

The City Record

Official Publication of the City of Cleveland

February the Fourteenth, Two Thousand and One

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

Containing	PAGE
City Council	3
The Calendar	24
Board of Control	24
Civil Service	26
Board of Zoning Appeals	26
Board of Building Standards and Building Appeals	27
Public Notices	28
Public Hearings	28
City of Cleveland Bids	29
Adopted Resolutions and Ordinances	31
Committee Meetings	39
Index	40

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DIRECTORY OF CITY OFFICIALS

CITY COUNCIL—LEGISLATIVE

President of Council—Michael D. Polensek

Ward	Name	Residence	
1	Joseph T. Jones	4691 East 177th Street	44128
2	Robert J. White	3760 East 126th Street	44105
3	Zachary Reed	3232 East 119th 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.	3004 Vega Avenue	44113
15	Merle R. Gordon	1700 Denison Avenue	44109
16	Michael C. O'Malley	6710 Brookside Drive	44144
17	Timothy J. Melena	6110 West Clinton Avenue	44102
18	Jay Westbrook	10513 Clifton Boulevard	44102
19	Dona Brady	3466 Bosworth Road	44111
20	Martin J. Sweeney	3632 West 133rd Street	44111
21	Michael A. Dolan	16519 West Park Road	44111

MAYOR – Michael R. White

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

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

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

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

DEPT. OF PORT CONTROL – Reuben Sheperd, Director,
 Cleveland Hopkins International Airport, 5300 Riverside Drive;
 Cleveland Hopkins International Airport – Mark D. Vanloh, Commissioner
 Burke Lakefront Airport – _____, Commissioner

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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WEDNESDAY, FEBRUARY 14, 2001

No. 4549

CITY COUNCIL

MONDAY, FEBRUARY 12, 2001

The City Record

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Clerk of Council
216 City Hall

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 1998-2001

MONDAY

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

MONDAY—Alternating

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

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

MONDAY

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

TUESDAY

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

TUESDAY—Alternating

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

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

WEDNESDAY—Alternating

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

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

WEDNESDAY—Alternating

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

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

The following Committee is subject to the Call of the Chairman:
Mayor's Appointment Committee: O'Malley, Chairman; Britt, Cimperman, Patmon, Sweeney.

OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio

Monday, February 12, 2001.

The meeting of the Council was called to order, the President, Michael D. Polensek, in the Chair.

Councilmen present: Brady, Britt, Cimperman, Cintron, Coats, Dolan, Gordon, Jackson, Johnson, Jones, Lewis, Melena, O'Malley, Patmon, Reed, Rybka, Sweeney and Willis.

Also present were Executive Assistant for Administration Withers and Directors Carter, Konicek, Ricchiuto, Whitlow, Miller, Hudecek, Patterson, Alexander, Dove, McCall and Acting Directors Balraj, Brown and Szabo.

Absent: Mayor White and Directors Brooks, Sheperd, Guzman, Warren and Morrison.

Pursuant to Ordinance No. 2976-76, the Council Meeting was opened with a prayer offered by Rev. Regina Stolfus of Lee Heights Community Church, located at 4612 Lee Road in Ward 1. Pledge of Allegiance.

MOTION

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

STATEMENT OF WORK ACCEPTED

File No. 193-01.

From the Department of Public Utilities re: Contract No. 54088, Parma Pearl-York Supply Main Section IV, completed and accepted October 23, 2000. Received.

OATH OF OFFICE

File No. 194-01.

Owens, Ron — Commissioner of Waste Collection and Disposal. Received.

File No. 195-01.

Weibusch, Kurt — Commissioner of Architecture. Received.

File No. 196-01.

Mavec, Robert — Commissioner of Traffic Engineering and Parking. Received.

File No. 197-01.

Johnson, Ken — Assistant Director of the Department of Public Service. Received.

File No. 198-01.

Bahhur, Khalid — Commissioner of Burke Lakefront Airport. Received.

File No. 199-01.

Hayes, Marvin — Executive Assistant to the Mayor for Intergovernmental Affairs. Received.

CONDOLENCE RESOLUTIONS

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

Res. No. 200-01—Gerome R. Stefanski.

Res. No. 201-01—Merlyn Smith Blackwell.

Res. No. 202-01—Brenda Louise Cox.

Res. No. 203-01—Ernest Tufts, Sr.

Res. No. 204-01—Fr. Albert Zbin.

Res. No. 205-01—Vera Louise Small Coleman.

Res. No. 206-01—Paul W. Thomas.

Res. No. 207-01—Joseph Lombardo.

Res. No. 208-01—Miss Pat Feinberg.

CONGRATULATION RESOLUTIONS

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

Res. No. 209-01—Rev. Marvin A. McMickle, Ph.D.

Res. No. 210-01—Myers College Paralegal Program.

Res. No. 211-01—Mary Shimits.

RECOGNITION RESOLUTIONS

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

Res. No. 212-01—Ensemble Theatre.

**FIRST READING EMERGENCY
ORDINANCES REFERRED**

Ord. No. 213-01.

By Councilman Cimperman.

An emergency ordinance directing the Director of Public Safety, through the Division of Fire, to fully staff and operate the fire safety boat.

Whereas, the Council of the City of Cleveland is charged with representing the interests of the citizens of the City of Cleveland; and

Whereas, the safety and well-being of the citizens is of paramount importance to this Council; and

Whereas, through the 2000 budget, Council allocated general funds for the maintenance and operation of a fire boat; and

Whereas, the Administration pledged that the fire boat would be fully staffed and operational; however, such pledge was broken and the fire boat has not been staffed; 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 any provisions of the Codified Ordinances of Cleveland, Ohio, 1976 to the contrary, the Director of Public Safety, through the Division of Fire, shall staff, operate and cause the fire boat to be maintained with a minimum of four firefighters on regular duty per company per twenty-four hour day for each day of the year.

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

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

Ord. No. 214-01.

By Councilmen Cintron, Polensek and Cimperman.

An emergency ordinance to amend Sections 603.06, 603.07, 603.08 and 603.09 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by various Ordinances relating to penalties for abandoning, killing or cruelty to animals, and supplementing said Codified Ordinances by enacting new Sections 603.091, 603.032 and 603.072 relating to the treatment of animals.

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 following Sections of the Codified Ordinances of Cleveland, Ohio, 1976:

Section 603.06 as amended by Ordinance No. 1020-76, passed June 14, 1976;

Section 603.07, as amended by Ordinance No. 304-85, passed April 15, 1985; and

Sections 603.08 and 603.09 as amended by Ordinance No. 90-96, passed March 18, 1996

are hereby amended to read, respectively, as follows:

Section 603.06 Abandoning Animals

(a) No owner or keeper of a dog, cat or other domestic animal shall abandon such animal.

(b) Whoever violates this section is guilty of abandoning animals, a misdemeanor of the first degree.

Section 603.07 Killing or Injuring Animals

(a) No person shall maliciously, or willfully, and without the consent of the owner, kill or injure a farm animal, dog, cat or other domestic animal that is the property of another. This section does not apply to a licensed veterinarian acting in an official capacity.

(b) Whoever violates this section is guilty of killing or injuring animals, a misdemeanor of the first degree.

Section 603.08 Poisoning Animals

(a) No person shall maliciously, or willfully and without the consent of the owner, administer poison, except a licensed veterinarian acting in such capacity, to a farm animal, dog, cat, poultry, or any other domestic animal that is the property of another; and no person shall, willfully and without the consent of the owner, place any poisoned food where it may be easily found and eaten by any of such animals, either upon his own lands or the lands of another.

(b) Whoever violates this section is guilty of poisoning animals, a misdemeanor of the first degree.

Section 603.09 Cruelty to Animals

(a) No person shall:

(1) Torture an animal, deprive one of necessary sustenance, unnecessarily or cruelly beat, needlessly mutilate or kill, or impound or confine an animal without supplying it during such confinement with a sufficient quantity of good wholesome food and water;

(2) Impound or confine an animal without affording it, during such confinement, access to shelter from wind, rain, snow or excessive direct sunlight, if it can reasonably be expected that the animal would otherwise become sick or in some other way suffer. This subsection (a)(2) does not apply to animals impounded or confined prior to slaughter. For the purpose of this section "Shelter" means a manmade enclosure, windbreak, sunshade, or natural earth's contour, tree development or vegetation;

(3) Carry or convey an animal in a cruel or inhumane manner;

(4) Keep animals other than cattle, poultry or fowl, swine, sheep, or goats in an enclosure without wholesome exercise and change of air, nor feed cows on food that produces impure or unwholesome milk;

(5) Detain livestock in railroad cars or compartments longer than twenty-eight hours after they are so placed without supplying them with necessary food, water, and attention, nor permit such stock to be so crowded as to overlie, crush, wound, or kill each other.

(b) Upon the written request of the owner or person in custody of any particular shipment of livestock, which written request shall be separate and apart from any

printed bill of lading or other railroad form, the length of time in which such livestock may be detained in any cars or compartments without food, water, and attention, may be extended to thirty-six hours without penalty therefor. This section does not prevent the dehorning of cattle.

(c) All fines collected for violations of this section shall be paid to the society or association for the prevention of cruelty to animals, if there be such in the county, township, or municipal corporation where such violation occurred.

(d) Whoever violates this section is guilty of a misdemeanor of the first degree. In addition, the court may order the offender to forfeit the animal or livestock and may provide for its disposition including, but not limited to, the sale of the animal or livestock. If an animal or livestock is forfeited and sold pursuant to this division, the proceeds from the sale first shall be applied to pay the expenses incurred with regard to the care of the animal from the time it was taken from the custody of the former owner. The balance of the proceeds from the sale, if any, shall be paid to the former owner of the animal.

Section 2. That existing Section 603.06 of the Codified Ordinances of the City of Cleveland, 1976, as amended by Ordinance No. 1020-76, passed June 14, 1976; Section 603.07, as amended by Ordinance No. 304-85, passed April 15, 1985; and Sections 603.08 and 603.09 as amended by Ordinance No. 90-96, passed March 18, 1996 are hereby repealed.

Section 3. That the Codified Ordinances of Cleveland, Ohio, 1976, are hereby supplemented by enacting new Sections 603.091, 603.032 and 603.072 thereof, to read as follows:

Section 603.091 Neglect of Animals

(a) No owner or keeper of a dog, cat, or other domestic animal shall cause any condition that may lead to permanent injury, death, or harm to such animal.

(b) Whoever violates this section is guilty of neglect of animals, a misdemeanor of the first degree.

Section 603.032 Maximum Number of Dogs and Cats Permitted; Prior Acquisition Not Affected

(a) Upon the effective date of this section, no pet owner shall be permitted to keep more than four dogs, puppies, cats or kittens over three months of age, or any combination thereof, within the City. However, any pet owner owning more than four of such animals upon the effective date of this section shall be permitted to continue such ownership; whenever any of such animals dies, is sold, or is given away, such owner shall not be permitted to replace such animal if such replacement would bring the total number of animals to more than four. There shall not be more than one pet owner permitted to live in any dwelling unit in the city. This section shall not apply to any county or city kennel, the Animal Protective League, animal shelters or such other licensed agencies that house animals for protection, sale or safety.

(b) Whoever violates this section is guilty of a misdemeanor of the third degree.

Section 603.072 Illegal Fights between Animals

(a) No person shall cause a dog, cat or other animal to fight another dog, cat or other animal for gambling, entertainment or any other purpose, for profit or otherwise.

(b) Whoever violates this section is guilty of illegally causing fighting between animals, a misdemeanor of the first degree.

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

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

Ord. No. 215-01.

By Councilman Coats.

An emergency ordinance to amend the Title and Section 1 of Ordinance No. 949-2000, passed May 22, 2000 to authorize the Director of Community Development to enter into a grant agreement with the Euclid - St. Clair Development Corporation to conduct an impact study related to the Water Tower Park site on Coit Road, through the use of Ward 10 Neighborhood Equity Funds.

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

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

Section 1. That the Title and Section 1 of Ordinance No. 949-2000, passed May 22, 2000, are hereby amended to read as follows:

An emergency ordinance authorizing the Director of Community Development to enter into a grant agreement with the **Euclid - St. Clair Development Corporation to conduct an impact study related to the Water Tower Park site on Coit Road, through the use of Ward 10 Neighborhood Equity Funds.**

Section 1. That the Director of Economic Development is authorized to enter into a grant agreement with the **Euclid - St. Clair Development Corporation to conduct an impact study related to the Water Tower Park site on Coit Road, through the use of Ward 10 Neighborhood Equity Funds.**

Section 2. That the Title and Section 1 of Ordinance No. 949-2000, passed May 22, 2000, are hereby repealed.

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

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

Ord. No. 216-01.

By Councilman Jackson.

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Burten, Bell Carr Development, Inc. for various youth recreation activities and educational programs, field trips and related costs to further the public purpose of providing recreation and extracurricular programs for children and youth residents of the City of Cleveland through the use of Ward 5 Neighborhood Equity Funds.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with Burten, Bell Carr Development, Inc. for various youth recreation activities and educational programs, field trips and related costs to further the public purpose of providing recreation and extracurricular programs for children and youth residents of the City of Cleveland through the use of Ward 5 Neighborhood Equity Funds.

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

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

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

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

Ord. No. 217-01.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on scattered sites to Cleveland Housing Network, Inc., or designee.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 104-21-029 as more fully described below, to Cleveland Housing Network, Inc., or designee.

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

P. P. No. 104-21-029

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot Nos. 117, 118 and 119 in Park Realty Company's Re-Subdivision of part of Original One Hundred Acre Lot No. 340 as shown by the recorded plat in Volume 26 of Maps, Page 30 of Cuyahoga County Records, and together forming a parcel of land bounded and described as follows:

Beginning on the Northerly line of Hough Avenue, N.E., at the Southeast corner of land conveyed to Louis Cowan by deed dated February 11, 1920 and recorded in Volume 2376, Page 453 of Cuyahoga County Records; thence Easterly along the Northerly line of Hough Avenue, N.E., 94.70 feet to the Southeast corner of land conveyed to Fannie Abrams by deed dated March 31, 1920 and recorded in Volume 2376, Page 454 of Cuyahoga County Records; thence Northerly along the Easterly line of land so conveyed to Fannie Abrams about 50 feet to the Easterly line of said Sublot No. 119; thence Northerly along the Easterly line of said Sublot No. 119, 50 feet; thence Westerly and parallel with the Northerly line of Hough Avenue, N.E., 95 feet to the Easterly line of land conveyed to Louis Cowan, as aforesaid; thence Southerly along the Easterly line of land so conveyed to Louis Cowan, 100 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 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. 106-05-049 as more fully described below to Cleveland Housing Network, Inc., or designee.

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

P. P. No. 106-05-049

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 20 in Richard D. Reynold's Subdivision of part of Original One Hundred Acre Lot No. 345, as shown by the recorded plat in Volume 10 of Maps, Page 19 of Cuyahoga County Records and being 35 feet front on the Southerly side of Decker Avenue, N.E., and extending back 156 feet 4-3/4 inches deep on the Westerly line, 155 feet 10 inches deep on the Easterly line and hav-

ing a rear line of 35 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 5. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 106-05-050 as more fully described below, to Cleveland Housing Network, Inc., or designee.

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

P. P. No. 106-05-050

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 19 in Richard D. Reynolds Subdivision of part of Original One Hundred Acre Lot No. 345, as shown by the recorded plat in Volume 10 of Maps, Page 19 of Cuyahoga County Records and being 35 feet front on the Southerly side of Decker Avenue, N.E., and extending back 155 feet 3-1/2 inches deep on the Easterly line, 155 feet 10 inches deep on the Westerly line, and being 35 feet wide in the rear, 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 7. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 106-05-056 as more fully described to Cleveland Housing Network, Inc., or designee.

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

P. P. No. 106-05-056

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 13 in Richard D. Reynolds Subdivision of part of Original One Hundred Acre Lot No. 345, as shown by the recorded plat in Volume 10 of Maps, Page 19 of Cuyahoga County Records and being 35 feet front on the Southerly side of Decker Avenue, N.E., and extending back 151 feet 11 inches on the Easterly line, 152 feet 5-3/4 inches on the Westerly line and having a rear line of 35 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 9. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel Nos. 106-05-057 as more fully described below, to Cleveland Housing Network, Inc., or designee.

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

P. P. No. 106-05-057

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

12 in Richard D. Reynolds' Subdivision of part of Original One Hundred Acre Lot No. 345, as shown by the recorded plat in Volume 10 of Maps, Page 19 of Cuyahoga County Records and being 35 feet front on the Southerly side of Decker Avenue, N.E., and extending back 151 feet 11 inches on the Westerly line, 151 feet 4-1/4 inches on the Easterly line and having a rear line of 35 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

Section 11. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 106-05-058 as more fully described below, to Cleveland Housing Network, Inc., or designee.

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

P. P. No. 106-05-058

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being Sublot No. 11 in Richard D. Reynolds' Subdivision of a part of Original 100 Acre Lot No. 345, as shown by the recorded plat in Volume 10 of Maps, Page 19 of Cuyahoga County Records, and being 35 feet front on the Southerly side of Decker Avenue, N.E., and extending back 151 feet 4-1/4 inches on the Westerly line, 150 feet 9-1/2 inches on the Easterly line and having a rear line of 35 feet, as appears by said plat.

Subject to Zoning Ordinances, if any.

Section 13. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 106-07-075 as more fully described below, to Cleveland Housing Network, Inc., or designee.

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

P. P. No. 106-07-075

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 37 in Walton Brothers and Hicks' Subdivision of part of Original One Hundred Acre Lot No. 383 as shown by the recorded plat of said Subdivision in Volume 13 of Maps, Page 48 of Cuyahoga County Records, and being 40 feet front on the Westerly side of East 82nd Street (formerly Genesee Avenue) and extending back of equal width 150 feet, as appears by said plat.

Section 15. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 106-07-076 as more fully described below, to Cleveland Housing Network, Inc., or designee.

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

P. P. No. 106-07-076

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 36, in Walton Bros. and Hick's Allotment, of part of Original One Hundred Acre Lot No. 383, as shown by the recorded plat in Volume 13 of Maps, Page 48 of Cuyahoga County Records, and being 40 feet front on the Westerly side of East 82nd Street, (formerly Genesee Avenue), and extending back between parallel lines 150 feet, to the Easterly line of East 82nd Place, 12 feet wide, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 17. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 106-07-084 as more fully described below, to Cleveland Housing Network, Inc., or designee.

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

P. P. No. 106-07-084

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. 383, and bounded and described as follows:

Beginning at a point in the Easterly line of East 82nd Street (formerly Genessee Avenue), 140 feet Northerly from the intersection of the Northerly line of Wade Park Avenue, N.E., with the Easterly line of East 82nd Street (formerly Genessee Avenue); thence Easterly parallel with the Northerly line of Wade Park Avenue, N.E., 110.35 feet; thence Northerly parallel with the Westerly line of East 84th Street (formerly Van Ness Avenue) 40 feet, thence Westerly parallel with the Northerly line of Wade Park Avenue, N.E., about 110.33 feet to the Easterly line of East 82nd Street (formerly Genessee Avenue); thence Southerly along the Easterly line of East 82nd Street (formerly Genessee Avenue), 40 feet to the place of beginning and being further known as Parcel No. 285 in L. M. Southern's Proposed Wade Park Avenue Allotment be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

Section 19. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 106-07-085 as more fully described below, to Cleveland Housing Network, Inc., or designee.

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

P. P. No. 106-07-085

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. 383, and bounded and described as follows:

Beginning on the Easterly line of East 82nd Street, (formerly Genessee Avenue) at a point 180 feet Northerly measured along said Easterly

line from its point of intersection with the Northerly line of Wade Park Avenue, N.E., (formerly Wade Park Avenue); thence Northerly along the Easterly line of East 82nd Street, 40 feet to a point; thence Easterly on a line parallel to the Northerly line of said Wade Park Avenue, N.E., 140.32 feet to a point which is 630 feet Westerly measured on a line parallel to said Northerly line of Wade Park, N.E., from the Westerly line of East 86th Street, (formerly Marcy Avenue); thence Southerly on a line parallel to the Westerly line of East 86th Street, 40 feet to a point; thence Westerly 140.34 feet to the place of beginning, be the same more or less, but subject to all legal highways.

Section 21. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 106-07-107 as more fully described below, to Cleveland Housing Network, Inc., or designee.

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

P. P. No. 106-07-107

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. 383, and bounded and described as follows:

Beginning at a point 180 feet Northerly from the Northerly line of Wade Park Avenue, N.E., and 528 feet Westerly from the Westerly line of East 86th Street (formerly Marcy Avenue), said point being in the Westerly line of East 84th Street, 44 feet wide (formerly Van Nesa Avenue); thence Westerly parallel with the Northerly line of Wade Park Avenue, N.E., 102 feet; thence Northerly parallel with East 86th Street, 40 feet; thence Easterly parallel with the Northerly line of Wade Park Avenue, N.E., 102 feet to a point in the Westerly line of East 84th Street; thence Southerly along the Westerly line of said East 84th Street, 40 feet to the place of beginning, and being further known as Parcel No. 96 in L.M. Southern's proposed Wade Park Avenue Allotment, of part of Original One Hundred Acre Lots Nos. 383, and 391, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

Section 23. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 106-18-075 as more fully described below, to Cleveland Housing Network, Inc., or designee.

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

P. P. No. 106-18-075

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 46 in Caroline Hecker's Subdivision of part of Original One Hundred Acre Lot No. 345, as shown by the recorded plat in Volume 15 of Maps, Page 5 of Cuyahoga County

Records, and being 40 5/1000 feet front on the Southerly side of Redell Street (now known as Redell Avenue, N.E.) and extending back 104 35/100 feet deep on the Easterly line, 103 70/100 feet deep on the Westerly line and 40 feet in the rear, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

Section 25. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 106-19-045 as more fully described below, to Cleveland Housing Network, Inc., or designee.

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

P. P. No. 106-19-045

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Easterly 25 feet of Sublot No. 17 and the Westerly part of Sublot No. 16 in George P. Geib et al Subdivision of part of Original One Hundred Acre Lot No. 391, as shown by the recorded plat in Volume 17 of Maps, Page 8 of Cuyahoga County Records, together forming a parcel of land bounded and described as follows:

Beginning in the Northerly line of Melrose Avenue 40 feet wide, at a point distant 25 feet Westerly from the Southeast corner of said Sublot No. 17; thence Northerly parallel with the Westerly line of Sublot No. 17, 116.37 feet to the Northerly line of Sublot No. 17; thence Easterly along the Northerly line of Sublot No. 17 and Sublot No. 16, 33.41 feet to a point; thence Southerly parallel with the Westerly line of Sublot No. 16, 116.21 feet to the Northerly side of Melrose Avenue; thence Westerly along the Northerly side of Melrose Avenue, 33.17 feet to the place of beginning, as appears by said plat, but subject to all legal highways.

Section 27. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 106-19-046 as more fully described below, to Cleveland Housing Network, Inc., or designee.

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

P. P. No. 106-19-046

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Westerly 10 feet of Sublot No. 17 and the Easterly 25 feet of Sublot No. 18 in G.P. Geib's and others Allotment of part of Original One Hundred Acre Lots Nos. 342 and 391, as shown by the recorded plat in Volume 17 of Maps, Page 8 of Cuyahoga County Records and together forming a parcel of land 35 feet front on the Northerly side of Melrose Avenue N.E., about 116.37 feet deep on the Easterly line, about 116.565 feet deep on the Westerly line and 35 feet wide in the rear, as appears by said plat.

Subject to Zoning Ordinances, if any.

Section 29. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 106-21-017 as more fully described below, to Cleveland Housing Network, Inc., or designee.

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

P. P. No. 106-21-017

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 4 in J.H. Wade's Allotment of part of Original One Hundred Acre Lot No. 391, as shown by the recorded plat of said Allotment in Volume 5 of Maps, Page 35 of Cuyahoga County Records, having a frontage of 40 feet on the Northerly side of Linwood Avenue, N.W., and extending back 118 feet 11.4 inches on the Easterly line, 119 feet on the Westerly line, and being 40 feet in the rear, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

Section 31. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 106-21-018 as more fully described below, to Cleveland Housing Network, Inc., or designee.

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

P. P. No. 106-21-018

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 5 in J.H. Wade's Allotment No. 3 of part of Original One Hundred Acre Lot No. 391, as shown by the recorded plat in Volume 5 of Maps, Page 35 of Cuyahoga County Records, and being 40 feet front on the Northerly side of Linwood Street, (now known as Linwood Avenue, N.E.) 118 feet 10-4/5 inches deep on the Easterly line, 118 feet 11-4/10 inches deep on the Westerly line and is 40 feet in the rear, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

Section 33. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 106-21-026 as more fully described below, to Cleveland Housing Network, Inc., or designee.

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

P. P. No. 106-21-026

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being Sublot No. 13 in the J. H. Wade's Subdivision of part of Original One Hundred Acre Lot No. 391, as shown by the recorded plat of said Subdivision in Volume 5 of Maps, Page 35 of Cuyahoga County Records, and being 40

feet front on the Northerly side of Linwood Avenue, N.E., (formerly Linwood Street) and extending back 118 feet 6 inches on the Easterly line, 118 feet 6 3/5 inches on the Westerly line, and having a rear line of 40 feet 8/10 of an inch, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 35. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 106-21-027 as more fully described below, to Cleveland Housing Network, Inc., or designee.

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

P. P. No. 106-21-027

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 10 in Holden and Ingersoll Allotment of part of Original One Hundred Acre Lot No. 391, as shown by the recorded plat in Volume 5 of Maps, Page 50 of Cuyahoga County Records and being a parcel of land 37.96 feet front on the Northerly side of Linwood Avenue and extending back 118.50 feet on the Easterly line, 118.40 feet on the Westerly line, as appears by said plat, be the same more or less, but subject to all legal highways.

Restrictions, terms and conditions contained in the "University-Euclid General Neighborhood Renewal Plan, Ohio R-32" and the "University-Euclid Urban Renewal Project 1, Ohio R-44" as approved and set forth in Ordinance No. 1338-61, passed by Council of City of Cleveland June 12, 1961 and recorded in Miscellaneous Volume 111, Page 9, dated May 1, 1961 and filed for record April 6, 1965 at 1:24, as modified by Ordinance No. 1173-66, passed May 23, 1966 and Ordinance No. 1005-68, passed June 17, 1968 (affect caption and more land).

Subject to Zoning Ordinances, if any.

Section 37. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 106-21-032 as more fully described below, to Cleveland Housing Network, Inc., or designee.

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

P. P. No. 106-21-032

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 1 in George Koch's Heir's Allotment of part of Original One Hundred Acre Lots Nos. 342 and 391, as shown by the recorded plat in Volume 20 of Maps, Page 14 of Cuyahoga County Records, and being 42 feet front on the Westerly side of East 82nd Street, and extending back of equal width 120.05 feet deep on the Southerly line, 120 feet deep on the Northerly line and 45.41 feet wide in the rear, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 39. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 106-21-034 as more fully described below, to Cleveland Housing Network, Inc., or designee.

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

P. P. No. 106-21-034

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 3 in George Koch's Heir's Allotment of part of Original One Hundred Acre Lots Nos. 342 and 391, as shown by the recorded plat in Volume 20 of Maps, Page 14 of Cuyahoga County Records and being 44.05 feet front on the Westerly side of East 82nd Street (formerly Genesee Avenue) and extending back between parallel lines 120 feet deep, as appears by said plat.

Subject to Zoning Ordinances, if any.

Section 41. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 106-21-066 as more fully described below, to Cleveland Housing Network, Inc., or designee.

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

P. P. No. 106-21-066

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. 391, bounded and described as follows:

Beginning on the Southerly line of Melrose Avenue, N.E., at point which is 76.25 feet Easterly from a stone located at the intersection of the Southerly line of Melrose Avenue, N.E., and Westerly line of Original One Hundred Acre Lot No. 391; thence Easterly along the Southerly line of Melrose Avenue, N.E., 30 feet; thence Southerly at right angles with said Southerly line of Melrose Avenue, N.E., 102 50/100 feet; thence Westerly parallel with said Southerly line of Melrose Avenue, N.E. 30 feet; thence Northerly 102 50/100 feet to the place of beginning and being further known as the Easterly 14.70 feet of Sublot No. 57 and the Westerly 15.30 feet of Sublot No. 56 in Emily G. Cory's proposed Subdivision of part of Original One Hundred Acre Lots Nos. 342, 391, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

Section 43. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 106-21-067 as more fully described below, to Cleveland Housing Network, Inc., or designee.

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

P. P. No. 106-21-067

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and described as follows, to wit: known as being a part of Original One Hundred Acre Lot No. 391, bounded and described as follows:

Beginning in the Southerly line of Melrose Avenue, N.E., at a point distant 43-25/100 Easterly measured along said Southerly line from the Westerly line of said Original Lot No. 391, said point being also the Northwesterly corner of a parcel of land conveyed by Margaretha Schnadt to Frederick Schnadt, by deed dated July 12, 1893, and recorded in Volume 557, Page 4 of Cuyahoga County Records; thence Easterly along said Southerly line of Melrose Avenue, N.E., 33 feet; thence Southerly, at right angles to said Southerly line of Melrose Avenue, N.E., 102-50/100 feet; thence Westerly parallel with said Southerly line of Melrose Avenue, N.E., 33 feet to the Southeasterly corner of land conveyed to Frederick Schnadt, as aforesaid; thence Northerly along the Easterly line of land so conveyed to Frederick Schnadt, 102-50/100 feet to the place of beginning and being further known as the Westerly 30 feet of Sublot No. 57 and the Easterly 3 feet of Sublot No. 58 in Emily G. Cory's proposed Subdivision of part of Original One Hundred Acre Lots Nos. 342 and 391.

Also subject to all zoning ordinances, if any.

Section 45. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 106-21-075 as more fully described below, to Cleveland Housing Network, Inc., or designee.

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

P. P. No. 106-21-075

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. 342, bounded and described as follows:

Beginning on the Northerly line of Cory Avenue, N.E., as now established (40 feet wide) said Northerly line being distant 130.95 feet Northerly from the Southerly line of land conveyed to Mrs. Emily G. Cory by deed dated March 1, 1878 and recorded in Volume 295, Page 1 of Cuyahoga County Records, at a point distant 100.23 feet Easterly, measured along the Northerly line of Cory Avenue, N.E., from its intersection with the Northeastery line of Addison Road, N.E., (formerly East Madison Avenue); thence Easterly along the Northerly line of Cory Avenue, N.E., 40 feet; thence Northerly and at right angles to the Northerly line of Cory Avenue, N.E., 90.95 feet; thence Westerly and parallel with the Northerly line of Cory Avenue, N.E., 40 feet; thence Southerly and at right angles to the Northerly line of Cory Avenue, N.E., 90.95 feet to the place of beginning and being further known as Sublot No. 26 in Emily G. Cory's Subdivision proposed.

Subject to Zoning Ordinances, if any.

Section 47. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 106-21-076 as more fully described below, to Cleveland Housing Network, Inc., or designee.

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

P. P. No. 106-21-076

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. 342, bounded and described as follows:

Beginning on the Northerly line of Cory Avenue, N.E., (formerly Cory Avenue) 140.23 feet Easterly from its point of intersection with the Northeastly line of Addison Road, N.E., (formerly East Madison Avenue); thence Easterly along said Northerly line of Cory Avenue, N.E., 40 feet; thence Northerly at right angles with said Northerly line of Cory Avenue, N.E., 90.95 feet; thence Westerly parallel with said Northerly line of Cory Avenue, N.E., 40 feet; thence Southerly at right angles with said Northerly line of Cory Avenue, N.E., 90.95 feet to the place of beginning, and being further known as Sublot No. 27 in Emily G. Cory's proposed Allotment of part of Original One Hundred Acre Lots Nos. 342 and 391, be the same more or less, but subject to all legal highways.

Section 49. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 106-21-081 as more fully described below, to Cleveland Housing Network, Inc., or designee.

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

P. P. No. 106-21-081

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. 391, and bounded and described as follows:

Beginning at a point in the Northerly line of Cory Avenue, N.E., distant Easterly, measured along said Northerly line, 359.33 feet front its intersection with the Easterly line of Addison Road, N.E., thence Northerly along the Westerly line of said Original One Hundred Acre Lot No. 391, 100.65 feet, thence Easterly and at right angles to said Westerly line of said Original One Hundred Acre Lot No. 391, 46.25 feet; thence Southerly and parallel with said Westerly line of said Original One Hundred Acre Lot No. 391, 100.83 feet to the Northerly line of said Cory Avenue, N.E., thence Westerly along said Northerly line of Cory Avenue, N.E., 46.25 feet to the place of beginning and being further known as Sublot No. 33 in Emily G. Cory's proposed Allotment of part of Original One Hundred Acre Lots Nos. 342 and 391, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

Section 51. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 106-21-085 as more fully described below, to Cleveland Housing Network, Inc., or designee.

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

P. P. No. 106-21-085

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. 391 and bounded and described as follows:

Beginning on the Northerly line of Cory Avenue, N.E., 40 feet wide, as indicated by the plat recorded in Volume 27 of Maps, Page 24 of Cuyahoga County Records, at a point distant 494.98 feet Easterly, measured along said Northerly line, from its intersection with the Easterly line of Addison Road, N.E., (formerly East Madison Avenue) 50 feet wide; thence Easterly along said Northerly line of Cory Avenue, N.E., 40 feet; thence Northerly at right angles to said Northerly line of Cory Avenue, N.E., 101.38 feet to a point in a line drawn parallel with and distant 102.50 feet Southerly, from the Southerly line of Melrose Avenue, N.E., 40 feet wide; thence Westerly along said parallel line 40 feet; thence Southerly in a direct line, 101.17 feet to the place of beginning, and being further known as Sublot No. 36 in Emily G. Cory's proposed Subdivision, be the same more or less, but subject to all legal highways.

Section 53. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 106-21-089 as more fully described below, to Cleveland Housing Network, Inc., or designee.

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

P. P. No. 106-21-089

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. 391, and bounded and described as follows:

Beginning on the Northerly line of Cory Avenue, N.E., 40 feet wide, at a point distant 654.98/100 feet Easterly, measured along said Northerly line of Cory Avenue, N.E., from the Northeastly line of Addison Road, N.E., (formerly East Madison Avenue); thence Easterly along the Northerly line of Cory Avenue, N.E., 40 feet; thence Northerly and at right angles to said Northerly line, 101.97/100 feet; thence Westerly on a line parallel with the Southerly line of Melrose Avenue, N.E., 40 feet to its point of intersection with a line drawn Northerly at right angles to the Northerly line of Cory Avenue, N.E., from the place of beginning, and being further known as Sublot No. 40 in Emily G. Cory's Subdivision proposed, of part of Original One Hundred Acre Lots Nos. 342 and 391, as appears by said

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

Section 55. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 106-21-100 as more fully described below, to Cleveland Housing Network, Inc., or designee.

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

P. P. No. 106-21-100

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as Sublot No. 23 in George Koch Heirs' Allotment of part of Original One Hundred Acre Lots Nos. 342 and 391, as shown by the recorded plat of said Allotment in Volume 20 of Maps, Page 14 of Cuyahoga County Records. Said Sublot No. 23 has a frontage of 35 feet on the Southerly side of Cory Avenue, N.E., and extends back 125.65 feet on the Easterly line and 125.19 feet on the Westerly line and has a rear line of 35 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject restrictions recorded in Volume 516, Page 33 of Cuyahoga County Records.

Subject to Zoning Ordinances, if any.

Section 57. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 106-21-101 as more fully described below, to Cleveland Housing Network, Inc., or designee.

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

P. P. No. 106-21-101

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 24 in George Koch's Heir's Allotment of part of One Hundred Acre Lots Nos. 342 and 391, as shown by the recorded plat in Volume 20 of Maps, Page 14 of Cuyahoga County Records and being 35 feet front on the Southerly side of Cory Avenue and extending back 125.19 feet on the Easterly line 124.73 feet on the Westerly line and having a rear line of 35 feet as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

Section 59. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 106-21-110 as more fully described below, to Cleveland Housing Network, Inc., or designee.

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

P. P. No. 106-21-110

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. 391, bounded and described as follows:

Beginning in the Southerly line of Cory Avenue, N.E., at a point 633.873 feet Easterly from the intersection of the Southerly line of Cory Avenue, N.E., with the Easterly line of Addison Road, N.E., (formerly East Madison Avenue); thence Easterly along the Southerly line of Cory Avenue, N.E., 35 2/3 feet; thence Southerly at right angles from the Southerly line of Cory Avenue, N.E. 90.95 feet; thence Westerly parallel with the Southerly line of Cory Avenue, N.E., 35 2/3 feet; thence Northerly to the place of beginning and being further known as the Westerly 3 feet of Sublot No. 5 and the Easterly 32 2/3 feet of Sublot No. 6 in Emily E. Cory's Proposed Sublot No. of parts of Original One Hundred Acre Lots Nos. 391 and 342, be the same more or less, but subject to all legal highways.

Section 61. 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. 106-21-111 as more fully described below, to Cleveland Housing Network, Inc., or designee.

Section 62. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 106-21-111

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being a part of Original One Hundred Acre Lot No. 391 and being bounded and described as follows:

Beginning on the Southerly line of Cory Avenue, N.E., 40 feet wide at a point distant Easterly as measured along said Southerly line of Cory Avenue, N.E., 603.873 feet from the Northeasterly line of Addison Road, N.E., (50 feet wide); thence Easterly along said Southerly line of Cory Avenue, N.E., 30 feet to a point; thence Southerly at right angles to the said Southerly line of Cory Avenue, N.E., 90.95 feet to a point; thence Westerly and parallel with the said Southerly line of Cory Avenue, N.E., 30 feet to a point; thence Northerly 90.95 feet to the place of beginning and being further known as parts of Sublots Nos. 6 and 7 in Emily G. Cory's proposed Subdivision, be the same more or less, but subject to all legal highways.

Section 63. 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. 106-21-113 as more fully described below, to Cleveland Housing Network, Inc., or designee.

Section 64. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 106-21-113

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. 391, and bounded and described as follows:

Beginning on the Southerly line of Cory Avenue, N.E., at the North-

easterly corner of land conveyed to Louisa Johnson and John P. Johnson by deed dated June 8, 1914 and recorded in Volume 1592, Page 428 of Cuyahoga County Records; thence Easterly along the Southerly line of Cory Avenue, N.E., 27.67 feet to the Northwesterly corner of land conveyed to Steve Jakubein by deed dated October 6, 1937 and recorded in Volume 4770, Page 509 of Cuyahoga County Records; thence Southerly along the Westerly line of land so conveyed, 90.95 feet to the Southwesterly corner thereof; thence Westerly parallel with the Southerly line of Cory Avenue, N.E., 27.67 feet to the Southeasterly corner of land conveyed to Louisa and John P. Johnson as aforesaid; thence Northerly along the Westerly line of land so conveyed, 90.95 feet to the place of beginning, and being further known as being part of Sublots Nos. 8 and 9 in Emily G. Cory's Subdivision proposed, be the same more or less, but subject to all legal highways.

Section 65. 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. 106-21-114 as more fully described below, to Cleveland Housing Network, Inc., or designee.

Section 66. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 106-21-114

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. 391 and bounded and described as follows:

Beginning on the Southerly line of Cory Avenue, N.E., at a point 518.54 feet Easterly from its point of intersection with the Northeasterly line of Addison Road, N.E.; thence Southerly at right angles to the Southerly line of Cory Avenue, N.E., 90.95 feet; thence Westerly and parallel with the Southerly line of Cory Avenue, N.E., 27 feet 8 inches; thence Northerly 90.95 feet to the place of beginning, and being further known as the Westerly 27 feet 8 inches of Lot No. 9 in Emily B. Cory's proposed Allotment of part of Original One Hundred Acre Lots Nos. 342 and 391, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

Section 67. 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. 119-03-062 as more fully described below, to Cleveland Housing Network, Inc., or designee.

Section 68. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 119-03-062

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 10 in Eliza Hough's and the heirs of Oliver Hough's Allotment of part of Original One Hundred Acre Lot Nos. 391 and 392, as

shown by the recorded plat in Volume 3 of Maps, Page 21 of Cuyahoga County Records, and bounded and described as follows:

Beginning on the Southerly line of Brookline Avenue N.E. (formerly Crawford Place), at a point 220.54 feet Westerly (measured along said Southerly line) from its point intersection with the Northwesterly line of Crawford Road, N.E., (formerly Crawford Street); thence Westerly along said Southerly line of Brookline Avenue, N.E., 45 feet thence Southerly on a line at right angles with said Southerly line of Brookline Avenue, N.E., 60 feet to the Southerly line of said Sublot No. 10; thence Easterly along said Southerly line of Sublot No. 10, 45 feet; thence Northerly 60 feet to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

Section 69. 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. 119-03-063 as more fully described below, to Cleveland Housing Network, Inc., or designee.

Section 70. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 119-03-063

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 10 in Oliver Hough Heirs Subdivision of part of Original One Hundred Acre Lots Nos. 391 and 399, as shown by the recorded plat in Volume 3 of Maps, Page 21 of Cuyahoga County Records, and bounded and described as follows:

Beginning on the Southerly line of proposed Brookline Avenue, N.E., (formerly Crawford Place), 30 feet wide, said Southerly line being parallel to and 60 feet Northerly, (measured at right angles), from the Southerly line of said Sublot No. 10, at a point 265.54 feet Westerly, (measured along said Southerly line of proposed Brookline Avenue, N.E.) from the Northwesterly line of Crawford Road, N.E., (60 feet wide); thence Westerly along said Southerly line of proposed Brookline Avenue, N.E., 35 feet; thence Southerly at right angles with said Southerly line of proposed Brookline Avenue, 60 feet to the Southerly line of said Sublot No. 10; thence Easterly along said Southerly line of Sublot No. 10, 35 feet; thence Northerly 60 feet to the place of beginning, and being further known as Sublot No. 4, in F.B. Fox proposed Subdivision of part of Original One Hundred Acre Lots Nos. 391 and 399, be the same more or less, but subject to all legal highways.

Section 71. 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. 119-03-064 as more fully described below, to Cleveland Housing Network, Inc., or designee.

Section 72. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 119-03-064

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 10 in Oliver Hugh's Subdivision of part of Original One Hundred Acre Lots Nos. 391 and 392, according to plat of said Subdivision in Volume 3 of Maps, Page 21 of Cuyahoga County Records and bounded and described as follows:

Beginning in the Southerly line of Brookline Avenue, N.E., (formerly Crawford Place) a proposed street 30 feet wide, at a point 300 54/100 feet distant Westerly from the intersection of said Southerly line with the Westerly line of Crawford Road, N.E., said Southerly line being drawn parallel with and 60 feet distant Northerly from the Southerly line of said Sublot No. 10; thence Southerly in a line drawn at right angles to the Southerly line of Brookline Avenue, N.E., a distance of 60 feet to the Southerly line of said Sublot No. 10; thence Westerly in the Southerly line of said Sublot No. 10, a distance of 35 feet; thence Northerly in a line drawn parallel with the first course described a distance of 60 feet to the Southerly line of Brookline Avenue, N.E.; thence Easterly in the Southerly line of Brookline Avenue, N.E., a distance of 35 feet to the place of beginning, and being further known as Sublot No. 5 in F.B. Fox's proposed Re-Subdivision, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

Section 73. 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. 119-03-065 as more fully described below, to Cleveland Housing Network, Inc., or designee.

Section 74. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 119-03-065

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 10 in Eliza Hough's and the Heir's of Oliver Hough's Allotment of part of Original One Hundred Acre Lots Nos. 391 and 392, as shown by the recorded plat in Volume 3 in Maps, Page 21 of Cuyahoga County Records, and bounded and described as follows:

Beginning on the Southerly line of Brookline Avenue, N.E., (formerly Crawford Place), at a point 335-54/100 feet Westerly (measured along said Southerly line), from its point of intersection with the Northwesterly line of Crawford N.E., (formerly Crawford Street); thence Westerly along said Southerly line of Brookline Avenue, N.E., 35 feet; thence Southerly on a line at right angles with said Southerly line of Brookline Avenue, N.E., 60 feet to the Southerly line of said Sublot No. 10; thence Easterly along the Southerly line of said Sublot No. 10, 35 feet; thence Northerly to the place of beginning, be the same more or less, but subject to all legal highways.

Section 75. 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. 119-09-031 as more fully described below, to Cleveland Housing Network, Inc., or designee.

Section 76. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 119-09-031

Parcel No. 1

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot Nos. 12 and 13 in the Holden and Adams Re-Allotment of part of Original One Hundred Acre Lot No. 392, as shown by the recorded plat in Volume 26 of Maps, Page 24 of Cuyahoga County Records and together forming a parcel of land bounded and described as follows:

Beginning at a point on the Westerly line of East 90th Street at the intersection of said Westerly line of East 90th Street with the Southerly line of said Original Lot No. 392; thence Westerly along the Southerly line of said Original Lot No. 392 about 218.74 feet to the intersection of said Southerly line of Original Lot No. 392 with the Westerly line extends Southerly of said Sublot Nos. 12 and 13; thence Northerly along the Westerly line of said Sublot Nos. 12 and 13 and the extension Southerly thereof about 60.76 feet to the Southwesterly corner of parcel conveyed to Marian E. Cannon and husband, to Minnie R. Gates by deed dated May 31, 1907, and recorded in Volume 1086, Page 549 of Cuyahoga County Records; thence Easterly along the Southerly line of said parcel of land so conveyed to said Minnie R. Gates about 96.30 feet to a point in said line distant 115 feet Westerly from the Westerly line of East 90th Street measured along the Southerly line of said parcel of land so conveyed to Minnie R. Gates; thence Southerly and parallel with the Westerly line of East 90th Street 4 feet; thence Easterly and parallel with the Southerly line of land so conveyed to Minnie R. Gates 115 feet to the Westerly line of East 90th Street; thence Southerly along the Westerly line of East 90th Street, about 88.14 feet to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

Parcel No. 2

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot Nos. 12 and 13 in the Holden and Adams Re-Allotment of part of Original One Hundred Acre Lot No. 392, as shown by the recorded plat in Volume 26 of Maps, Page 24 of Cuyahoga County Records, and together forming a parcel of land bounded and described as follows:

Beginning at a point in the Westerly line of East 90th Street at the Southeast corner of a parcel of land conveyed by Marian E. Cannon and husband, to Minnie R. Gates by deed dated May 31, 1907, and recorded in Volume 1086, Page 549 of Cuyahoga County Records; thence Northerly along the Westerly line of said East 90th Street, 4 feet; thence Westerly and parallel with the Southerly line of a parcel of land so conveyed to Minnie R. Gates, 115 feet; thence Southerly and parallel with the Westerly line of East 90th Street, 4

feet; thence Easterly along the Southerly line of a parcel of land so conveyed to Minnie R. Gates 115 feet to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

Section 77. 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. 119-09-032 as more fully described below, to Cleveland Housing Network, Inc., or designee.

Section 78. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 119-09-032

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being a part of Sublot 24 in S.V. Harkness's Subdivision of a part of Original One Hundred Acre Lot No. 400, as shown by the recorded plat in Volume 31 of Maps, Page 8 of Cuyahoga County Records and bounded and described as follows:

Beginning in the Westerly line of East 90th Street (formerly Harkness Avenue), at the Northeasterly corner of said Sublot 24; thence Westerly along said Northerly line of Sublot 24, about 124.39 feet to the Northwesterly corner of said Sublot 24; thence Southerly along the Westerly line of said Sublot 24, 54.50 feet to a point 55 feet Northerly from the Southwesterly corner of said Sublot 24; thence Easterly parallel with the Southerly line of Sublot 24 to said Westerly line of East 90th Street; thence Northerly along said Westerly line of East 90th Street to the place of beginning, be the same more or less, but subject to all legal highways.

1. Common Drive Easement from Jacob and Rebecca Narosny, husband and wife, to Gustav L. and Nettie Silberman, husband and wife, dated March 30, 1918, filed for record April 3, 1918 and recorded in Volume 2033, Page 70 of Cuyahoga County Records.

Subject to Zoning Ordinances, if any.

Section 79. 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. 119-09-109 as more fully described below, to Cleveland Housing Network, Inc., or designee.

Section 80. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 119-09-109

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southerly 30 feet of the Easterly 111 feet of Sublot No. 23 in a Re-Subdivision of the S.V. Harkness Subdivision of part of Original One Hundred Acre Lot No. 400 as shown by the recorded plat in Volume 31 of Maps, Page 8 of Cuyahoga County Records, and being 30 feet front on the Westerly side of East 90th Street (formerly Harkness Avenue) 50 feet wide and extending back of equal

width 111 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 81. 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. 119-09-110 as more fully described below, to Cleveland Housing Network, Inc., or designee.

Section 82. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 119-09-110

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 23 in a Re-Subdivision of the S.V. Harkness Subdivision of part of Original One Hundred Acre Lot No. 400, as shown by the recorded plat in Volume 31 of Maps, Page 8 of Cuyahoga County Records, and forming a parcel of land bounded and described as follows:

Beginning in the Westerly line of East 90th Street (formerly Harkness Avenue) 50 feet wide, at a point distant 8 feet due South measured along said Westerly line from the Northeast corner of said Sublot No. 23; thence due South, along said Westerly line of East 90th Street 22 feet to an iron pin; thence North 89° 47' 30" West, along a line parallel with the Northerly line of said Sublot No. 23, 111 feet; thence due North, along a line parallel with said Westerly line of East 90th Street, 5 feet to an iron pin; thence North 89° 47' 30" West, along a line parallel with said Northerly line of Sublot No. 23, 15 feet to an iron pin; thence due North, along a line parallel with said Westerly line of East 90th Street, 15 feet, thence North 83° 10' 10" East 48.97 feet; thence South 89° 47' 30" East 64 feet; thence South 73° 10' 20" East, 13.98 feet to the place of beginning, as appears by the survey of National Survey Service, Inc. dated December 2, 1946, be the same more or less, but subject to all legal highways.

Section 83. 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. 119-09-111 as more fully described below, to Cleveland Housing Network, Inc., or designee

Section 84. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 119-09-111

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 23 in a Re-Subdivision of the S.V. Harkness Subdivision of part of Original One Hundred Acre Lot No. 400, as shown by the recorded plat in Volume 31 of Maps, Page 8 of Cuyahoga County Records, and part of Sublot No. 3 in Ira Adams Allotment of part of Original One Hundred Acre Lot No. 400, as shown by the recorded plat in Volume 6 of Maps, Page 8 of Cuyahoga County Records, and together forming a parcel of land bounded and described as follows:

Beginning at an iron pin in the Southerly line of said Sublot No. 23,

said iron pin being distant North 89° 47' 30" West (measured along said Southerly line of Sublot No. 23), 111 feet from the Westerly line of East 90th Street, (formerly Harkness Avenue) 50 feet wide; thence North 89° 47' 30" West, along said Southerly line of Sublot No. 23, 30 feet to the Southwesterly corner thereof; thence due North along the Westerly line of said Sublot No. 23, 0.24 of a foot to a stone monument at the Southeast corner of said Sublot No. 3, thence North 89° 57' 00" West along the Southerly line of said Sublot No. 3, 42.17 feet to an iron pin the Easterly line of a parcel of land conveyed to Mary Delmissier, by deed dated August 12, 1946, and recorded in Volume 6204, Page 294 of Cuyahoga County Records; thence North 0° 03' 00" East along said Easterly line of land so conveyed to Mary Delmissier and along the Easterly line of a parcel of land conveyed to Alice E. Smither by deed dated August 20, 1930, and recorded in Volume 4029, Page 395 of Cuyahoga County Records, 49.88 feet to an iron pin; thence South 89° 47' 30" East, and passing through an iron pin set in the Westerly line of said Sublot No. 23, 57.13 feet; thence South, along a line parallel with the Westerly line of East 90th Street, 15 feet to an iron pin; thence South 89° 47' 30" East, along a line parallel with the Northerly line of Sublot No. 23, 15 feet to an iron pin; thence due South, along a line parallel with said Westerly line of East 90th Street, 35 feet to the place of beginning according to a survey dated December 2, 1946, by the National Survey Service, Inc., Civil Engineers and Surveyors, be the same more or less, but subject to all legal highways.

Subject to restrictions, terms and conditions contained in the "University-Euclid General Neighborhood Renewal Plan, Ohio R-32", and the "University-Euclid Urban Renewal Project, Ohio R-44" as approved and set forth in Ordinance No. 1338-61, passed by Council of the City of Cleveland, June 12, 1961, and recorded in Miscellaneous Volume 111, Page 9, and in Miscellaneous Volume 111, Page 43 of Cuyahoga County Records, on April 6, 1965, at 1:24 p.m. and 1:25 p.m., respectively, as modified by Ordinance No. 1173-66, passed May 23, 1966, and Ordinance No. 1005-68, passed June 17, 1968.

Subject to zoning ordinances, if any.

Section 85. 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. 119-09-112 as more fully described below, to Cleveland Housing Network, Inc., or designee.

Section 86. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 119-09-112

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 23 in a Re-Subdivision of the S.V. Harkness Subdivision of part of Original One Hundred Acre Lot No. 400, as shown by the recorded plat in Volume 31 of Maps, Page 8 of Cuyahoga County Records, and bounded and described as follows:

Beginning in the Westerly line of

East 90th Street, (formerly of said Sublot No. 23, thence due south along the said Westerly line of East 90th Street, 9 feet; thence North 73° 10' 20" West, 13.98 feet, thence North 89° 47' 30" West, 64 feet; thence South 83° 10' 10" West, 48.97 feet; thence North 89° 47' 30" West, 15 feet to an iron pin set in the Westerly line of Sublot No. 23; thence due North along the said Westerly line of Sublot No. 23, 10 feet to the Northwesterly corner of said Sublot No. 23; thence South 89° 47' 30" East, along said Northerly line of Sublot No. 23, 141 feet to the place of beginning, according to a survey dated December 2, 1946, by the National Survey Service, Inc. be the same more or less, but subject to all legal highways.

Subject to restrictions, terms and conditions contained in the "University-Euclid General Neighborhood Renewal Plan, Ohio R-32" and the "University-Euclid Urban Renewal Project 1, Ohio R-44" as approved and set forth in Ordinance No. 1338-61, passed by the Council of the City of Cleveland, June 12, 1961, and recorded in Miscellaneous Volume 111, Page 9, and in Miscellaneous Volume 111, Page 43, of Cuyahoga County Records, on April 6, 1965, at 1:24 p.m. and 1:25 p.m., respectively, as modified by Ordinance No. 1173-66, passed May 23, 1966, and Ordinance No. 1005-68, passed June 17, 1968.

Subject to zoning ordinances, if any.

Section 87. 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 88. 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 89. That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest including such restrictive covenants and reversionary interests as may be specified by the Board of Control, the Director of Community Development or the Director of Law.

Section 90. 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. 218-01.

By Councilmen Melena and Patmon (by departmental request).

An emergency ordinance authorizing the Executive Director of the Community Relations Board to apply for and accept a grant from Freddie Mac for the Don't Borrow Trouble 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 Executive Director of the Community Relations Board is hereby authorized to apply for and accept a grant in the amount of \$25,000, from Freddie Mac, to conduct the Don't Borrow Trouble Program, for the purposes set forth in the program description and according thereto; that the Executive Director of the Community Relations Board is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the program description for said grant.

Section 2. That the program description for said grant, File No. 218-01-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 Finance, Law; Committees on Community and Economic Development, Finance.

Ord. No. 219-01.

By Councilmen Melena and Patmon (by departmental request).

An emergency ordinance authorizing the Directors of Economic Development and Community Development to enter into Neighborhood Development Investment Fund contracts with Fries & Schuele, Ltd and Carrol Development, Ltd. to provide economic development assistance to partially finance the rehabilitation of the Fries & Schuele Building and the construction of a mixed-use condominium and parking structure adjacent to the Fries & Schuele Building, located in Cleveland, Ohio.

Whereas, through Ordinance No. 56-94, passed June 13, 1994, the City established the Neighborhood Development Investment Program and the Neighborhood Development Investment Fund (NDIF) for the purpose of stimulating the development of major opportunities for job creation, retention, and expansion in the City's neighborhoods; and

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

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

Section 1. That, subject to the provisions of Section 8 of this ordinance, the Directors of Economic

Development and Community Development are hereby authorized to enter into Neighborhood Development Investment Fund contracts with Fries & Schuele, Ltd. and Carrol Development, Ltd. to provide economic development assistance to partially finance the rehabilitation of the Fries & Schuele Building into a mixed use apartment structure and the construction of a mixed-use condominium and parking structure adjacent to the Fries & Schuele Building, located in Cleveland, Ohio.

Section 2. That the terms of said contracts shall comply with the requirements of the Neighborhood Development Investment Program and NDIF, as set forth in Section 1 of Ordinance No. 56-94, passed June 13, 1994, and shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 219-01-A.

Section 3. That the aggregate cost of said contracts shall not exceed One Million One Hundred Fifty Thousand Dollars (\$1,150,000.00), and shall be paid from Fund No. 10 SF 501, Request No. 26645.

Section 4. That the Directors of Economic Development and Community Development are hereby authorized to accept collateral as set forth in the Executive Summary contained in the file referenced in Section 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 Directors of Economic Development and Community Development are hereby authorized to accept monies in repayment of such loans and to deposit said monies in Fund No. 10 SF 502.

Section 6. That the Directors of Economic Development and Community Development are hereby authorized to charge and accept fees in an amount not to exceed the maximum allowable under federal regulations and expend such fees to cover costs incurred in the preparation of the loan applications, closing and servicing of the loans. Such loans 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 contracts and such other documents as may be appropriate to complete the transaction.

Section 8. That, prior to entering into any contract authorized herein, the Director of Finance is required to certify that un-appropriated funds equal to the contract amount set forth in Section 3 of this ordinance have been collected by the City and are available to be allocated to such contract.

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, Community Development, Finance, Law; Committees on Community and Economic Development, Finance.

Ord. No. 220-01.

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

An emergency ordinance authorizing the purchase by contract of not to exceed two hundred Indura jackets and not to exceed eighteen hundred Indura shirts, for the Division of Cleveland Public Power, Department of Public Utilities.

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

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

Section 1. That the Director of Public Utilities is hereby authorized to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: not to exceed two hundred (200) Indura jackets and not to exceed eighteen hundred (1,800) Indura shirts, to be purchased by the Commissioner of Purchases and Supplies for a gross price for the Division of Cleveland Public Power, Department of Public Utilities.

Section 2. That the cost of said contract hereby authorized shall be paid from Fund No. 58 SF 001, Request No. 31598.

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

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

Ord. No. 221-01.

By Councilman Patmon.

An emergency ordinance authorizing the Director of Community Development to enter into a grant agreement with Famicos Foundation for acquisition and renovation a vacant commercial building into a community center in order to carry out the public purpose of providing social service programs to the residents of Cleveland through the use of Ward 8 Neighborhood Equity Funds.

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

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

Section 1. That the Director of Community Development is authorized to enter into a grant agreement with Famicos Foundation for acquisition and renovation a vacant commercial building into a community center in order to carry out the public purpose of providing social service programs to the residents of Cleveland through the use of Ward 8 Neighborhood Equity Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$30,000 and shall be paid from Fund No. 10 SF 166.

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

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

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

Ord. No. 222-01.
By Councilman Patmon (by departmental request).

An emergency ordinance authorizing the Director of Finance to enter into contract without competitive bidding with Oracle Corporation for the purchase of technical support services for certain Oracle computer products, for the Department of Finance.

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

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

Section 1. That it is hereby determined that the within commodities are non-competitive and cannot be secured from any source other than Oracle Corporation. Therefore, the Director of Finance is hereby authorized to make a written contract with said Oracle Corporation upon the basis of its proposal dated December 7, 2000, for the purchase of technical support services for certain Oracle computer products used by various departments of the City, for the period from February 26, 2001 to April 16, 2002, with two (2) options exercisable by the Director of Finance, to renew for an additional one-year term, and cancellable upon thirty days' written notice by said Director, to be purchased by the Commissioner of Purchases and Supplies for a gross price of the Department of Finance.

Section 2. That the cost of said contract hereby authorized shall be paid from Fund Nos. 11 SF 006 and 01-151001-693200, Request No. 4636.

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 Finance, Law; Committee on Finance.

Ord. No. 223-01.
By Councilman Patmon.

An emergency ordinance authorizing the Director of Community Development to enter into a grant agreement with Famicos Foundation for completing Phase II of the Notre Dame building renovation at 1325 Ansel Rd., creating office space for community services in order to carry out the public purpose of providing community and social service programs to the residents of Cleveland through the use of Ward 8 Neighborhood Equity Funds.

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

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

Section 1. That the Director of Community Development to enter into a grant agreement with Famicos Foundation for completing Phase II of the Notre Dame building renovation at 1325 Ansel Rd., creating office space for community services in order to carry out the public purpose of providing community and social service programs to the residents of Cleveland through the use of Ward 8 Neighborhood Equity Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$50,000 and shall be paid from Fund No. 10 SF 166.

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

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

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

Ord. No. 224-01.
By Councilmen Rybka and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter into one or more Concession Agreements for the operation of concession stands at Gordon Park and Brookside Park, for the Department of Parks, Recreation and Properties, for a period not to exceed three 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 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 one or more Concession Agreements for the operation of concession stands at Gordon Park and Brookside Park with the highest and best bidder as determined and approved by the Board of Control after competitive bidding and advertising as provided by Section 108 of the Charter of the City of Cleveland. Each Concession Agreement shall not exceed a term of three years.

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 Parks, Recreation and Properties, Finance, Law; Committees on Public Parks, Property and Recreation, Finance.

Ord. No. 225-01.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on scattered sites to Cleveland Housing Network, Inc., or designee.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 135-17-015 as more fully described below, to Cleveland Housing Network, Inc., or designee.

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

P. P. No. 135-17-015

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 136 in A. Harris Subdivision of part of Original One Hundred Acre Lots Nos. 449 and 450 as shown by the recorded plat in Volume 4 of Maps, Page 16 of Cuyahoga County Records and re-recorded in Volume 11 of Maps, Page 55 of Cuyahoga County Records and being 50 feet front on the Southerly side of Sandusky Avenue and extending back 126.3 feet on the Westerly line 126.51 feet on the Easterly line and having a rear line of 50 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 3. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 135-17-134 as more fully described below to Cleveland Housing Network, Inc., or designee.

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

P. P. No. 135-17-134

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 96 in the Re-Survey of Leo W. Sapp's Allotment of part of Original One Hundred Acre Lots Nos. 457 and 458, as shown by the recorded plat

in Volume 12 of Maps, Page 25 of Cuyahoga County Records and being a parcel of land 40.02 feet front on the Northerly side of Prince Avenue, S.E., and extending back of equal width about 130.34 feet on the Easterly line, about 130.37 feet on the Westerly line and having a rear line of 40.02 feet, as appears by said plat.

Also subject to all zoning ordinances, if any

Section 5. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 118-24-099 as more fully described below, to Cleveland Housing Network, Inc., or designee.

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

P. P. No. 118-24-099

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being all of Sublot No. 21 in the Sterling Subdivision of part of Original One Hundred Acre Lot No. 336 as shown by the recorded plat in Volume 5 of Maps, Page 60 of Cuyahoga County Records and being 40 feet front on the Easterly side of East 73rd Street, and extending back of equal width, 143.34 feet deep on the Northerly line and 143.31 feet deep on the Southerly line, be the same more or less, but subject to all legal highways.

Section 7. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 118-24-112 as more fully described to Cleveland Housing Network, Inc., or designee.

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

P. P. No. 118-24-112

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 107 in Harriet C. Sterlings' Re-Subdivision of part of Original One Hundred Acre Lot No. 336, as shown by the recorded plat in Volume 5 of Maps, Page 60 of Cuyahoga County Records and being 40 feet front on the Westerly side of East 73rd Street (formerly Brenton Street) and extending back of equal width 132 feet deep on the Easterly line of an alley in the rear, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

Section 9. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel Nos. 118-24-121 as more fully described below, to Cleveland Housing Network, Inc., or designee.

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

P. P. No. 118-24-121

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 98 in H.C. Sterling Subdivision of part of Original One Hundred Acre Lot No. 336 as shown by the recorded plat in Volume 5 of Maps, Page 60 of Cuyahoga County Records and being 40 feet front on the Westerly side of Branton Street (now known as East 73rd Street) and extending back of equal width 132 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 11. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 118-25-013 as more fully described below, to Cleveland Housing Network, Inc., or designee.

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

P. P. No. 118-25-013

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 81 in H.C. Sterling's Allotment of part of Original One Hundred Acre Lot No. 336 as shown by the recorded plat in Volume 5 of Maps, Page 60 of Cuyahoga County Records. Said Sublot No. 81 has a frontage of 40 feet on the Westerly side of East 73rd Street (formerly Brenton Street) and extends between parallel lines 132 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 13. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 120-12-066 as more fully described below, to Cleveland Housing Network, Inc., or designee.

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

P. P. No. 120-12-066

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Westerly one-half of Sublot No. 40 in Superior Land Company's Allotment of part of Original One Hundred Acre Lot No. 388, as shown by the recorded plat in Volume 38 of Maps, Page 7 of Cuyahoga County Records and being 40 feet front on the Easterly side of East 124th Place and extending back 70.26 feet on the Northerly line, 67.39 feet on the Southerly line and having a rear line of 40 feet, as shown by the recorded plat in Volume

Subject to zoning ordinances, if any.

Section 15. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 120-12-067 as

more fully described below, to Cleveland Housing Network, Inc., or designee.

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

P. P. No. 120-12-067

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 39 in Superior Land Company's Allotment of part of Original One Hundred Acre Lot No. 388, as shown by the recorded plat in Volume 38 of Maps, Page 7 of Cuyahoga County Records, being 35 feet front on the Easterly side of East 124th Place and being 72.76 feet deep on the Northerly line, 70.26 feet deep on the Southerly line and being 35.09 feet wide in the rear as appears by said plat, be the same more or less, but subject to all legal highways.

Section 17. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 123-22-103 as more fully described below, to Cleveland Housing Network, Inc., or designee.

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

P. P. No. 123-22-103

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being a part of Sublot No. 11 in Hubbard Hollister's Subdivision of part of Original One Hundred Acre Lot No. 324, as shown by the recorded plat in Volume 4 of Maps, Page 25 of Cuyahoga County Records and bounded and described as follows:

Beginning on the Southeastery line of Pershing Avenue, S.E., (formerly Hollister Avenue) at a point distant 33 feet 4 inches Southwest from the most Northerly corner of Sublot No. 11, said point beginning being also the most Westerly corner of a parcel of land conveyed to Kate Boyd by deed dated February 15, 1906 and recorded in Volume 1021 Page 193 of Cuyahoga County Records; thence Southeastery along the Southwesterly line of land so conveyed to Kate Boyd about 132 feet to the Southeastery line of Sublot No. 11; thence Southwesterly along the Southeastery line 35 feet 7 inches; thence Northwesterly about 132 feet to a point in the Southeastery line of Pershing Avenue, S.E., distant Southwesterly 33 feet 4 inches from the most Westerly corner of land conveyed to Kate Boyd; thence Northeastery along the Southeastery line of Pershing Avenue, S.E., 33 feet 4 inches to the place of beginning, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

Section 19. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 006-29-067 as more fully described below, to Cleveland Housing Network, Inc., or designee.

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

P. P. No. 006-29-067

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 60 in James M. Hoyt's and Sons Allotment of part of Original Brooklyn Township Lot No. 34, as shown by the recorded plat in Volume 5 of Maps, Page 55 of Cuyahoga County Records, and being 30 feet front on the Easterly side of West 71st Street (formerly Lindsley Street), and extending back of equal width 122 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 21. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 006-29-068 as more fully described below, to Cleveland Housing Network, Inc., or designee.

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

P. P. No. 006-29-068

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 61 in James E. Hoyt and Sons Allotment of part of Original Brooklyn Township Lot No. 34, as shown by the recorded plat in Volume 5 of Maps, Page 55 of Cuyahoga County Records and being 30 feet front on the Easterly side of Lindsley Street (now known as West 71st Street) and extending back of equal width 122 feet deep to Lindsley Alley (now known as West 70th Place) as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

Section 23. 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 24. 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 25. That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest including such restrictive covenants and reversionary interests as may be specified by the Board of Control, the Director of

Community Development or the Director of Law.

Section 26. 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.

FIRST READING ORDINANCE REFERRED

Ord. No. 226-01.

By Councilman Polensek.

An ordinance to change the Use District of some lands on both sides of Lake Shore Boulevard, N.E. between Brazil Road, N.E. and Neff Road, N.E. (Map Change No. 2026, Sheet No. 7)

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

Section 1. That the Use District of lands bounded and described as follows.

Beginning at the intersection of the southeasterly extension of the northeasterly line of Sublot No. 101 in the East Shore Park Subdivision as recorded in Volume 93, Page 6 of the Cuyahoga County Map Records and the center line of Lake Shore Boulevard, N.E.; thence southwesterly along said center line of Lake Shore Boulevard, N.E. to its intersection with the southwesterly extension of the northwesterly line of Permanent Parcel No. 113-06-03; thence northeasterly along said southwesterly extension and along said southeasterly line of said Permanent Parcel 113-06-03 to its intersection with the southeasterly line thereof; thence southeasterly, southwesterly and southeasterly along said northeasterly line of said Permanent Parcel No. 113-06-03 to its intersection with the southeasterly line thereof; thence southwesterly along said southeasterly line and along its southwesterly extension to the center line of Lake Shore Boulevard, N.E.; thence southeasterly along said center line of Lake Shore Boulevard, N.E. to its intersection with the southwesterly extension of a line located approximately one hundred (100) feet southeast of the southeasterly line of Brazil Road, N.E.; thence northeasterly along said southwesterly extension and along said line which is almost parallel to and approximately one hundred (100) feet southeast of said southeasterly line of Brazil Road, N.E. for a distance of approximately one hundred fifty eight and twenty six hundredths (158.26) feet northeast of the northeasterly line of Lake Shore Boulevard, N.E.; thence southeasterly from this point to a point located approximately two hundred six and twenty two hundredths (206.22) feet northeast of the intersection of Lake Shore Boulevard, N.E. and Marcella Road, N.E. and along its southeasterly extension to the center line of Marcella Road, N.E.; thence southwest-

erly along said center line of Marcella Road, N.E., to said center line of Lake Shore Boulevard, N.E.; thence northwesterly along said center line of Lake Shore Boulevard, N.E. to its to the center line of Brazil Road, N.E.; thence northwesterly along said center line of Brazil Road, N.E. to its intersection with the center line of Lakeport Road, N.E.; thence northeasterly along said center line of Lakeport Road, N.E. to its intersection with a line located approximately four hundred thirty two and eighty hundredths (432.80) feet southwest of the southwesterly line of Neff Road, N.E.; thence northwesterly along said line which is parallel to and approximately four hundred and thirty two and eighty hundredths (432.80) feet southwest of said southwesterly line of Neff Road, N.E. to its intersection with a line located one hundred twenty five (125) feet southeast of the southeasterly line of Hoover Road, N.E.; thence northeasterly along said line which is parallel to and one hundred twenty five (125) feet southeast of said southeasterly line of Hoover Avenue, N.E. to its intersection with a line located approximately two hundred ninety and five hundredths (290.05) feet southwest of said southwesterly line of Neff Road, N.E.; thence southeasterly along said line which is parallel to and approximately two hundred ninety and five hundredths (290.05) feet southwest of said southwesterly line of Neff Road, N.E. and along its southeasterly extension to the center line of Lake Shore Boulevard, N.E.; thence northeasterly along said center line of Lake Shore Boulevard, N.E. to the center line of Neff Road, N.E.; thence northwesterly along said center line of Neff Road, N.E. to its intersection with the southwesterly extension of the northwesterly line of Sublot No. 99 in the East Shore Park Subdivision as recorded in Volume 93, Page 6 of the Cuyahoga County Map Records; thence northeasterly along said southwesterly extension and along said northwesterly line of said Sublot No. 99 and continuing northeasterly along the northwesterly lines of Sublot Nos. 100 and 101 in said East Shore Park Subdivision to its intersection with said northeasterly line thereof; thence southeasterly along said northeasterly line of said Sublot No. 101 and along said southeasterly extension to the place of beginning, and as outlined in red on the map hereto attached, be and the same is hereby changed to a Multi-Family Use District.

Section 2. That said changed designation of lands described in Section 1 shall be identified as Map Change No. 2026, Sheet No. 7 and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for such purpose by the City Planning Commission.

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

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

**FIRST READING EMERGENCY
RESOLUTION REFERRED**

Res. No. 227-01.

By Councilman Coats.

An emergency resolution urging President George W. Bush and the Congress to find funds for City infrastructure improvements.

Whereas, the nation's cities need various infrastructure improvements; and

Whereas, this resolution constitutes an emergency measure for the immediate preservation of public peace, property, health or safety in that funds should be used for necessary infrastructure improvements to the nation's cities; now, therefore,

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

Section 1. That President George W. Bush should make funds available to be used by the nation's cities for necessary infrastructure improvements to their airports, water delivery systems, roads, bridges, etc.

Section 2. That the Council of the City of Cleveland urges President Bush, the House of Representatives and the Senate to direct federal funds to the nation's cities for needed infrastructure improvements.

Section 3. That the Clerk of Council is hereby directed to transmit copies of this resolution to President George W. Bush, the Speaker of the House of Representatives, the President of the Senate, and the Northeast Ohio delegation to Congress.

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.

Referred to Directors of Port Control, Public Utilities, Public Service, City Planning Commission, Finance, Law; Committees on Aviation and Transportation, Public Utilities, Public Service, City Planning, Finance.

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

Ord. No. 228-01.

By Councilman Cimperman.

An emergency ordinance consenting and approving the issuance of a permit for the MS WALK on April 22, 2001 sponsored by the National Multiple Sclerosis Society.

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 and approves the holding of the MS WALK, sponsored by the National Multiple Sclerosis Society, on April 22, 2001, with **The Short Route** as follows: begin

at Nautica Entertainment Complex in the Flats, follow Washington (north side) to Center St. turn left onto Center St. (east side). Follow to Merwin Avenue turn left onto Merwin Avenue (south side) walk past Heritage Park which comes into Old River Road remain on west side of Old River Road until Main St. Cross from west side of east side of Old River Road to Main St. **Handicap Pick Up.** Continue to Front St. turn right onto Front Street (south side). Follow Front to West 9th, turn right onto West 9th (west side). Continue on West 9th, turn left onto W. Lakeside Ave. (south side). Continue on W. Lakeside turn left onto West 3rd (east side) **Rest Stop #1 Handicap Drop Off** Huntington Park. West 3rd becomes Erieside Avenue, (walk on the inside of the curve). Where Erieside turns east to pass the Science Museum and the Rock & Roll Hall of Fame walk on the north side. Follow Erieside to E. 9th. Turn right onto East 9th Street (west side). Continue on E. 9th until Lakeside, turn right onto Lakeside Ave. (north side). Follow Lakeside Ave. continue on Lakeside Ave. walking under the bridge until W. 9th. Turn right onto W. 9th (north side). Follow W. 9th until Front Street turn left onto Front St. (north side). Follow Front St. down the hill to Old River Road. Turn south onto Old River Road (west side). Continue walking south to Merwin Ave. past Heritage Park (south side). Follow Merwin to Center St. Turn right onto Center St. (east side). Continue on Center St. until Washington, turn right onto Washington St. (north side) and follow straight into Nautica, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

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

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

Chester Ave. until E. 22nd. Turn right onto E. 22nd (west side). Follow E. 22nd until Prospect Ave. turn right onto Prospect (north side). Continue on Prospect until 18th. Turn right onto E. 18th (west side). Follow E. 18th until Euclid Ave. turn left onto Euclid Ave. (south side). **Rest Stop #2** at the Firstar Plaza. Follow Euclid Ave. (south side) to E. 9th. Turn left onto E. 9th (west side). Follow E. 9th until Carnegie turn right onto Carnegie (north side). Continue on Carnegie until Ontario turn right onto Ontario (east side). Follow Ontario to Public Square. Walk on the East side of Ontario until you reach Euclid Ave. Cross to the West at Euclid and Ontario continuing on Ontario. Go north to Superior turning west (north side) this brings you to the Northwest Quadrant of Public Square **Rest Stop #3.** Follow Superior to W. 6th (north side). Turn right onto W. 6th (west side). Continue on W. 6th until Lakeside Ave. Turn left onto Lakeside Ave. (south side). Continue on Lakeside Ave. walking under the bridge until W. 9th. Turn right onto W. 9th (north side). Follow W. 9th until Front Street turn left onto Front St. (north side). Follow Front St. down the hill to Old River Road. Turn south onto Old River Road (west side). Continue walking South to Merwin Ave. past Heritage Park (south side). Follow Merwin to Center St. Turn right onto Center St. (east side). Continue on Center St. until Washington, turn right onto Washington St. (north side) and follow straight into Nautica, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

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

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

Ord. No. 229-01.

By Councilman Cimperman.

An emergency ordinance consenting and approving the issuance of a permit for a Walk-A-Thon on May 21, 2001 sponsored by The Museum 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 pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of a Walk-A-Thon, sponsored by The Museum Co., on May 21, 2001, starting at The Cleveland Convention Center. The group will walk north to Lakeside Ave., then east to E. 9th Street, north on E. 9th Street across the bridge to Erieside, west onto Erieside (in front of The Rock & Roll Hall of Fame, The Great Lakes Science

Center, around and behind The Cleveland Browns Stadium) to W. 3rd Street, south on W. 3rd to Lakeside, east onto Lakeside to return to the Cleveland Convention Center, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

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

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

Ord. No. 230-01.

By Councilman Polensek.

An emergency ordinance to amend Section 113.12 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 2249-95 passed December 11, 1995 relating to fees for publications and services.

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 113.12 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 2249-95 passed December 11, 1995 is hereby amended to read as follows:

Section 113.12 Fees for Publications and Services

(a) Notwithstanding the prices fixed pursuant to division (a) of this section the Clerk of Council is hereby authorized to collect the following prices for reprinting of the Codified Ordinances which are updated annually:

	Unit	Cost
Charter	1. Administrative Code	\$ 20.00
	2. Health Code	\$ 25.00
	3. Land Use Code	
	I. Planning	\$ 20.00
	II. Housing	\$ 20.00
	III. Zoning	\$ 30.00
	IV. Fire Prevention	\$ 20.00
	V. Building	\$ 35.00
	4. Traffic Code	\$ 25.00
	5. Utilities and Services Code	\$ 25.00
	6. Offenses and Business Activities Code	\$ 30.00
	Complete set with binder	\$210.00

The Clerk is further authorized to collect these prices in advance of the reprinting in order to help defray the cost thereof.

(b) The Clerk of Council shall charge one dollar (\$1.00) for each certification and **five cents (\$0.05)** per page for copies of ordinances, resolutions, reports, communications or other documents.

(c) The Clerk of Council shall annually cause to be published a set of replacement pages to the Codified Ordinances incorporating legislative changes enacted during the previous year. The Clerk is authorized to sell such supplemental service at a cost of ten dollars (\$10.00) for each component code booklet and sixty dollars (\$60.00) for the complete supplement.

(d) All costs specified herein are net and any sales tax or postage as applicable shall be additional.

Section 2. That existing Section 113.12 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 2249-95 passed December 11, 1995 is hereby repealed.

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

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

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

FIRST READING EMERGENCY

**RESOLUTIONS READ IN FULL
AND ADOPTED**

Res. No. 231-01.

By Councilman Brady.

An emergency resolution strongly urging the administration to seek to provide affordable health care benefits to school crossing guards during upcoming contract negotiations with health care insurance providers.

Whereas, school crossing guards benefit the citizens of the City by ensuring the safety of its school children; and

Whereas, working as a school crossing guard prohibits a person from holding down a full-time job; and

Whereas, school crossing guards working for the City are not provided affordable health care benefits, as are other City employees; and

Whereas, the salaries of school crossing guards are extremely low, thereby increasing the need for affordable health care benefits; and

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

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

Section 1. That this Council strongly urges the administration to seek to provide affordable health care benefits to school crossing guards during upcoming contract negotiations with health care insurance providers.

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 19. Nays 0. Read second time. Read third time in full. Adopted. Yeas 19. Nays 0.

Res. No. 232-01.

By Councilman Britt.

An emergency resolution objecting to the transfer of ownership of a C1 Liquor Permit to 2623 Woodhill Rd., 1st Fl. Only.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a C1 Liquor Permit from Permit No. 4155619, Isa Sylvia Inc., DBA Saveway Food, 2623 Woodhill Rd., 1st Fl. Only, Cleveland, Ohio 44104 to Permit No. 6416010, Nisreen Nenra Inc., DBA Saveway Food, 2623 Woodhill Rd., 1st Fl. Only, Cleveland, Ohio 44104; and

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

Whereas, the applicant does not qualify to be a permit holder and/or has demonstrated that he has oper-

ated his liquor business in disregard of the laws, regulations or local ordinances of this state or any other state; and

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a C1 Liquor Permit from Permit No. 4155619, Isa Sylvia Inc., DBA Saveway Food, 2623 Woodhill Rd., 1st Fl. Only, Cleveland, Ohio 44104 to Permit No. 6416010, Nisreen Nenra Inc., DBA Saveway Food, 2623 Woodhill Rd., 1st Fl. Only, Cleveland, Ohio 44104 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

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

Res. No. 233-01.

By Councilman Lewis.

An emergency resolution urging all utility companies providing service in the City of Cleveland to compile and publish a list of entities affiliated with or authorized by the respective utility company to accept payment for services and urging citizens to make payments to only utility-authorized entities.

Whereas, the City of Cleveland is comprised of hard-working, industrious citizens who pay their utility bills timely and in full; and

Whereas, many of these citizens pay their utility bills at local banks and retail establishments, as opposed to paying them directly to the utility company either through the mail or in person; and

Whereas, there are many unscrupulous entities and local establishments that accept payment for utilities from citizens and then fail to forward the payment to the proper utility company; and

Whereas, this Council of the City of Cleveland urges all utility companies to compile a list of entities affiliated with or authorized by the respective utility company to accept payment for services; and

Whereas, the utility companies should publish such lists in the local newspapers, through local news media and in the public libraries as a protection for our citizens against unscrupulous entities; and

Whereas, our citizens should consult such lists and make payment only to utility-authorized entities; and

Whereas, in the event that payment is made to an unauthorized entity and such payment for utility service is not processed timely to the utility company, citizens should immediately notify the utility company and the police department that a fraud has occurred; and

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

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

Section 1. That this Council of the City of Cleveland urges all utility companies providing service in the City of Cleveland to compile a list of entities affiliated with or authorized by the respective utility company to accept payment for services and encourages the utility companies to publish such lists in the local newspapers, through local news media and in the public libraries as a protection for our citizens against unscrupulous entities.

Section 2. That Council encourages our citizens to consult such lists and to make payment only to utility-authorized entities; and in the event that payment is made to an unauthorized entity and such payment for utility service is not processed timely to the utility company, citizens should immediately notify the utility company and the police department that a fraud has occurred.

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

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

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

Res. No. 234-01.**By Councilman Melena.**

An emergency resolution declaring this Council's support of the proposal of Cleveland Housing Network Limited Partnership XVIII to the Ohio Housing Finance Agency for the use of low-income housing tax credits.

Whereas, each year the Ohio Housing Finance Agency allocates housing credits for affordable housing developments throughout Ohio using a competitive proposal process; and

Whereas, the Cleveland Housing Network in partnership with twenty member community development corporations is proposing to develop up to 90 homes; and

Whereas, 100% of these homes will be occupied by low-income families, with no market rate units; and

Whereas, 20% of these homes will serve a special needs population, specifically households with incomes at or below 35% of the area median income; and

Whereas, Cleveland Housing Network's proposal will benefit the citizens of the City; and

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

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

Section 1. That this Council hereby declares its support of the proposal of Cleveland Housing Network Limited Partnership XVIII to the Ohio Housing Finance Agency for the use of low-income housing tax credits.

Section 2. That the Clerk of Council is hereby directed to transmit certified copies of this resolution to the Executive Director of the Cleveland Housing Network.

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

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

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

Res. No. 235-01.**By Councilman Melena.**

An emergency resolution declaring this Council's support of the proposal of Cleveland New Construction Limited Partnership III to the Ohio Housing Finance Agency for the use of low-income housing tax credits.

Whereas, each year the Ohio Housing Finance Agency allocates housing credits for affordable housing developments throughout Ohio using a competitive proposal process; and

Whereas, the Cleveland Housing Network in partnership with twenty member community development corporations is proposing to develop up to 80 homes; and

Whereas, 100% of these homes will be occupied by low-income families, with no market rate units; and

Whereas, 20% of these homes will serve a special needs population, specifically households with incomes at or below 35% of the area median income; and

Whereas, Cleveland Housing Network's proposal will benefit the citizens of the City; and

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

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

Section 1. That this Council hereby declares its support of the proposal of Cleveland New Construction Limited Partnership III to the Ohio Housing Finance Agency for the use of low-income housing tax credits.

Section 2. That the Clerk of Council is hereby directed to transmit certified copies of this resolution to the Executive Director of the Lutheran Housing Corporation.

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

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

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

Res. No. 236-01.**By Councilman Melena.**

An emergency resolution objecting to the transfer of location of a C1 Liquor Permit to 5009 Detroit Avenue.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of location of a C1 Liquor Permit from Permit No. 6549334, 5015 Detroit Ave., Inc., DBA Amy Food Market, 5015 Detroit Ave., 1st Fl. & Bsmt., Cleveland, Ohio 44102, to Permit No. 65493340001, 5015 Detroit Ave. Inc., DBA Amy Food Market, 5009 Detroit Ave., Cleveland, Ohio 44102; and

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

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

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

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

Whereas, the place for which the permit is sought is so located with respect to the neighborhood that it

substantially interferes with public decency, sobriety, peace or good order; and

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a C1 Liquor Permit from Permit No. 6549334, 5015 Detroit Ave., Inc., DBA Amy Food Market, 5015 Detroit Ave., 1st Fl. & Bsmt., Cleveland, Ohio 44102, to Permit No. 65493340001, 5015 Detroit Ave. Inc., DBA Amy Food Market, 5009 Detroit Ave., Cleveland, Ohio 44102 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

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

Res. No. 237-01.**By Councilman Polensek.**

An emergency resolution declaring this Council's support for Governor Taft's \$110 million development initiative for Ohio's steel industry.

Whereas, this Council is concerned about the plight of integrated steel manufacturers in Ohio, including that of LTV Corp; and

Whereas, it is vitally important to the citizens of the City of Cleveland, to the City's economy and to steelworkers' livelihoods to help Ohio's steel manufacturers, including LTV Corp., maintain a viable presence in Ohio as integrated steel producers; and

Whereas, Governor Taft has just announced a \$110 million initiative to help Ohio's steel industry and enhance its competitive position for future growth; and

Whereas, this initiative includes: \$30 million over the next three years to assist with capital investments for expansion or restructuring projects; \$60 million in federal volume cap for tax exempt financing of eligible pollution control equipment; \$5

million in grants over the next three years for infrastructure improvements or key equipment acquisitions; and \$15 million in training grants to upgrade the skills of industry workers; and

Whereas, this Council recognizes the danger that Ohio's steel industry is in and applauds the efforts of the Governor in making the effort to help stabilize the industry; and

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

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

Section 1. That this Council hereby declares its support for Governor Taft's \$110 million development initiative for Ohio's steel industry.

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 19. Nays 0. Read second time. Read third time in full. Adopted. Yeas 19. Nays 0.

Res. No. 238-01.

By Councilman Polensek.

An emergency resolution declaring this Council's support for House Bill 27, which would include iron slag and steel slag as products in the Buy Ohio Program and require that steel used in capital improvement projects be made in the United States.

Whereas, this Council is concerned about the plight of integrated steel manufacturers in Ohio, including that of LTV Corp; and

Whereas, it is vitally important to the citizens of the City of Cleveland, to the City's economy and to steelworkers' livelihoods to help Ohio's steel manufacturers, including LTV Corp., maintain a viable presence in Ohio as integrated steel producers; and

Whereas, Representative Dale Miller has announced the introduction of House Bill 27 which would designate iron slag and steel slag as products to be included in the Buy Ohio Program and require that steel used in capital improvement projects be made in the United States; and

Whereas, House Bill 27 would help Ohio's steel industry and enhance its competitive position for future growth; and

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

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

Section 1. That this Council hereby declares its support for House Bill 27, which would include iron slag and steel slag in the Buy Ohio Program and require that steel used in capital improvement projects be made in the United States.

Section 2. That the Clerk of Council is hereby directed to transmit

certified copies of this resolution to Representative Dale Miller.

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

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

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

Res. No. 239-01.

By Councilman White.

An emergency resolution objecting to the transfer of location of a C1 and C2 Liquor Permit to 9915 Miles Ave.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of location of a C1 and C2 Liquor Permit from Permit No. 0037292, Abuz Co., DBA Miles Beverage & Deli, 9911 Miles Ave., 1st Fl. & Bsmt., Cleveland, Ohio 44105 to Permit No. 00372920001, Abuz Co., DBA Miles Beverage & Deli, 9915 Miles Ave., Cleveland, Ohio 44105; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of location of a C1 and C2 Liquor Permit from Permit No. 0037292, Abuz Co., DBA Miles Beverage & Deli, 9911 Miles Ave., 1st Fl. & Bsmt., Cleveland, Ohio 44105 to Per-

mit No. 00372920001, Abuz Co., DBA Miles Beverage & Deli, 9915 Miles Ave., Cleveland, Ohio 44105 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

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

SECOND READING EMERGENCY ORDINANCES PASSED

Ord. No. 817-2000.

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

An emergency ordinance determining the method of making the public improvement of pump station and reservoir improvements for the Garrett A. Morgan Water Treatment Plant for the Division of Water; authorizing the Director of Public Utilities to enter into contract for the making of such improvement; authorizing contracts for the purchase of labor and materials needed in conjunction with the public improvement; authorizing the Commissioner of Purchases and Supplies to acquire such real property as is necessary to make the public improvement; authorizing said Director to apply and pay for permits, licenses, or other authorizations as necessary to make the public improvement; and authorizing said Director to enter into such other agreements as are necessary.

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

1. In Section 1, line 6, strike the following: "turbidity and particle meters."

2. Add a New Section 8 to read as follows:

"Section 8. That the public improvement authorized herein shall be architecturally consistent with the current structure and historical character of the Garrett A. Morgan Water Treatment Plant, including but not limited to the use of brick similar in size and color to the original brick construction and the use of red tile roofing materials."

3. Add a New Section 9 to read as follows:

"Section 9. That the Department of Public Utilities shall work with the Cleveland Restoration Society when designing the exterior portion of the

public improvement authorized herein and shall obtain the approval of the Cleveland Restoration Society prior to constructing the public improvement.”.

4. Add a New Section 10 to read as follows:

“Section 10. That prior to demolition of any structure necessary to make the public improvement authorized herein, a study shall be conducted and a recommendation provided to the Chairman of the Public Utilities Committee on the collection and preservation of historically significant documents, fixtures, and materials.”.

5. Add a New Section 11 to read as follows:

“Section 11. That the documents provided to the Public Utilities Committee and dated January 2001 shall be incorporated into File No. 817-2000-A and made a part hereof.”.

6. Add a New Section 12 to read as follows:

“Section 12. That, to the extent permitted by law, the City shall, prior to awarding a contract for the public improvement authorized herein, execute a project-labor agreement with the Building Trades Council.”.

7. In existing Section 8, line 2, after “shall” insert “not exceed \$48,000,000 and shall”.

8. Renumber existing Section 8 to “Section 13” and existing Section 9 to “Section 14”.

Amendments agreed to.

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

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

Ord. No. 911-2000.

By Councilmen Dolan and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Port Control to enter into an agreement with Continental Airlines for reimbursement of Continental for construction of the South Fuel Farm Hydrant Pumping Station at Cleveland Hopkins International Airport.

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

1. In the title, strike lines 4, 5, 6 and 7 in their entirety and insert in lieu thereof the following: “with Continental Airlines to purchase certain rights in Continental Airlines hydrant fueling system, at Cleveland”.

2. In Section 1, strike lines 3, 4, 5, and 6 in their entirety and insert in lieu thereof the following: “authorizing the City to make the election, pursuant to Section 6.03 of the 1997 special facilities Lease to purchase (certain) rights to Airlines’s (Continental Airlines) hydrant fueling system in order to incorporate said system into a larger fuel distribution system at the Airport.” Said agreement shall be prepared by the Director.”.

Amendments agreed to.

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

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

Ord. No. 1865-2000.

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

An emergency ordinance determining the method of making the public improvement of constructing and repairing catch basins and manholes citywide and authorizing the Director of Public Utilities to enter into a public improvement requirement contract for the making of such improvement, for a period not to exceed two years.

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

1. In the title, line 9 and 10, strike “, for a period not to exceed two years”.

2. In Section 2, line 5 and line 9, strike “two years,” and insert in lieu thereof “one year in an amount not to exceed \$250,000.”.

3. In Section 2, line 9, strike “two years” and insert in lieu thereof “one year”.

Amendments agreed to.

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

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

Ord. No. 1867-2000.

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

An emergency ordinance authorizing the purchase by requirement contract of hazardous and non hazardous waste disposal services, for the Division of Water, Department of Public Utilities, for a period not to exceed two years.

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

1. In Section 2, line 1, after shall insert the following: “not exceed \$300,000.00 and shall”.

Amendment agreed to.

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

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

Ord. No. 1958-2000.

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

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

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

1. In Section 2, line 1, after shall insert the following: “not exceed \$75,000.00 and shall”.

Amendment agreed to.

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

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

Ord. No. 2098-2000.

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

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

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

1. In Section 2, line 1, after shall insert the following: “not exceed \$150,000.00 and shall”.

Amendment agreed to.

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

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

Ord. No. 2105-2000.

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

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

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

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

Ord. No. 2202-2000.

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

An emergency ordinance determining the method of making the public improvement of constructing a salt storage dome at the Seville Station, and authorizing the Director of Public Service to enter into contract for the making of such improvement.

Approved by Directors of Public Service, City Planning Commission, Finance, Law; Relieved of Committees on Public Service, City Planning; Recommended by Committee on Finance.

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

Ord. No. 28-01.

By Councilmen White and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Personnel and Human Resources to enter into contract with Integrated Consultant Services, Ltd. to provide workers’ compensation actuarial and auditing services for the Department of Personnel and Human Resources.

Approved by Directors of Personnel and Human Resources, Finance, Law; Recommended by Committees on Employment, Affirmative Action and Training, Finance; when amended as follows:

1. In Section 1, at the end, insert the following new sentence: “The cost of the contract shall not exceed \$223,000.”.

Amendment agreed to.

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

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

THIRD READING EMERGENCY ORDINANCES PASSED

Ord. No. 1411-2000.

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

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Nisman-Rozgoyni Enterprises LLC to provide economic development assistance to partially finance land acquisition, construction and site improvements for the property located at Parcel F in the Cleveland Industrial Park, Cleveland, Ohio 44128.

Read third time. Passed. Yeas 19. Nays 0.

Ord. No. 1412-2000.

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

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to sell City-owned property no longer needed for public use located at Block F of the Cleveland Industrial Park to Nisman-Rozgoyni Enterprises LLC.

Read third time. Passed. Yeas 19. Nays 0.

Ord. No. 1413-2000.

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

An emergency ordinance authorizing the Director of Economic Development to enter into an Enterprise Zone Agreement with Nisman-Rozgoyni Enterprises LLC to provide for a ten year abatement for real estate taxes as an incentive for land acquisition and construction and for the acquisition of personal property located at Parcel F in the Cleveland Industrial Park, Cleveland, Ohio 44128.

Read third time. Passed. Yeas 19. Nays 0.

Ord. No. 1576-2000.

By Mayor White.

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to remove rubber and paint from paved surfaces, for the various divisions of the Department of Port Control, for a period not to exceed two years.

Read third time. Passed. Yeas 19. Nays 0.

Ord. No. 1811-2000.

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

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Sections 358.01 to 358.07 relating to fence regulations; to amend 337.23 and 357.13 as amended by various ordinances; and to repeal Sections 325.221, 325.222, 325.223 and 629.06 thereof.

Read third time. Passed. Yeas 19. Nays 0.

Ord. No. 1866-2000.

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

An emergency ordinance authorizing the purchase by requirement contract of diving and underwater inspection services, for the Division of Water, Department of Public Utilities, for a period not to exceed two years.

Read third time. Passed. Yeas 19. Nays 0.

Ord. No. 1877-2000.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 1255 East 105th Street and rear of 1251 East 105th Street to Adrian Thompson.

Read third time. Passed. Yeas 19. Nays 0.

Ord. No. 1968-2000.

By Councilman Polensek.

An emergency ordinance to vacate a portion of East 200th Street hereinafter described.

Read third time. Passed. Yeas 19. Nays 0.

Ord. No. 1971-2000.

By Councilmen Cimperman, Melena and Patmon.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 2445, 2451-55 and 2479 West 5th Street to Tremont West Development Corporation or designee.

Read third time. Passed. Yeas 19. Nays 0.

Ord. No. 2031-2000.

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

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to sell City-owned property no longer needed for public use located in Block H of the Cleveland Industrial Park to JRM Chemical Inc.

Read third time. Passed. Yeas 19. Nays 0.

Ord. No. 2110-2000.

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

An emergency ordinance to amend Sections 633.01 and 633.02 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 1310-96, passed December 2, 1996, relating to obstruction marking and lighting.

Read third time. Passed. Yeas 19. Nays 0.

Ord. No. 2111-2000.

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

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to purchase a site for the expansion of the Woodland Recreation Center located at 9206 Woodland Avenue, for the Department of Parks, Recreation and Properties.

Read third time. Passed. Yeas 19. Nays 0.

Ord. No. 2112-2000.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 6719 Dunham Avenue to Minnie Worley.

Read third time. Passed. Yeas 19. Nays 0.

Ord. No. 2113-2000.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 1464 East 71st Street, to Enoree Baptist Church.

Read third time. Passed. Yeas 19. Nays 0.

Ord. No. 2114-2000.

By Councilmen Melena and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Community Development to enter into a First Amendment to Contract No. 56379 with Burten Bell Carr Development, Inc. to provide additional neighborhood revitalization activities.

Read third time. Passed. Yeas 19. Nays 0.

Ord. No. 2115-2000.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 1212 and 1246 Parkwood Drive and 10922 and 10928 Olivet Avenue to The New Fellowship Baptist Church.

Read third time. Passed. Yeas 19. Nays 0.

Ord. No. 2117-2000.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at scattered sites on East 93rd Street to Union Miles Development Corporation.

Read third time. Passed. Yeas 19. Nays 0.

Ord. No. 2203-2000.

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

An emergency ordinance determining the method of making the public improvement of rehabilitating, replacing or otherwise improving various Public Service facility roofs; authorizing the Director of Public Service to enter into contract for the making of the improvement; and authorizing the Director of Public Service to employ one or more professional consultants necessary to design the improvement.

Read third time. Passed. Yeas 19. Nays 0.

Ord. No. 2204-2000.

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

An emergency ordinance determining the method of making the public improvement of rehabilitating, renovating, reconstructing or

otherwise improving various Public Service facilities; authorizing said Director to enter into contract for the making of such improvement; and authorizing the Director of Public Service to employ one or more professional consultants necessary to design the improvement.

Read third time. Passed. Yeas 19. Nays 0.

Ord. No. 2205-2000.

By Councilmen Cintron and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Public Service to employ one or more professional consultants necessary to provide electrical, mechanical, structural and environmental engineering services for the Division of Architecture.

Read third time. Passed. Yeas 19. Nays 0.

Ord. No. 2262-2000.

By Mayor White.

An emergency ordinance authorizing the Director of Port Control to enter into an agreement with START-A-HEART, INCORPORATED for the acquisition of automated external defibrillators and related items at no cost to the City to be located at Cleveland Hopkins International Airport.

Read third time. Passed. Yeas 19. Nays 0.

Ord. No. 2268-2000.

By Councilman Cintron (by request).

An emergency ordinance authorizing the Director of Public Service to issue a permit to Near West Theatre to hang approximately ten (10) banners, using utility poles (by separate permission), within the public right-of-way of West 38th St. and Bridge Ave. and westerly of Fulton Ave.

Read third time. Passed. Yeas 19. Nays 0.

Ord. No. 2270-2000.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on Woodland Avenue (now Larchmere Boulevard) to the Cleveland Board of Education.

Read third time. Passed. Yeas 19. Nays 0.

Ord. No. 2310-2000.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on Sunview Avenue to Amistad Development Corporation or designee.

Read third time. Passed. Yeas 19. Nays 0.

THIRD READING EMERGENCY RESOLUTIONS ADOPTED

Res. No. 1883-2000.

By Councilman Britt (by request).

An emergency resolution declaring the intention to vacate a portion of Mt. Overlook Avenue S.E.

Read third time. Adopted. Yeas 19. Nays 0.

Res. No. 2033-2000.

By Councilman Cimperman (by request).

An emergency resolution declaring the intention to vacate a portion of Hamilton Court N.E.

Read third time. Adopted. Yeas 19. Nays 0.

Res. No. 2034-2000.

By Councilmen Johnson and Britt (by request).

An emergency resolution declaring the intention to vacate portions of Williams Avenue and East 128th Street.

Read third time. Adopted. Yeas 19. Nays 0.

Res. No. 2124-2000.

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

An emergency resolution declaring it necessary to improve West 117th Street from Madison Avenue to approximately 100 feet north of Clifton Boulevard by constructing an amenity strip in the sidewalk and emplacing tree pockets.

Read third time. Adopted. Yeas 19. Nays 0.

MOTION

By Councilman Reed and seconded by Councilman Cintron and unanimously carried that the absence of Councilman Jay Westbrook and Councilman Robert T. White be and is hereby authorized.

MOTION

The Council adjourned at 8:50 p.m. to meet on Monday, February 26, 2001 at 7:00 p.m. in the Council Chambers.



Clerk of Council

THE CALENDAR

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

NONE

BOARD OF CONTROL

February 7, 2001

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, February 7, 2001, at 11:00 a.m. with Mayor White presiding.

Present: Mayor White, Directors Carter, Brooks, Konicek, Ricchiuto, Whitlow, Acting Director Smith, Directors Miller, Hudecek, Patterson, Warren and Alexander.

Absent: Director Sheperd.

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

On motion, the following resolutions were adopted.

Resolution No. 67-01.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of APS Analytical Standards, Inc. for an estimated quantity of biological and chemical testing supplies (Item 1 - secondary turbidity standards), (less 10% discount), for the Division of Water, Department of Public Utilities, for a period of two (2) years beginning with the date of execution of a contract received on the 10th day of January, 2001, pursuant to the authority of Section 129.28 of the Codified Ordinances of Cleveland, Ohio 1976, which on the basis of the estimated quantity would amount to Twelve Thousand Dollars, (\$12,000.00) (Net), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities 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. 33487 which shall be certified against such contract in the sum of Twelve Thousand Dollars (\$12,000.00).

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, Konicek, Ricchiuto, Whitlow, Acting Director Smith, Directors Miller, Hudecek, Patterson, Warren and Alexander.

Nays: None.

Absent: Director Sheperd and Director Brooks.

Resolution No. 68-01.

By Director Sheperd.

Whereas, Board of Control Resolution No. 736-00, adopted October 25, 2000, authorized the Director of Port Control to enter into contract with North Bay Construction, Inc. for the public improvement of the Centralized Deicing Facility, Phase 1A, for the Division of Cleveland Hopkins International Airport, Department of Port Control; and

Whereas, said Resolution No. 736-00 inadvertently omitted approval of Cook Paving & Construction Co., Inc. as a subcontractor; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that Resolution No. 736-00, adopted October 25, 2000, is hereby amended by adding Cook Paving & Construction Co., Inc. as an approved MBE subcontractor to North Bay Construction, Inc.

Be it further resolved that all other terms of said Resolution No. 736-00 not expressly amended hereby shall remain unchanged and in full force and effect.

Yeas: Mayor White, Directors Carter, Brooks, Konicek, Ricchiuto, Whitlow, Acting Director Smith, Directors Miller, Hudecek, Patterson, Warren and Alexander.

Nays: None.

Absent: Director Sheperd.

Resolution No. 69-01.

By Director Sheperd.

Whereas, the American Lung Association wishes to utilize the lobby at Burke Lakefront Airport (the "Airport") for the conduct of the American Lung Association Clean Air Challenge (the "Event") to be held on June 24, 2001; and

Whereas, the City is willing to grant the American Lung Association the privilege, permit and license to 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 an agreement (the "Agreement") granting the American Lung Association the privilege, permit and license to conduct the Event in the lobby at Burke Lakefront Airport from 7:00 a.m. to 2:30 p.m. on June 24, 2001, and to use and occupy the lobby for such period of time before the Event as necessary for preparation. The American Lung Association shall pay the City a \$250.00 fee for the Event, shall reimburse the City for the cost of two (2) City employees to perform custodial and building maintenance work related to the conduct of the Event, shall arrange for the conduct of the Event and such other activities approved as appropriate and incidental to the Event, and shall be responsible at its expense 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 as the Director deems necessary to benefit and protect the public interest.

Yeas: Mayor White, Directors Carter, Brooks, Konicek, Ricchiuto, Whitlow, Acting Director Smith, Directors Miller, Hudecek, Patterson, Warren and Alexander.

Nays: None.

Absent: Director Sheperd.

Resolution No. 70-01.

By Director Sheperd.

Whereas, the Hunger Network of Greater Cleveland wishes to utilize the lobby at Burke Lakefront Airport (the "Airport") for the conduct of the 2001 Walk for Hunger (the "Event") to be held on May 12, 2001; and

Whereas, the City is willing to grant the Hunger Network of Greater Cleveland the privilege, permit and license to 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 an agreement (the "Agreement") granting the Hunger Network of Greater Cleveland the privilege, permit and license to conduct the Event in the lobby at Burke Lakefront Airport from 2:00 p.m. to 7:00 p.m. on May 12, 2001, and to use and occupy the lobby for such period of time before the Event as necessary for preparation. The Hunger Network of Greater Cleveland shall pay the City a \$250.00 fee for the Event, shall reimburse the City for the cost of two (2) City employees to perform custodial and building maintenance

work related to the conduct of the Event, shall arrange for the conduct of the Event and such other activities approved as appropriate and incidental to the Event, and shall be responsible at its expense 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 as the Director deems necessary to benefit and protect the public interest.

Yeas: Mayor White, Directors Carter, Brooks, Konicek, Ricchiuto, Whitlow, Acting Director Smith, Directors Miller, Hudecek, Patterson, Warren and Alexander.

Nays: None.

Absent: Director Sheperd.

Resolution No. 71-01.

By Director Sheperd.

Whereas, History Bus Tours wishes to utilize the banquet room at Burke Lakefront Airport (the "Airport") for a dinner (the "Event") to be held on April 21, 2001; and

Whereas, the City is willing to grant History Bus Tours the privilege, permit and license to 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 an agreement (the "Agreement") granting History Bus Tours the privilege, permit and license to conduct the Event in the banquet room at Burke Lakefront Airport from 3:00 p.m. to 5:00 p.m. on April 21, 2001, and to use and occupy the room for such period of time before the Event as necessary for preparation. History Bus Tours shall pay the City a \$350.00 fee for the Event, shall reimburse the City for the cost of two (2) City employees to perform custodial and building maintenance work related to the conduct of the Event, shall arrange for the conduct of the Event and such other activities approved as appropriate and incidental to the Event and shall be responsible at its expense 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 as the Director deems necessary to benefit and protect the public interest.

Yeas: Mayor White, Directors Carter, Brooks, Konicek, Ricchiuto, Whitlow, Acting Director Smith, Directors Miller, Hudecek, Patterson, Warren and Alexander.

Nays: None.

Absent: Director Sheperd.

Resolution No. 72-01.

By Director Ricchiuto.

Resolved by the Board of Control of the City of Cleveland that all bids received on November 1, 2000 for the Refurbishment of Front End Loader and Roll Off Containers for the Division of Waste Collection and Disposal, Department of Public Service pursuant to the authority of Ordinance No. 725-2000 passed by the Council of the City of Cleveland on May 22, 2000, be and the same are hereby rejected.

Yeas: Mayor White, Directors Carter, Brooks, Konicek, Ricchiuto,

Whitlow, Acting Director Smith, Directors Miller, Hudecek, Patterson, Warren and Alexander.

Nays: None.

Absent: Director Sheperd.

Resolution No. 73-01.

By Director Guzman.

Whereas, Resolution No. 65-01, adopted January 31, 2001 by this Board of Control rejected all bids received October 19, 2000 for certain items of uniform clothing for the Division of Police, Department of Public Safety; and

Whereas, said Resolution No. 65-01 inadvertently omitted reference to the types of items bid that were rejected; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland, that Resolution No. 65-01, adopted by this Board on January 31, 2001, rejecting all bids received on October 19, 2000 for certain items is hereby amended by inserting the words "for uniform clothing," after "October 19, 2000", where appearing.

Be it further resolved that all other provisions of said Resolution No. 65-01 not hereby amended shall remain unchanged in full force and effect.

Yeas: Mayor White, Directors Carter, Brooks, Konicek, Ricchiuto, Whitlow, Acting Director Smith, Directors Miller, Hudecek, Patterson, Warren and Alexander.

Nays: None.

Absent: Director Sheperd.

Resolution No. 74-01.

By Director Guzman.

Resolved by the Board of Control of the City of Cleveland that the bid of Allstate Industrial, Inc. for an estimated quantity of Uniform Clothing Supplies-2001, item no. 95, for the Division of Police, Department of Public Safety, for the period of one (1) year beginning with the date of execution of a contract, received on October 19, 2000, pursuant to the authority of Section 135.06 of the Codified Ordinance of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to Six Thousand, Five Hundred Seventy and 00/100 Dollars, (\$6,570.00), (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. 32272

as specified

which shall be certified against such contract in the sum of One Thousand, Ninety Five and 00/100 Dollars (\$1,095.00).

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, Brooks, Konicek, Ricchiuto, Whitlow, Acting Director Smith, Directors Miller, Hudecek, Patterson, Warren and Alexander.

Nays: None.

Absent: Director Sheperd.

JEFFREY B. MARKS,
Secretary

CIVIL SERVICE NOTICES**General Information**

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

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

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

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

ANNE BLOOMBERG,
President

SCHEDULE OF THE BOARD OF ZONING APPEALS**MONDAY, FEBRUARY 26, 2001**

9:30 A.M.

Calendar No. 01-12: 2210 Payne Avenue (Ward 13)

Mathile Saad, owner, appeals to change the use of an existing 29' x 74' one-story service station building into an auto mechanic shop and car wash situated on an approximate 123' x 143' corner parcel located in a Semi-Industry District on the southeast corner of Payne Avenue at 2210 Payne Avenue; said change of use being contrary to the Off-Street Parking and Loading Requirements of Section 349.07(c) where only one driveway is permitted for each 100' of frontage of lot and 2 driveways are proposed within 123' of frontage and contrary to the Landscaping and Screening Requirements where a 6' wide landscaped strip is required along Payne Avenue and East 22nd Street between the parking and the street as stated in Section 352.10 and 352.11 of the Codified Ordinances.

Calendar No. 01-13: 965 Wayside Road Violation Notice (Ward 11)

The Peltz Group of Ohio, LLC, tenant, and OWM Corporation, owner c/o G. Billington, agent, appeal under authority of Section 327.99 from the issuance of a Violation Notice on December 21, 2000 by Robert Vilkas, Commissioner of Building and Housing, regarding the property at 965 Wayside Road, where there shall be no change or substitution in the use of any building or premises and no extension of any existing use, nor shall any premises be occupied for any new use until a Certificate of Occupancy has been issued as stated in the Enforcement and Penalty Requirements of Section 327.02(c) of the Codified Ordinances.

Calendar No. 01-15: 5209 Detroit Avenue (Ward 17)

Westside Ecumenical Ministry, owner, appeals to change the use of an existing two-story masonry social service building into an auditorium situated on an approximate 127' x 463' irregular shaped parcel located in a split zoned area being Semi-Industry and a Two-Family District on the north side of Detroit Avenue between Tillman Avenue and Detroit Avenue at 5209 Detroit Avenue; said change of use requires the Board of Zoning Appeals approval and subject to the non-conforming use limitations of Section 359.01 of the Codified Ordinances.

Calendar No. 01-16: 5227 Sweeney Avenue (Ward 13)

Industrial Properties III, owner, appeals to establish a 192 sq. ft. wall sign and 497 sq. ft. of painted graphics on the south side and 400 sq. ft. painted graphics on the east side of an existing 70' x 125' one-story masonry scrap metals building situated on a 73' x 120' parcel located in a General Industry District on the north side of Sweeney Avenue at 5227 Sweeney Avenue; said signage being contrary to the Signage Regulation Requirements where a total of 1,089 sq. ft. of wall signage is proposed and 130 sq. ft. of wall signage is permitted on the south facade, and 65 sq. ft. of wall signage is permitted on the east facade for a total of 195 sq. ft. of wall signage permitted as stated in Section 350.15(a) of the Codified Ordinances.

Calendar No. 01-17: Appeal of Rodney J. Dukes Hack License Revocation

Rodney J. Dukes, appeals under Section 76-6 of the Charter of the City of Cleveland and Section 443.131(g) of the Codified Ordinances from the revocation of a license to operate a taxi-cab by Dorothy Michalko, Acting Commissioner of Assessments and Licenses, upon the recommendation of Henry Guzman, Director of Public Safety.

EUGENE CRANFORD, JR.,
Secretary

REPORT OF THE BOARD OF ZONING APPEALS**MONDAY, FEBRUARY 12, 2001**

At the meeting of the Board of Zoning Appeals on Monday, February 12, 2001, the following appeals were heard by the Board:

The following appeal was **Approved:**

Calendar No. 01-04: 256 East 156th Street

Lugene Robinson, owner, appealed to change the use of a 30' x 51' one-story, one dwelling unit to one dwelling unit and a church in a Local Retail Business District.

The following appeals were **Denied:**

Calendar No. 01-06: 17600 Lake Shore Boulevard

Ante Susnjara, owner, appealed to change the use of a 38' x 44' one-story service station to a used car sales lot in a General Retail Business District.

Calendar No. 01-07: 4193 West 130th Street

Christian Diaconescu, owner, appealed to change the use of a 60' x 140' parcel into a used car sales lot in a Local Retail Business District.

Calendar No. 00-363: 16122 Lake Shore Boulevard

Euclid Beach Plaza Association, owners, appealed to change the use of a 20' x 30' tenant space of an existing shopping plaza from a dry cleaning store to an instant bingo ticket sales and instant bingo vending machine use in a General Retail Business District.

The following appeals were **Postponed:**

Calendar No. 00-376: 954 Linn Drive postponed to March 19, 2001.

Calendar No. 01-03: 10201 Harvard Avenue postponed to March 19, 2001.

Calendar No. 01-05: 15813 Norway Avenue postponed to March 12, 2001.

On Monday, February 12, 2001, in Executive Session:

The following appeals were heard on Monday, February 5, 2001, and said decisions were approved and adopted by the Board on February 12, 2001:

The following appeals were **Approved:**

Calendar No. 00-379: 1847 East 63rd Street

East 63rd Real Estate Company Ltd., owners c/o Albert Walcott, appealed to construct a 180' x 228' twenty foot high, one-story masonry and metal storage building and parking lot for 37 cars on the northeast and parking lot for 25 cars on the southwest of a parcel in a Multi-Family District.

Calendar No. 01-02: 3556 West 66th Street

Carla Speta, owner, appealed to install an 8' x 12' aluminum awning to the front of a two family dwelling in a Two-Family District.

The following appeal was **Denied:**

Calendar No. 00-338: 17608 Euclid Avenue

PVA Circle of Homes, owner c/o Tom Lewins, appealed to change the use of an existing office building into bingo recreation use in a Multi-Family District.

The following appeal was heard on Monday, January 22, 2001, and said decision to approve and adopt was withheld pending written confirmation of appellant's request to withdraw their appeal, subsequently to the hearing and decision to approve as voted by the Board.

The following appeal was **Dismissed:**

Calendar No. 00-367: 5921 St. Clair Avenue

Silvia Ahmetovic, owner, appealed to use a two-story frame building for storage of hot dog vendor carts in a Local Retail Business District.

EUGENE CRANFORD, JR.,
Secretary

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

Re: Report of the Meeting of
January 31, 2001

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

* * *

Docket A-179-00.

RE: Appeal of Neil T. Clough, Owner of the Two & One-half Story Frame Three Dwelling Unit Residential Property located on the premises known as 2070 West 65th Street from a VACATE ORDER/VACANT STRUCTURE/RESIDENTIAL MAINTENANCE of the Commissioner of the Division of Building and Housing dated October 5, 2000, 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 2070 West 65th Street to the Division of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Williams and seconded by Mr. Bowes.

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

* * *

Docket A-189-00.

RE: Appeal of Raymel Investments, Owner of the Two & One-half Story Masonry Office/Warehouse Property located on the premises known as 2400-98 Superior Avenue from a NOTICE OF VIOLATION/UNAUTHORIZED OCCUPANCY/FIRE DAMAGE of the Commissioner of the Division of Building and Housing, dated October 12, 2000, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

Docket A-189-00 has been POSTPONED; to be rescheduled for February 14, 2001.

* * *

Docket A-191-00.

RE: Appeal of Guy Templeton Black & Lottie M. Sulzer, Owners of the Two & One-half Story Frame Residential Property located on the premises known as 753 Brayton Avenue from a NOTICE OF VIOLATION/EXTERIOR MAINTENANCE of the Commissioner of the Division of Building and Housing dated October 19, 2000, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant two (2) months in which to obtain permits and abate the violations on the property; 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. Bowes and seconded by Mr. Williams.

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

* * *

Docket A-194-00.

RE: Appeal of Andrew William Gallagher, Owner of the Two & One-half Story Frame Residential Property located on the premises known as 10019 Cliff Drive from a NOTICE OF VIOLATION/ERECT RESIDENTIAL of the Commissioner of the Division of Building and Housing dated October 27, 2000, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

Docket A-194-00 has been POSTPONED; to be rescheduled for February 14, 2001.

* * *

Docket A-197-00.

RE: Appeal of Third Federal Savings & Loan Association, Mortgagee of the One & One-half Story Frame Residential Property located on the premises known as 7223 Dearborn Avenue from a VACATE FORTHWITH/30 DAY CONDEMNATION ORDER/MS/PLUMBING of the Commissioner of the Division of Building and Housing dated October 5, 2000, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to modify the Commissioner's VACATE FORTHWITH/30 DAY CONDEMNATION ORDER/MS/PLUMBING and LETTER OF INTENTION TO DEMOLISH by granting the Appellant three (3) months in which to obtain permits and abate the violations and to require that the abandoned pickup truck be removed immediately, noting that the property must remain boarded and secured and the grounds debris free during that period of time. Upon passage of this motion, this matter shall be REMANDED at this time to the Commissioner of the Division of Building and Housing for supervision and any required further action. All other provisions of the VACATE FORTHWITH/30 DAY CONDEMNATION ORDER/MS/PLUMBING and LETTER OF INTENTION TO DEMOLISH not modified by this decision shall remain in full force and effect, including the provisions that the City may abate the nuisance conditions of the premises by means of demolition if abatement of the violations is not completed by June 14, 2001. Motion so in order. Motioned by Mr. Bowes and seconded by Mr. Williams.

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

* * *

Docket A-202-00.

RE: Appeal of P&D Realty/Phil D'Amico, Owner of the One Story Brick Commercial Factory Property located on the premises known as 6621 Morgan Avenue from a NOTICE OF VIOLATION/NO PERMIT of the

Commissioner of the Division of Building and Housing, dated October 23, 2000, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

Docket A-202-00 has been POSTPONED; to be rescheduled for February 14, 2001.

* * *

Docket L-1-01.

RE: Appeal of Larry J. Magana, appeals from a LETTER OF DENIAL FOR RENEWAL OF JOURNEYMAN PLUMBER LICENSE of the Commissioner of the Division of Assessments & Licenses dated December 29, 2000, 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. Magana to renew his JOURNEYMAN PLUMBER LICENSE without retaking the test and without payment of the late filing fees. Motion so in order. Motioned by Mr. Williams and seconded by Mr. Bowes.

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

* * *

Docket L-2-01.

RE: Appeal of Frank J. McHale, appeals, from a LETTER OF DENIAL FOR RENEWAL OF JOURNEYMAN PLUMBER LICENSE of the Commissioner of the Division of Assessments & Licenses dated January 4, 2001, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

Docket L-2-01 has been POSTPONED; to be rescheduled for February 14, 2001.

* * *

Docket L-3-01.

RE: Appeal of Dennis Mikonsky, appeals from a LETTER OF DENIAL FOR RENEWAL OF JOURNEYMAN PLUMBER LICENSE of the Commissioner of the Division of Assessments & Licenses dated January 2, 2001, 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. Mikonsky to renew his JOURNEYMAN PLUMBER LICENSE without retaking the test and without payment of the late filing fees. Motion so in order. Motioned by Mr. Williams and seconded by Mr. Bowes.

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

* * *

Docket L-4-01.

RE: Appeal of Edward Steimle, appeals from a LETTER OF DENIAL FOR RENEWAL OF ELECTRICAL CONTRACTOR LICENSE of the Commissioner of the Division of Assessments & Licenses dated January 2, 2001, 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. Steimle to renew his ELECTRICAL CONTRACTOR LICENSE without retaking the test and without payment of the late filing fees. Motion so in order. Motioned by Mr. Williams and seconded by Mr. Bowes.

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

* * *

Docket A-2-01.

RE: Appeal of Alfred Jones, Land Contract Owner of the Two Story Masonry Ten (10) Dwelling Units/Two (2) Stores Property located on the premises known as 6938 Kinsman Road (a.k.a. 2868-70 Sidaway Avenue) from a 30 DAY CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated September 9, 1997, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

Docket A-2-01 has been POSTPONED; to be rescheduled for February, 14, 2001.

* * *

Docket A-3-01.

RE: Appeal of Hal Leitch, Owner of the Single Family Residential Property located on the premises known as 15813 Norway Avenue from a NOTICE OF NONCONFORMANCE of the Commissioner of the Division of Building and Housing dated January 5, 2001, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

Docket A-3-01 has been POSTPONED, noting that the Appellant will submit new plans to the Building Department for relocation of the hot tub from its current location to an area that is at least 10' from the property line, and that the docket can be reopened for any future appeals.

* * *

Docket A-8-01.

RE: Appeal of Cleveland Housing Network, Owner of the Single Family Residential Property, located on the premises known as 7723 Dorver Avenue from a NOTICE OF VIOLATION/NONCONFORMANCE of the Commissioner of the Division of Building and Housing dated January 9, 2001, 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 variance to Section 3121.02(k) and permit the third floor to be used as requested, with the provision that a hard-wired alarm system interconnecting through all the rooms with audible alarms and to install a safety, ladder within two (2) months, noting that if the ladder blend in to the rest of the structure; 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. Williams and seconded by Mr. Bowes.

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

* * *

Docket A-12-01.

RE: Appeal of Penton Media Building (Owner), Robert Half International Inc. (Tenant), of the Property located on the premises known as 1300 East 9th Street from an ADJUDICATION ORDER of the Commissioner of the Division of Building and Housing dated December 22, 2000, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to grant the variance to OBBC Section 1011.4.2 for the 18th as presented, with the stipulation that the Building Department, Fire Department and the representatives from the Company sit and develop an acceptable written policy for the rest of the building within three (3) months. Motion so in order. Motioned by Mr. Williams and seconded by Mr. Bowes.

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

* * *

EXTENSION OF TIME:

Docket A-150-00.

Gene A. Sardon, Sr., 7535 Kinsman Road:

A motion is in order at this time to require the Appellant to secure heating and plumbing permits within two (2) weeks, and to grant the Appellant a two (2) month "Extension of Time" 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. Williams and seconded by Mr. Bowes.

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

* * *

APPROVAL OF RESOLUTIONS:

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

A-83-00 — John G. Medas.

A-193-00—Maurice and Pam Burch.

A-205-00—Kiser L. Houston.

A-6-01—Second General Properties, LLC.

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

APPROVAL OF MINUTES:

Separate motions were entered by Mr. Bowes and seconded by Mr. Williams, for Approval and Adoption of the Minutes as presented by the Secretary, subject to the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC):

January 17, 2001

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

JOSEPH F. DENK,
CHAIRMAN

PUBLIC NOTICE

NONE

NOTICE OF PUBLIC HEARING

Notice of Public Hearing on the EUCLID/PROSPECT II COMMUNITY DEVELOPMENT PLAN

Notice is hereby given in accordance with Chapter 315 of the Codified Ordinances of the City of Cleveland that the Cleveland City Planning Commission will hold a Public Hearing on Friday, March 2, 2001 at 9:00 a.m. in Room 514 City Hall, 601 Lakeside Avenue, Cleveland, Ohio, for the purpose of considering the approval of the Euclid/Prospect II Community Development Plan ("the Plan"). The Plan proposes certain land acquisition and building rehabilitation activities for the eventual redevelopment of an Action Area whose boundaries coincide with those of the Plan Area. Further, the Plan proposes treatment measures to eliminate conditions of blight and deterioration found to exist in a specific portion of the Plan Area, (Block 3, Site B) and prevent the recurrence of blight.

EUCLID/PROSPECT II COMMUNITY DEVELOPMENT PLAN AREA BOUNDARIES

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and beginning at the intersection of the centerline of Ontario Street (99.0 feet wide) with the centerline of West Prospect Avenue (100.00 feet wide); thence Westerly, along the centerline of said West Prospect to its intersection with the Southerly prolongation of the Westerly line of property owned by DeBartolo Public Square, Inc. and known as PPN 101-23-001 and 101-23-003 A & B; thence Northerly, along the Southerly prolongation and the Westerly line of said DeBartolo Public Square, Inc. property and its Northerly prolongation to its intersection with the centerline of the South Roadway of Public Square; thence Easterly, along the centerline of the said South Roadway to its intersection with the centerline of the East Roadway of Public Square; thence Northerly, along said East Roadway to its intersection with the centerline of Superior Avenue (132.00 feet wide); thence Easterly, along said Superior Avenue to its intersec-

tion with the Northerly prolongation of the Westerly line of land owned by Leader-Cleveland Realty Associates (PPN 101-26-010); thence Southerly along said Northerly prolongation and Westerly line to the Southeast corner thereof; thence Easterly, along the Southerly line of said Leader-Cleveland Realty Associates and its easterly prolongation to its intersection with the centerline of East 6th Street (50.00 feet wide); thence Southerly, along said East 6th Street to its intersection with the centerline of Euclid Avenue (99.00 feet wide); thence Easterly, along said Euclid Avenue to its intersection with the centerline of East 8th Street (16.00 feet wide); thence Southerly, along said East 8th Street to its intersection with the centerline of Prospect Avenue (82.50 feet wide); thence Westerly, along said Prospect Avenue to its intersection with the centerline of Ontario Street; thence Southerly, along the said centerline of Ontario Street to its intersection with the centerline of West Prospect Avenue and the place of beginning.

**BLOCK 3 SITE B
TREATMENT AREA**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and beginning on the centerline of Euclid Avenue (99 feet wide) at its intersection with the centerline of East 3rd Street (16.5 feet wide); thence Easterly along the centerline of said Euclid Avenue to its intersection with the Northerly prolongation of the Easterly line of a parcel of land owned by Alvin Krenzler (PPN 101-26-040); thence Southerly along the Northerly prolongation and the Easterly line of said Krenzler parcel to the South Easterly corner thereof; thence Westerly along the Southerly line of said Krenzler parcel and its Westerly prolongation to its intersection with the Easterly line of a parcel of land owned by Miriam G. Kenney et al (PPN 101-26-043); thence Southerly along the Easterly line of said Kenney parcel and its Southerly prolongation to its intersection with the centerline of Prospect Avenue (82.5 feet wide); thence Westerly along the centerline of said Prospect Avenue to its intersection with the centerline of East 3rd Street as aforesaid; thence Northerly along the centerline of said East 3rd Street to its intersection with the centerline of Euclid Avenue and the place of beginning.

The purpose of the hearing is to enable the City Planning Commission to publicly present the aforementioned elements of the proposed Plan and solicit reaction to the proposed Plan from any interested party. Documents that constitute the Plan are on file for public inspection during business hours (8:00 a.m. to 5:00 p.m., Monday through Friday) at the Cleveland City Planning Commission offices, Room 501 City Hall, 601 Lakeside Avenue, Cleveland, Ohio.

Any person or organization desiring to be heard at said public hearing will be afforded an opportunity to be heard.

HUNTER MORRISON,
Director
City Planning Commission

February 14, 2001 and February 21, 2001

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."

FRIDAY, FEBRUARY 23, 2001

Labor and Materials to Repair and Maintain Pump Stations, for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Ordinance No. 1959-2000, passed by the Council of the City of Cleveland, December 18, 2000.

February 7, 2001 and February 14, 2001

THURSDAY, MARCH 1, 2001

Upgrade of Security System and Central Control, for the Department of Port Control, as authorized by Ordinance No. 1289-97, passed by the Council of the City of Cleveland, May 15, 1998.

A PRE-BID MEETING WILL BE HELD ON THURSDAY, FEBRUARY 15, 2001, 1:30 P.M., IN THE ENGINEERING CONFERENCE ROOM, 19501 FIVE POINTS ROAD (AND CARGO), CLEVELAND, OHIO 44135.

Installation of FAASupplied, AC Unit for Central Control, for the Department of Port Control, as authorized by Ordinance No. 1289-97, passed by the Council of the City of Cleveland, May 15, 1998.

A PRE-BID MEETING WILL BE HELD ON FRIDAY, FEBRUARY 16, 2001, 1:30 P.M., IN THE ENGINEERING CONFERENCE ROOM, 19501 FIVE POINTS ROAD (AND CARGO), CLEVELAND, OHIO 44135.

February 7, 2001 and February 14, 2001

WEDNESDAY, MARCH 7, 2001

PVC Conduit, Fittings and Accessories, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Section 129.26 of the Codified Ordinances of the City of Cleveland, 1976.

A PRE-BID MEETING WILL BE HELD ON WEDNESDAY, FEBRUARY 21, 2001, 10:00 A.M., AT CLEVELAND PUBLIC POWER, 1300 LAKESIDE AVENUE, CLEVELAND, OHIO 44114. ATTENDANCE IS MANDATORY.

Ductline Installation and/or Repair, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 746-2000, passed by the Council of the City of Cleveland, June 12, 2000.

A PRE-BID MEETING WILL BE HELD ON THURSDAY, FEBRUARY 22, 2001, 10:00 A.M., AT CLEVELAND PUBLIC POWER, 1300 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

February 7, 2001 and February 14, 2001

THURSDAY, MARCH 15, 2001

Powered Activated Carbon, for the Division of Water, Department of Public Utilities, as authorized by Section 129.24 of the Codified Ordinances of the City of Cleveland, 1976.

A PRE-BID MEETING WILL BE HELD ON THURSDAY, FEBRUARY 15, 2001, 10:00 A.M., IN THE 5TH FLOOR CONFERENCE ROOM (SOUTH), 1201 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

February 7, 2001 and February 14, 2001

**Request for Qualifications (RFQ):
WBS NO. K510 —
INTERIM MEASURES
FEASIBILITY STUDIES**

Interested firms may obtain Qualification Packages beginning February 2, 2001 by going to:

www.clevelandairport.com

Submit Questions (prior to the Pre-qualification meeting) via the website or e-mail at:

proposal@clevelandairport.com

SUBMITTAL DUE DATE:

**FRIDAY, FEBRUARY 23, 2001
AT 12:00 O'CLOCK NOON**

PRE-QUALIFICATIONS MEETING:

**THURSDAY, FEBRUARY 8, 2001
10:00 a.m.
Program Management
Team Office
19501 Five Points Road
Cleveland, Ohio 44135**

For Further Information Contact:

**Denise Hale, Mon. - Fri. 8 A.M. - 5 P.M.
(216) 676-9699 x 103
(216) 676-9778 (fax)**

**Request for Qualifications (RFQ):
WBS NO. K521 —
CERTIFIED PROFESSIONAL IN
EROSION AND SEDIMENT
CONTROL INSPECTIONS**

Interested firms may obtain Qualification Packages beginning February 9, 2001 by going to:

www.clevelandairport.com

Submit Questions (prior to the Pre-Qualification meeting) via the web-site or e-mail at:

proposal@clevelandairport.com

SUBMITTAL DUE DATE:

MONDAY, FEBRUARY 26, 2001
AT 12:00 O'CLOCK NOON

PRE-QUALIFICATIONS MEETING:

TUESDAY, FEBRUARY 20, 2001
10:00 a.m.
Program Management
Team Office
19501 Five Points Road
Cleveland, Ohio 44135

For Further Information Contact:

Denise Hale, Mon. - Fri. 8 A.M. - 5 P.M.
(216) 676-9699 x 103
(216) 676-9778 (fax)

**Request for Qualifications (RFQ):
WBS NO. K520 —
TRIGGER PLAN
IMPLEMENTATION PROJECT**

Interested firms may obtain Qualification Packages beginning February 9, 2001 by going to:

www.clevelandairport.com

Submit Questions (prior to the Pre-Qualification meeting) via the web-site or e-mail at:

proposal@clevelandairport.com

SUBMITTAL DUE DATE:

WEDNESDAY, MARCH 7, 2001
AT 12:00 O'CLOCK NOON

PRE-QUALIFICATIONS MEETING:

TUESDAY, FEBRUARY 20, 2001
10:00 a.m.
Program Management
Team Office
19501 Five Points Road
Cleveland, Ohio 44135

For Further Information Contact:

Denise Hale, Mon. - Fri. 8 A.M. - 5 P.M.
(216) 676-9699 x 103
(216) 676-9778 (fax)

February 7, 2001 and February 14, 2001

WEDNESDAY, FEBRUARY 28, 2001

Refurbishment of Front End Loaders and Roll Off Containers, for the Division of Waste Collection and Disposal, Department of Public Service, as authorized by Ordinance No. 725-2000, passed by the Council of the City of Cleveland, May 22, 2000.

February 14, 2001 and February 21, 2001

THURSDAY, MARCH 1, 2001

The Installation of Fencing at Various CSX and Norfolk Southern RR Locations, for the Division of Engineering and Construction, Department of Public Service, as authorized by Ordinance No. 1399-2000, passed by the Council of the City of Cleveland, November 13, 2000.

A DEPOSIT OF FIFTY DOLLARS (\$50.00) CERTIFIED CHECK OR MONEY ORDER WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS. THE DEPOSIT WILL BE REFUNDED IF THE PLANS AND SPECIFICATIONS ARE RETURNED IN GOOD CONDITION WITHIN FIFTEEN (15) DAYS AFTER THE BID OPENING DATE.

February 14, 2001 and February 21, 2001

WEDNESDAY, MARCH 7, 2001

Upgrade of HVAC Remote Panel Units, for the Department of Port Control, as authorized by Ordinance No. 1269-97, passed by the Council of the City of Cleveland, May 15, 1997.

A PRE-BID MEETING WILL BE HELD ON THURSDAY, FEBRUARY 22, 2001, 1:30 P.M., IN THE ENGINEERING CONFERENCE ROOM, 19501 FIVE POINTS ROAD (AND CARGO), CLEVELAND, OHIO 44135.

Purchase and Installation of Two (2) New Digital Dictaphones, for the Department of Port Control, as authorized by Ordinance No. 1269-97, passed by the Council of the City of Cleveland, May 15, 1997.

A PRE-BID MEETING WILL BE HELD ON FRIDAY, FEBRUARY 23, 2001, 1:30 P.M., IN THE ENGINEERING CONFERENCE ROOM, 19501 FIVE POINTS ROAD (AND CARGO), CLEVELAND, OHIO 44135.

Gerber Edge Computer System (Hardware and Software), for the Division of Traffic Engineering, Department of Public Safety, as authorized by Ordinance No. 1005-2000, passed by the Council of the City of Cleveland, July 17, 2000.

February 14, 2001 and February 21, 2001

THURSDAY, MARCH 8, 2001

Replace Existing Heaters on Apparatus Floor at Various City Fire Stations, for the Department of Public Safety, as authorized by Ordinance No. 927-2000, passed by the Council of the City of Cleveland.

A DEPOSIT OF FIFTY DOLLARS (\$50.00) CERTIFIED CHECK OR MONEY ORDER WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS. THE DEPOSIT WILL BE REFUNDED IF THE PLANS AND SPECIFICATIONS ARE RETURNED IN GOOD CONDITION WITHIN FIFTEEN (15) DAYS AFTER THE BID OPENING DATE. A PRE-BID MEETING WILL BE HELD ON THURSDAY, FEBRUARY 22, 2001, 10:00 A.M.,

AT THE FIRE STATION NO. 13, 4950 BROADWAY AVENUE, CLEVELAND, OHIO.

Concrete Pavement Repair/Replacement and Floor Resurfacing at Various City Fire and Police Stations, for the Department of Public Safety, as authorized by Ordinance No. 927-2000, passed by the Council of the City of Cleveland.

A DEPOSIT OF FIFTY DOLLARS (\$50.00) CERTIFIED CHECK OR MONEY ORDER WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS. THE DEPOSIT WILL BE REFUNDED IF THE PLANS AND SPECIFICATIONS ARE RETURNED IN GOOD CONDITION WITHIN FIFTEEN (15) DAYS AFTER THE BID OPENING DATE. A PRE-BID MEETING WILL BE HELD ON FRIDAY, MARCH 2, 2001, 10:00 A.M., AT THE FIRE STATION NO. 42, 4665 PEARL ROAD, CLEVELAND, OHIO.

East 40th Street - Phase III: Superior Avenue to South Marginal Road, for the Division of Engineering and Construction, Department of Public Service, as authorized by Ordinance No. 1587-2000, passed by the Council of the City of Cleveland, November 27, 2000, for the Department of Public Safety, as authorized by Ordinance No. 927-2000, passed by the Council of the City of Cleveland.

A DEPOSIT OF FIFTY DOLLARS (\$50.00) CERTIFIED CHECK OR MONEY ORDER WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS. THE DEPOSIT WILL BE REFUNDED IF THE PLANS AND SPECIFICATIONS ARE RETURNED IN GOOD CONDITION WITHIN FIFTEEN (15) DAYS AFTER THE BID OPENING DATE.

February 14, 2001, February 21, 2001 and February 28, 2001

THURSDAY, MARCH 8, 2001

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

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

Six (6) Truck Loan Scales, for the Division of Police, Department of Public Safety, as authorized by Ordinance No. 1005-2000, passed by the Council of the City of Cleveland, July 17, 2000.

February 14, 2001 and February 21, 2001

WEDNESDAY, MARCH 14, 2001

Pavement Installation and/or Repair, for the Division of Cleveland Public Power, Department of

Public Utilities, as authorized by Ordinance No. 747-2000, passed by the Council of the City of Cleveland, June 19, 2000.

A PRE-BID MEETING WILL BE HELD ON WEDNESDAY, FEBRUARY 28, 2001, AT THE CLEVELAND PUBLIC POWER, 1300 LAKESHORE AVENUE, CLEVELAND, OHIO, 10:00 A.M. ATTENDANCE IS MANDATORY.

February 14, 2001 and February 21, 2001

**Request for Qualifications (RFQ):
WBS NO. K530 —
ENVIRONMENTAL ANALYTICAL
SERVICES**

Interested firms may obtain Qualification Packages beginning February 16, 2001 by going to:

www.clevelandairport.com

Submit Questions (prior to the Pre-Qualification meeting) via the website or e-mail at:

proposal@clevelandairport.com

SUBMITTAL DUE DATE:

WEDNESDAY, MARCH 14, 2001
AT 12:00 O'CLOCK NOON

PRE-QUALIFICATIONS MEETING:

WEDNESDAY, FEBRUARY 21, 2001
10:00 a.m.

Program Management
Team Office
19501 Five Points Road
Cleveland, Ohio 44135

For Further Information Contact:

Denise Hale, Mon. - Fri. 8 A.M. - 5 P.M.
(216) 676-9699 x 103
(216) 676-9778 (fax)

February 14, 2001 and February 21, 2001

**ADOPTED RESOLUTIONS
AND ORDINANCES**

Res. No. 184-01.

By Councilman Cimperman.

An emergency resolution objecting to the transfer of ownership of a D5 Liquor Permit to 3146 West 14th Street.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a D5 Liquor Permit to 3146 West 14th Street from Permit No. 8915027, 3146 West 14th Street Corp., 3146 West 14th Street, Cleveland, Ohio 44113 to Permit No. 6548676, 14th Street Café Inc., 3146 West 14th Street, Cleveland, Ohio 44113; and

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

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

ordinances of this state or any other state; and

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a D5 Liquor Permit to 3146 West 14th Street from Permit No. 8915027, 3146 West 14th Street Corp., 3146 West 14th Street, Cleveland, Ohio 44113 to Permit No. 6548676, 14th Street Café Inc., 3146 West 14th Street, Cleveland, Ohio 44113 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted February 5, 2001.

Effective February 12, 2001.

Res. No. 185-01.

By Councilman Cimperman.

An emergency resolution urging the Cleveland School Board to review and revise the schedule of the Senate Athletic League to permit holding athletic events for their members during evening hours.

Whereas, this Council of the City of Cleveland recognizes the importance of parental involvement with the academic and extracurricular school activities of their children; and

Whereas, school officials, coaches, parents and students should encourage and foster such involvement; and

Whereas, this Council has been made aware that the Senate Athletic League, of which many Cleveland schools, such as Glenville, John Hay and East Tech, are members are required to play their basketball games during the day; and

Whereas, day time games prohibit the attendance of many parents and family members, cause students to miss class time, and limit warm-up time for the student athletes; and

Whereas, the switch to day time games dates back to 1979 when the Cleveland public schools were forced into busing; and

Whereas, the conditions under which day times games were required has been changed; and

Whereas, Council believes that the Cleveland Public School Board should review this issue and return to night basketball games; and

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

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

Section 1. That this Council of the City of Cleveland urges the members of the Cleveland School Board to review and revise the schedule of the Senate Athletic League to permit the member schools to have their athletic events held during evening hours to foster greater parent and family involvement.

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

Adopted February 5, 2001.

Effective February 12, 2001, without the signature of the Mayor.

Res. No. 186-01.

By Councilman Jackson.

An emergency resolution objecting to the issuance of a C1 Liquor Permit to 6206 Woodland.

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. 2022968, Delaney Village Enterprises Inc., DBA Sav Mor, 6206 Woodland, Cleveland, Ohio 44104; and

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

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

Whereas, the place for which the permit is sought has not conformed

to the building, safety or health requirements of the governing body of this County or City; and

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

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

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

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

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

Section 1. That Council does hereby record its objection to the issuance of a C1 Liquor Permit to Permit No. 2022968, Delaney Village Enterprises Inc., DBA Sav Mor, 6206 Woodland, Cleveland, Ohio 44104 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted February 5, 2001.

Effective February 12, 2001.

Res. No. 187-01.

By Councilman Gordon.

An emergency resolution withdrawing objection to the renewal of a D5 Liquor Permit to 2139 Broadview Rd., 1st Fl. & Bsmt., and repealing Res. No. 1446-2000 objecting to said renewal.

Whereas, this Council objected to the renewal of a D5 Liquor Permit to 2139 Broadview Rd., 1st Fl. & Bsmt. by Res. No. 1446-2000 adopted by Council on August 7, 2000; and

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

Whereas, this resolution constitutes an emergency measure provid-

ing 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 2139 Broadview Rd., 1st Fl. & Bsmt., be and the same is hereby withdrawn and Res. No. 1446-2000, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

Adopted February 5, 2001.

Effective February 12, 2001.

Res. No. 188-01.

By Councilman Gordon.

An emergency resolution withdrawing objection to the renewal of a D5 and D6 Liquor Permit to 5200 Memphis Avenue, and repealing Res. No. 1448-2000 objecting to said renewal.

Whereas, this Council objected to the renewal of a D5 and D6 Liquor Permit to 5200 Memphis Avenue by Res. No. 1448-2000 adopted by Council on August 7, 2000; and

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

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

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

Section 1. That objection to the renewal of a D5 and D6 Liquor Permit to 5200 Memphis Avenue, be and the same is hereby withdrawn and Res. No. 1448-2000, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

Adopted February 5, 2001.

Effective February 12, 2001.

Res. No. 189-01.

By Councilman Lewis.

An emergency resolution withdrawing objection to the renewal of a C2 and C2X Liquor Permit to 6029 Superior Avenue, and repealing Res. No. 1342-2000 objecting to said renewal.

Whereas, this Council objected to the renewal of a C2 and C2X Liquor Permit to 6029 Superior Avenue by Res. No. 1342-2000 adopted by Council on July 28, 2000; and

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

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

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

Section 1. That objection to the renewal of a C2 and C2X Liquor Permit to 6029 Superior Avenue, be and the same is hereby withdrawn and Res. No. 1342-2000, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

Adopted February 5, 2001.

Effective February 12, 2001.

Res. No. 190-01.

By Councilman Polensek.

An emergency resolution withdrawing objection to the transfer of ownership of a D5 Liquor Permit to 835-837 East 185th Street, and repealing Res. No. 1829-2000 objecting to said transfer of ownership.

Whereas, this Council objected to the transfer of ownership of a D5 Liquor Permit to 835-837 East 185th Street by Res. No. 1829-2000 adopted by Council on October 16, 2000; and

Whereas, this Council wishes to withdraw its objection to the above transfer of ownership and consents to said transfer of ownership based upon and pursuant to a cooperation agreement signed January 31, 2001, a copy of which is in the file for this address with the City Law Department; 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 D5 Liquor Permit to 835-837 East 185th Street, be and the same is hereby withdrawn and Res. No. 1829-2000, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate transfer of ownership thereof.

Section 2. That this resolution is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force

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

Adopted February 5, 2001.

Effective February 12, 2001.

Res. No. 191-01.

By Councilman Sweeney.

An emergency resolution objecting to the transfer of ownership of a D1, D2, D3 and D3A Liquor Permit to 4690 West 130th Street, 1st Fl. & Bsmt. Southside.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a D1, D2, D3 and D3A Liquor Permit from Permit No. 0098540, Albert & Pattys Little Keg Inc., DBA Little Keg, 4690 West 130th Street, 1st Fl. & Bsmt. Southside, Cleveland, Ohio 44135 to Permit No. 73954740005, Risko Inc., 4690 West 130th Street, 1st Fl. & Bsmt. Southside, 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, prosperity, safety and welfare pursuant to Section 4303.26 of the Ohio Revised Code. Council's objection to said permit must be received by the Director of Liquor Control within 30 days of notification; now, therefore,

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a D1, D2, D3 and D3A Liquor Permit from Permit No. 0098540, Albert & Pattys Little Keg Inc., DBA Little Keg, 4690 West 130th Street, 1st Fl. & Bsmt. Southside, Cleveland, Ohio 44135 to Permit No. 73954740005, Risko Inc., 4690 West 130th Street, 1st Fl. & Bsmt.

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

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

Adopted February 5, 2001.

Effective February 12, 2001.

Ord. No. 2097-2000.

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

An emergency ordinance determining the method of making the public improvement of rehabilitating and replacing the Lee Road area sewer system and sewer and manhole relining on various tributary streets, and authorizing the Director of Public Utilities to enter into contract for the making of such improvement.

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

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

Section 1. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of rehabilitating and replacing the Lee Road area sewer system and sewer and manhole relining on various tributary streets, for the Division of Water Pollution Control, Department of Public Utilities, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.

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

Section 3. That the cost of said improvement hereby authorized shall be paid from Fund No. 54 SF 001, Request No. 22659.

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 February 5, 2001.

Effective February 12, 2001.

Ord. No. 2153-2000.

By Mayor White.

An emergency ordinance authorizing the Mayor, or his designee, to accept registration fees, enter into contract for the purchase of materials, course supplies and refreshments, in connection with the James H. Walker Construction Management Training Course to be conducted by the Office of Equal Opportunity.

Whereas, the Office of Equal Opportunity is required, pursuant to Section 123.08 of the Codified Ordinances of Cleveland, Ohio, 1976, and the MBE/FBE Code contained in Chapter 187 thereof, to hold periodic training seminars to assist minority and female business firms; and

Whereas, from March 13, 2001 through May 22, 2001, the Office of Equal Opportunity will be sponsoring the James H. Walker Construction Management Training Course; and

Whereas, the Council of the City of Cleveland has determined that collection of fees and the purchase of materials, course supplies, refreshments and a graduation dinner in connection with said training courses constitute a public purpose; 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 Mayor, or his designee, is hereby authorized to accept a registration fee of Two Hundred Twenty-Five Dollars (\$225.00) from every registrant attending the James H. Walker Construction Management Training Course, being held March 13, 2001 through May 22, 2001; and to purchase materials, course supplies, refreshments and food required for the training course and graduation dinner. Such materials, services and food shall be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Office of Equal Opportunity, and shall be paid from Fund No. 01-999800-632000, Request No. 10718. The registration fees shall be deposited in Fund No. 01-999800-632000.

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 February 5, 2001.

Effective February 12, 2001.

Ord. No. 2200-2000.**By Councilmen Coats, O'Malley, Cimperman and Patmon (by departmental request).****An emergency ordinance authorizing the Director of Public Utilities to make alterations and modifications in Contract No. 55468 for the roof replacement/repair project at 12302 Kirby Avenue, with Advanced Roofing System, for the Department of Public Utilities.**

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

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

Section 1. That the Director of Public Utilities is hereby authorized to make the following alterations and modifications in Contract No. 55468 with Advanced Roofing System, for the roof replacement/repair project at 12302 Kirby Avenue, for the Department of Public Utilities:SUBSIDIARY ADDITIONS

Complete tear off and replacement of roof and decking	\$ 120,716.00
Less amount remaining in contract	<u>- 20,716.00</u>
TOTAL SUBSIDIARY ADDITIONS	\$ 100,000.00
Original Contract Amount	\$ 127,615.00
Total Subsidiary Additions	<u>+ 100,000.00</u>
REVISED CONTRACT AMOUNT	\$ 227,615.00

which alteration has been recommended in writing by the said Director of Public Utilities, countersigned by the Mayor, and consented to by the surety on said contract, which price to be paid therefor has been agreed upon in writing and signed by the Director of Public Utilities and the Contractor. This alteration will cause an increase in the amount of the original contract in the sum of \$100,000.00, to be paid from Fund No. 54 SF 001.

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 February 5, 2001.

Effective February 12, 2001.

Ord. No. 2305-2000.**By Councilman Patmon (by departmental request).****An emergency ordinance authorizing the Director of Finance to pay as Moral Claims the sums herein set forth opposite the names of the claimants.**

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

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

Section 1. That the Director of Finance is hereby authorized to pay as Moral Claims the sums set forth opposite the names of the following claimants and charged against the fund numbers opposite the names of the claimants:

Claimant	Claim No.	Amount	Division	Fund
Mildred Bretzel	10946	\$ 892.00	Water Pollution Control	54 SF 001
Delores Kermes	10950	\$1,250.00	Water Pollution Control	54 SF 001
Maxine Hunter	10953	\$ 205.00	Water Pollution Control	54 SF 001
Barbara Kennedy	10958	\$ 205.00	Water Pollution Control	54 SF 001
Teresa Burrell	10960A	\$1,200.00	Water Pollution Control	54 SF 001
Michelle Goolsby	10960B	\$1,200.00	Water Pollution Control	54 SF 001
Thelma Russell	10960C	\$1,200.00	Water Pollution Control	54 SF 001
Margaret Washington	10960D	\$1,200.00	Water Pollution Control	54 SF 001
Betsy Brown	10960E	\$1,200.00	Water Pollution Control	54 SF 001
John Lake	10974	\$1,500.00	Water Pollution Control	54 SF 001
Henry Whyte	10983	\$1,500.00	Water Pollution Control	54 SF 001
Rich Bogdan	10995	\$1,500.00	Water Pollution Control	54 SF 001
Alice Cantwell	11000	\$ 235.00	Water Pollution Control	54 SF 001
Kirk Mueller	11018	\$1,500.00	Water Pollution Control	54 SF 001
Albert Oliver	11025	\$1,500.00	Water Pollution Control	54 SF 001
Matthew Robinson	11034	\$ 577.78	Water Pollution Control	54 SF 001
Renee Bradley-Mack				
On behalf of				
Clinton Bradley	10853	\$4,825.00	Police	01-600202-672000
Walter Knable	10975	\$ 126.00	Police	01-600202-672000
Alpha Burstion	10978	\$ 799.00	Police	01-600202-672000
Richard Sharp, Jr.	10991	\$ 407.46	Police	01-600202-672000

Essie Minter	11014	\$ 142.31	Police	01-600202-672000
Tina Sisson	11020	\$ 737.00	Police	01-600202-672000
Eric McDonald	11035	\$ 146.00	Police	01-600202-672000
Joseph Corbett	10967	\$ 326.00	Fire	01-600302-672000
RTA	10985	\$ 710.29	Fire	01-600302-672000
Jesse Davis	10993	\$ 750.00	EMS	01-600402-672000
Vonetta Fountain	10964	\$ 500.00	Park Maintenance	01-701205-672000
Michael Jankowski	10968	\$ 365.00	Park Maintenance	01-701205-672000
Delores Junior	10973	\$ 235.00	Park Maintenance	01-701205-672000
Southeast Improvement Assoc.	10989A	\$ 81.80	Park Maintenance	01-701205-672000
Commander Michael McGrath	10989B	\$ 150.00	Park Maintenance	01-701205-672000
William Harbison	11005	\$ 150.00	Park Maintenance	01-701205-672000
Timothy Collins	11024	\$ 165.00	Park Maintenance	01-701205-672000
Mark Brinza	11042	\$ 150.00	Park Maintenance	01-701205-672000
Isiah Ellis	11048	\$ 295.00	Park Maintenance	01-701205-672000
Evelyn Babcock	10947	\$ 500.00	Park Maintenance (Urban Forestry)	01-701204-672000
Jerry Carpenter	10959	\$ 250.00	Park Maintenance (Urban Forestry)	01-701204-672000
Eadie Scott	10994	\$1,000.00	Park Maintenance (Urban Forestry)	01-701204-672000
Helen Weber	11007	\$ 250.00	Park Maintenance (Urban Forestry)	01-701204-672000
Andre Keith	11008	\$ 850.00	Park Maintenance (Urban Forestry)	01-701204-672000
Joann Porach	11029	\$ 600.00	Park Maintenance (Urban Forestry)	01-701204-672000
Brian Grancha	11037	\$ 400.00	Park Maintenance (Urban Forestry)	01-701204-672000
Robert Dubac	11045	\$ 650.00	Convention Center	67 SF 001
Patricia Stone	11051	\$ 107.89	Streets	11 SF 401
Stephanie Finlin	10957	\$ 100.00	Waste Collection	01-400303-672000
Gerald Hart	10986	\$ 939.41	Waste Collection	01-400303-672000
Daniel Guthrie, Jr.	11027	\$ 250.00	Waste Collection	01-400303-672000
Tanya Ford	11030	\$ 310.30	Waste Collection	01-400303-672000
Joe Zagaria	11041	\$ 321.61	Waste Collection	01-400303-672000
Mary E. Williams	10641	\$1,000.00	Municipal Clerk Of Courts	01-011501-672000

Section 2. That the authority of the Director of Finance to pay the amounts set forth in Section 1 of this ordinance is conditioned upon a City-approved written acceptance by the claimant of the City's offer to pay this claim within six months from the effective date of this ordinance.

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 February 5, 2001.

Effective February 12, 2001.

**Ord. No. 2309-2000.
By Councilmen Polensek and Pat-
mon (by departmental request).**

An emergency ordinance authorizing the Director of Public Safety to enter into contract without competitive bidding with IBM Global Systems for the purchase of maintenance of the CAD, other IBM equipment, hubs, printers and monitors, for the Division of Police, Department of Public Safety, for a period of one year, with two one-year options to renew.

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

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

Section 1. That it is hereby determined that the within commodities are non-competitive and cannot be secured from any source other than IBM Global Systems. Therefore, the Director of Public Safety is hereby authorized to make a written contract with said IBM Global Systems, upon the basis of their proposal dated October 25, 2000, for maintenance of the CAD AS400, other IBM equipment, hubs, printers and monitors, for a period of one year, with two (2) options exercisable by the Director of Public Safety, to renew for additional one-year terms, and cancellable upon thirty days written notice by said Director, to be purchased by the Commissioner of Purchases and

Supplies upon a unit basis for the Division of Police, Department of Public Safety.

Section 2. That the cost of said contract hereby authorized shall be paid from Fund Nos. 01-600200-661500 and 10 SF 025, Request No. 18329.

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 February 5, 2001.

Effective February 12, 2001.

Ord. No. 181-01.**By Councilman Cimperman.**

An emergency ordinance authorizing the Director of Community Development to enter into a grant agreement with the Historic Gateway Neighborhood Corporation to provide funding for operating expenses in order to carry out the public purpose of providing social programs for the residents of Cleveland through the use of Ward 13 Neighborhood Equity Funds.

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

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

Section 1. That the Director of Community Development is authorized to enter into a grant agreement with the Historic Gateway Neighborhood Corporation to provide funding for operating expenses in order to carry out the public purpose of providing social programs for the residents of Cleveland through the use of Ward 13 Neighborhood Equity Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$25,000 and shall be paid from Fund No. 10 SF 166.

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

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

Passed February 5, 2001.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 182-01.**By Councilman Cintron.**

An emergency ordinance authorizing the Director of Community Development to enter into a grant agreement with Ohio City Near West Development Corporation for their residential crime watch program to carry out the public purpose of providing crime prevention training and crime watch programs in Ward 14 through the use of Ward 14 Neighborhood Equity Funds.

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

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

Section 1. That the Director of Community Development is authorized to enter into a grant agreement with Ohio City Near West Development Corporation for their residential crime watch program to carry out the public purpose of providing crime prevention training and crime watch programs in Ward 14 through the use of Ward 14 Neighborhood Equity Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$20,000 and shall be paid from Fund No. 10 SF 166.

Section 3. That the Director of Law shall prepare and approve said contract and that the contract shall contain such terms and provisions

as he deems necessary to protect the City's interest.

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

Passed February 5, 2001.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 183-01.**By Councilman Melena.**

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Detroit Shoreway Community Development Organization for safety, code enforcement and housing development activities to further the public purpose of supporting the operations of a non-profit community development organization through the use of Ward 17 Neighborhood Equity Funds.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with Detroit Shoreway Community Development Organization for safety, code enforcement and housing development activities to further the public purpose of supporting the operations of a non-profit community development organization through the use of Ward 17 Neighborhood Equity Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$57,000 and shall be paid from Fund No. 10 SF 166.

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

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

Passed February 5, 2001.

Awaiting the approval or disapproval of the Mayor.

REPRINT**Ord. No. 2306-2000.**

By Councilmen O'Malley, Melena, Cimperman, Lewis, Brady, Jones and Patmon (by departmental request).

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Sections 354.01 through 354.14 thereof, relating to wireless telecommunications facilities; and to amend Section 353.06 of said codified ordinances, as amended by Ordinance No 2035-93, passed September 19, 1994, relating to exceptions to height regulations.

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 Sections 354.01 through 354.14 thereof to read, respectively, as follows:

**CHAPTER 354
WIRELESS TELECOMMUNICATIONS
FACILITIES**

Section 354.01 Purpose

These regulations are established to ensure that outdoor telecommunications facilities will be developed and maintained in a manner which provides adequate telecommunication services to the community while protecting the visual character of the city's neighborhoods and scenic areas.

Section 354.02 Definitions

For the purposes of this Chapter, the following terms shall have the meanings given in this section.

(a) "Telecommunications" means all forms of wireless communication, including, but not limited to voice and data communications.

(b) "Telecommunications Antenna" means a device that transmits and/or receives electromagnetic telecommunications signals.

(c) "Telecommunications Antenna Structure" means a telecommunications antenna and any incidental supporting structures necessary to mount the antenna to a building, tower or other structure.

(d) "Telecommunications Tower" means a ground-mounted structure, other than a building, that is designed for the sole purpose of supporting a telecommunications antenna.

(e) "Telecommunications Facility" means the antennas and ancillary equipment and structures used in transmitting and/or receiving electromagnetic telecommunication signals.

(f) "Lattice Tower" means a tower constructed of vertical metal struts and cross braces forming a square or triangular structure which tapers from the foundation.

(g) "Monopole Tower" means a tower constructed of a single, self-supporting metal tube, anchored to a foundation.

(h) "Co-location" means the sharing of a single tower, building or other structure by two or more telecommunications providers.

(i) "Topmost Element" means the highest point on a building or other ground-mounted structure, excluding existing telecommunications antenna structures mounted on such building or structure.

Section 354.03 Applicability and Exemptions

(a) Applicability. No tower or antenna structure, as defined in this chapter, shall be erected, enlarged or extended without conformance to the provisions of this chapter, and other applicable regulations, as evidenced by the issuance of a Building Permit by the Commissioner of Building and Housing.

(b) Exemptions. The following structures are not subject to the provisions of this chapter:

(1) telecommunications equipment completely enclosed within a permitted building; and

(2) an antenna mounted to a building or other non-telecommunications tower structure not more than fifteen (15) feet in height above the topmost element of the building to which it is attached in a non-Residential District and not more than ten (10) feet in height above the topmost element of the building to which it is attached in a Residential District.

Section 354.04 Conditionally Permitted Uses and Permitted Uses

(a) Conditionally Permitted Uses. The following uses shall be permitted only after approval by the City Planning Commission, which shall determine whether the proposed use complies with the applicable conditions set forth in this chapter:

(1) a telecommunications tower not exempted by Section 354.03; and

(2) a telecommunications antenna structure which projects more than fifteen (15) feet in height above the topmost element of the building or other non-telecommunications tower structure to which it is attached and which also exceeds the height limit established on the zoning map for buildings on the subject property.

(b) Permitted Uses. All telecommunications facilities not listed in division (a) of this section are permitted without City Planning Commission approval, except where such approval is required by other regulations of these codified ordinances.

Section 354.05 Co-Location

(a) Co-Location Requirement. No new telecommunications tower shall be approved unless the applicant submits an affidavit attesting to the fact that placement of an antenna(s) on an existing tower, building, utility pole or other existing structure, where permitted, is made infeasible by one or more of the following conditions:

(1) No existing towers or other suitable structures are located within the geographic area requiring service.

(2) Existing towers or other structures suitably located are not of sufficient height or are not of sufficient structural strength and cannot be reasonably altered to meet the applicant's engineering requirements.

(3) Co-location would cause electromagnetic interference between the proposed and existing antennas and that such interference cannot be prevented at reasonable cost.

(4) The applicant has made a reasonable offer to co-locate on one or more suitably located towers or other structures, but the owner of such structure or structures or the owner of the telecommunications equipment thereon has refused permission for co-location.

(b) Accommodation of Co-Located Equipment. Any new telecommunications tower shall be designed with sufficient structural loading capacity and height, or the capability of being extended in height, to accommodate at least three antennas or antenna array platforms of equal loading capacity for use by three separate service providers. Similarly, any associated equipment shelter

shall be capable of accommodating three separate users or space shall be reserved on the site for necessary expansion. Furthermore, the owner of any telecommunication facility permitted as a conditional use under the provisions of this chapter shall respond in writing within thirty (30) days of receipt of a written request for co-location made pursuant to the requirement of division (a) of this section.

Section 354.06 Tower Location and Height

(a) Location. A telecommunications tower subject to the regulations of this chapter shall be located in only the following zoning districts: General Retail, Shopping Center, Semi-Industry, General Industry and Unrestricted Industry. No telecommunications tower subject to the regulations of this chapter shall be located in a Landmark District or a public park.

(b) Setback from Residential or Landmark District. No portion of a telecommunication tower subject to the regulations of this chapter shall be located closer to a Residential District line or Landmark District line than a distance equal to three times the height of the tower.

(c) Setback from Non-Residential Zoning Districts. No portion of a telecommunication tower subject to the regulations of this chapter shall be located closer than ten (10) feet to the lot line of an adjoining non-residential, non-Landmark zoning district.

(d) Setback from Street Lines. No portion of a telecommunication tower subject to the regulations of this chapter shall be located closer than twenty-five (25) feet from a street right-of-way line.

(e) Setback from Public Park. No portion of a telecommunications tower subject to the regulations of this chapter shall be located closer to a public park than a distance equal to three times the height of the tower.

(f) Distance from Public Airport. No telecommunication tower subject to the regulations of this chapter shall be located closer than two (2) miles from a public airport, measured from the center of tower to any border of the airport, unless closer proximity is permitted by the Board of Zoning Appeals based on a recommendation by the Department of Port Control.

(g) Impact on Scenic Vistas. No telecommunications tower shall be so located as to impact adversely on scenic vistas, as determined by the City Planning Commission.

(h) Height. A telecommunication tower may exceed the height limit established on the zoning map for the subject property if the tower meets all other regulations of this chapter.

(i) Spacing from Other Towers. A new telecommunications tower that exceeds the height limit established on the zoning map shall be located no closer than three times the height of the new tower from any existing tower.

(j) Accessory Buildings. Any building which is accessory to the telecommunications tower shall not exceed fifteen (15) feet in height and shall be set back at least twenty-five (25) feet from any street right-of-way line and at least fifty

(50) feet from any Residential zoning district line.

(k) Guy Wires. Any guy wires supporting towers shall be anchored behind the security fence surrounding the tower.

Section 354.07 Tower Design and Lighting

(a) Lighting. Telecommunications towers shall not be illuminated except as required by the Federal Aviation Administration or other applicable authority or by the provisions of Chapter 633 of these Codified Ordinances. If lighting is required, a design that minimizes disturbances to nearby residences shall be utilized.

(b) Structural Design. Telecommunications towers shall be designed to meet all requirements of the Building Code of the City of Cleveland and all applicable state and federal regulations.

(c) Aesthetic Design. Telecommunications towers shall be designed in a manner that makes them as unobtrusive as possible, while meeting safety requirements. To this end, tower design shall be monopole rather than lattice, wherever feasible. With respect to color, towers, if painted, shall be light gray or off-white in order to blend in with the sky and clouds, unless other colors are required by federal regulations or the provisions of Chapter 633 of these Codified Ordinances or unless another color is approved by the City Planning Commission as being more effective in a particular instance. The City Planning Commission shall work with applicants to identify any other design techniques that can be used in reducing the visual prominence of telecommunication towers.

(d) Signs. No signs shall be located on or around a telecommunications tower except for necessary warning signs located at or near ground level.

(e) Accessory Buildings. Any building accessory to a telecommunications tower shall be faced with brick, stone, wood, decorative block, fiberglass or metal, as approved by the City Planning Commission to ensure that the design of such building is compatible with its environs.

Section 354.08 Antenna Location, Height and Design

The regulations of this section shall govern the location, height and design of any telecommunications antenna and antenna structure, subject to the provisions of this chapter, attached to a building or structure other than a telecommunications tower.

(a) Location by Zoning District. A telecommunications antenna may be located in any zoning district other than a One-Family, Two-Family or Townhouse Residential District, except as permitted by the Board of Zoning Appeals in accordance with the provisions of Section 354.14 regarding special exceptions.

(b) Height. A telecommunications antenna or antenna structure may exceed the height limit established on the zoning map for buildings on the subject property, but such antenna or antenna structure shall not exceed the height limit by more than twenty (20) feet.

(c) Design. A telecommunications antenna structure shall be designed and placed so as to blend in with

the appearance of the structure to which it is attached or to be otherwise screened or obscured from view from public streets and adjoining properties to the maximum extent possible. Such design shall be as approved by the City Planning Commission, where installation of the antenna is subject to the Commission's approval.

(d) Accessory Equipment. Equipment that is accessory to a telecommunications antenna shall be located within the subject building or structure or shall be placed so as not to be visible from adjoining public streets, unless the City Planning Commission determines that such screening is not necessary in a particular instance.

Section 354.09 Fencing and Landscaping

(a) Security Fence. The base of any ground-mounted telecommunications tower shall be completely enclosed by a fence or wall not less than six (6) feet and not more than eight (8) feet in height. Such fence or wall shall be set back at least ten (10) feet from all property lines. Any fence or wall located within twenty-five (25) feet of a street right-of-way shall be either a wrought iron-style or black vinyl-coated chain link fence or a decorative masonry wall. Barbed wire may be used if permitted by the regulations of Chapter 358 of this code.

(b) Landscaping Location. A landscape strip meeting the standards established in division (c) of this section shall be placed along the outside of the entire perimeter of the security fence, except that the City Planning Commission may alter the required location when it determines that another location would be more effective and may waive the requirement for any particular location where it determines that the landscaping would not be visible from adjacent parcels or public streets or, otherwise, by members of the general public.

(c) Landscaping Requirement. The landscape strip required in division (b) of this section shall be a minimum of ten (10) feet in width and shall include, at a minimum, evergreen trees or shrubs, at least six (6) feet in height, spaced at maximum intervals of eight (8) feet. The landscape requirements may be varied by the City Planning Commission in order to address particular site conditions.

Section 354.10 Existing Nonconforming Towers

A telecommunications tower lawfully existing on the effective date of this chapter or any amendment thereto may be continued in accordance with the regulations of Section 359.01 of this code even if such tower does not conform to the provisions of this chapter, but such tower shall not be made more nonconforming unless the alteration is approved by the Board of Zoning Appeals in accordance with the provisions of Section 354.14 of this chapter.

Section 354.11 Maintenance and Abandonment

(a) Maintenance and Monitoring. All buildings, structures, fences, and property used in connection with a telecommunications facility shall be maintained in good condition and in

safe working order. On each biennial anniversary of the issuance of the Certificate of Occupancy for a telecommunications tower, or not more than ninety (90) days prior to that date, the permit holder for such tower shall submit to the Commissioner of Building and Housing an affidavit that verifies continued operation of the telecommunications use and compliance with all requirements of this chapter and other applicable governmental regulations.

(b) Abandonment.

(1) Performance Bond. At all times the permit holder shall maintain a performance bond sufficient to cover the demolition and removal of the telecommunications facility. Such bond shall be sufficient to guarantee full and faithful performance of the requirements of this chapter and shall be satisfactory to the Commissioner of Building and Housing and the Director of Law. On each biennial anniversary of the issuance of the Certificate of Occupancy for a telecommunications tower, or not more than ninety (90) days prior to that date, the permit holder shall provide to the Commissioner of Building and Housing proof that the performance bond requirements of this section are met.

(2) Notice. Not less than thirty (30) days after abandoning or discontinuing operation of a telecommunications facility, the permit holder shall send written notice of this fact to the Commissioner of Building and Housing.

(3) Removal. If use of a telecommunications facility has been discontinued for 180 consecutive days, the facility shall be deemed abandoned. Within ninety (90) days of abandonment, the permit holder or other responsible party shall remove the abandoned tower, antenna, and any accessory structures, and shall restore the site to an attractive landscaped condition. If such actions are not taken, the City may cause the removal of all facilities at the expense of the permit holder or other responsible party.

Section 354.12 Application and Approval Process

(a) Submission of Application. An application to construct or alter a telecommunications facility subject to the regulations of this chapter shall be submitted to the Division of Building and Housing as part of a Building Permit application.

(b) Determination of Compliance. The Division of Building and Housing shall determine if the application conforms to requirements of this chapter and other applicable regulations of the City of Cleveland, except for those provisions that require a determination by the City Planning Commission.

(c) Referral to Public Utilities. The Division of Building and Housing shall refer all applications governed by this chapter to the Office of Radio Communications of the Department of Public Utilities for review and approval. The Office of Radio Communications shall review the application with respect to any issues relating to the technical expertise of that office. No Building Permit shall be issued without the approval of the Office of Radio Communications.

(d) Referral to City Planning Commission. For proposals subject

to approval by the City Planning Commission as conditionally permitted uses, under Section 354.04, the Division of Building and Housing shall refer the application to the City Planning Commission for review and approval.

(e) City Planning Commission Action. The City Planning Commission shall review any application subject to conditional approval and shall determine whether the proposal meets all applicable standards established in this chapter to ensure proper design and compatibility with surrounding uses. The Commission shall take action on the application at a public meeting, subsequent to providing public notice, as provided in division (f) of this section. The Commission may require modifications to the proposal as a condition of approval. The Commission may disapprove an application if it determines that the proposed location does not meet the standards set forth in this chapter and that a suitable alternative location is available. No Building Permit shall be issued without the approval of the City Planning Commission for an application subject to conditional approval.

(f) Notice Requirements.

(1) Upon receipt of an application, the Commissioner of Building and Housing shall notify any Councilmember who represents the ward in which the proposed tower is to be located, the Department of Port Control, the Department of Public Safety and the Office of Radio Communications of the Department of Public Utilities.

(2) Prior to taking action on a ground-mounted telecommunications tower application subject to conditional approval, the City Planning Commission shall mail notices describing the proposal to all property owners located within a distance of the proposed tower equal to three times the height of the tower. Such notice shall be sent by first-class mail or an equivalent method at least ten (10) calendars prior to the date of the public meeting. The Commission shall also provide notice in the same time frame to the any Councilmember who represents an area in which notices are to be mailed to property owners.

Section 354.13 Contents of Application

All applications subject to the provisions of this chapter shall be accompanied by the following information, as applicable, in addition to information required for all Building Permit applications.

(a) Telecommunications Towers. The following information shall be submitted with an application for a telecommunications tower permitted conditionally under the provisions of Section 354.04.

(1) a site plan of the subject property showing adjoining streets, the proposed tower and any proposed and existing buildings, fencing, structures, landscaping, driveways, parking, and curb cuts on the subject property, including specifications for all proposed landscaping.

(2) an elevation drawing showing the proposed tower and all structures and landscaping shown on the required site plan, indicating the height, color and materials of the tower and all proposed fencing and other structures.

(3) a lighting plan for the proposed tower, indicating the location, color and intensity of the lighting, both as it will appear in daylight and at night, and indicating any mechanisms to prevent glare on adjacent properties and streets and to shield the lighting from residences, to the maximum extent feasible.

(4) a vicinity map showing the subject property and the proposed tower and fencing in the context of all property located within a distance from the tower equal to three times the height of the tower, showing within this area, all streets and existing buildings and significant structures and indicating the residential use of any buildings and any property zoned in Residential or Landmarks Districts, such map being marked with topographic contours at five-foot intervals.

(5) color photographs showing the current view of the tower site from any adjoining public street or any other street within 200 feet of the proposed tower and from the closest groupings of residential buildings located within an area from the proposed tower equal to three (3) times the height of the proposed tower, plus a second set of color photographs showing the same views with the proposed tower superimposed onto the photographs.

(6) a map showing all existing telecommunications towers and all buildings and structures exceeding one hundred (100) feet in height located within one (1) mile of the proposed tower, with such map being accompanied by documentation, in accordance with the provisions of Section 354.05, demonstrating that the applicant has investigated all opportunities for co-location or alternative location and has determined that such co-location or alternative location is infeasible or that the owner of any such structure or attached telecommunications equipment has refused a reasonable offer for co-location.

(7) A statement indicating the estimated construction cost of the telecommunications tower and a statement indicating the estimated cost for demolition and removal of the telecommunications tower.

(8) A performance bond sufficient to cover the estimated demolition and removal of the telecommunications tower."

(b) Telecommunications Antennas. The following information shall be submitted with an application for a telecommunications antenna structure proposed to be attached to an existing building or other structure, and permitted conditionally under the provisions of Section 354.04 or otherwise subject to approval by the City Planning Commission or Landmarks Commission.

(1) an elevation drawing of the building or structure to which the proposed antenna will be attached, showing the placement of the antenna and indicating the color of the antenna in relation to the color of the surface to which it will be attached and showing the projection of the antenna from the structure, marked with all necessary dimensions.

(2) a color photograph of the building or structure to which the proposed antenna will be attached, with the proposed antenna superimposed onto such photograph.

Section 354.14 Special Exceptions and Appeals

(a) Special Exceptions. Subsequent to providing public notice in accordance with the provisions of division (f) of Section 354.12, the Board of Zoning Appeals may approve an application to install a telecommunications tower or antenna structure that does not meet the regulations of this chapter if the Board determines that all of the following conditions apply.

(1) The literal application of the regulations of this chapter in a particular instance will prevent adequate provision of wireless communications service, and no conforming alternative is technically feasible.

(2) The proposed installation will not be contrary to the stated purpose of the regulations of this chapter.

(3) Specifically, in the case of a telecommunications tower proposed to be placed in a Residential District, the subject parcel is not occupied by residential uses and is not likely to be occupied by residential uses in the foreseeable future.

(4) Specifically, in the case of a telecommunications antenna proposed to be placed in a Residential District on a building or structure other than a telecommunications tower, such building or structure is a not a residence and is not designed for residential occupancy.

(5) Specifically, in the case of the alteration of an existing telecommunications tower, including the addition of an antenna or antennas, the proposed alteration will not be detrimental to residential areas and will result in public benefits such as reducing the need for additional telecommunications towers in the vicinity or improving the appearance or safety of the existing tower and its site.

(b) Appeals. Any decision of the City Planning Commission or an administrative official made pursuant to the provisions of this chapter may be appealed to the Board of Zoning Appeals, in accordance with the provisions of Chapter 329.

Section 2. That Section 353.06 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 2035-93, passed September 19, 1994, is hereby amended to read as follows:

Section 353.06 Exceptions to Height Regulations

(a) Towers. For towers attached to the ground or mounted on a building, except for roof structures as defined in the Ohio Basic Building Code and as regulated in division (b) of this section, the maximum height specified in Section 353.02 may be exceeded, provided that:

(1) the area of the tower's horizontal cross section above the height limit does not exceed twenty-five percent (25%) of the lot area excluding all required yard area;

(2) the tower is not nearer to any lot lines at the height limit than 25 feet;

(3) the tower is located no closer to a public airport or landing field than one mile, unless closer proximity is specifically permitted by the Board of Zoning Appeals, based on recommendations provided by the Department of Port Control.

(b) Roof Structures. In any height district, stairway and elevator or

ventilating equipment penthouses, and penthouses for similar purposes; water tanks, cooling towers, ornamental towers, scenery lofts, poles, chimneys or other necessary appurtenances, when erected upon and as an integral part of the building, may be erected or extended above the maximum height specified in Section 353.02 if such building is more than one mile from a public airport or landing field, or if closer proximity to such airport or landing field is specifically permitted by the Board of Zoning Appeals.

(c) Exemptions. No provision of this section shall apply to any tower regulated by Chapter 354.

Section 3. That existing Section 353.06 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 2035-93, passed September 19, 1994, 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.

Passed January 22, 2001.

Effective January 23, 2001.

COUNCIL COMMITTEE MEETINGS

Monday, February 12, 2001

Public Utilities Committee (Joint with City Planning and Finance): 1:30 p.m.—Present: O'Malley, Chairman; Patmon, Vice Chairman; Britt, Coats, Dolan, Melena, Polensek, Westbrook, Willis.

City Planning Committee (Joint with Public Utilities and Finance): 1:30 p.m.—Present: Cimperman, Chairman; Rybka, Vice Chairman; Dolan, Jackson, O'Malley, Reed, White.

Finance Committee (Joint with Public Utilities and City Planning): 1:30 p.m.—Present: Patmon, Chairman; Rybka, Vice Chairman; Britt, Cintron, Dolan, Lewis, Melena, O'Malley, Polensek, Sweeney, White.

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

Tuesday, February 13, 2001

Community and Economic Development Committee (Block Grant Hearings): 9:30 a.m.—Present: Melena, Chairman; Lewis, Vice Chairman; Brady, Cimperman, Cintron, Jackson, Johnson, Jones, Willis.

Wednesday, February 14, 2001

Community and Economic Development Committee (Block Grant Hearings): 9:30 a.m.—Present: Melena, Chairman; Lewis, Vice Chairman; Brady, Cimperman, Cintron, Jackson, Willis. Excused: Johnson. Absent: Jones.

Index

O—Ordinance; R—Resolution; F—File

Bold figures—Final Publication; D—Defeated; R—Reprint; T—Tabled; V—Vetoed;

Bold type in sections indicates amendments

Animals

- Animal cruelty treatment — amend Sections 603.06, 603.07, 603.08 and 603.09 — new
Section 603.091, 603.032 and 603.072 (O 214-01) 214

Banners

- Near West Theater — ten (10) banners (O 2268-2000) 234

Board of Building Standards and Building Appeals

- Ardmore Avenue, 4207, (Ward 16) – Maurice and Pam Burch, owners - appeal adopted on
1/31/01 (Doc. A-193-00) 238
- Brayton Avenue, 753, (Ward 13) – Guy Templeton Black & Lottie M. Sulzer, owners - appeal
resolved on 1/21/01 (Doc. A-191-00)..... 237
- Cliff Drive, 10019, (Ward 17) – Andrew William Gallagher, owner - appeal postponed
to 2/14/01 on 1/31/01 (Doc. A-194-00) 237
- Dearborn Avenue, 7223, (Ward 18) – Third Federal Savings & Loan Association, mortgagee
- appeal resolved on 1/31/01 (Doc. A-197-00) 237
- Dorver Avenue, 7723, (Ward 12) – Cleveland Housing Network, owner - appeal resolved on
1/31/01 (Doc. A-8-01) 238
- East 134th Street, 1154, (a.k.a. 1154-60 East 134th Street), (Ward 10) – Kiser L.
Houston, owner - appeal adopted on 1/31/01 (Doc. A-205-00) 238
- East 9th Street, 1300, (Ward 13) – Penton Media Building, owner and Robert Half
International Inc., tenant - appeal resolved on 1/31/01
(Doc. A-12-01) 238
- Fowler Avenue, 5105, (Ward 13) – John G. Medas, owner - appeal adopted on 1/31/01
(Doc. A-83-00) 238
- Kinsman Road, 6938, (a.k.a. 2868-70 Sidaway Avenue), (Ward 5) – Alfred Jones, owner
- appeal postponed to 2/14/01 on 1/31/01 (Doc. A-2-01) 238
- Kinsman Road, 7535, (Ward 5) – Gene A. Sardon, Sr., owner - extension of time on 1/31/01
(Doc. A-150-00) 238
- Magana, Larry J. – appeal resolved on 1/31/01 (Doc. L-1-01) 237
- McHale, Frank J. – appeal postponed to 2/14/01 on 1/31/01 (Doc. L-2-01) 237
- Mikonsky, Dennis – appeal resolved on 1/31/01 (Doc. L-3-01) 237
- Morgan Avenue, 6621 (Ward 12) – P&D Realty/Phil D'Amico, owner - appeal
postponed to 2/14/01 on 1/31/01 (Doc. A-202-00)..... 237
- Norway Avenue, 15813, (Ward 21) – Hal Leitch, owner - appeal postponed on 1/31/01
(Doc. A-3-01) 238
- Propsect Avenue, 3029, (Ward 13) – Second Generation Properties, LLC, owner - appeal
adopted on 1/31/01 (Doc. A-6-01) 238
- Steimle, Edward – appeal resolved on 1/31/01 (Doc. L-4-01)..... 237
- Superior Avenue, 2400-98, (Ward 13) – Raymel Investments, owner - appeal postponed
to 2/14/01 on 1/31/01 (Doc. A-189-00) 237
- West 65th Street, 2070, (Ward 17) – Neil T. Clough, owner - appeal resolved on 1/31/01
(Doc. A-179-00) 237

Board of Control - Burke Lakefront Airport Division

- American Lung Association - concession agreement for Clean Air Challenge - June 24, 2001
- Division of Burke Lakefront Airport, Dept. of Port Control
(BOC Res. 69-01) 235
- History Bus Tours - concession agreement for a dinner - April 21, 2001 - Division
of Burke Lakefront Airport, Dept. of Port Control
(BOC Res. 71-01) 235
- Hunger Network of Greater Cleveland - concession agreement for Walk for Hunger - May 12,
2001 - Division of Burke Lakefront Airport, Dept. of Port Control
(BOC Res. 70-01) 235

Board of Control - Cleveland Hopkins International Airport Division

Centralized Deicing Facility Phase 1A - amend BOC Res. 736-00 - Division
of Cleveland Hopkins International Airport, Dept. of Port Control
(BOC Res. 68-01) 234

Board of Control - Concession Agreement

American Lung Association - concession agreement for Clean Air Challenge - June 24, 2001
- Division of Burke Lakefront Airport, Dept. of Port Control
(BOC Res. 69-01) 235

History Bus Tours - concession agreement for a dinner - April 21, 2001 - Division
of Burke Lakefront Airport, Dept. of Port Control
(BOC Res. 71-01) 235

Hunger Network of Greater Cleveland - concession agreement for Walk for Hunger - May 12,
2001 - Division of Burke Lakefront Airport, Dept. of Port Control
(BOC Res. 70-01) 235

Board of Control - Police Division

Uniform clothing supplies - contract pursuant to C.O. Sec. 135.06 to Allstate Industrial,
Inc. - Division of Police, Dept. of Public Safety (BOC Res. 74-01) 235

Uniforms - amend BOC Res. 65-01 - Division of Police, Dept. of Public Safety (BOC Res. 73-01) 235

Board of Control - Port Control Department

American Lung Association - concession agreement for Clean Air Challenge - June 24, 2001
- Division of Burke Lakefront Airport, Dept. of Port Control
(BOC Res. 69-01) 235

Centralized Deicing Facility Phase 1A - amend BOC Res. 736-00 - Division
of Cleveland Hopkins International Airport, Dept. of Port Control
(BOC Res. 68-01) 234

History Bus Tours - concession agreement for a dinner - April 21, 2001 - Division
of Burke Lakefront Airport, Dept. of Port Control
(BOC Res. 71-01) 235

Hunger Network of Greater Cleveland - concession agreement for Walk for Hunger - May 12,
2001 - Division of Burke Lakefront Airport, Dept. of Port Control
(BOC Res. 70-01) 235

Board of Control - Public Improvement Contracts

Centralized Deicing Facility Phase 1A - amend BOC Res. 736-00 - Division
of Cleveland Hopkins International Airport, Dept. of Port Control
(BOC Res. 68-01) 234

Board of Control - Public Safety Department

Uniform clothing supplies - contract pursuant to C.O. Sec. 135.06 to Allstate Industrial,
Inc. - Division of Police, Dept. of Public Safety
(BOC Res. 74-01) 235

Uniforms - amend BOC Res. 65-01 - Division of Police, Dept. of Public Safety
(BOC Res. 73-01) 235

Board of Control - Public Service Department

Front end loader and roll off containers, refurbishment of - pursuant to Ord. 725-2000
- all bids rejected - Division of Waste Collection and Disposal, Dept. of
Public Service (BOC Res. 72-01) 235

Board of Control - Public Utilities Department

Biological and chemical testing supplies (secondary turbidity standards) - contract
pursuant to C.O. Sec. 129.28 to APS Analytical Standards, Inc. - Division of Water,
Dept. of Public Utilities (BOC Res. 67-01) 234

Board of Control - Requirement Contracts

Biological and chemical testing supplies (secondary turbidity standards) - contract pursuant to C.O. Sec. 129.28 to APS Analytical Standards, Inc. - Division of Water, Dept. of Public Utilities (BOC Res. 67-01) 234

Uniform clothing supplies - contract pursuant to C.O. Sec. 135.06 to Allstate Industrial, Inc. - Division of Police, Dept. of Public Safety (BOC Res. 74-01) 235

Board of Control - Waste Collection and Disposal Division

Front end loader and roll off containers, refurbishment of - pursuant to Ord. 725-2000 - all bids rejected - Division of Waste Collection and Disposal, Dept. of Public Service (BOC Res. 72-01) 235

Board of Control - Water Division

Biological and chemical testing supplies (secondary turbidity standards) - contract pursuant to C.O. Sec. 129.28 to APS Analytical Standards, Inc. - Division of Water, Dept. of Public Utilities (BOC Res. 67-01) 234

Board of Zoning Appeals - Report

East 156th Street, 256, (Ward 11) - Lugene Robinson, owner - appeal heard on 2/12/01 (Cal. 01-04) 236

East 63rd Street, 1847, (Ward 5) - East 63rd Real Estate Company Ltd., owner, c/o Albert Walcott - appeal granted and adopted on 2/12/01 (Cal. 00-379) 236

Euclid Avenue, 17608, (Ward 10) - PVA Circle of Homes, owner, c/o Tom Lewins - appeal denied and adopted on 2/12/01 (Cal. 00-338) 236

Harvard Avenue, 10201, (Ward 2) - Storm Lawson, owner - appeal postponed to 3/19/01 on 2/12/01 (Cal. 01-03) 236

Lake Shore Boulevard, 16122, (Ward 11) - Euclid Beach Plaza Association, owners - appeal heard on 2/12/01 (Cal. 00-363) 236

Lake Shore Boulevard, 17600, (Ward 11) - Ante Susnjara, owner - appeal heard on 2/12/01 (Cal. 01-06) 236

Linn Drive, 954, (Ward 8) - True Vine Baptist Church, owner, c/o Reverend Edward McGhee - appeal postponed to 3/19/01 on 2/12/01 (Cal. 00-376) 236

Norway Avenue, 15813, (Ward 21) - Hal Leitch, owner - appeal postponed to 3/12/01 on 2/12/01 (Cal. 01-05) 236

St. Clair Avenue, 5921, (Ward 13) - Silvia Ahmetovic, owner - appeal dismissed on 2/12/01 (Cal. 00-367) 236

West 130th Street, 4193, (Ward 19) - Christian Diaconescu, owner - appeal heard on 2/12/01 (Cal. 01-07) 236

West 66th Street, 3556, (Ward 16) - Carla Speta, owner - appeal granted and adopted on 2/12/01 (Cal. 01-02) 236

Board of Zoning Appeals - Schedule

Detroit Avenue, 5209, (Ward 17) - Westside Ecumenical Ministry, owner - appeal to be heard on 2/26/01 (Cal. 01-15) 236

Dukes, Rodney J. - appeal to be heard on 2/26/01 (Cal. 01-17) 236

Payne Avenue, 2210, (Ward 13) - Mathile Saad, owner - appeal to be heard on 2/26/01 (Cal. 01-12) 236

Sweeney Avenue, 5227, (Ward 13) - Industrial Properties III, owner - appeal to be heard on 2/26/01 (Cal. 01-16) 236

Wayside Road, 965, (Ward 11) - The Peltz Group of Ohio, LLC, tenant and OWM Corporation, owner, c/o G. Billington, agent - appeal to be heard on 2/26/01 (Cal. 01-13) 236

Board of Education

Woodland Avenue (now Larchmere Boulevard) - Land Reutilization Program - Cleveland Board of Education (O 2270-2000) 234

Burke Lakefront Airport

Bahhur, Khalid — Commissioner of Burke Lakefront Airport
 (F 198-01) 213

City Clerk

Publications and services fees — City Codes — amend Section 113.12
 (O 230-01) 228

City of Cleveland Bids

A/C unit for central control (FAA supplied), installation of - Department of
 Port Control - per Ord. 1289-97 - bid due March 1, 2001
 (advertised 2/7/2001 and 2/14/2001)..... 239

Concrete pavement and floor resurfacing at fire and police stations - Department of
 Public Safety - per Ord. 927-2000 - bid due March 8, 2001
 (advertised 2/14/2001 and 2/21/2001)..... 240

Crimescopes, mini - Department of Public Safety - Division of Police - per Ord. 1005-2000
 - bid due March 8, 2001 (advertised 2/14/2001 and 2/21/2001) 240

Digital dictaphones - Department of Port Control - per Ord. 1269-97 - bid due March 7, 2001
 (advertised 2/14/2001 and 2/21/2001)..... 240

Ductline installation and/or repair - Department of Public Utilities - Division of
 Cleveland Public Power - per Ord. 746-2000 - bid due March 7, 2001
 (advertised 2/7/2001 and 2/14/2001)..... 239

East 40th Street (Phase III): Superior Avenue to South Marginal Road - Department
 of Public Service - Division of Engineering and Construction - per Ord. 1587-2000
 - bid due March 8, 2001 (advertised 2/14/2001 and 2/21/2001) 240

Environmental Analytical services (RFQ WBS No. K530) - Department of Port Control - due
 March 14, 2001 (advertised 2/14/2001 and 2/21/2001) 241

Erosion and Sediment Control Inspection, Certified Professional (RFQ WBS No. K521)
 - Department of Port Control - due February 26, 2001
 (advertised 2/7/2001 and 2/14/2001)..... 240

Fencing at various CSX and Norfolk Southern Railroad locations - Department of
 Public Service - Division of Engineering and Construction - per Ord. 1399-2000 - bid
 due March 1, 2001 (advertised 2/14/2001 and 2/21/2001)..... 240

Front end loaders and roll off containers, refurbishment of - Department of Public
 Service - Division of Waste Collection and Disposal - per Ord. 725-2000 - bid due
 February 28, 2001 (advertised 2/14/2001 and 2/21/2001) 240

Gerber Edge computer system (hardware and software) - Department of Public Safety
 - Division of Traffic Engineering and Parking - per Ord. 1005-2000 - bid due March
 7, 2001 (advertised 2/14/2001 and 2/21/2001) 240

Heaters on apparatus floor at fire stations - Department of Public Safety - per Ord.
 927-2000 - bid due March 8, 2001 (advertised 2/14/2001 and 2/21/2001 and 2/28/2001) 240

HVAC remote panel units - Department of Port Control - per Ord. 1269-97 - bid due March
 7, 2001 (advertised 2/14/2001 and 2/21/2001) 240

Interim Measures Feasibility Studies (RFQ WBS No. K510) - Department of Port Control -
 due February 23, 2001 (advertised 2/7/2001 and 2/14/2001)..... 239

Microscopes, compound - Department of Public Safety - Division of Police - per Ord.
 1005-2000 - bid due March 8, 2001 (advertised 2/14/2001 and 2/21/2001) 240

Pavement installation and/or repair - Department of Public Utilities - Division of
 Cleveland Public Power - per Ord. 747-2000 - bid due March 14, 2001
 (advertised 2/14/2001 and 2/21/2001)..... 240

Powdered activated carbon - Department of Public Utilities - Division of Water - per C.O.
 Sec. 129.24 - bid due March 15, 2001 (advertised 2/7/2001 and 2/14/2001)..... 239

Pump stations, labor and materials to repair / maintain - Department of Public Utilities
 - Division of Water Pollution Control - per Ord. 1959-2000 - bid due February 23, 2001
 (advertised 2/7/2001 and 2/14/2001)..... 239

PVC conduit, fittings and accessories - Department of Public Utilities - Division
 of Cleveland Public Power - per C.O. Sec. 129.26 - bid due March 7, 2001
 (advertised 2/7/2001 and 2/14/2001)..... 239

Security system and central control upgrade - Department of Port Control - per Ord.
 1289-97 - bid due March 1, 2001 (advertised 2/7/2001 and 2/14/2001)..... 239

Trigger Plan Implementation Project (RFQ WBS No. K520) - Department of Port Control -
 due March 7, 2001 (advertised 2/7/2001 and 2/14/2001)..... 240

Truck loan scales - Department of Public Safety - Division of Police - per Ord. 1005-2000
 - bid due March 8, 2001 (advertised 2/14/2001 and 2/21/2001) 240

City Council

Development initiative — Governor Taft's — Council support (R 237-01)	230
House Bill 27 — Buy Ohio Program — iron slag and steel slag — Council's support (R 238-01)	231

City Planning Commission

Fence regulations — new Sections 358.01 to 358.07 — amend 337.23 and 357.13 — repeal Sections 325.221, 325.222, 325.223 and 629.06 (O 1811-2000).....	233
Lake Shore Boulevard, N.E. — change Use District (O 226-01)	226

Cleveland Hopkins International Airport

South Fuel Farm Hydrant Pumping Station — construction — Continental Airlines — agreement — Cleveland Hopkins International Airport (O 911-2000).....	232
START-A-HEART, INCORPORATED — agreement — defibrillators (O 2262-2000).....	234

Cleveland Housing Network

Low-income housing tax credits — Council's support — Cleveland Housing Network Limited Partnership XVIII — proposal (R 234-01).....	230
Scattered sites (Wards 2, 5, 9, 13, 18) — Land Reutilization Program — Cleveland Housing Network, Inc. (O 225-01)	224

Cleveland Industrial Park

Block H of the Cleveland Industrial Park — sell City-owned property — JRM Chemical Inc. (O 2031-2000).....	233
---	-----

Cleveland Municipal School District

Senate Athletic League — urge Cleveland School Board to review and revise schedule to permit athletic events during evening hours (R 185-01)	241
---	-----

Cleveland Public Power

Indura jackets (200) — Indura shirts (1800) — purchase — Cleveland Public Power (O 220-01)	223
---	-----

Codified Ordinances

Animal cruelty treatment — amend Sections 603.06, 603.07, 603.08 and 603.09 — new Section 603.091, 603.032 and 603.072 (O 214-01)	214
Fence regulations — new Sections 358.01 to 358.07 — amend 337.23 and 357.13 — repeal Sections 325.221, 325.222, 325.223 and 629.06 (O 1811-2000).....	233
Obstruction marking and lighting — amend Sections 633.01 and 633.02 — amend Sections 633.01 and 633.02 (O 2110-2000)	233
Publications and services fees — City Codes — amend Section 113.12 (O 230-01)	228
Wireless telecommunications facilities — new Secs. 354.01 through 354.15 — exceptions to height regulations — amend Sect. 353.06 (O 2306-2000).....	246-R

Community Development

Additional neighborhood revitalization activities — First Amendment to Contract No. 56379 — Burten Bell Carr Development, Inc. (O 2114-2000).....	233
Burten, Bell Carr Development, Inc. — youth recreation activities and educational programs — Ward 5 Neighborhood Equity Funds (O 216-01)	215

Dame building renovation — Phase II — Ward 8 Neighborhood Equity Funds
(O 223-01) 224

Detroit Shoreway Community Development Organization — safety, code enforcement and
housing development activities — Ward 17 Neighborhood Equity Funds
(O 183-01) **246**

East 105th Street, 1255 — rear of 1251 East 105th Street — Land Reutilization Program
— Adrian Thompson (O 1877-2000) 233

Euclid - St. Clair Development Corporation — Water Tower Park site — conduct
impact study — amend Ord. No. 949-2000 — Ward 10 Neighborhood Equity Funds
(O 215-01) 215

Famicos Foundation — acquisition and renovation of vacant commercial building for
community center — Ward 8 Neighborhood Equity Funds
(O 221-01) 223

Fries & Schuele Building (O 219-01)..... 223

Historic Gateway Neighborhood Corp. — social programs — grant agreement
(O 181-01) **246**

Ohio City Near West Development Corporation — residential crime watch program — Ward
14 Neighborhood Equity Funds (O 182-01) **246**

West 5th Street, 2445, 2451-55 and 2479 — Land Reutilization Program —
Tremont West Development Corporation (O 1971-2000)..... 233

Community Relations Board

Don't Borrow Trouble Program — grant — Freddie Mac — Community Relations Board
(O 218-01) 223

Concession Agreements

Gordon Park and Brookside Park — concession stands (O 224-01) 224

Condolences

Cox, Brenda Louise (R 202-01) 213

Feinberg, Miss Pat (R 208-01)..... 213

Lombardo, Joseph (R 207-01)..... 213

Small Coleman, Vera Louise (R 205-01)..... 213

Smith Blackwell, Merlyn (R 201-01) 213

Stefanski, Gerome R. (R 200-01)..... 213

Thomas, Paul W. (R 206-01) 213

Tufts, Ernest Sr. (R 203-01)..... 213

Zbin, Albert Fr. (R 204-01)..... 213

Congratulations

McMickle, Marvin A. Rev., Ph.D. (R 209-01)..... 213

Myers College Paralegal Program (R 210-01) 213

Shimits, Mary (R 211-01)..... 213

Contracts

James H. Walker Construction Management Training Course — contract — Office of Equal
Opportunity (O 2153-2000)..... **243**

Kirby Avenue, 12302 — roof replacement/repair project — Advanced Roofing System
(O 2200-2000)..... **244**

Oracle computer products — technical support services
(O 222-01) 224

Workers' compensation actuarial and auditing services — Integrated Consultant Services
— contract — Personnel and Human Resources Department
(O 28-01) 232

Economic Development Department

Block F of the Cleveland Industrial Park — sell City-owned property — Nisman-Rozgonyi
Enterprises LLC (O 1412-2000) 233

Block H of the Cleveland Industrial Park — sell City-owned property — JRM Chemical Inc.
(O 2031-2000)..... 233

Fries & Schuele Building (O 219-01)..... 223

Parcel F in the Cleveland Industrial Park — Enterprise Zone Agreement — Nisman-Rozgonyi Enterprises LLC — ten year abatement — Economic Development (O 1413-2000).....	233
Parcel F in the Cleveland Industrial Park — land acquisition and construction — Nisman-Rozgonyi Enterprises LLC — Economic Development (O 1411-2000).....	233
Enterprise Zone Agreement	
Parcel F in the Cleveland Industrial Park — Enterprise Zone Agreement — Nisman-Rozgonyi Enterprises LLC — ten year abatement — Economic Development (O 1413-2000).....	233
Famicos Foundation	
Dame building renovation — Phase II — Ward 8 Neighborhood Equity Funds (O 223-01)	224
Famicos Foundation - acquisition and renovation of vacant commercial building for community center — Ward 8 Neighborhood Equity Funds (O 221-01)	223
Fees	
Publications and services fees — City Codes — amend Section 113.12 (O 230-01)	228
Finance Department	
Oracle computer products — technical support services (O 222-01).....	224
Pay as Moral Claims (O 2305-2000)	244
Fire Division	
Fire safety boat — fully staff and operate — directing the Director of Public Safety (O 213-01)	214
Funds	
City infrastructure improvements — funds — urging President George W. Bush and Congress (R 227-01)	227
Grants	
Don't Borrow Trouble Program — grant — Freddie Mac — Community Relations Board (O 218-01)	223
Health Care Coverage	
School crossing guards — health care benefits — urging the administration — provide (R 231-01)	229
Land Reutilization Program	
East 93rd Street — scattered sites — Land Reutilization Program — Union Miles Development Corporation (O 2117-2000)	233
Dunham Avenue, 6719 — Land Reutilization Program — Minnie Worley (O 2112-2000).....	233
East 105th Street, 1255 — rear of 1251 East 105th Street — Land Reutilization Program — Adrian Thompson (O 1877-2000)	233
East 71st Street, 1464 — Land Reutilization Program — Enoree Baptist Church (O 2113-2000).....	233
Parkwood Drive, 1212 and 1246 — Olivet Avenue, 10922 and 10928 — Land Reutilization Program — The New Fellowship Baptist Church (O 2115-2000).....	233
Scattered sites (Wards 2, 5, 9, 13, 18) — Land Reutilization Program — Cleveland Housing Network, Inc. (O 225-01)	224

Scattered sites — Land Reutilization Program — Cleveland Housing
 Network, Inc. (O 217-01) 215
 Sunview Avenue — Land Reutilization Program — Amistad Development Corporation
 (O 2310-2000)..... 234
 West 5th Street, 2445, 2451-55 and 2479 — Land Reutilization Program —
 Tremont West Development Corporation (O 1971-2000)..... 233
 Woodland Avenue (now Larchmere Boulevard) — Land Reutilization Program — Cleveland
 Board of Education (O 2270-2000) 234

Liquor Permits

Broadview Road, 2139, 1st Fl. and Bsmt. (Ward 15) — renewal — withdraw objection
 — repeal Res. No. 1446-2000 (R 187-01) **242**
 Detroit Avenue, 5009 (Ward 17) — objection — transfer of location
 (R 236-01) 230
 East 185th Street, 835-837 (Ward 11) — transfer of ownership — withdraw objection —
 repeal Res. No. 1829-2000 (R 190-01) **242**
 Memphis Avenue, 5200 (Ward 15) — renewal — withdraw objection — repeal Res. No.
 1448-2000 (R 188-01) **242**
 Miles Avenue, 9915 (Ward 2) — objection — transfer of location
 (R 239-01) 231
 Superior Avenue, 6029 (Ward 13) — renewal — withdraw objection — repeal Res. No.
 1342-2000 (R 189-01) **242**
 W. 14th St., 3146 (Ward 13) — Objection - transfer of ownership
 (R 184-01) **241**
 West 130th Street, 4690 (Ward 20) — 1st Fl. & Bsmt. — Objecting to transfer
 of ownership (R 191-01) **243**
 Woodhill Road, 2623 (Ward 6) — objection — transfer of ownership
 (R 232-01) 229
 Woodland, 6206 (Ward 5) — objection — issuance (R 186-01)..... **241**

Mayor's Office

Hayes, Marvin — Executive Assistant to the Mayor for Intergovernmental Affairs
 (F 199-01) 213

Moral Claims

Pay as Moral Claims (O 2305-2000) **244**

Neighborhood Development Investment Funds (NDIF)

Fries & Schuele Building (O 219-01)..... 223

Neighborhood Equity Funds

Burten, Bell Carr Development, Inc. — youth recreation activities and educational
 programs — Ward 5 Neighborhood Equity Funds
 (O 216-01) 215
 Dame building renovation — Phase II — Ward 8 Neighborhood Equity Funds
 (O 223-01) 224
 Detroit Shoreway Community Development Organization — safety, code enforcement and
 housing development activities — Ward 17 Neighborhood Equity Funds
 (O 183-01) **246**
 Euclid - St. Clair Development Corporation — Water Tower Park site — conduct
 impact study — amend Ord. No. 949-2000 — Ward 10 Neighborhood Equity Funds
 (O 215-01) 215
 Famicos Foundation - acquisition and renovation of vacant commercial building for
 community center — Ward 8 Neighborhood Equity Funds
 (O 221-01) 223
 Historic Gateway Neighborhood Corp. — social programs — grant agreement
 (O 181-01) **246**
 Ohio City Near West Development Corporation — residential crime watch program — Ward
 14 Neighborhood Equity Funds (O 182-01) **246**

Oath of Office

Bahhur, Khalid — Commissioner of Burke Lakefront Airport (F 198-01)	213
Hayes, Marvin — Executive Assistant to the Mayor for Intergovernmental Affairs (F 199-01)	213
Johnson, Ken — Assistant Director of the Department of Public Service (F 197-01)	213
Mavec, Robert — Commissioner of Traffic Engineering and Parking (F 196-01)	213
Owens, Ron — Commissioner of Waste Collection and Disposal (F 194-01)	213
Weibusch, Kurt — Commissioner of Architecture. Received (F 195-01)	213

Parks, Recreation and Properties Department

Gordon Park and Brookside Park — concession stands (O 224-01)	224
Woodland Recreation Center — expansion — 9206 Woodland Avenue (O 2111-2000).....	233

Permits

MS WALK — permit — National Multiple Sclerosis Society (O 228-01)	227
Walk-A-Thon — permit — Museum Co. (O 229-01).....	227

Personnel Department

Workers' compensation actuarial and auditing services — Integrated Consultant Services — contract — Personnel and Human Resources Department (O 28-01)	232
--	-----

Police Division

CAD — IBM equipment, hubs, printers and monitors — IBM Global Systems — Division of Police (O 2309-2000)	245
---	-----

Port Control Department

Remove rubber and paint from paved surfaces — various divisions — Port Control (O 1576-2000).....	233
South Fuel Farm Hydrant Pumping Station — construction — Continental Airlines — agreement — Cleveland Hopkins International Airport (O 911-2000).....	232
START-A-HEART, INCORPORATED — agreement — defibrillators (O 2262-2000).....	234

Purchases and Supplies Division

Block F of the Cleveland Industrial Park — sell City-owned property — Nisman-Rozgonyi Enterprises LLC (O 1412-2000)	233
--	-----

Real Estate

Block H of the Cleveland Industrial Park — sell City-owned property — JRM Chemical Inc. (O 2031-2000).....	233
---	-----

Recognition

Ensemble Theatre (R 212-01)	213
-----------------------------------	-----

Repealed Ordinances & Resolutions (Non Codified)

Broadview Road, 2139, 1st Fl. and Bsmt. (Ward 15) — renewal — withdraw objection
 — repeal Res. No. 1446-2000 (R 187-01) **242**

East 185th Street, 835-837 (Ward 11) — transfer of ownership — withdraw objection —
 repeal Res. No. 1829-2000 (R 190-01) **242**

Memphis Avenue, 5200 (Ward 15) — renewal — withdraw objection — repeal Res. No.
 1448-2000 (R 188-01) **242**

Superior Avenue, 6029 (Ward 13) — renewal — withdraw objection — repeal Res. No.
 1342-2000 (R 189-01) **242**

Reprints

Wireless telecommunications facilities — new Secs. 354.01 through 354.15 — exceptions
 to height regulations — amend Sect. 353.06 (O 2306-2000)..... **246-R**

Resolution of Support

Development initiative — Governor Taft's — Council support
 (R 237-01) 230

House Bill 27 — Buy Ohio Program — iron slag and steel slag — Council's support
 (R 238-01) 231

Resolutions - Miscellaneous

City infrastructure improvements — funds — urging President George W. Bush and Congress
 (R 227-01) 227

Low-income housing tax credits — Council's support — Cleveland New Construction Limited
 Partnership III — proposal (R 235-01) 230

Low-income housing tax credits — Council's support — Cleveland Housing Network Limited
 Partnership XVIII — proposal (R 234-01)..... 230

School crossing guards — health care benefits — urging the administration — provide
 (R 231-01) 229

Senate Athletic League — urge Cleveland School Board to review and revise schedule to
 permit athletic events during evening hours (R 185-01) **241**

Utility companies — publish a list of entities — urging citizens — make payments —
 utility-authorized entities (R 233-01)..... 229

West 117th Street — amenity strip in the sidewalk and emplacing tree pockets
 (R 2124-2000) 234

Safety Department

CAD — IBM equipment, hubs, printers and monitors — IBM Global Systems — Division of
 Police (O 2309-2000) **245**

Fire safety boat — fully staff and operate — directing the Director of Public Safety
 (O 213-01) 214

Obstruction marking and lighting — amend Sections 633.01 and 633.02 — amend Sections
 633.01 and 633.02 (O 2110-2000) 233

School Crossing Guards

School crossing guards — health care benefits — urging the administration — provide
 (R 231-01) 229

Service Department

East 200th Street — vacate a portion — (Ward 11) (O 1968-2000) 233

Electrical, mechanical, structural and environmental engineering services — Division of
 Architecture (O 2205-2000) 234

Johnson, Ken — Assistant Director of the Department of Public Service
 (F 197-01) 213

Public Service facilities — rehabilitating, renovating, reconstructing
 (O 2204-2000)..... 233

Public Service facility roofs — rehabilitating, replacing (O 2203-2000)..... 233

Salt storage dome at the Seville Station — constructing (O 2202-2000)..... 232

West 117th Street — amenity strip in the sidewalk and emplacing tree pockets
 (R 2124-2000) 234

Sewers

Lee Road area sewer system — sewers and manholes — rehabilitate and replace (O 2097-2000).....	243
---	-----

Statement of Work Acceptance

Parma Pearl-York Supply Main Section IV — Contract No. 54088 (F 193-01)	213
---	-----

Steel Industry

Development initiative — Governor Taft's — Council support (R 237-01)	230
House Bill 27 — Buy Ohio Program — iron slag and steel slag — Council's support (R 238-01)	231

Street Vacation

East 200th Street — vacate a portion — (Ward 11) (O 1968-2000)	233
Hamilton Court N.E. — intention to vacate (R 2033-2000).....	234
Mt. Overlook Avenue S.E. — intention to vacate — (Ward 6) (R 1883-2000)	234
Williams Avenue and East 128th Street — intention to vacate (R 2034-2000)	234

Tax Credits

Low-Income housing tax credits — Council's support — Cleveland New Construction Limited Partnership III — proposal (R 235-01)	230
Network Limited Partnership XVIII — proposal (R 234-01)	230

Traffic Engineering & Parking Division

Mavec, Robert — Commissioner of Traffic Engineering and Parking (F 196-01)	213
--	-----

Tremont West Development Corporation

West 5th Street, 2445, 2451-55 and 2479 — Land Reutilization Program — Tremont West Development Corporation (O 1971-2000).....	233
---	-----

Utilities Companies

Utility companies — publish a list of entities — urging citizens — make payments — utility-authorized entities (R 233-01).....	229
---	-----

Utilities Department

Catch basins and manholes — constructing and repairing — Public Utilities (O 1865-2000).....	232
Diving and underwater inspection services — Division of Water (O 1866-2000).....	233
Elevators — repair and maintain — Division of Water (O 2098-2000).....	232
Fencing — install and repair — Division of Water Pollution Control (O 1958-2000).....	232
Garrett A. Morgan Water Treatment Plant — public improvement of pump station and reservoir improvements — Division of Water (O 817-2000).....	231
Gas detection equipment and calibration — service and maintain — Division of Water (O 2105-2000).....	232
Hazardous and non hazardous waste disposal services — purchase — Division of Water (O 1867-2000).....	232
Indura jackets (200) — Indura shirts (1800) — purchase — Cleveland Public Power (O 220-01)	223
Kirby Avenue, 12302 — roof replacement/repair project — Advanced Roofing System (O 2200-2000).....	244

Lee Road area sewer system — sewers and manholes — rehabilitate and replace
(O 2097-2000)..... **243**
Parma Pearl-York Supply Main Section IV — Contract No. 54088
(F 193-01) 213

Walk-A-Thons

Walk-A-Thon — permit — Museum Co. (O 229-01)..... 227

Ward 01

Block F of the Cleveland Industrial Park — sell City-owned property — Nisman-Rozgonyi
Enterprises LLC (O 1412-2000) 233
Block H of the Cleveland Industrial Park — sell City-owned property — JRM Chemical Inc.
(O 2031-2000)..... 233
Ensemble Theatre (R 212-01) 213
Parcel F in the Cleveland Industrial Park — Enterprise Zone Agreement — Nisman-Rozgonyi
Enterprises LLC — ten year abatement — Economic Development
(O 1413-2000)..... 233
Parcel F in the Cleveland Industrial Park — land acquisition and construction —
Nisman-Rozgonyi Enterprises LLC — Economic Development
(O 1411-2000)..... 233
Small Coleman, Vera Louise (R 205-01)..... 213
Sunview Avenue — Land Reutilization Program — Amistad Development Corporation
(O 2310-2000)..... 234
Thomas, Paul W. (R 206-01) 213

Ward 02

East 93rd Street — scattered sites — Land Reutilization Program — Union
Miles Development Corporation (O 2117-2000) 233
Miles Avenue, 9915 (Ward 2) — objection — transfer of location
(R 239-01) 231
Scattered sites (Wards 2, 5, 9, 13, 18) — Land Reutilization Program — Cleveland
Housing Network, Inc. (O 225-01) 224
Tufts, Ernest Sr. (R 203-01)..... 213

Ward 04

Williams Avenue and East 128th Street — intention to vacate
(R 2034-2000) 234

Ward 05

Burten, Bell Carr Development, Inc. — youth recreation activities and educational
programs — Ward 5 Neighborhood Equity Funds (O 216-01)..... 215
Scattered sites (Wards 2, 5, 9, 13, 18) — Land Reutilization Program — Cleveland
Housing Network, Inc. (O 225-01) 224
Woodland, 6206 (Ward 5) — objection — issuance (R 186-01)..... **241**

Ward 06

Mt. Overlook Avenue S.E. — intention to vacate — (Ward 6)
(R 1883-2000) 234
McMickle, Marvin A. Rev., Ph.D. (R 209-01)..... 213
Williams Avenue and East 128th Street — intention to vacate
(R 2034-2000) 234
Woodhill Road, 2623 (Ward 6) — objection — transfer of ownership
(R 232-01) 229
Woodland Avenue (now Larchmere Boulevard) — Land Reutilization Program — Cleveland
Board of Education (O 2270-2000) 234

Ward 07

Dunham Avenue, 6719 — Land Reutilization Program — Minnie Worley (O 2112-2000).....	233
East 71st Street, 1464 — Land Reutilization Program — Enoree Baptist Church (O 2113-2000).....	233
Scattered sites — Land Reutilization Program — Cleveland Housing Network, Inc. (O 217-01).....	215

Ward 08

Dame building renovation — Phase II — Ward 8 Neighborhood Equity Funds (O 223-01)	224
East 105th Street, 1255 — rear of 1251 East 105th Street — Land Reutilization Program — Adrian Thompson (O 1877-2000)	233
Famicos Foundation - acquisition and renovation of vacant commercial building for community center — Ward 8 Neighborhood Equity Funds (O 221-01)	223
Parkwood Drive, 1212 and 1246 — Olivet Avenue, 10922 and 10928 — Land Reutilization Program — The New Fellowship Baptist Church (O 2115-2000).....	233
Smith Blackwell, Merlyn (R 201-01)	213

Ward 09

Cox, Brenda Louise (R 202-01)	213
Scattered sites (Wards 2, 5, 9, 13, 18) — Land Reutilization Program — Cleveland Housing Network, Inc. (O 225-01)	224

Ward 10

Euclid - St. Clair Development Corporation — Water Tower Park site — conduct impact study — amend Ord. No. 949-2000 — Ward 10 Neighborhood Equity Funds (O 215-01)	215
--	-----

Ward 11

East 185th Street, 835-837 (Ward 11) — transfer of ownership — withdraw objection — repeal Res. No. 1829-2000 (R 190-01)	242
East 200th Street — vacate a portion — (Ward 11) (O 1968-2000)	233
Lake Shore Boulevard, N.E. — change Use District (O 226-01)	226
McMickle, Marvin A. Rev., Ph.D. (R 209-01).....	213

Ward 12

Stefanski, Gerome R. (R 200-01).....	213
--------------------------------------	-----

Ward 13

Hamilton Court N.E. — intention to vacate (R 2033-2000).....	234
Historic Gateway Neighborhood Corp. — social programs — grant agreement (O 181-01)	246
MS WALK — permit — National Multiple Sclerosis Society (O 228-01).....	227
Myers College Paralegal Program (R 210-01)	213
Scattered sites (Wards 2, 5, 9, 13, 18) — Land Reutilization Program — Cleveland Housing Network, Inc. (O 225-01)	224
Superior Avenue, 6029 (Ward 13) — renewal — withdraw objection — repeal Res. No. 1342-2000 (R 189-01)	242
W. 14th St., 3146 (Ward 13) — Objection - transfer of ownership (R 184-01)	241
Walk-A-Thon — permit — Museum Co. (O 229-01).....	227
West 5th Street, 2445, 2451-55 and 2479 — Land Reutilization Program — Tremont West Development Corporation (O 1971-2000).....	233
Zbin, Albert Fr. (R 204-01).....	213

Ward 14

Near West Theater — ten (10) banners (O 2268-2000) 234
 Ohio city Near West Development Corporation — residential crime watch program — Ward
 14 Neighborhood Equity Funds (O 182-01) **246**

Ward 15

Broadview Road, 2139, 1st Fl. and Bsmt. (Ward 15) — renewal — withdraw objection
 — repeal Res. No. 1446-2000 (R 187-01) **242**
 Memphis Avenue, 5200 (Ward 15) — renewal — withdraw objection — repeal Res. No.
 1448-2000 (R 188-01) **242**
 Shimits, Mary (R 211-01)..... 213

Ward 16

Lombardo, Joseph (R 207-01)..... 213

Ward 17

Detroit Avenue, 5009 (Ward 17) — objection — transfer of location (R 236-01) 230
 Detroit Shoreway Community Development Organization — safety, code enforcement and
 housing development activities — Ward 17 Neighborhood Equity Funds
 (O 183-01) **246**
 West 117th Street — amenity strip in the sidewalk and emplacing tree pockets
 (R 2124-2000) 234

Ward 18

Scattered sites (Wards 2, 5, 9, 13, 18) — Land Reutilization Program — Cleveland
 Housing Network, Inc. (O 225-01) 224
 West 117th Street — amenity strip in the sidewalk and emplacing tree pockets
 (R 2124-2000) 234

Ward 20

West 130th Street, 4690 (Ward 20) — 1st Fl. & Bsmt. — Objecting to transfer
 of ownership (R 191-01) **243**

Waste Collection and Disposal Division

Owens, Ron — Commissioner of Waste Collection and Disposal (F 194-01) 213

Water Division

Diving and underwater inspection services — Division of Water
 (O 1866-2000)..... 233
 Elevators — repair and maintain — Division of Water
 (O 2098-2000)..... 232
 Garrett A. Morgan Water Treatment Plant — public improvement of pump station and
 reservoir improvements — Division of Water (O 817-2000)..... 231
 Gas detection equipment and calibration — service and maintain — Division of Water
 (O 2105-2000)..... 232
 Hazardous and non hazardous waste disposal services — purchase — Division of Water
 (O 1867-2000)..... 232

Water Pollution Control Division

Fencing — install and repair — Division of Water Pollution Control (O 1958-2000) 232

Wireless Telecommunications

Wireless telecommunications facilities — new Secs. 354.01 through 354.15 — exceptions
 to height regulations — amend Sect. 353.06 (O 2306-2000)..... **246-R**

Zoning

Lake Shore Boulevard, N.E. — change Use District (O 226-01) 226