded and described as follows:

Beginning on the Southerly line of Harvard Avenue, S.E., (formerly Hamilton Street), at a point 60 feet Westerly, measured along said Southerly line from its intersection with the Westerly line of East 91st Street (formerly Walnut Street); thence Westerly along the Southerly line of Harvard Avenue, S.E., 56.5 feet; thence Southerly parallel with the Westerly line of East 91st Street, 115.5 feet; thence Easterly parallel with the Southerly line of Harvard a, S.E., 56.5 feet; thence Northerly parallel with the Westerly line of East 91st Street, 115.5 feet to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

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

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

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

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

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

Ord. No. 1758-99.

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

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

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). 136-02-066, as more fully described in Section 2 below, to Gail F. Stubbs.

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. 136-02-066

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Easterly 16 feet in Sublot No. 60 and the Westerly 16 feet of Sublot No. 59 in James M. and Colgate Hoyt's Subdivision of part of Original One Hundred Acre Lot No. 457, as shown by the recorded plat of said Re-Subdivision in Volume 4 of Maps, Page 26 of Cuyahoga County Records, and together forming a parcel of land 32 feet front on the Southerly side of Nelson Avenue, S.E., and extending back of equal width 125 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

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

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

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

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

Referred to Directors of Community Development, City Planning Commission, Finance, Law; Commit-

tees on Community and Economic Development, City Planning, Finance.

Ord. No. 1759-99.
By Councilmen White, Jackson, Robinson and Johnson (by departmental request).

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

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). 133-26-051, as more fully described in Section 2 below, to Ernest R. D'Amato and Kathleen D'Amato.

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. 133-26-051

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 226 in the Carter Heirs Allotment of part of Original One Hundred Acre Lot No. 456, as shown by the recorded plat in Volume 12 of Maps, Page 39 of Cuyahoga County Records, and being 44 feet front on the Southerly side of Saxe Avenue, (formerly Saxe Street), and extending back of equal width 115 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 3. That all documents necessary to complete the conveyance authorized by this ordinance shall be executed within six (6) months of the effective date of this ordinance. If all of the documents are not executed within six (6) months of the effective date of this ordinance, or such additional time as may be granted by the Director of Community Development, this ordinance shall be repealed and shall be of no further force or effect.

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

Section 5. That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of

Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest.

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

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

Ord. No. 1760-99.
By Councilmen Zone, Jackson, Robinson and Johnson (by departmental request).

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

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). 020-09-095, as more fully described in Section 2 below, to John C. Bella and Alice F. Bella.

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. 020-09-095

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 261 in the Clark Manchester Company's Homesite Allotments Nos. 3 and 5 of part of Rockport Township Lot No. 1, as shown by the recorded plat in Volume 54 of Maps, Page 36 and being 39.99 feet frontage on the Southerly side of Longmead Avenue S.W. and extending back between parallel lines 175 feet, be the same more or less, but subject to all legal highways.

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

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

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

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

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

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

Ord. No. 1761-99.

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

An emergency ordinance authorizing the Director of Economic Development to enter into an Empowerment Zone Business Opportunity contract with Hepp Kondas Incorporated to provide economic development assistance to partially finance the renovation of property at 4320 Payne Avenue, 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 hereby authorized to enter into an Empowerment Zone Business Opportunity contract with Hepp Kondas Incorporated to provide economic development assistance to partially finance the renovation of property at 4320 Payne Avenue, Cleveland, Ohio.

Section 2. That the terms of said loan shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 2056-99-A.

Section 3. That the Director of Economic Development shall, pursuant to the authority of Ordinance No. 82-96, passed April 1, 1996, put Economic Development Initiative Grant funds in an amount equal to the Loan Amount in the Empowerment Zone Debt Service Reserve account created by that ordinance. Said grant funds shall be paid from Fund No. 18 SF 003.

Section 4. That the costs of said contract shall not exceed a Loan Amount of \$40,225. The Loan shall be paid from Fund Nos. 18 SF 001 and 18 SF 003, Request No. 13013.

Section 5. That the Director of Economic Development is hereby authorized and directed to accept collateral as set forth in the Exec-

utive Summary contained in the file referenced in Section 2 of this ordinance in order to secure repayment of said loan. Any security instrument shall be prepared and approved by the Director of Law.

Section 6. That the Director of Economic Development is hereby authorized to accept monies in repayment of the loan and to deposit said monies in Fund No. 18 SF 002.

Section 7. That the Director of Economic Development is hereby authorized to charge and accept fees in an amount not to exceed the maximum allowable under federal regulations and expend such fees to cover costs incurred in the preparation of the loan application, closing and servicing of the loan. Such fees shall be deposited and expended from Fund No. 18 SF 004.

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

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

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

Ord. No. 1762-99.

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

An emergency ordinance authorizing the Director of Economic Development to enter into an Empowerment Zone Business Opportunity contract with Ayers Investments LLC to provide economic development assistance to partially finance the acquisition and renovation of property at 3200 Cedar Avenue, 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 hereby authorized to enter into an Empowerment Zone Business Opportunity contract with Ayers Investments LLC to provide economic development assistance to partially finance the acquisition and renovation of property at 3200 Euclid Avenue, Cleveland, Ohio.

Section 2. That the terms of said loan shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 1762-99-A.

Section 3. That the Director of Economic Development shall, pursuant to the authority of Ordinance No. 82-96, passed April 1, 1996, put Economic Development Initiative Grant funds in an amount equal to the Loan Amount in the Empowerment Zone Debt Service Reserve account created by that ordinance. Said grant funds shall be paid from Fund No. 18 SF 003.

Section 4. That the costs of said contract shall not exceed a Loan Amount of \$155,000. The Loan shall be paid from Fund Nos. 18 SF 001 and 18 SF 003, Request No. 13016.

Section 5. That the Director of Economic Development is hereby authorized and directed to accept collateral as set forth in the Executive Summary contained in the file referenced in Section 2 of this ordinance in order to secure repayment of said loan. Any security instrument shall be prepared and approved by the Director of Law.

Section 6. That the Director of Economic Development is hereby authorized to accept monies in repayment of the loan and to deposit said monies in Fund No. 18 SF 002.

Section 7. That the Director of Economic Development is hereby authorized to charge and accept fees in an amount not to exceed the maximum allowable under federal regulations and expend such fees to cover costs incurred in the preparation of the loan application, closing and servicing of the loan. Such fees shall be deposited and expended from Fund No. 18 SF 004.

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

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

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

Ord. No. 1763-99.

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

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Linsy Furniture Gallery, Inc. to provide economic development assistance to partially finance the purchase and renovation of a building located at 1948-1952 Columbus Road, 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 hereby authorized to enter into a contract with Linsy Furniture Gallery, Inc. to provide economic development assistance to partially finance the purchase and renovation of a building located at 1948-1952 Columbus Road, Cleveland, Ohio.

Section 2. That the term of said loan shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 1763-99-A.

Section 3. That the costs of said contract shall not exceed One Hundred Fifty Thousand Dollars (\$150,000.00), and shall be paid from Fund No. 17 SF 008, Request No. 1023.

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

be prepared and approved by the Director of Law.

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

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

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

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

Referred to Directors of Economic Development, Finance, Law; Com-

mittees on Community and Economic Development, Finance.

Ord. No. 1764-99.
By Councilman Zone.
An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Section 625.09 thereof, relating to the removal of shopping carts.

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

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

Section 1. That the Codified Ordinances of Cleveland, Ohio, 1976, are hereby supplemented by enacting new Section 625.09 thereof, to read as follows:

Section 625.09 Removal of Shopping Carts

(a) For purposes of this section, "shopping cart" means any hand-drawn or rolling vehicle and/or a non-rolling basket or container made of wire, metal, plastic, or other material, such as are generally provided by business owners to assist customers in carting or carrying merchandise from the point of purchase to automobiles.

(b) No person, with the purpose to deprive a business owner of proper-

ty, shall knowingly remove a shopping cart from the premises of a business establishment.

(c) Every business owner, who provides shopping carts to the public as part of their business procedures, shall conspicuously label such shopping carts with identification clearly indicating the name of the business owner or establishment and address of the same.

(d) The Director of Public Safety and employees of the Division of Police may remove shopping carts found on public property. Such shopping carts shall be disposed of in accordance with Section 601.14 of these codified ordinances.

(e) Whoever violates this section is guilty of removal of shopping carts, a minor misdemeanor.

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

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

FIRST READING EMERGENCY ORDINANCES READ IN FULL AND PASSED

Ord. No. 1765-99.
By Councilman Westbrook.

An emergency ordinance to amend Section 4 of Ordinance No. 520-99, passed March 29, 1999, relating to establishing salary and wage schedules for various classifications.

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

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

Section 1. That Section 4 of Ordinance No. 520-99, passed March 29, 1999, is, are hereby amended to read as follows:

Section 4. Employees of Council-Salary.

That the Clerk of Council, with the approval of the President of Council, shall fix the salary of the employees of Council within the limits established in the following schedule for each classification:

	Minimum	Maximum
1. Administrative Assistant.....	\$21,112.14	\$67,858.34
2. Archivist.....	18,630.00	67,858.34
3. Chief of Consumer Affairs.....	21,851.06	74,644.18
4. Chief Deputy Clerk	21,851.06	67,858.34
5. Chief Legislative Secretary.....	21,851.06	67,858.34
6. Clerk's Deputy Assistant.....	21,851.06	67,858.34
7. Clerk's Assistant.....	\$18.72 per hr	\$21.30 per hr.
8. Councilmanic Assistants (Part-Time).....	\$7.16 per hr	\$14.62 per hr.
9. Council Receptionist.....	18,630.00	40,715.00
10. Deputy Clerk.....	21,112.14	67,858.34
11. Deputy Clerk-Finance.....	21,112.14	67,858.34
12. Director of Communications.....	24,974.46	74,644.18
13. Executive Assistant-Administration.....	24,974.46	81,430.02
14. Executive Assistant-Finance.....	24,974.46	81,430.02
15. Executive Assistant to Clerk of Council	24,974.46	81,430.02
16. First Assistant Clerk.....	24,975.91	67,858.34
17. Fiscal Officer.....	\$25.85 per hr.	\$41.81 per hr.
18. Fiscal Secretary.....	24,974.46	64,336.48
19. Information Systems Coordinator.....	21,851.06	74,098.58
20. Information Systems Manager.....	21,851.06	81,430.02
21. Legislative Assistants.....	18,630.00	54,286.68
22. Legislative Assistant/Administrative Secretary.....	18,630.00	64,336.48

23.	Legislative Secretary.....	18,630.00	54,286.68
24.	Research Assistant.....	21,851.06	81,430.02
25.	Research Director.....	21,851.06	81,430.02
26.	Sergeant-at-Arms.....	13,304.30	37,328.41

Section 2. That existing Section 4 of Ordinance No. 520-99, passed March 29, 1999, is hereby repealed.

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

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

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 14. Nays 6. Those voting yea were: Councilmen Britt, Cimperman, Cintron, Coats, Gordon, Jackson, Jones, Lewis, Robinson, Sweeney, Westbrook, White, Willis, Zone.

Those voting nay were: Councilmen Dolan, Melena, O'Malley, Patmon, Polensek, Rybka.

Absent: Councilman Johnson.

Ord. No. 1766-99.

By Councilman Cimperman (by request).

An emergency ordinance authorizing the Director of Public Service to issue a permit to Tremont West Development Corporation, to encroach into the public right-of-way of West 11th Street, West 14th Street, Starkweather Avenue, and Kenilworth Avenue with twenty (20) banners to be hung on utility poles (by separate permission), identifying the Tremont Neighborhood, and Lincoln Park areas.

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 Tremont West Development Corporation, 2190 Professor Street, Cleveland, Ohio 44113, its successors and assigns, for construction, use and maintenance of twenty (20) banners on utility poles (by separate permission), identifying the Tremont Neighborhood and the Lincoln Park areas; which encroach into the right-of-way of West 11th Street, West 14th Street, Starkweather Avenue and Kenilworth Avenue at the locations more fully described as follows:

LOCATION:	POLE NUMBER:	OWNER:
Starkweather Avenue- 2nd Pole E. of W. 14th St. (N)	46271	C.P.P.
3rd Pole W. of W. 11th St. (N)	46219	C.P.P.
West 14th Street 1st Pole S. of Kenilworth (E)	HOM-1-13	C.P.P.
2nd Pole N. of Starkweather (E)	HOM 1-8	C.P.P.
Lincoln Park Perimeter at Kenilworth:	8659 and 146181	C.E.I.
at West 11th Street:	320953 and 329502, and 101557	C.E.I.
at Starkweather:	540452	C.E.I.

Section 2. That nothing in this ordinance grants or shall be considered to grant Permittee any right, privilege or permission to use or to attach or affix any objects to poles described in Section 1 of this ordinance.

Section 3. That said banners will be placed within the public right-of-way as aforesaid in Section 1, and said banners will be constructed in accordance with plans and specifications approved by the Commissioner of Engineering and Construction.

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.

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

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 1767-99.

By Councilman Cimperman.
An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Cleveland Restoration Society for the expansion of the Neighborhood Historic Preservation 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 to enter into an agreement with Cleveland Restoration Society for the expansion of the Neighborhood Historic Preservation Program for the period of July 1, 1999 through June 30, 2000.

Section 2. That the costs of said contract shall be in an amount not to exceed Fifteen Thousand Dollars (\$15,000.00) and shall be paid from Fund No. 10 SF 166.

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

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

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

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 1768-99.

By Councilman Cimperman.
An emergency ordinance consenting and approving the issuance of a permit for the Smith-Barney 15K Race on October 24, 1999, sponsored by Hermes Race Systems.

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

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

Section 1. That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio, 1976, this Council consents to an approves the holding of the Smith-Barney 15K Race, sponsored by Hermes Race Systems, on October 24, 1999, beginning on East 9th Street to Erieside, Erieside to West 3rd Street, West 3rd Street to Lakeside, Lakeside to Main, Main to Old River Road, Old River Road to St. Clair, St. Clair to West 3rd Street, West 3rd Street to Erieside, Erieside to North Marginal, North Marginal to East 55th Street, turn around go north Marginal to Erieside, Erieside to West 3rd Street, West 3rd Street to St. Clair, St. Clair to East 12th Street, East 12th Street to Chester and finish, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio 1976. Streets may be closed as determined by the Chief of Police or safety forces as may be necessary in

order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

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

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 1769-99.

By Councilmen Gordon and O'Malley.

An emergency ordinance to amend Section 2 of the Ordinance No. 1596-99, passed September 13, 1999 relating to an agreement with Senior Citizen Resources for assistance with the Memphis-Fulton Shopping Center location.

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

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

Section 1. That Section 2 of Ordinance No. 1596-99, passed September 13, 1999, is hereby amended to read as follows:

Section 2. That the costs of said contract shall be in an amount not to exceed **Thirty-Nine Thousand One Hundred Forty Dollars (\$39,140.00)**, with Twenty Thousand Dollars (\$20,000.00) to be paid from Ward 15, Fund No. 10 SF 166, and Nineteen Thousand One Hundred Forty Dollars (\$19,140.00) to be paid from Ward 16, Fund No. 10 SF 166.

Section 2. That existing Section 2 of Ordinance No. 1596-99 passed September 13, 1999, is hereby repealed.

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

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

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 1770-99.

By Councilman Rybka.
An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Slavic Village Development to acquire various properties for purposes of redevelopment in Ward 12.

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

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

Section 1. That the Director of Community Development to enter into an agreement with Slavic Village Development to acquire various properties for purposes of redevelopment in Ward 12.

Section 2. That the costs of said contract shall be in an amount not to exceed One Hundred Fifty Thousand Dollars (\$150,000.00) and shall be paid from Fund No. 10 SF 166.

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

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

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

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 1771-99.

By Councilman Westbrook.
An emergency ordinance authorizing the Director of Community Development to enter into an agreement with WIRE-NET to solicit, identify and recommend qualified owners for the Trinity Building located at 9203 Detroit Avenue in Ward 18.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with WIRE-NET to hire a consultant to solicit, identify and recommend qualified owners for the Trinity Building located at 9203 Detroit Avenue in Ward 18.

Section 2. That the costs of said contract shall be in an amount not to exceed Six Thousand Five Hundred Dollars (\$6,500.00) and shall be paid from Fund No. 10 SF 166.

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

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

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

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 1772-99.
By Councilman White.
An emergency ordinance authorizing the Director of Community Development to enter into an agreement with the Slavic Village Development Corporation to provide funding to acquire land for the Mill Creek Park Project.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with the Slavic Village Development Corporation to provide partial funding for land acquisition for the Mill Creek Park Project.

Section 2. That the cost of said contract shall be in an amount not to exceed Fifty Thousand Dollars (\$50,000.00) and shall be paid from Fund No. 10 SF 166.

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

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

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

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 1773-99.
By Councilman Willis.
An emergency ordinance authorizing the Director of Public Service to enter into an agreement with Medical Center Company to fund a portion of the cost to resurface Adelbert Road in Ward 9.

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

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

Section 1. That the Director of Public Service is authorized to enter into an agreement with Medical Center Company to fund a portion of the cost to resurface Adelbert Road in Ward 9.

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

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

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

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

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

FIRST READING EMERGENCY RESOLUTIONS READ IN FULL AND ADOPTED

Res. No. 1774-99.
By Councilman Coats.
An emergency resolution withdrawing objection to the renewal of D5 Liquor Permit to 13001 St. Clair Ave., 1st Fl., and repealing Res. No. 1465-98, objecting to said renewal.

Whereas, this Council objected to the renewal of a D5 Liquor Permit to 13001 St. Clair Ave., 1st Fl., by Res. No. 1465-98 adopted August 19, 1998; and

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

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

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

Section 1. That objection to the renewal of a D5 Liquor Permit to 13001 St. Clair Ave., 1st Fl., be and the same is hereby withdrawn and Res. No. 1465-98, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

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

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Adopted. Yeas 20. Nays 0.

Res. No. 1775-99.
By Councilman Patmon.
An emergency resolution withdrawing objection to the transfer of ownership and location of a C2 and C2X Liquor Permit to 970 Lakeview Rd., Front, 1st Fl. & Bsmt., and repealing Res. No. 1313-99, objecting to said transfer of ownership and location.

Whereas, this Council objected to the transfer of ownership and location of a C2 and C2X Liquor Permit to 970 Lakeview Rd., Front, 1st Fl. & Bsmt., by Res. No. 1313-99 adopted July 14, 1999; and

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

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

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

Section 1. That objection to the transfer of ownership and location of a C2 and C2X Liquor Permit to 970 Lakeview Rd., Front, 1st Fl. & Bsmt., be and the same is hereby withdrawn and Res. No. 1313-99, con-

taining said objection, be and the same is hereby repealed and that this Council consents to the immediate transfer of ownership and location thereof.

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

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

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Adopted. Yeas 20. Nays 0.

Res. No. 1776-99.
By Councilman Willis.
An emergency resolution urging beer manufacturers and distributors to bottle and sell beer for carry-out in plastic and other non-breakable containers.

Whereas, this Council of the City of Cleveland is concerned with improving the quality of life throughout the neighborhoods of the City of Cleveland; and

Whereas, unsightly trash and broken bottles that litter the streets, parks and other public areas of the City diminish the quality of life for our residents; and

Whereas, broken bottles strewn in the streets, sidewalks and other public areas of the City present safety hazards to residents, particularly children, and their property; and

Whereas, beer manufacturers and distributors can help remedy this problem by bottling and selling beer in plastic and other non-breakable containers, rather than in glass bottles; now, therefore,

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

Section 1. That the Council of the City of Cleveland urges beer manufacturers and distributors to bottle and sell beer for carry-out in plastic containers, rather than glass bottles, similar to those containers sold at the Cleveland Browns Stadium.

Section 2. That the Council of the City of Cleveland urges beer manufacturers and distributors to double the percentage of its product sold for carry-out in the City of Cleveland in non-breakable containers, such as aluminum and plastic.

Section 3. That the Council of the City of Cleveland urges manufacturers and distributors of beer to support recycling efforts in the City of Cleveland through monetary and in-kind contributions to help reduce the problem of broken bottles strewn in the streets, sidewalks and public areas of the City.

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

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

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Adopted. Yeas 20. Nays 0.

Res. No. 1777-99.**By Councilman Zone.**

An emergency resolution withdrawing objection to the transfer of ownership of a C1 and C2 Liquor Permit to 14016 Triskett Rd., and repealing Res. No. 1314-99, objecting to said transfer of ownership.

Whereas, this Council objected to the transfer of ownership of a C1 and C2 Liquor Permit to 14016 Triskett Rd., by Res. No. 1314-99 adopted July 14, 1999; and

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

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

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

Section 1. That objection to the transfer of ownership of a C1 and C2 Liquor Permit to 14016 Triskett Rd., be and the same is hereby withdrawn and Res. No. 1314-99, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate transfer of ownership thereof.

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

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

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Adopted. Yeas 20. Nays 0.

**SECOND READING
EMERGENCY ORDINANCES**

Ord. No. 414-99.

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

An emergency ordinance to appropriate property for public use for the improvement to a portion of Stokes Boulevard.

Approved by Directors of Public Service, City Planning Commission, Finance, Law; Recommended by Committees on Public Service, City Planning, Finance; when amended as follows:

1. In the first Whereas clause, strike line 2 in its entirety and insert in lieu thereof the following: **"Resolution No. 425-99, adopted August 11, 1999, declared".**

Amendment agreed to.

Ord. No. 1427-99.

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

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to lease Brookside Park Ball Diamond #1 to St. Ignatius High School, for a term not to exceed ten years with two five-year options to renew.

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

1. In Section 5, at the end, insert the following new sentence: **"The Director of Parks, Recreation and Properties shall include such provisions in the lease as are necessary to ensure that the use of Brookside Park by St. Ignatius High School under this lease does not disrupt league play by City-sponsored little league teams."**

Amendment agreed to.

Ord. No. 1428-99.

By Councilmen Jones and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter into a concession agreement for the operation of soft drink, candy, snack and other vending machines throughout City parks and various City-owned and City-leased buildings.

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

1. Insert new Section 3 to read as follows:

"Section 3. That the Director of Parks, Recreation and Properties shall report to the Clerk of Council the name of the concessionaire and the terms of the concession agreement."

2. Renumber existing Section 3 to new **"Section 4"**.

Amendments agreed to.

Ord. No. 1561-99.

By Councilmen Willis and Johnson (by departmental request).

An emergency ordinance authorizing the Mayor to apply for and accept a Water Supply Revolving Loan Account loan to finance portions of Phase I of the Plant Enhancement Program at the Morgan Water Works Plant; and authorizing the Director of Public Utilities to employ one or more professional consultants necessary to design the improvement.

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

1. Insert new Section 3 to read as follows:

"Section 3. That upon execution of the loan agreement, a copy of the loan agreement shall be forwarded to the Council for distribution to each member of the Public Utilities Committee."

2. Renumber existing Sections 3, 4, 5 and 6, respectively, to new **"Section 4"**, **"Section 5"**, **"Section 6"**, and **"Section 7"**.

Amendments agreed to.

Ord. No. 1567-99.

By Councilmen White and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Personnel and Human Resources to enter into contract with Recovery Resources for employee assistance program services for City employees, for the Department of Personnel and Human Resources.

Approved by Directors of Personnel and Human Resources, Finance, Law; Relieved of Committee on Employment, Affirmative Action and Training; Recommended by Committee on Finance.

**SECOND READING EMERGENCY
RESOLUTION ADOPTED**

Res. No. 1573-99.

By Councilman Johnson (by departmental request).

An emergency resolution to adopt and declare a Tax Budget for the year 2000, as required by State Law, Chapter 5705 of the Revised Code.

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

The rules were suspended. Yeas 20. Nays 0. Read third time in full. Adopted. Yeas 20. Nays 0.

**THIRD READING EMERGENCY
ORDINANCES PASSED**

Ord. No. 1124-99.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of the disposal of solid waste, for the Division of Waste Collection and Disposal, Department of Public Service.

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 1413-99.

By Councilmen Willis and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to maintain and repair elevators, for the Division of Water, Department of Public Utilities, for a period not to exceed two years.

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 1415-99.

By Councilmen Willis and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to repair water mains and appurtenances, for the Division of Water, Department of Public Utilities, for a period not to exceed two years.

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 1416-99.

By Councilmen Willis and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by contract of hydraulic testing equipment, internal pipeline inspection system and leak detection and location system, for the Division of Water, Department of Public Utilities.

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 1417-99.

By Councilmen Willis and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to modify and maintain a trac-vac residuals collection system, for the Division of Water, Department of Public Utilities, for a period not to exceed two years.

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 1562-99.

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

An emergency ordinance to amend Section 11 of Ordinance No. 456-99, passed May 24, 1999, relating to the interim repair of the Columbus Road

Vertical Lift Bridge over the Cuyahoga River to the County of Cuyahoga.

Read third time. Passed. Yeas 20. Nays 0.

LAI D ON THE TABLE

Ord. No. 1704-99.

By Councilmen Willis and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by contract of one correlator leak detector with accessories, for the Division of Water, Department of Public Utilities.

Without objection, Ordinance No. 1704-99 was Laid on the Table, pursuant to the rules of Council.

MOTION

By Councilman Melena, seconded by Councilman Jackson and unanimously carried that the absence of Councilman Kenneth L. Johnson be and is hereby authorized.

The Council adjourned at 8:20 p.m. to meet on Monday, October 11, 1999, at 7:00 p.m.



Clerk of Council

THE CALENDAR

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

ORDINANCES

Ord. No. 414-99.

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

An emergency ordinance to appropriate property for public use for the improvement to a portion of Stokes Boulevard.

Whereas, the Council of the City of Cleveland, by **Resolution No. 425-99, adopted August 11, 1999, declared** the necessity and intention of appropriating the temporary easement interests herein described for the public purpose of improving a portion of Stokes Boulevard; and

Whereas, notice of the adoption of such Resolution has been served upon the persons in possession or having an interest in such property; 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 for the public purpose of improving a portion of Stokes Boulevard, the following described temporary easement interests be and the same are hereby appropriated:

PARCEL NO. 3T

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Original Lots No. 410 and No. 411 and bounded and described as follows:

Commencing at the intersection of the centerline of Fairhill Road with the centerline of Cedar Avenue;

Thence South 41° 47' 50" East 628.39 feet along the centerline of Fairhill Road;

Thence North 48° 12' 10" East 50.00 feet to a point in the North-easterly line of Fairhill Road being 50.00 feet left of station 15+28.39 of Fairhill Road centerline and the principal place of beginning;

Thence North 57° 14' 00" East 47.00 feet along Grantor's North-westerly line to a point;

Thence North 54° 24' 43" East 3.60 feet along Grantor's Northwesterly line to a point;

Thence South 20° 44' 20" East 77.93 feet to a point in Grantor's Southeasterly line;

Thence South 57° 14' 00" West 22.28 feet along Grantor's South-easterly line to a point in the North-easterly line of Fairhill Road;

Thence North 41° 47' 50" West 76.99 feet along the Northeastery line of Fairhill Road to the Point of Beginning.

Description of the above parcel is based on a survey made by George R. Ericsson, Registered Surveyor Number 6748.

It is understood that the strip of land above described contains 2770 square feet (0.0636 acres), more or less.

PARCEL NO. 3T-1

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Original Lots No. 410 and No. 411 and bounded and described as follows:

Commencing at the intersection of the centerline of Fairhill Road with the centerline of Cedar Avenue;

Thence South 41° 47' 50" East 562.77 feet along the centerline of Fairhill Road;

Thence South 48° 12' 10" West 30.00 feet to a point in the South-westerly line of Fairhill Road being 30.00 feet right of Station 14+62.77 of Fairhill Road centerline and the principal place of beginning;

Thence South 41° 47' 50" East 97.06 feet along the Southwesterly line of Fairhill Road to a point in Grantor's Southeasterly line;

Thence South 57° 14' 00" West 30.38 feet along Grantor's South-easterly line to a point;

Thence North 68° 13' 59" West 45.26 feet to a point;

Thence North 32° 46' 00" West 10.00 feet to a point;

Thence North 57° 14' 00" East 34.00 feet to a point;

Thence North 24° 10' 34" West 49.55 feet to the Point of Beginning.

Description of the above parcel is based on a survey made by George R. Ericsson, Registered Surveyor Number 6748.

It is understood that the strip of land above described contains 2368 square feet (0.0544 acres), more or less.

Section 2. That the Director of Law is hereby directed to apply to a court of competent jurisdiction to have a jury impaneled to make inquiry into and assess the compensation to be paid for the temporary easement interests hereinbefore described.

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.

Ord. No. 1427-99.

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

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to lease Brookside Park Ball Diamond #1 to St. Ignatius High School, for a term not to exceed ten years with two five-year options to renew.

Whereas, the City of Cleveland owns certain property known as Brookside Park Ball Diamond #1 which is suitable for lease and operation by another party for a public use; and

Whereas, St. Ignatius High School has proposed to lease said property from the City for the exclusive use by St. Ignatius High School baseball team for use as their home baseball field in exchange for making annual site improvements to the baseball field; and

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

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

Section 1. That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Parks, Recreation and Properties is authorized to lease to St. Ignatius High School, exclusively, the Brookside Park Ball Diamond #1, from March 1 through June 1, during daylight hours only, which is determined to be suitable for operation by the Lessee for the public purpose of securing site improvements at no cost to the City and by providing a home field to the St. Ignatius High School baseball team for the term of the lease.

Section 2. That the term of the lease authorized by Section 1 shall not exceed ten (10) years, with two options exercisable by the Director of Parks, Recreation and Properties, to renew for additional five-year terms, and cancelable upon thirty days written notice by said director.

Section 3. That the property described in Section 1 shall be leased to St. Ignatius High School at no rental fee, but St. Ignatius High School shall make site improvements to the baseball diamond in the approximate amount of \$1,500 to \$2,000 annually for each year of the lease.

Section 4. That the lease may authorize the lessee to make improvements to the leased premises subject to the approval of appropriate City agencies and officials.

Section 5. 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. **The Director of Parks, Recreation and Properties shall include such provisions in the lease as are necessary to ensure that the use of Brookside Park by St. Ignatius High School under this lease does not disrupt league play by City-sponsored little league teams.**

Section 6. That the Director of Parks, Recreation and Properties and the Director of Law, and other appropriate City officials, are authorized to execute such other documents and certificates, and take such other actions as may be necessary or appropriate to effect the lease authorized by this ordinance.

Section 7. That this ordinance is hereby declared to be an emergency measure and, provided it receives

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

Ord. No. 1428-99.

By Councilmen Jones and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter into a concession agreement for the operation of soft drink, candy, snack and other vending machines throughout City parks and various City-owned and City-leased 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, notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Director of Parks, Recreation and Properties is hereby authorized to enter into a concession agreement on the basis of competitive proposals, for the operation of soft drink, candy, snack and other vending machines throughout City parks and various City-owned and City-leased buildings under the control the Department of Parks, Recreation and Properties and under the control of other City departments where the director of the department authorizes participation in the concession agreement, except City recreation centers and the Humphrey Sports Complex, for a period not to exceed three (3) years. The selection of said concessionaire shall be made by the Board of Control upon the nomination of the Director of Parks, Recreation and Properties.

Section 2. That, to the extent provided by law, fifty percent (50%) of the City revenues derived from the vending machines described in Section 1 shall be deposited into Fund No. 01-70-04-8420 or 01-70-04-8740 for the improvement of, use of, and maintenance of City of Cleveland recreation centers.

Section 3. That the Director of Parks, Recreation and Properties shall report to the Clerk of Council the name of the concessionaire and the terms of the concession agreement.

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

Ord. No. 1561-99.

By Councilmen Willis and Johnson (by departmental request).

An emergency ordinance authorizing the Mayor to apply for and accept a Water Supply Revolving Loan Account loan to finance portions of Phase I of the Plant Enhancement Program at the Morgan Water Works Plant; and authorizing the Director of Public Utilities to employ one or more professional consultants necessary 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 Mayor is hereby authorized to apply for and accept a Water Supply Revolving Loan Account ("WSRLA") loan in the approximate amount of \$700,000 to finance the design of yard piping and reservoir rehabilitation projects at the Morgan Water Works Plant, which projects are part of Phase I of the Plant Enhancement Program at the Morgan Water Works Plant (the "Improvement").

Section 2. That the Mayor is authorized to enter into a loan agreement with the Ohio Environmental Protection Agency and the Ohio Water Development Authority for a WSRLA loan, which loan agreement shall be in substantially the same form as the Water Supply Revolving Loan Account Agreement, File No. 1561-99-A, and shall contain such additional terms as are acceptable to the Director of Law to protect the public interest. The Mayor is further authorized to file all papers and execute all documents necessary to receive the funds under said loan agreement; and said loan funds are hereby appropriated for the purposes set forth in the loan agreement.

Section 3. That upon execution of the loan agreement, a copy of the loan agreement shall be forwarded to the Council for distribution to each member of the Public Utilities Committee.

Section 4. That upon execution of the loan agreement, the Director of Public Utilities is authorized to repay the loan funds to the WSRLA in accordance with the terms and conditions of the loan agreements, from the operating revenues of the Division of Water.

Section 5. That the Director of Public Utilities is hereby authorized to employ by contract one or more design consultants or one or more firms of design consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to design the Improvement.

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

Section 6. That the costs for such services herein contemplated shall be paid from the fund or funds to which are credited the loan proceeds received as authorized by this ordinance.

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

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

Ord. No. 1567-99.

By Councilmen White and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Personnel and Human Resources to enter into contract with Recovery Resources for employee assistance program services for City employees, for the Department of Personnel and Human Resources.

BOARD OF CONTROL

September 29, 1999

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, September 29, 1999, at 11:00 a.m., with Mayor White presiding.

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

Absent: None.

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

On motion, the following resolutions were adopted.

Resolution No. 643-99.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authority of Ordinance No. 453-99, passed by the Council of the City of Cleveland on May 17, 1999, Incom, Inc., a Division of Dicke Tool Co., is hereby selected from a list of firms determined after a full and complete canvass by the Director of Public Utilities, as the firm to be employed by contract for ODOT and Manual of Uniform Traffic Control Devices Compliant Safety Training and Related Consultative Services, for the Division of Water, Department of Public Utilities.

Be it further resolved that the Director of Public Utilities hereby is requested to enter into a contract with Incom, Inc., a division of Dicke Tool Co., based upon its proposal dated June 18, 1999, which contract shall be prepared by the Director of Law, shall provide for furnishing of professional services as contained in said proposal, for an aggregate fee not in excess of \$260,700.00, and shall contain such additional provisions as the Director of Law deems necessary to protect and benefit the public interest.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by Income, Inc., a Division of Dicke Tool Co. for the above mentioned professional service is hereby approved:

SUBCONTRACTOR WORK
Ultra Printing and Design, Inc.
\$19,750, FBE

Yeas: Mayor White, Directors Carter, Carmody, Konicek, Balraj, Acting Directors Owens, Shepard, Directors Jackson, Hudecek, Patterson, Warren, Axelrod.

Nays: None.

Absent: Director Whitlow.

Resolution No. 644-99.

By Director Balraj.

Whereas, Hermes Sports & Events wishes to promote and conduct the annual Turkey Trot Run (the "Event") at Burke Lakefront Airport (the "Airport") on November 25, 1999; and

Whereas, the City is willing to grant Hermes Sports & Events the privilege, permit and license to promote and conduct the Event at the Airport; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.04 of the Codified Ordinances of Cleveland, Ohio 1976, the Director of the Department of Port Control is hereby authorized to enter into a concession agreement (the "Agreement") granting Hermes Sports & Events the privilege, permit and license to conduct the Event in the lobby area of the Airport terminal building from 8:00 a.m. to noon on November 25, 1999 and to use and occupy the lobby area for such period of time before the Event as necessary for preparation. Hermes Sports & Events shall reimburse the City for the cost of providing one (1) City employee to perform custodial work related to the conduct of the Event, shall arrange for the operation of the Event and such concessions as may be appropriate and incidental to the Event, and shall be responsible for providing traffic control, security and clean up.

Be it further resolved that the Agreement authorized hereby shall be prepared by the Director of Law and shall contain such other provisions the Director as deems necessary to benefit and protect the public interest.

Yeas: Mayor White, Directors Carter, Carmody, Konicek, Balraj, Acting Directors Owens, Shepard, Directors Jackson, Hudecek, Patterson, Warren, Axelrod.

Nays: None.

Absent: Director Whitlow.

Resolution No. 645-99.

By Director Balraj.

Resolved, by the Board of Control of the City of Cleveland that the bid of World Color Direct for an estimated quantity of Flight Schedule Data, Layout, Typesetting, Printing, Finishing and Delivery, and Mailing Services for the Cleveland Flight Guide, for the various divisions of Department of Port Control, for the period of two (2) years commencing with execution of contract based on bid received on the 16th day of July, 1999, pursuant to the authority of Ordinance No. 1064-99, passed June 14, 1999, which on the basis of the estimated quantity would amount to Two Hundred Six Thousand One Hundred Thirty-Five and 40/100 Dollars, (\$206,135.40), is hereby affirmed and approved as the lowest and best bid, and the Director of Port Control is hereby requested to enter into a requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 08405

which shall be certified against such contract in the sum of Fifty Two Thousand no/100 Dollars (\$52,000.00).

Said requirement contract shall further provide that the Contractor will furnish the remainder of the requirement for such commodities,

whether more or less than said estimated quantity, as may be ordered under subsequent requisitions separately certified against said contract.

Yeas: Mayor White, Directors Carter, Carmody, Konicek, Balraj, Acting Directors Owens, Shepard, Directors Jackson, Hudecek, Patterson, Warren, Axelrod.

Nays: None.

Absent: Director Whitlow.

Resolution No. 646-99.

By Director Balraj.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of Precision Environmental Co. for the public improvement of Asbestos Removal Phase V-Concourse "C" Ramp & Cooling Tower (Item Nos. 2 & 3) for the division of Cleveland Hopkins International Airport Department of Port Control received on the 28th day of July 1999, pursuant to the authority of Ordinance No. 1283-97 passed June 15, 1998, for a gross price for the improvement in the aggregate amount of One Hundred Seventy Six Thousand Five Hundred and no/100 Dollars (\$176,500.00), is hereby affirmed and approved as the lowest and best bid, and the Director of Port Control is hereby requested to enter into contract for said improvement with said bidder.

Yeas: Mayor White, Directors Carter, Carmody, Konicek, Balraj, Acting Directors Owens, Shepard, Directors Jackson, Hudecek, Patterson, Warren, Axelrod.

Nays: None.

Absent: Director Whitlow.

Resolution No. 647-99.

By Director Ricchiuto.

Resolved, by the Board of Control of the City of Cleveland that the bid of All Erection & Crane Rental Corporation for an estimated quantity of one (1) Scissors lift 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 August 27, 1999, pursuant to the authority of Ordinance No. 1074-98, passed June 15, 1999, which on the basis of the estimated quantity would amount to approximately Eleven Thousand Nine Hundred Forty-Three Dollars and no/100, (\$11,934.00), (2%-10 Days, 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. 09637

which shall be certified against such contract in the sum of Eleven Thousand Nine Hundred Forty-Three Dollars and no/100 (\$11,943.00).

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

Yeas: Mayor White, Directors Carter, Carmody, Konicek, Balraj, Acting Director Owens, Director Whitlow, Acting Director Shepard, Directors Jackson, Hudecek, Patterson, Warren, Axelrod.

Nays: None.

Absent: None.

Resolution No. 648-99.

By Director Guzman.

Resolved by the Board of Control of the City of Cleveland that the bid of Sub-Aquatics Inc dba Breathing Air Systems for an estimated quantity of repair and/or replace breathing air cascade system, item 4 for the Division of Fire, Department of Public Safety, for the period of one (1) year beginning with the date of execution of a contract, received on July 8, 1999, pursuant to the authority of Ordinance No. 1954-98, passed December 14, 1998, which on the basis of the estimated quantity would amount to Five Thousand Eight Hundred-Seven and 00/100 Dollars, (\$5,807.00), (Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Safety is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 2546

Repair and/or replace breathing air cascade system: Item 4, as specified which shall be certified against such contract in the sum of Five Thousand Eight Hundred-Seven and 00/100 Dollars (\$5,807.00).

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

Yeas: Directors Carter, Carmody, Konicek, Balraj, Acting Director Owens, Director Whitlow, Acting Director Shepard, Directors Jackson, Hudecek, Patterson, Warren, Axelrod.

Nays: None.

Absent: Mayor White.

Resolution No. 649-99.

By Director Guzman.

Resolved by the Board of Control of the City of Cleveland that the bid of American Bristol Ind. for an estimated quantity of repair and/or replace breathing air cascade system, item 5 for the Division of Fire, Department of Public Safety, for the period of one (1) year beginning with the date of execution of a contract received on July 8, 1999, pursuant to the authority of Ordinance No. 1954-98, passed December 14, 1999, which on the basis of the estimated quantity would amount to Three Thousand 00/100 Dollars, (\$3,000.00), (Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Safety is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 2547

Repair and/or replace breathing air cascade system; Items 5, as specified which shall be certified against such contract in the sum of Three Thousand 00/100 Dollars (\$3,000.00).

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

Yeas: Directors Carter, Carmody, Konicek, Balraj, Acting Director Owens, Director Whitlow, Acting Director Shepard, Directors Jackson, Hudecek, Patterson, Warren, Axelrod.
Nays: None.
Absent: Mayor White.

Resolution No. 650-99.

By Director Guzman.

Resolved by the Board of Control of the City of Cleveland that the bid of Finley Fire Equipment Co. for an estimated quantity of repair and/or replace breathing air cascade system, item 1, and item 3 for the Division of Fire, Department of Public Safety, for the period of one (1) year beginning with the date of execution of a contract received on July 8, 1999, pursuant to the authority of Ordinance No. 1954-98, passed December 14, 1998, which on the basis of the estimated quantity would amount to Thirty Four Thousand Seven Hundred-Nine and 63/100 Dollars, (\$34,709.63), (Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Safety is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 2544

Repair and/or replace breathing air cascade system: Items 1, and Item 3, as specified

which shall be certified against such contract in the sum of Thirty Four Thousand Seven Hundred-Nine and 63/100 Dollars (\$34,709.63).

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

Yeas: Directors Carter, Carmody, Konicek, Balraj, Acting Director Owens, Director Whitlow, Acting Director Shepard, Directors Jackson, Hudecek, Patterson, Warren, Axelrod.
Nays: None.
Absent: Mayor White.

Resolution No. 651-99.

By Director Guzman.

Resolved by the Board of Control of the City of Cleveland that the bid of Pro Air, Inc. for an estimated quantity of repair and/or replace breathing air cascade system, item 2, item 6 and item 7 for the Division of Fire, Department of Public Safety, for the period of one (1) year beginning with the date of execution of a contract received on July 8, 1999, pursuant to the authority of Ordinance No. 1954-98, passed December 14, 1998, which on the basis of the estimated quantity would amount to Seven Thousand One Hundred and 00/100 Dollars, (\$7,100.00), (Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Safety is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 2545

Repair and/or replace breathing air cascade system: Item 2, Item 6 and Item 7, as specified

which shall be certified against such contract in the sum of Seven Thousand One Hundred and 00/100 Dollars (\$7,100.00).

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

Yeas: Directors Carter, Carmody, Konicek, Balraj, Acting Director Owens, Director Whitlow, Acting Director Shepard, Directors Jackson, Hudecek, Patterson, Warren, Axelrod.
Nays: None.
Absent: Mayor White.

Resolution No. 652-99.

By Director Guzman.

Resolved by the Board of Control of the City of Cleveland that the bid of Maltese Fire Equipment for an estimated quantity of duplex cab and chassis parts, including labor, for the Division of Fire and EMS, Department of Public Safety, for the period of one (1) year beginning with the date of execution of a contract received on June 18, 1999, pursuant to the authority of Ordinance No. 2175-98, passed March 1, 1999, which on the basis of the estimated quantity would amount to Sixty Thousand and 00/100 Dollars, (\$60,000.00), (Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Safety is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 11503

All item as specified

which shall be certified against such contract in the sum of Fifteen Thousand and 00/100 Dollars (\$15,000.00).

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

Yeas: Directors Carter, Carmody, Konicek, Balraj, Acting Director Owens, Director Whitlow, Acting Director Shepard, Directors Jackson, Hudecek, Patterson, Warren, Axelrod.
Nays: None.
Absent: Mayor White.

Resolution No. 653-99.

By Director Jackson.

Resolved, by the Board of Control of the City of Cleveland that the bid of Kurtz Brothers, Inc. for an estimated quantity of Ball Diamond Clay (all items) for the Division of Park Maintenance & Properties, Department of Parks, Recreation & Properties, for the period of one (1) year beginning with the date of execution of a contract received on July 29, 1999, pursuant to the authority of Ordinance No. 258-99, passed April 26, 1999, which on the basis of the estimated quantity would amount to Forty-One Thousand, Six Hundred

Sixty-Two and 50/100 Dollars, (\$41,662.50), (Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Parks Recreation & 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. 12104

which shall be certified against such contract in the sum of Two Thousand Eighty-Three and 13/100 Dollars (\$2,083.13).

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: None.

Nays: Mayor White, Directors Carter, Carmody, Konicek, Balraj, Acting Director Owens, Director Whitlow, Acting Director Shepard, Directors Jackson, Hudecek, Patterson, Warren, Axelrod.
Absent: None.

Resolution No. 654-99.

By Director Hudecek.

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

Whereas, City has acquired Permanent Parcel Nos. 121-21-016 and 121-21-015 under said Land Reutilization Program; and

Whereas, Ordinance No. 1478-97 passed August 13, 1997, authorized the sale of said parcels for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, North American Islamic Trust has proposed to the City to purchase and develop said parcels; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 1478-97 passed August 13, 1997, 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 North American Islamic Trust for the sale and development of Permanent Parcel Nos. 121-21-016 and 121-21-015, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcels shall be \$1,700.00, which amount is hereby determined to be not less than the fair market value of said parcels for uses in accordance with the Land Reutilization Program.

Yeas: Mayor White, Directors Carter, Carmody, Konicek, Balraj, Acting Director Owens, Director Whitlow, Acting Director Shepard, Directors Jackson, Hudecek, Patterson, Warren, Axelrod.
Nays: None.
Absent: None.

JEFFREY B. MARKS,
Secretary

CIVIL SERVICE NOTICES**General Information**

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

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

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

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

ANNE BLOOMBERG,
President

SCHEDULE OF THE BOARD OF ZONING APPEALS

MONDAY, OCTOBER 18, 1999

9:30 A.M.

Calendar No. 99-254: 3468 Martin Luther King Boulevard (Ward 3) Patricia G. Hall, owner, appeals to change the use of an existing 30' x 35' one and one-half dwelling house situated on a 50' x 60' parcel and located in a Two-Family District on the west side of Martin Luther King Boulevard into a daycare facility at 3468 Martin Luther King Boulevard; said change of use being contrary to the Residential District Regulations of Section 337.02(f)(3)(C) where a daycare shall not be less than 30' from an adjoining Residence District used for similar purpose and contrary to the Off-Street Parking and Loading Requirements where 0 parking spaces are proposed and 2 are required as stated in Section 349.04 of the Codified Ordinances.

Calendar No. 99-255: 1912 West 52nd Street (Ward 17) Karl Mueller, owner, appeals to construct a 10' x 9' two-story frame structure for a bathroom on the first floor and a utility room on the second floor all situated at the rear of an existing one and one-half dwelling house situated on a 60' x 132' parcel and located in a Two-Family District on the west side of West 52nd Street at 1912 West 52nd Street, said construction being contrary to the Yards and Courts Regulations of Section 357.09(b)(2)(a) where no building shall be erected less than 10' from a main building on an adjoining lot within such Residence District and 4' is provided and subject to the existing nonconforming use limitations of Section 359.01 of the Codified Ordinances.

Calendar No. 99-257: 3001 Carroll Avenue (Ward 14)

St. Ignatius High School, owner, appeals to construct an approximate 28' x 70' three-story addition to an existing 120' x 70' three-story masonry science building all situated on an acreage campus parcel and located on the south side of Carroll Avenue at 3001 Carroll Avenue; said construction being contrary to the Height Regulation Requirements where the proposed heights of the building in question are 43'-4" and 38'-9" and the required height in a No. 1 Height District is 35' as stated in Section 353.01 of the Codified Ordinances.

Calendar No. 99-259: 5721 Harvard Avenue (Ward 12)

Susan Soeder, owner, appeals to use an existing approximate 42' x 122' asphalt parking lot and driveway for outdoor storage for five food trailers, two boats, heating wood and miscellaneous equipment for a catering business, all situated on an 86' x 122' parcel located in a General Retail District on the north side of Harvard Avenue at 5712 Harvard Avenue; said storage area being contrary to the Enforcement and Penalty Requirements of Section 327.02 where a scaled site plan is required for the proposed yard use and contrary to the Business District Requirements of Section 343.11 where outdoor storage is not permitted in a General Retail Business District but first permitted in a Semi-Industry District and contrary to the Off-Street Parking and Loading Requirements of Section 349.02 where the proposed storage reduces the requirements for existing off-street parking facilities, and Section 340.07(C) where the driveway used to provide accessibility to off-street parking spaces shall be so located and arranged to minimize traffic congestion and Section 349.07(C)(3) where the maximum width of such driveway shall be 30' measured at right angles to the angle of the driveway entrance and contrary to the Landscaping and Screening Requirements of Section 352.09 where the maximum screening intensity is required in the transition strip and where a 10' landscaping strip and tree spacing are required to the west of the proposed lot and 6' is provided contrary to the provisions of Section 352.10 of the Codified Ordinances.

Calendar No. 99-260: 3645 West 117th Street (Ward 19)

Daniel Slane, owner, appeals to change the use of an existing 123' x 167' one-story masonry building situated on an approximate 258' x 240' irregular shaped parcel located in a Local Retail District at the northeast corner of Highland Avenue and West 117th Street into a daycare facility at 3645 West 117th Street; said change of use being contrary to the Business District Regulations where a daycare is not permitted within 15' from a one dwelling unit district as regulated in Section 337.08(e)(3) and as stated in Section 343.01 of the Codified Ordinances.

Calendar No. 99-261: 1873 West 48th Street (Ward 14)

Luis Jimenez, owner, appeals to construct a 13'-6" x 12' enclosed front porch on an existing 20' x 48' one and one-half dwelling house situated on a 35' x 126' parcel locat-

ed in a Two-Family District on the east side of West 48th Street at 1873 West 48th Street; said construction being contrary to the Yards and Courts Requirements where an enclosed porch is permitted to project a maximum of 4' into the front yard and 12' is proposed and the proposed porch is within 8' of the property line and porches and porticos may not extend within 10' of the property line as stated in Section 357.13(b)(4) of the Codified Ordinances.

Calendar No. 99-263: 3510 East 149th Street (Ward 3)

Evangelistic Temple of Faith, owner, and Nancy Borchert, agent, appeal to install approximately 307 linear feet of 6' high ornamental fencing to the north, south and east sides of an approximate 190' x 122' acreage parcel located near the southeast corner of East 149th Street and Kinsman Road at 3510 East 149th Street; said installation being contrary to the Yards and Courts Requirements where the proposed 6' fence is within the setback area and the maximum height of fencing permitted in the setback area is 4'-6" as stated in Section 357.13(b)(3) of the Codified Ordinances.

EUGENE CRANFORD, JR.,
Secretary

REPORT OF THE BOARD OF ZONING APPEALS

MONDAY, OCTOBER 4, 1999

At the meeting of the Board of Zoning Appeals on Monday, October 4, 1999, the following appeals were heard by the Board:

The following appeals were **Approved:**

Calendar No. 99-225: 2343 West 6th Street

Donna Joy, owner, appealed to install approximately 70 linear feet of 6' high wrought iron fencing to the front and southwesterly side of a 33' x 75' parcel in a Two-Family District.

Calendar No. 99-226: 2351 West 6th Street

Donna Joy, owner, appealed to install approximately 33 linear feet of 6' high wrought iron fencing to the front of a 33' x 75' parcel in a Two-Family District.

Calendar No. 99-227: 2357 West 6th Street

Donna Joy, owner, appealed to install approximately 70 linear feet of 6' high wrought iron fencing to the front and southeasterly side of a 33' x 75' parcel in a Two-Family District.

Calendar No. 99-242: 11212 Miles Avenue

Phyllis Scott, owner, appealed to change the use of an existing 45' x 44' two-story masonry building into a Child Care Center on a 115' x 135' lot in a Two-Family District.

Calendar No. 99-243: Lot Split Appeal New Village Corporation, owner, appealed from a refused lot split and consolidation for property at the southwest corner of West 41st Street and Bailey Avenue in a Two-Family District.

Calendar No. 99-244: Lot Split Appeal
New Village Corporation, owner, appealed from a refused lot split and consolidation for property at the northwest corner of West 42nd Place and Orchard Avenue in a Two-Family District; approval conditioned upon no verifiable conflict of ownership on any portions of the parcels.

Calendar No. 99-245: 3840 Lee Road
Kinsman Congregation, owner c/o Paul Jenkins, agent, appealed to install 270 linear feet of 5'-10" high steel picket style fencing with masonry piers to the front of a 130' x 220' parcel on the west side of Lee Road in a Local Retail District.

Calendar No. 99-246: 13616 Bennington Avenue
Mary Prince, owner, appealed to construct a 16' x 10' deck to the front of an existing 30' x 25' single family dwelling on a 40' x 114' parcel in a Single-Family District; approval subject to confirmation of like construction legally permitted on neighboring properties.

Calendar No. 99-218: 5302 Bridge Avenue
Michael C. Harris, owner, appealed to construct a 40' x 20' one and one-half story workout room with deck addition above on an existing two and one-half car garage on a 44' x 120' parcel in a Two-Family District.

The following appeal was **Withdrawn:**

Calendar No. 99-190: 1946 St. Clair Avenue
Seaway Acceptance Corporation, owner c/o M.L. Hejra, and Code Blue Inc., tenant c/o Kathy Thomas, appealed to install approximately 36 linear feet of 6' high solid wood fencing with two 6' and 4' wide gates over an easement in a Semi-Industry District.

The following appeals were **Postponed:**

Calendar No. 99-241: 19600 South Waterloo Road postponed to October 18, 1999.

BOARD OF APPEALS

Calendar No. 99-247: Appeal of Leonard Bey postponed to October 18, 1999.

Adoption and approval of decisions from the calendar on September 27, 1999 were held in abeyance and carried over to October 11, 1999 for a quorum of the Board.

EUGENE CRANFORD, JR.,
Secretary

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

Re: Report of the Meeting of
September 29, 1999

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

Docket L-34-99.

RE: Appeal of Robert Balishin, appeals from a LETTER OF DENIAL FOR RENEWAL OF ELECTRICAL CONTRACTOR LICENSE of the Commissioner of the Division of Assessments & Licenses dated August 31, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

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

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

* * *

Docket L-35-99.

RE: Appeal of Elliot Logan, appeals from a LETTER OF DENIAL FOR RENEWAL OF ELECTRICAL CONTRACTOR LICENSE of the Commissioner of the Division of Assessments & Licenses dated September 13, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

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

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

* * *

Docket A-59-99.

RE: Appeal of General Investment Funds Real Estate Holding Co. (GIFREHC), Owner of the Property located on the premises known as 3781 East 77th Street from a NOTICE OF VIOLATION/FIRE CODE dated February 26, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to REMAND the property at 3781 East 77th Street to the Division of Fire for any required further action. Motion so in order. Motioned by Mr. Sullivan and seconded by Mr. Williams.

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

* * *

Docket A-62-99.

RE: Appeal of David N. Bortz c/o Lextech Industries, Owner of the Property located on the premises known as 6800 Union Avenue from a NOTICE OF VIOLATION/FIRE CODE of the Chief of the Division of Fire dated March 15, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

No action this date, the docket will be rescheduled when the Board is notified to rehear the case from the Division of Building and Housing.

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Docket A-99-99.

RE: Appeal of Century Plating, Inc., Owner of the Property located on the premises known as 18006 South Waterloo from a NOTICE OF VIOLATION/FIRE CODE of the Chief of the Division of Fire dated April 21, 1999, requiring compliance with the Codified Ordinances of the City, of Cleveland and the Ohio Basic Building Code (OBBC).

Docket A-99-99 has been POSTPONED to be rescheduled for October 13, 1999.

* * *

Docket A-115-99.

RE: Appeal of Northern Chemical Bending Corp., Owner of the Property located on the premises known as 360 Literary Road from a NOTICE OF VIOLATION/FIRE CODE of the Chief of the Division of Fire dated May 13, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to accept the plan as presented by Northern Chemical Bending Corporation, which indicates the completion of abatement of the violations by June 30, 2000, the property is REMANDED at this time to the Division of Fire for supervision and any required further action. Motion so in order. Motioned by Mr. Bowes and seconded by Mr. Saunders.

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

* * *

Docket A-135-99.

RE: Appeal of Maingate, Inc., Owner of the Fourteen (14) Dwelling Units/Two Story Masonry Property located on the premises known as 4971 Woodland Avenue from a CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated June 10, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to uphold the CONDEMNATION ORDER and to REMAND the property at 4971 Woodland Avenue to the Division of Building and Housing for any required further action. Motion so in order. Motioned by Mr. Bowes and seconded by Mr. Sullivan.

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

* * *

Docket A-137-99.

RE: Appeal of James Walker Jr., Owner of the Four (4) Dwelling Units/Two & One-half Story Frame Property located on the premises known as 2450 Baldwin Road from a CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated June 10, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to uphold the CONDEMNATION ORDER and to REMAND the property at 2450 Baldwin Road to the Division of Building and Housing for any required further action. Motion so in order.

Motioned by Mr. Williams and seconded by Mr. Saunders.

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

* * *

Docket A-140-99.

RE: Appeal of Paul S. Gibbons, Owner of the Four Dwelling Unit/Three Story Masonry Property located on the premises known as 5201-07 Lorain Avenue from a NOTICE OF VIOLATIONS/GENERAL MAINTENANCE of the Commissioner of the Division of Building and Housing dated June 30, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to REMAND the property at 5201-07 Lorain Avenue to the Division of Building and Housing for supervision and any required further action, noting that the requirements for permits and plans for any renovation or remodeling on the property is upheld. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Williams.

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

* * *

Docket A-145-99.

RE: Appeal of Ameritemps, Inc., Owner of the One Store/21 RO Two Story Masonry Property located on the premises known as 2005 Prospect Avenue from a VACATE/CONDEMNATION ORDERS of the Commissioner of the Division of Building and Housing dated July 15, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

Docket A-145-99 has been POSTPONED; to be rescheduled for October 13, 1999.

* * *

Docket A-147-99.

RE: Appeal of James & Veronica Ziemnik, Owners of the Single Family Residential Property and Existing Swimming Pool located on the premises known as 4026 West 166th Street from a NOTICE OF NONCONFORMANCE of the Commissioner of the Division of Building and Housing dated July 28, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to permit the pool to be maintained in the location shown on the sketches and photographs, and to grant the variance to the ten (10) foot requirement and permit the pool to be five (5) feet from the adjacent property, noting that a six (6) foot high fence will be erected on the property. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Williams.

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

* * *

Docket A-150-99.

RE: Appeal of D.W. Ross Insulation Co., Inc., Owner of the Property located on the premises known as 3183 West 65th Street from a NOTICE

OF VIOLATION/FIRE CODE of the Chief of the Division of Fire dated July 2, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

No action this date; to be rescheduled for a later date.

* * *

Docket A-151-99.

RE: Appeal of D.W. Ross Insulation Co., Inc., Owner of the Property located on the premises known as 3195 West 63rd Street from a NOTICE OF VIOLATION/FIRE CODE of the Chief of the Division of Fire dated July 2, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

No action this date; to be rescheduled for a later date.

* * *

Docket A-153-99.

RE: Appeal of Consolidated Investment Corporation, Owner of the Property located on the premises known as 4709 Clark Avenue from a NOTICE OF VIOLATION/FIRE CODE (abandoned underground tanks) of the Commissioner of the Division of Building and Housing dated July 2, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to REMAND the property at 4709 Clark Avenue to the Division of Fire for supervision and any required further action. Motion so in order. Motioned by Mr. Bowes and seconded by Mr. Sullivan.

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

* * *

Docket A-156-99.

RE: Appeal of Container Port Group, Owner of the Container Depot Property located on the premises known as 1400 Broadway Avenue (a.k.a. 2657 East 9th Street) from a NOTICE OF VIOLATIONS/FENCE MAINTENANCE of the Commissioner of the Division of Building and Housing dated July 9, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to REMAND the property at 1400 Broadway Avenue (a.k.a. 2657 East 9th Street) to the Division of Building and Housing for any required further action. Motion so in order. Motioned by Mr. Williams and seconded by Mr. Saunders.

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

* * *

Docket A-157-99.

RE: Appeal of Louis H. Ferrell, Owner of the Two Family Residential Property located on the premises known as 905 Lakeview Road from a LIMITATION ON THE PERMIT of the Commissioner of the Division of Building and Housing dated July 30, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant a four (4) month extension of time on the PERMIT in which to complete abatement of the violations; the property is REMANDED at this time to the Division of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Sullivan and seconded by Mr. Williams.

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

* * *

Docket A-158-99.

RE: Appeal of Clarence Jackson, Owner of the Property located on the premises known as 11859 Bellaire Road from a NOTICE OF VIOLATION/FIRE CODE (abandoned underground tanks) of the Commissioner of the Division of Fire dated July 2, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant six (6) months in which to abate the violations; the property is REMANDED at this time to the Division of Fire for supervision and any required further action. Motion so in order. Motioned by Mr. Sullivan and seconded by Mr. Williams.

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

* * *

Docket A-213-99.

RE: Appeal of 4792 Rocky River Drive, Owner of the Store/One Story Masonry Property located on the premises known as 4792 Rocky River Drive from a ORDER TO VACATE/CONDEMNATION ORDER/PLUMBING/ELECTRICAL of the Commissioner of the Division of Building and Housing dated September 2, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to REMAND the property at 4792 Rocky River Drive to the Division of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Bowes and seconded by Mr. Williams.

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

* * *

Docket A-224-99.

RE: Appeal of Julia Curry, Owner of the Residential Property located on the premises known as 1955 West 105th Street from a ORDER TO VACATE of the Commissioner of the Division of Building and Housing dated September 14, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

No action this date; to be rescheduled for October 13, 1999.

* * *

EXTENSION OF TIME:

Docket A-106-99 — Shirley Russell — 10635 St. Clair Avenue:

A motion is in order at this time to grant the Appellant a one (1) month "Extension of Time" on the

PERMIT in which to abate the violations, the property must remain boarded and secured and the grounds debris free during that period of time; the property is REMANDED at this time to the Division of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Bowes.

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

* * *

APPROVAL OF RESOLUTIONS:

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

A-107-99—GMS Management Co., Inc.

Yeas: Messrs. Bowes, Williams, Saunders, Sullivan. Nays: None. Not Voting: Mr. Denk.

* * *

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

A-121-99—Louis Fodor & Mark Heller.

A-136-99—Richard Allen Paul.

A-141-99—Rupert Smith.

A-142-99—Ray Perry.

A-149-99—New Sardis Primitive Baptist Church.

Yeas: Messrs. Bowes, Williams, Saunders, Sullivan. Nays: None. Not Voting: Mr. Denk.

* * *

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

A-124-99—WFI, Inc.

Yeas: Messrs. Bowes, Williams, Saunders, Sullivan. Nays: None. Not Voting: Mr. Denk.

* * *

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

A-125-99—WFI, Inc.

A-133-99—Hank Holloway.

A-210-99—Victory Properties, Inc.

Yeas: Messrs. Bowes, Williams, Saunders, Sullivan. Nays: None. Not Voting: Mr. Denk.

APPROVAL OF MINUTES:

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

September 15, 1999

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

JOSEPH F. DENK,
CHAIRMAN

PUBLIC NOTICE

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

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

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

NOTICE OF PUBLIC HEARING

NONE

CITY OF CLEVELAND BIDS

For All Departments

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

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

187.10 Negotiated contracts; Notice required in Advertisement for Bids.

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

WEDNESDAY, OCTOBER 20, 1999

Upgrading the Heating Boilers at Nottingham Waterworks Plant, for the Division of Water, Department of

Public Utilities, as authorized by Ordinance No. 2167-98, passed by the Council of the City of Cleveland, March 29, 1999.

A DEPOSIT WILL BE REFUNDED IF THE PLANS AND SPECIFICATIONS ARE RETURNED IN GOOD CONDITION WITHIN FIFTEEN (15) DAYS AFTER THE BID OPENING DATE. A PRE-BID MEETING WILL BE HELD ON FRIDAY, OCTOBER 8, 1999, 10:00 A.M., AT THE NOTTINGHAM WATERWORKS PLANT, 1230 CHARDON ROAD.

Computer Related Hardware Equipment, for the Various Divisions of City Government, Department of Finance, as authorized by Ordinance No. 1057-99, passed by the Council of the City of Cleveland, June 14, 1999.

A PRE-BID MEETING WILL BE HELD ON WEDNESDAY, OCTOBER 6, 1999, 10:00 A.M., IN ROOM 400, 1404 EAST 9TH STREET, CLEVELAND, OHIO 44114.

September 29, 1999 and October 6, 1999

THURSDAY, OCTOBER 21, 1999

Labor and Materials to Maintain and Replace Exterior Site Landscaping, for the Various Divisions of the Department of Port Control, as authorized by Ordinance No. 576-99, passed by the Council of the City of Cleveland, June 7, 1999.

A PRE-BID MEETING WILL BE HELD ON MONDAY, OCTOBER 11, 1999, 1:00 P.M. IN THE BAGGAGE CLAIM A CONFERENCE ROOM, TERMINAL BUILDING, CLEVELAND HOPKINS INTERNATIONAL AIRPORT, 5300 RIVERSIDE DRIVE.

September 29, 1999 and October 6, 1999

FRIDAY, OCTOBER 22, 1999

Diesel-Powered Lift Truck, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 2000-98, passed by the Council of the City of Cleveland, December 14, 1998.

September 29, 1999 and October 6, 1999

WEDNESDAY, OCTOBER 20, 1999

Paper Stock, for the various divisions of City Government, Department of Finance, as authorized by Ordinance No. 1812-98, passed by the Council of the City of Cleveland, November 16, 1998.

October 6, 1999 and October 13, 1999

FRIDAY, OCTOBER 22, 1999

New Plan Copier, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 508-99, passed by the Council of the City of Cleveland, June 7, 1999.

October 6, 1999 and October 13, 1999

WEDNESDAY, OCTOBER 27, 1999

Replacement of Air Cylinders, for the Department of Public Safety, as authorized by Ordinance No. 1954-98, passed by the Council of the City of Cleveland, December 14, 1998.

October 6, 1999 and October 13, 1999

**ADOPTED RESOLUTIONS
AND ORDINANCES**

Res. No. 1720-99.

By Councilman Sweeney.

An emergency ordinance objecting to the issuance of a C1 Liquor Permit to 3892 W. 130th St.

Whereas, Council has been notified by the Director of Liquor Control of an application for the issuance of a C1 Liquor Permit, to Permit No. 00896700005, Al Mansour Inc., DBA Dairy Mart 4817, 3892 W. 130th St., Cleveland, Ohio 44135; and

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

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

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

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

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

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

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

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 Council does hereby record its objection to the issuance of a C1 Liquor Permit to Permit No. 00896700005, Al Mansour Inc., DBA Dairy Mart 4817, 3892 W. 130th St., Cleveland, Ohio 44135 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

Section 3. That this resolution is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its adoption and

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

Adopted September 27, 1999.
Effective October 1, 1999.

Ord. No. 1663-95.

By Councilman Coats.

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Section 381.101 thereof, relating to outdoor grilling restrictions.

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

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

Section 1. That the Codified Ordinances of Cleveland, Ohio, 1976, are hereby supplemented by enacting new Section 381.101 thereof, to read as follows:

Section 381.101 Outdoor Grilling Restrictions

No person shall kindle or maintain a fire to be used for the preparation of food or for any other purpose in any type of outdoor or portable grill in any Dwelling Unit, as defined in 325.20, or on any balcony or porch of same or within fifteen (15) feet of any residential structure.

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

Passed September 27, 1999.
Effective October 1, 1999.

Ord. No. 1713-99.

By Councilman Jackson.

An emergency ordinance authorizing certain persons to engage in peddling in Ward 5. (Charles Williams).

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

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

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

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

Section 1. That this Council consents, as required by Section 675.07 of the Codified Ordinances, to allow each person named below to engage in peddling in the public rights of way of Ward 5: Charles Williams at the East 40th Street Plaza located on corner of East 40th Street and Community College Avenue.

Section 2. That all of the requirements of Chapter 675 of the Codified Ordinances shall apply to the per-

sons named in Section 1 of this ordinance.

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

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

Passed September 27, 1999.

Effective October 1, 1999, without the signature of the Mayor.

Ord. No. 1714-99.

By Councilman Jackson.

An emergency ordinance authorizing certain persons to engage in peddling in Ward 5. (Robert Orr, Jr.).

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

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

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

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

Section 1. That this Council consents, as required by Section 675.07 of the Codified Ordinances, to allow each person named below to engage in peddling in the public rights of way of Ward 5: Robert Orr, Jr. at East 62nd Street and Beaver Avenue.

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

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

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

Passed September 27, 1999.

Effective October 1, 1999, without the signature of the Mayor.

Ord. No. 1715-99.

By Councilman Britt.

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with the Buckeye Area Development Corporation for the rehabilitation of a building located at 2798 East 119th Street in Ward 6.

Whereas, this ordinance constitutes an emergency measure provid-

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with the Buckeye Area Development Corporation for the rehabilitation of a building located at 2798 East 119th Street in Ward 6 of the City of Cleveland.

Section 2. That the costs of said contract shall be in an amount not to exceed Twenty Thousand Six Hundred Dollars (\$20,600.00) and shall be paid from Fund No. 10 SF 166.

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

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

Passed September 27, 1999.
Effective October 1, 1999.

Ord. No. 1717-99.

By Councilman Westbrook.

An emergency ordinance authorizing the Clerk of Council to enter into a First Amendment to the Agreement with Richard Klein, Ph.D., Contract No. 54307, relating to Council's archive project.

Whereas, pursuant to Ordinance No. 463-99, passed by the Council of the City of Cleveland on March 22, 1999, Council entered into an agreement with Richard Klein, Ph.D. to provide professional services necessary to assist with Council's archive project, City Contract No. 54307; 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 Clerk of Council is authorized to enter into a First Amendment to the Agreement between the City and Richard Klein, Ph.D., Contract No. 54307, to extend the term from July 1, 1999 until December 31, 1999.

Section 2. That the additional cost of said agreement shall not exceed Twelve Thousand Dollars (\$12,000.00) and shall be paid from Fund 01 Org No. 0101.

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

Passed September 27, 1999.
Effective October 1, 1999.

Ord. No. 1718-99.

By Councilman Johnson.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the Hayes Temple to stretch one banner at East 94th Street and Romona Boulevard on utility poles (by separate permission) for the period of September 17, 1999 to October 11, 1999, inclusive, publicizing a special church event.

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

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

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio 1976, the Director of Public Service is hereby authorized and directed to issue a permit to Hayes Temple, 3158 East 94th Street and Romona Boulevard, Cleveland, Ohio, to install, maintain and remove one (1) banner on Cleveland Public Power and Cleveland Electric illuminating Company utility poles, (by separate permission) between East 94th Street and the second pole south of Romona Boulevard, Pole # SE 64-9-1A-9 5 1A-7-5 (CPP pole); and on the second pole north of Romona Boulevard, no number (CEI pole), for the period of September 17, 1999 to October 11, 1999, inclusive, publicizing their special church event; and which 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 banners, and said banners shall be removed promptly upon the expiration of said permit.

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

Passed September 27, 1999.
Effective October 1, 1999.

Ord. No. 1719-99.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance to amend Section 11 of Ordinance No. 1161-94, passed July 20, 1994, relating to the rehabilitation of the Quince Avenue Bridge over G.C.R.T.A and the Norfolk and Western Railway Co.

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 11 of Ordinance No 1611-94, passed July 20, 1994, is hereby amended to read as follows:

Section 11. That the cost for the payment authorized in Section 7 of this ordinance, the cost of the pub-

lic improvement authorized in Section 8 of this ordinance, and the cost of the professional services authorized in Section 10 of this ordinance shall be paid from the proceeds of the sale of the general obligation bonds of the City of Cleveland authorized by Ordinance No. 872-94, passed May 23, 1994, and from Fund Nos. 20 SF 060, 20 SF 061, 20 SF 883, 20 SF 146, 20 SF 151, 20 SF 160, 20 SF 170, 20 SF 181, 20 SF 190, 20 SF 302, 20 SF 312, 20 SF 322, 20 SF 334, and 20 SF 342, Request No. 21907.

Section 2. That existing Section 11 of Ordinance No 1611-94, passed July 20, 1994, is hereby repealed.

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

Passed September 27, 1999.
Effective October 1, 1999.

COUNCIL COMMITTEE MEETINGS

Monday, September 27, 1999

Public Parks, Property & Recreation Committee: 9:30 A.M.—Present: Jones, Chairman; White, Vice Chairman; Britt, Polensek, Sweeney. Excused: Willis, Zone.

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

Committee of the Whole: 1:00 P.M.—Present: Westbrook, Chairman; Britt, Cimperman, Cintron, Coats, Dolan, Gordon, Jackson, Jones, Lewis, Melena, O'Malley, Patmon, Polensek, Rybka, Sweeney, White, Willis. Excused: Johnson, Robinson, Zone.

Wednesday, September 29, 1999

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

Monday, October 4, 1999

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

Wednesday, October 6, 1999

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

City Planning Committee (Zoning): 1:00 P.M.—Present: Robinson, Chairman; Cimperman, Vice Chairman; Dolan, Jackson, White, Willis. Excused: O'Malley.

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

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Bold figures—Final Publication; D—Defeated; R—Reprint; T—Tabled; V—Vetoed;
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ODOT and Manual of Uniform Traffic Control Devices Compliant Safety Training - contract pursuant to Ord. 453-99 to Incom, Inc. - Division of Water, Dept. of Public Utilities (BOC Res. 643-99) 1910

Board of Control - Requirement Contracts

Ball diamond clay - contract pursuant to Ord. 258-99 to Kurtz Brothers, Inc. - Division of Park Maintenance and Properties, Dept. of Parks, Recreation and Properties (BOC Res. 653-99) 1912

Breathing air cascade system, repair and/or replace - contract pursuant to Ord. 1954-98 to Sub-Aquatics Inc., d.b.a. Breathing Air Systems - Division of Fire, Dept. of Public Safety (BOC Res. 648-99) 1911

Breathing air cascade system, repair and/or replace - contract pursuant to Ord. 1954-98 to American Bristol Ind. - Division of Fire, Dept. of Public Safety (BOC Res. 649-99)..... 1911

Breathing air cascade system, repair and/or replace - contract pursuant to Ord. 1954-98 to Finley Fire Equipment Co. - Division of Fire, Dept. of Public Safety (BOC Res. 650-99) 1912

Breathing air cascade system, repair and/or replace - contract pursuant to Ord. 1954-98 to Pro Air, Inc. - Division of Fire, Dept. of Public Safety (BOC Res. 651-99) 1912

Cab (duplex) and chassis parts - contract pursuant to Ord. 2175-98 to Maltese Fire Equipment - Division of Emergency Medical Service, Dept. of Public Safety (BOC Res. 652-99) 1912

Flight Guide, flight schedule data, layout, typesetting, printing, finishing and delivery of - contract pursuant to Ord. 1064-99 to World Color Direct - Dept. of Port Control (BOC Res. 645-99) 1911

Scissors lift - contract pursuant to Ord. 1074-98 to All Erection & Crane Rental Corporation - Division of Motor Vehicle Maintenance, Dept. of Public Service (BOC Res. 647-99) 1911

Board of Control - Water Division

ODOT and Manual of Uniform Traffic Control Devices Compliant Safety Training - contract pursuant to Ord. 453-99 to Incom, Inc. - Division of Water, Dept. of Public Utilities (BOC Res. 643-99) 1910

Board of Zoning Appeals - Report

Bailey Avenue at West 41st Street, , (Ward 14) - New Village Corporation, owner - appeal heard on 10/4/99 (Cal. 99-243) 1913

Bennington Avenue, 13616, (Ward 20) - Mary Prince, owner - appeal heard on 10/4/99 (Cal. 99-246) 1914

Bey, Leonard - - appeal postponed to 10/18/99 on 10/4/99 (Cal. 99-247) 1914

Bridge Avenue, 5302, (Ward 17) - Michael C. Harris, owner - appeal heard on 10/4/99 (Cal. 99-218) 1914

Lee Road, 3840, (Ward 1) - Kinsman Congregation, owner, c/o Paul Jenkins, agent - appeal heard on 10/4/99 (Cal. 99-245) 1914

Miles Avenue, 11212, (Ward 2) - Phyllis Scott, owner - appeal heard on 10/4/99 (Cal. 99-242)..... 1913

South Waterloo Road, 19600, (Ward 11) - James Kasper, owner - appeal postponed to 10/18/99 on 10/4/99 (Cal. 99-241) 1914

St. Clair Avenue, 1946, (Ward 13) - Seaway Acceptance Corporation, owner, c/o N.K. Hejra and Code Blue, Inc., tenant, c/o Kathy Thomas - appeal withdrawn on 10/4/99 (Cal. 99-190)..... 1914

West 42nd Place at Orchard Avenue, , (Ward 14) - New Village Corporation, owner - appeal heard on 10/4/99 (Cal. 99-244) 1914

West 6th Street, 2343, (Ward 13) - Donna Joy, owner - appeal heard on 10/4/99 (Cal. 99-225) 1913

West 6th Street, 2351, (Ward 13) - Donna Joy, owner - appeal heard on 10/4/99 (Cal. 99-226) 1913

West 6th Street, 2357, (Ward 13) - Donna Joy, owner - appeal heard on 10/4/99 (Cal. 99-227) 1913

Board of Zoning Appeals - Schedule

Carroll Avenue, 3001, (Ward 14) - St. Ignatius High School, owner - appeal to be heard on 10/18/99 (Cal. 99-257)	1913
East 149th Street, 3510, (Ward 3) - Evangelistic Temple of Faith, owner and Nancy Borchert, agent - appeal to be heard on 10/18/99 (Cal. 99-263).....	1913
Harvard Avenue, 5721, (Ward 12) - Susan Soeder, owner - appeal to be heard on 10/18/99 (Cal. 99-259)	1913
Martin Luther King Boulevard, 3468, (Ward 3) - Patricia G. Hall, owner - appeal to be heard on 10/18/99 (Cal. 99-254)	1913
West 117th Street, 3645, (Ward 19) - Daniel Slane, owner - appeal to be heard on 10/18/99 (Cal. 99-260)	1913
West 48th Street, 1873, (Ward 14) - Luis Jimenez, owner - appeal to be heard on 10/18/99 (Cal. 99-261).....	1913
West 52nd Street, 1912, (Ward 17) - Karl Mueller, owner - appeal to be heard on 10/18/99 (Cal. 99-255).....	1913

Bridges

Columbus Road Vertical Lift Bridge - interim repair - Amend Section 11 or Ordinance No. 456-99 (O 1562-99)	1908
Quincy Avenue Bridge - rehabilitation - amend Section 11 of Ordinance No. 1161-94 (O 1719-99).....	1917

Brookside Park

Brookside Park Ball Diamond #1 - lease - St. Ignatius High School (O 1427-99)	1908-1909
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Buckeye Area Development Corporation

East 119th Street, 2798 (Ward 6) - Buckeye Area Development Corporation - rehabilitation - Community Development (O 1715-99).....	1917
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City of Cleveland Bids

Air cylinders, replacement of - Department of Public Safety - per Ord. 1954-98 - bid due October 27, 1999 (advertised 10/6/99 and 10/13/99)	1916
Computer related hardware equipment - Department of Finance - per Ord. 1057-99 - bid due October 20, 1999 (advertised 9/29/99 and 10/6/99)	1916
Copier, new plan - Department of Public Utilities - Division of Water - per Ord. 508-99 - bid due October 22, 1999 (advertised 10/6/99 and 10/13/99)	1916
Landscaping exterior sites, labor and materials to maintain and replace - Department of Port Control - per Ord. 576-99 - bid due October 21, 1999 (advertised 9/29/99 and 10/6/99).....	1916
Lift truck, diesel-powered - Department of Public Utilities - Division of Water - per Ord. 2000-98 - bid due October 22, 1999 (advertised 9/29/99 and 10/6/99)	1916
Nottingham Waterworks Plant heating boiler upgrade - Department of Public Utilities - Division of Water - per Ord. 2167-98 - bid due October 20, 1999 (advertised 9/29/99 and 10/6/99).....	1916
Paper stock - Department of Finance - per Ord. 1812-98 - bid due October 20, 1999 (advertised 10/6/99 and 10/13/99).....	1916

City Council

Council's archive project - First Amendment Agreement - Richard Klein, PhD - Clerk of Council (O 1717-99).....	1917
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City Hall

City Hall - public improvement - Parks, Recreation and Properties Department (O 1747-99).....	1896
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City Planning Commission

To appropriate property for public use for the improvement to a portion of Stokes Boulevard (O 414-99).....	1908-1909
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Cleveland Hopkins International Airport

Cleveland Hopkins International Airport - Precision Environmental Co. (F 1735-99).....	1889
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Cleveland Public Library

Director's Report - September 16, 1999 - Cleveland Public Library (F 1734-99).....	1889
Feldman, Sari - appointed to Deputy Director - Cleveland Public Library (F 1733-99)	1889

Cleveland Restoration Society

Neighborhood Historic Preservation Program - expansion - Cleveland Restoration Society - Community Development (O 1767-99).....	1906
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Codified Ordinances

New Section 381.101 — outdoor grilling restrictions — Codified Ordinances (O 1663-95).....1917
 Rates, rules and regulations for water services — Amend Sections 535.04, 535.05, 535.051,
 535.06, 535.18 and 535.21 of Codified Ordinances (O 1743-99)1891
 Removal of shopping carts — new Section 625.09 — Codified Ordinances (O 1764-99).....1904
 Sewerage service charges within Cleveland — amend Section 543.02 of Codified Ordinances
 (O 1742-99).....1890

Communications

1998 Comprehensive Annual Financial Report — Bob Dolan, City Controller (F 1736-99).....1889
 Cleveland Hopkins International Airport — Precision Environmental Co. (F 1735-99).....1889
 Director's Report — September 16, 1999 — Cleveland Public Library (F 1734-99).....1889
 Feldman, Sari — appointed to Deputy Director — Cleveland Public Library (F 1733-99).....1889
 Healthy Start Program — Health and Human Services Department (F 1732-99).....1889

Community Development

Alpine Street, 2921 — Land Reutilization Program — Laura M. Little (O 1750-99).....1898
 East 116th Street, 3679 — Land Reutilization Program — LaFayette Carthon, Jr. (O 1755-99).....1900
 East 119th Street, 2798 (Ward 6) — Buckeye Area Development Corporation — rehabilitation
 — Community Development (O 1715-99).....1917
 East 131st Street, 4065 — Land Reutilization Program — Greater Harvard Avenue Church
 (O 1753-99).....1899
 East 45th Street, 1580-82 — Land Reutilization Program — Dorothy Childs (O 1749-99).....1898
 Harvard Avenue, 12407 — Land Reutilization Program — Anthony R. Ford and Alletrius M.
 Ford (O 1756-99)1900
 Harvard Avenue, 9026 — Land Reutilization Program — House of Our Redeemer Missionary
 Baptist Church (O 1757-99).....1901
 Longmead Avenue, 12713 — Land Reutilization Program — John C. Bella and Alice F. Bella
 (O 1760-99).....1902
 Lorain Avenue, 7510 — Land Reutilization Program — William J. Ripcho (O 1752-99).....1899
 Miles Avenue, 9222 — Land Reutilization Program — Renee Stuart (O 1754-99).....1900
 Mill Creek Park Project — Agreement — Community Development — Slavic Village
 Development Corporation (O 1772-99).....1907
 Neighborhood Historic Preservation Program — expansion — Cleveland Restoration Society
 — Community Development (O 1767-99).....1906
 Nelson Avenue, 9604 — Land Reutilization Program — Gail F. Stubbs (O 1758-99).....1901
 Saxe Avenue, 9122 — Land Reutilization Program — Ernest R. D'Amato and Kathleen D'Amato
 (O 1759-99).....1902
 Slavic Village Development — Agreement — Community Development — properties in Ward
 12 (O 1770-99).....1906
 Trinity Building — 9203 Detroit Avenue (Ward 18) — Agreements — Community development
 — WIRE-NET (O 1771-99)1906
 Yeakel Avenue, 9702 — Land Reutilization Program — Donald J. Traylor, Sr. (O 1751-99).....1898

Concession Agreement

Vending machines — concession agreement — City parks, City-owned and City-leased
 buildings — Parks, Recreation and Properties Department (O 1428-99).....1908-1910

Condolences

Callahan, Laura (R 1778-99).....1889
 Fair, Mrs. (R 1779-99)1889

Congratulations

Bostic, Embie R. (R 1789-99).....1890
 Carter, Limestone Dr. (R 1787-99).....1890
 Fleet Medical Center, Cleveland Clinic Health System (R 1786-99).....1890
 Greater Cleveland Cross Country Team (R 1780-99)1889
 Hortense Giudice Graf (R 1781-99)1889
 Karpinski Battisti, Gloria (R 1783-99)1889
 Mitchell, Maggie L. Mother (R 1790-99)1890
 Rostafinski, Wojciech Dr. (R 1782-99)1889
 St. Rose of Lima Church — 100th Anniversary (R 1788-99)1890
 Telesz, Monsignor Leo Reverend (R 1784-99).....1890
 Wyszynski, Tomasz (R 1785-99)1890

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 City employees assistance program — Recovery Resources — Personnel (O 1567-99).....1908-1910
 Columbus Road, 1948-1952 — economic development assistance — Linsy Furniture Gallery,
 Inc. — Economic Development (O 1763-99).....1903
 Kronos software — contract — Account Division (O 1741-99)1890
 Public Hall, Music Hall , Convention Center and West Side Market — public improvement
 — Parks, Recreation and Properties Department (O 1746-99).....1896
 Rockefeller Park Public Greenhouse, City-owned parks, recreation facilities — public
 improvements — Parks, Recreation and Properties Department (O 1748-99).....1897

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— Parks, Recreation and Properties Department (O 1746-99)..... 1896

Economic Development Department

Cedar Avenue, 3200 — Empowerment Zone Business Opportunity — Ayers Investments LLC —
Economic Development (O 1762-99)..... 1903
Columbus Road, 1948-1952 — economic development assistance — Linsy Furniture Gallery,
Inc. — Economic Development (O 1763-99)..... 1903
Payne Avenue, 4320 — Empowerment Zone Business Opportunity — Hepp Kondas Incorporated
— Economic Development (O 1761-99)..... 1903

Empowerment Zone

Cedar Avenue, 3200 — Empowerment Zone Business Opportunity — Ayers Investments LLC —
Economic Development (O 1762-99)..... 1903
Payne Avenue, 4320 — Empowerment Zone Business Opportunity — Hepp Kondas Incorporated
— Economic Development (O 1761-99)..... 1903

Finance Department

Kronos software — contract — Account Division (O 1741-99) 1890
Salary and wage for various classifications — amend Section 4 of Ordinance No. 520-99 (O 1765-99) 1904
Tax Budget — year 2000 (R 1573-99)..... 1908
To appropriate property for public use for the improvement to a portion of Stokes
Boulevard (O 414-99)..... 1908-1909

Grants

2000 Lead Poisoning Prevention Program — grant — Ohio Department of Health (O 1745-99) 1896

Health Department

2000 Lead Poisoning Prevention Program — grant — Ohio Department of Health (O 1745-99) 1896

Health and Human Services Department

Healthy Start Program — Health and Human Services Department (F 1732-99)..... 1889

Hermes Race Systems

Smith-Barney 15K Race — permit — Hermes Race Systems (O 1768-99) 1906

Land Reutilization Program

Alpine Street, 2921 — Land Reutilization Program — Laura M. Little (O 1750-99)..... 1898
East 116th Street, 3679 — Land Reutilization Program — LaFayette Carthon, Jr. (O 1755-99)..... 1900
East 131st Street, 4065 — Land Reutilization Program — Greater Harvard Avenue Church (O 1753-99).... 1899
East 45th Street, 1580-82 — Land Reutilization Program — Dorothy Childs (O 1749-99)..... 1898
Harvard Avenue, 12407 — Land Reutilization Program — Anthony R. Ford and Alletrius M.
Ford (O 1756-99) 1900
Harvard Avenue, 9026 — Land Reutilization Program — House of Our Redeemer Missionary
Baptist Church (O 1757-99)..... 1901
Longmead Avenue, 12713 — Land Reutilization Program — John C. Bella and Alice F. Bella
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Lorain Avenue, 7510 — Land Reutilization Program — William J. Ripcho (O 1752-99)..... 1899
Miles Avenue, 9222 — Land Reutilization Program — Renee Stuart (O 1754-99)..... 1900
Nelson Avenue, 9604 — Land Reutilization Program — Gail F. Stubbs (O 1758-99) 1901
Saxe Avenue, 9122 — Land Reutilization Program — Ernest R. D'Amato and Kathleen D'Amato
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Yeakel Avenue, 9702 — Land Reutilization Program — Donald J. Traylor, Sr. (O 1751-99)..... 1898

Leases

Brookside Park Ball Diamond #1 — lease — St. Ignatius High School (O 1427-99) 1908-1909

Liquor Permits

Broadway Avenue, 7663 (Ward 12) — Transfer of Ownership (F 1738-99)..... 1889
East 185th Street, 1201 (Ward 11) — Transfer of Ownership (F 1737-99) 1889
Lakeview Road, 970 — Withdrawing objection to transfer of ownership and location (R 1775-99)..... 1907
Ontario Street, 2401 (Ward 13) — Transfer of Ownership and Location (F 1739-99) 1889
St. Clair Avenue, 13001 — Withdrawing Objection to renewal (R 1774-99) 1907
Triskett Road, 14016 — Withdrawing objection to transfer of ownership (R 1777-99)..... 1908
West 130th Street, 3892 (Ward 20) — objection to issuance of a C1 (R 1720-99)..... **1917**

Loans

Morgan Water Works Plant — Plant Enhancement Program — Water Supply Revolving Loan —
Phase I — Mayor (O 1561-99)..... 1908-1910

Mayor's Appointments

Jones, Thomas F. — Police Review Board — Mayor's Appointment (F 1740-99).....1889

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Morgan Water Works Plant — Plant Enhancement Program — Water Supply Revolving Loan —
Phase I — Mayor (O 1561-99).....1908-1910

Music Hall

Public Hall, Music Hall , Convention Center and West Side Market — public improvement
— Parks, Recreation and Properties Department (O 1746-99)..... 1896

Ohio Department of Health

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Outdoor Grilling

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Parks, Recreation and Properties Department

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Orr, Robert Jr. (Ward 5) — Peddling (O 1714-99)**1917**
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Permits

Hayes Temple — banner — special church event (O 1718-99).....**1917**
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Tremont Neighborhood and Lincoln Park areas — twenty (20) banners — Tremont West
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Personnel Department

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Port Control Department

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Recreation Division

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Service Department

Adelbert Road (Ward 9) — Agreement — Service Department — Medical Center Company (O 1773-99).....	1907
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Hayes Temple — banner — special church event (O 1718-99).....	1917
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Sewerage service charges within Cleveland — amend Section 543.02 of Codified Ordinances (O 1742-99).....	1890
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Brookside Park Ball Diamond #1 — lease — St. Ignatius High School (O 1427-99)	1908-1909
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Rates, rules and regulations for water services — Amend Sections 535.04, 535.05, 535.051, 535.06, 535.18 and 535.21 of Codified Ordinances (O 1743-99)	1891
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Water Division

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