

# The City Record

Official Publication of the City of Cleveland

February the Sixteenth, Two Thousand

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

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# DIRECTORY OF CITY OFFICIALS

## CITY COUNCIL—LEGISLATIVE

President of Council—Michael D. Polensek

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

Clerk of Council – Ruby F. Moss, 216 City Hall, 664-2840.  
First Assistant Clerk – Sandra Franklin.

**MAYOR – Michael R. White**  
Judith Zimomra, Chief of Staff  
Diane Downing, Senior Executive Assistant for Health and Human Services  
Barry Withers, Executive Assistant for Administration  
Kenneth Silliman, Executive Assistant for Development  
Reuben Sheperd, Executive Assistant for Services  
Nina Turner, Executive Assistant for Legislative Affairs  
Sharon Sobol Jordan, Interim 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 Brooks, Director, Room 104;**  
Frank Badalamenti, Manager, Internal Audit  
**DIVISIONS – Accounts – Gayle Goodwin Smith, Commissioner, Room 19**  
City Treasury – Algeron Walker, Treasurer, Room 115  
Assessments and Licenses – Robert J. Schneider, Commissioner, Room 122  
Purchases and Supplies – Myrana Branche, Commissioner, Room 128  
Printing and Reproduction – James D. Smith, Commissioner, 1735 Lakeside Avenue  
Taxation – Nassim Lynch, Tax Administrator, 1701 Lakeside Avenue  
Financial Reporting and Control – Robert Dolan, Controller, Room 18  
Information Systems Services – Joyce Thomas, Acting Commissioner, 1404 E. 9th St.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**BOARD OF REVISION OF ASSESSMENTS – Law Director Cornell P. Carter,**  
President; Finance Director Martin L. Carmody, Jr., 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 Martin L. Carmody, Jr.; Council President Michael D.  
Polensek; Councilman Bill Patmon; Councilman Martin J. Sweeney.

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

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

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

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

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

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

# The City Record



OFFICIAL PUBLICATION OF THE CITY OF CLEVELAND

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WEDNESDAY, FEBRUARY 16, 2000

No. 4497

## CITY COUNCIL

MONDAY, FEBRUARY 14, 2000

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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, Sweeney, White.

#### MONDAY—Alternating

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

#### MONDAY

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

#### TUESDAY

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

#### TUESDAY—Alternating

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

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

#### WEDNESDAY—Alternating

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

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

#### WEDNESDAY—Alternating

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

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

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

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

### OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio

Monday, February 14, 2000.

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

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

Also present were Executive Assistant for Administration Withers and Directors Brooks, Konicek, Sheffield-McClain, Ricchiuto, Jackson, Hudecek, Patterson, Dove and Morrison and Acting Directors Carr, Szabo and Alexander.

Absent: Mayor White and Directors Carter, Whitlow, Guzman, Warren and Axelrod.

Pursuant to Ordinance No. 2926-76, the Council Meeting was opened with a prayer offered by Rev. Jeffrey Jamison, Associate Pastor of Starlight Baptist Church and Chaplain of the Cuyahoga County Democratic Party. Pledge of Allegiance.

#### MOTION

Councilman Coats moved that the Clerk be instructed to correct the journal of the December 13, 1999 meeting of the Council (City Record Volume 86 at Page 2288) to reflect that the following first reading emergency ordinance was introduced and referred:

#### Ord. No. 2153-99.

**By Councilmen Lewis and Patmon (by departmental request).**

**An emergency ordinance to amend Section 171.43 of the Codified Ordinances of Cleveland, Ohio, 1976, as**

**enacted by Ordinance No. 2292-80, passed July 6, 1981, relating to vehicle mileage allowance.**

and, further, that the Clerk be instructed to publish this ordinance in its entirety in the February 16, 2000, City Record and that the reading of the minutes of the last meeting be dispensed with and the journal approved.

Seconded by Councilman Melena.

#### Ord. No. 2153-99.

**By Councilmen Lewis and Patmon (by departmental request).**

**An emergency ordinance to amend Section 171.43 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 2292-80, passed July 6, 1981, relating to vehicle mileage allowance.**

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 171.43 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 2292-80, passed July 6, 1981, is hereby amended to read as follows:

#### Section 171.43 Vehicle Mileage Allowance

In addition to the salary fixed for the position occupied in the City service, any employee whose duties require the use of a motor vehicle, and any person performing the functions of a public office as described in Section 7701(a)(26) of the Internal Revenue Code, may be compensated for the use of his vehicle in the performance of his duties at the rate of **twenty-eight cents (\$0.28)** per mile, subject to the rules and regulations established by the Director of Finance, which shall be published in the City Record for two consecutive weeks. Nothing in this section shall be deemed to apply to Deputy Bailiffs of the Municipal Court.

**Section 2.** That existing Section 171.43 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 2292-80, passed July 6, 1981, 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.

## COMMUNICATIONS

**File No 196-2000.**

Community Relations Board appointment, Councilman Joseph Cimperman and Councilwoman Dona Brady, 2000-2001 terms. Received.

**FROM DEPARTMENT OF LIQUOR CONTROL****File No. 197-2000.**

Re: Transfer of Ownership and Location Application - 13106380075 - Case Western Reserve University, d.b.a. Fribley Dining Commons, 2323 Murray Hill Road. (Ward 6). Received.

**File No. 198-2000.**

Re: Stock Transfer Application - 8200146 - 6520 Tavern, Inc., d.b.a. Jo Jo's, 6520 Lorain Avenue, first floor. (Ward 17). Received.

**File No. 199-2000.**

Re: Transfer of Ownership Application - 5381021 - M. P. Corp., d.b.a. West 14th Street Market, 2685 West 14th Street, first floor and basement. (Ward 13). Received.

**File No. 200-2000.**

Re: Transfer of Ownership Application - 2650989 Faiz Oil, Inc., d.b.a. Faiz Sunoco, 2165 East 55th Street. (Ward 5). Received.

**File No. 201-2000.**

Re: Transfer of Ownership Application - 89166070005 - 3249 East 143, Inc., d.b.a. Milverton Food Mart, 15220 Saranac Road, first floor only. (Ward 11). Received.

**File No. 202-2000.**

Re: Stock Transfer Application - 8772814 - T & W Mart, Inc., 15239 Triskett Road. (Ward 21). Received.

**STATEMENT OF WORK ACCEPTED****File No. 203-2000.**

From the Department of Public Utilities re: Contract No. 54513 for Cleaning and Lining 99-1, -2, completed and accepted November 30, 1999. Received.

**PLAT****File No. 204-2000.**

Plat for the Dedication of Widening and Relocation of Maplewood Avenue. (Ward 20). Received.

**CONDOLENCE RESOLUTIONS**

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

**Res. No. 205-2000**—Rev. Veotis A. Ligon.

**Res. No. 206-2000**—Tony Allmond, Sr.

**Res. No 207-2000**—Rev. Dr. Albert T. Rowan.

**CONGRATULATION RESOLUTIONS**

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

**Res. No. 208-2000**—82nd Anniversary — Restoration of Lithuania's Independence.

**Res. No. 209-2000**—Founder's Day Celebration — African Methodist Episcopal Church.

**FIRST READING EMERGENCY ORDINANCES REFERRED****Ord. No. 210-2000.**

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

**An emergency ordinance authorizing the Director of Community Development to transfer property described as Permanent Parcel Nos. 112-25-074, 112-25-075, 112-25-076 and 112-25-091 to the control, possession and use of the Department of Parks, Recreation and Properties for the expansion of Thames Playfield.**

Whereas, the Department of Community Development desires to transfer certain property under its control to the Department of Parks, Recreation and Properties; and

Whereas, Section 183.14 of the Codified Ordinances of Cleveland, Ohio, 1976, requires that such transfer be preceded by an ordinance of Council approving the transfer; and

Whereas, the property to be transferred is a component of the City of Cleveland's land reutilization program and, as such, can be transferred pursuant to Section 5722.07 of the Ohio Revised Code without the consent of other legislative authorities only if: (a) the property is sold at not less than fair market value; and (b) the property is subject to such restrictions and covenants as appropriate to assure the land's effective reutilization; 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 183.14 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Community Development is authorized to transfer the following described property to the control, possession and use of the Department of Parks, Recreation and Properties for the expansion of Thames Playfield:

15001 Thames Avenue

Permanent Parcel No. 112-25-074  
Situating in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 21 in the Greenhut Goodman Improvement Co. Subdivision of part of Original Euclid Township Tract No. 16, as shown by the recorded plat in Volume 41 of Maps, Page 9 of Cuyahoga County Records, and being 33-63/100 feet front on the Northerly side of Thames Avenue, N.E., 142-6/100 feet deep on the Westerly line, 142-16/100 feet deep on the Easterly line and 33-63/100 feet in the rear as appears by said plat, be the same more or less, but subject to all legal highways. Restrictions of record and zoning Ordinance.

14913 Thames Avenue

Permanent Parcel No. 112-25-075  
Situating in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being Sublot No. 20 in the Greenhut Goodman Improvement Co. Subdivision of part of Original Euclid Township Tract No. 16, as shown by the recorded plat in Volume 41 of Maps, Page 9 of Cuyahoga County Records, be the same more or less, but subject to all legal highways.

14909 Thames Avenue

Permanent Parcel No. 112-25-076  
Situating in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being Sublot No. 19 in the Greenhut Goodman Improvement Co. Subdivision of part of Original Euclid Township Tract No. 16, as shown by the recorded plat in Volume 41 of Maps, Page 9 of Cuyahoga County Records, be the same more or less, but subject to all legal highways.

Also subject to zoning ordinances, if any.

Vac. Rear of 14914 Sylvia Avenue taken by State of Ohio

Permanent Parcel No. 112-25-091  
Situating in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being the Southerly part of Sublot No. 8 in the Greenhut-Goodman Improvement Co's. Subdivision of part of Original Euclid Township Tract No. 16, as shown by the recorded plat in Volume 41 of Maps, Page 9 of Cuyahoga County Records, and bounded and described as follows:

Beginning at the Southwesterly corner of said Sublot No. 8 in said Greenhut-Goodman Improvement Co's. Subdivision;

Thence Northerly along the Westerly line of said Sublot No. 8, a distance of 72.94 feet to the Southwesterly corner of land appropriated by the State of Ohio for easement purposes in Cuyahoga County Common Pleas Court Case No. 732630;

Thence Northeasterly along the Southeasterly line of said land so appropriated to the Southeasterly corner thereof and the Easterly line of Sublot No. 8;

Thence Southerly along the Easterly line of said Sublot No. 8, a distance of 85.49 feet to the Southeastery corner thereof;

Thence Westerly along the Southerly line of said Sublot No. 8, a distance of 35.32 feet to the place of beginning, be the same more or less, but subject to all legal highways.

**Section 2.** That upon consummation of the transfer referenced in Section 1, the Directors participating in the transaction shall initial and date a copy of this ordinance and deliver said copy to the custody of the Division of Property Management of the Department of Parks, Recreation and Properties.

**Section 3.** That, as a condition of said transfer, the Department of Parks, Recreation and Properties shall pay the Department of Community Development a price not less than fair market value as determined by the Board of Control, considering the restrictions and covenants deemed necessary by the Director of Community Development to assure the property's effective reutilization.

**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, Parks, Recreation and Properties, City Planning

Commission, Finance, Law; Committees on Community and Economic Development, Public Parks, Property and Recreation, City Planning, Finance.

**Ord. No. 211-2000.**

**By Councilmen Rybka and Patmon (by departmental request).**

**An emergency ordinance authorizing the Director of Parks, Recreation and Properties to apply for and accept a grant from the Ohio Department of Education for the 2000 Summer Food Program; authorizing the purchase by requirement contract of breakfasts, lunches and snacks for said Program and for food, food products, beverages, condiments and paper products needed for a food service operation to be served at Camp George L. Forbes as part of said Program, and for the Division of Recreation, Department of Parks, Recreation and Properties; and authorizing said Director to contract with various non-profit organizations for the implementation of said Program.**

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

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

**Section 1.** That the Director of Parks, Recreation and Properties is hereby authorized to apply for and accept a grant in the amount of \$250,000.00, from the Ohio Department of Education, to conduct the 2000 Summer Food Program for the purposes set forth in the program description and according thereto; that the Director of Parks, Recreation and Properties 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. 211-2000-A, made a part hereof as if fully rewritten herein is hereby approved in all respects.

**Section 3.** That the Director of Parks, Recreation and Properties is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of three months (June, July and August, 2000) for the breakfast, lunch and snack program to be served at nineteen City recreation centers and various non-profit agencies and such other agencies or recreation facilities as determined by the Director, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Recreation, Department of Parks, Recreation and Properties. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine.

**Section 4.** The cost of said contract shall be charged against the proper appropriation account, and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of

the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 19022)

**Section 5.** That provided the agencies meet the eligibility requirements of the Ohio Department of Education, the Director of Parks, Recreation and Properties is hereby authorized to make written contracts with the following agencies and such additional agencies as determined by said Director for implementation of the 2000 Summer Food Program:

Emile deSauze  
Salvation Army  
Second Calvary  
St. Paul AME

Broken Pieces Fellowship Church  
Christian Family Outreach  
Second New Hope Christian Academy

**Section 6.** That the cost of said contract hereby authorized shall be paid from the funds or funds to which are credited the proceeds of the grant accepted pursuant to Section 1 of this ordinance, Request No. 19022.

**Section 7.** That the Director of Parks, Recreation and Properties is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of various natural foods, food products, beverages, condiments and paper products as set forth in detail on file in the Office of the Division of Purchases and Supplies and attached to Request No. 19023, to be served as part of the meal program at Camp George L. Forbes, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Recreation, Department of Parks, Recreation and Properties. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine.

**Section 8.** The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 19023)

**Section 9.** That, notwithstanding the provisions of Section 181.24 of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, bidders for the contracts authorized by this ordinance shall be required to submit a bid bond in the amount of five percent of the amount of the bid, as required by United States Treasury Circular 570.

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

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

**Ord. No. 212-2000.**

**By Councilmen Rybka and Patmon (by departmental request).**

**An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter into contract with Boston Mills Ski Resort to provide youth ski lessons for the 2001 ski season, for the Division of Recreation, Department of Parks, Recreation and Properties.**

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

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

**Section 1.** That the Director of Parks, Recreation and Properties is hereby authorized to enter into contract with Boston Mills Ski Resort to provide youth ski lessons for the 2001 ski season, in the total sum of \$23,000, payable from Fund No. 01-700401-638000, Request No. 19025.

**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. 213-2000.**

**By Councilmen Dolan and Patmon (by departmental request).**

**An emergency ordinance authorizing the Director of Port Control to enter into a Lease By Way of Concession with Business Traveler Services, Inc. for operation as a business service center at Cleveland Hopkins International Airport.**

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 Port Control is hereby authorized to enter into a Lease By Way of Concession with Business Traveler Services, Inc. for the use and occupancy of approximately one thousand (1,000) square feet of space in the Airport Terminal Building in connection with its operation of a business service center. The annual rent shall be determined as follows: Lessee shall pay to the City a minimum annual guaranteed concession fee of Twenty-Four Thousand One Dollars (\$24,001); one and one-half percent (1-1/2%) of gross revenues realized by Lessee on U.S. currency traded; ten percent (10%) of the gross premium on the sale of travel related insurance and fifteen percent (15%) of gross revenues realized by Lessee from all other operations. The minimum annual guaranteed concession fee shall be sub-

ject to an annual increase of four percent (4%). The term shall commence on the date of execution of the Agreement, and unless sooner terminated, shall expire five years thereafter, provided that either party may terminate the Agreement by giving thirty (30) days written notice of such intent to the other party.

**Section 2.** That the Lease By Way of Concession authorized herein shall be prepared by the Director of Law and shall contain such additional provisions as he deems necessary to protect and benefit the public interest.

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

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

**Ord. No. 214-2000.**

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

**An emergency ordinance authorizing the Director of Port Control to execute an easement granting to Air BP certain easement rights in property located on Cleveland Hopkins International Airport and declaring said easement rights no longer needed for public use.**

Whereas, Air BP has requested the Director of Port Control to convey certain easement rights in property located on Cleveland Hopkins International Airport; and

Whereas, the easement rights to be granted are no longer needed for public use; and

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

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

**Section 1.** That, notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, it is hereby found and determined that an easement interest in the following described property is no longer needed for public use:

**British Petroleum Fuel Line Easement**

Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio and known as being part of Cleveland Hopkins International Airport, BP Fuel Line Easement.

Beginning at Point No. 65 located on the centerline of Five Points Road 438.73 feet East of its intersection with the centerline of Cargo Road as shown on the Airport Geometrics Map, prepared for the Department of Port Control, City of Cleveland, Ohio, Cleveland Hopkins International Airport, by Wheeler and Melena, Inc., May, 1988.

Thence South 23°-49'-18.93" East, 222.97 feet to the true point of beginning;

Thence South 32°-10'-58.42" West, 450.85 feet to a point;

Thence North 87°-27'-15.49" West, 37.42 feet to a point of tangency;

Thence around a curve to the left through a central angle of 79 (36' 14.59" an arc distance of 30.12 feet, a chord bearing of South 53°-51'-48.49" West a distance of 27.76 to a point of curvature;

Thence South 02°-27'-45.92" West, 57.19 feet to a point;

Thence 89°-49'-19.57" East, 52.39 feet to a point;

Thence North 32°-10'-58.42" East, 520.93 feet to a point;

Thence North 17°-26'-48.16" East, 303.56 feet to a point;

Thence North 33°-25'-08.35" East, 520.95 feet to a point;

Thence North 73°-57'-53.92" East, 74.61 feet to a point;

Thence North 32°-16'-47.29" East, 568.65 feet to a point;

Thence North 01°-26'-10.90" East, 279.25 feet to a point;

Thence North 61°-08'-27.04" East, 46.55 feet to a point;

Thence North 53°-38'-07.29" East, 42.39 feet to a point;

Thence North 55°-02'-06.43" East, 94.15 feet to a point;

Thence North 52°-49'-28.43" East, 105.73 feet to a point;

Thence North 56°-28'-40.72" East, 129.32 feet to a point;

Thence North 57°-09'-00.18" East, 70.82 feet to a point;

Thence North 31°-58'-36.36" East, 595.92 feet to a point;

Thence North 32°-07'-56.05" East, 354.15 feet to a point;

Thence North 22°-52'-18.10" East, 260.88 feet to a point;

Thence North 23°-53'-00.70" East, 74.50 feet to a point;

Thence North 23°-52'-54.57" East, 125.19 feet to a point;

Thence North 23°-09'-23.51" East, 102.15 feet to a point;

Thence North 22°-22'-25.33" East, 79.34 feet to a point;

Thence North 24°-07'-15.24" East, 44.52 feet to a point;

Thence North 27°-14'-18.81" East, 38.17 feet to a point;

Thence North 28°-30'-00.83" West, 12.01 feet to a point;

Thence North 14°-30'-36.39" West, 71.64 feet to a point;

Thence North 16°-28'-24.07" West, 88.67 feet to a point;

Thence North 14°-30'-59.98" West, 196.23 feet to a point;

Thence North 14°-50'-38.89" West, 39.28 feet to a point;

Thence North 19°-28'-29.93" West, 8.08 feet to a point;

Thence North 72°-45'-33.65" East, 134.50 feet to a point;

Thence South 16°-28'-31.70" East, 40.73 feet to a point;

Thence North 73°-55'-11.62" East, 46.69 feet to a point;

Thence North 34°-17'-04.38" East, 123.40 feet to a point;

Thence North 75°-33'-34.35" East, 32.09 feet to a point;

Thence North 14°-26'-55.71" West, 91.64 feet to a point;

Thence South 75°-33'-19.10" West, 20.82 feet to a point;

Thence North 18°-33'-59.62" West, 15.01 feet to a point;

Thence South 71°-43'-03.60" West, 37.63 feet to a point;

Thence South 18°-33'-59.62" East, 15.01 feet to a point;

Thence South 75°-33'-19.10" West, 42.44 feet to a point;

Thence North 16°-28'-31.70" West, 101.64 feet to a point;

Thence South 73°-31'-28.30" West, 60.42 feet to a point;

Thence North 17°-03'-49.17" West, 55.98 feet to a point;

Thence North 17°-01'-34.97" West, 17.49 feet to a point;

Thence North 14°-00'-03.73" West, 39.62 feet to a point;

Thence North 76°-14'-17.73" East, 21.46 feet to a point;

Thence North 75°-52'-21.44" East, 143.57 feet to a point;

Thence North 75°-17'-30.58" East, 94.36 feet to a point;

Thence North 70°-53'-02.89" East, 84.23 feet to a point;

Thence North 19°-06'-57.11" West, 30.00 feet to a point;

Thence South 70°-53'-02.89" West, 83.07 feet to a point;

Thence South 75°-17'-30.58" West, 93.05 feet to a point;

Thence South 75°-52'-21.00" West, 143.32 feet to a point;

Thence South 76°-14'-19.54" West, 34.75 feet to a point;

Thence South 39°-55'-26.17" West, 20.71 feet to a point;

Thence South 14°-00'-03.73" East, 58.27 feet to a point;

Thence South 17°-01'-34.97" East, 18.29 feet to a point;

Thence South 72°-58'-25.03" West, 44.07 feet to a point;

Thence South 12°-13'-14.93" East, 25.48 feet to a point;

Thence South 73°-49'-27.16" West, 69.39 feet to a point;

Thence South 51°-19'-07.55" West, 18.28 feet to a point;

Thence South 11°-55'-06.88" East, 2.71 feet to a point;

Thence South 13°-05'-05.85" East, 50.75 feet to a point;

Thence South 15°-21'-04.28" East, 68.23 feet to a point;

Thence South 18°-02'-58.81" East, 81.46 feet to a point;

Thence South 17°-10'-04.51" East, 28.27 feet to a point;

Thence South 19°-28'-29.93" East, 25.53 feet to a point;

Thence South 14°-50'-38.89" East, 23.61 feet to a point;

Thence South 72°-36'-21.12" West, 50.62 feet to a point;

Thence South 73°-23'-42.34" West, 56.71 feet to a point;

Thence South 16°-36'-17.66" East, 30.00 feet to a point;

Thence North 73°-23'-42.34" East, 56.71 feet to a point;

Thence North 72°-36'-33.06" East, 47.45 feet to a point;

Thence South 14°-37'-38.99" East, 166.49 feet to a point;

Thence South 74°-02'-13.37" West, 22.39 feet to a point;

Thence South 15°-57'-46.63" East, 30.00 feet to a point;

Thence North 74°-02'-13.37" East, 23.00 feet to a point;

Thence South 16°-18'-25.59" East, 73.24 feet to a point;

Thence South 15°-29'-25.77" East, 45.65 feet to a point;

Thence South 14°-07'-35.38" West, 17.77 feet to a point;

Thence South 35°-20'-59.31" West, 11.69 feet to a point;

Thence South 39° 38'-26.43" West, 10.16 feet to a point;

Thence South 70°-16'-16.38" West, 4.35 feet to a point;

Thence South 70°-16'-16.38" West, 15.00 feet to a point;

Thence South 19°-43'-43.62" East, 30.00 feet to a point;

Thence North 70°-16'-16.38" East, 15.00 feet to a point;

Thence South 22°-07'-27.58" West, 107.39 feet to a point;

Thence South 23°-09'-23.51" West, 101.76 feet to a point;

Thence South 23°-52'-54.57" West, 125.00 feet to a point;

Thence South 23°-53'-00.70" West, 74.77 feet to a point;

Thence South 22°-49'-42.17" West, 257.51 feet to a point;

Thence South 32°-07'-56.04" West, 352.97 feet to a point;

Thence South 31°-58'-36.49" West, 589.26 feet to a point;

Thence South 57°-09'-00.18" West, 64.30 feet to a point;

Thence South 56°-28'-40.72" West, 130.45 feet to a point;

Thence South 52°-49'-28.43" West, 106.11 feet to a point;

Thence South 55°-02'-06.43" West, 93.94 feet to a point;

Thence South 53°-38'-07.29" West, 40.79 feet to a point;

Thence South 61°-08'-27.04" West, 61.83 feet to a point;

Thence South 01°-26'-08.97" West, 288.21 feet to a point;

Thence South 32°-16'-47.29" West, 548.92 feet to a point;

Thence South 73°-57'-53.93" West, 74.27 feet to a point;

Thence South 33°-25'-08.35" West, 536.24 feet to a point;

Thence South 17°-26'-48.16" West, 303.89 feet to a point to the true point of beginning.

**Section 2.** That the easement shall be non-exclusive and the purpose of the easement shall be for a fuel pipeline for operation of fuel tanks and underground hydrant system.

**Section 3.** That by and at the direction of the Board of Control, the Commissioner of Purchases and Supplies is authorized to convey the above-described (non-exclusive) easement interest to Air BP at a price not less than fair market value as determined by the Board of Control.

**Section 4.** That the duration of the easement shall be for ten (10) years after which time the easement shall renew annually; The City shall have the right to terminate said easement upon ninety (90) days notice or, alternatively, at the Director's discretion, assume ownership or require removal of the pipeline; That the easement may include reasonable access rights; That the easement shall be not assignable except after approval by the City's Board of Control; That the easement shall require the grantee to indemnify the City, including indemnifying the City from harm due to environmental damage caused by the pipeline, provide reasonable insurance, maintain any grantee improvements located within the easement, and pay any applicable taxes and assessments.

**Section 5.** That the conveyance referred to above shall be made of Official Deed of Easement prepared by the Director of Law and executed by the Director of Port Control on behalf of the City of Cleveland. The Deed of Easement shall contain such additional terms and conditions as are required to protect the interests of the parties. The Directors of Port Control and Law are authorized to execute such other documents, including without limitation, contracts for right of entry, as may be necessary to effect the construction of the improvement within the property described in Section 1.

**Section 6.** That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force

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

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

**Ord. No. 215-2000.**  
**By Councilmen O'Malley, Cimperman and Patmon (by departmental request).**

**An emergency ordinance determining the method of making the public improvement of cleaning and cement mortar lining of various distribution mains in the City of Cleveland, 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 cleaning and cement mortar lining of various distribution mains in the City of Cleveland during 2000, for the Division of Water, 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. 52 SF 223, Request No. 18750.

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

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

**Ord. No. 216-2000.**  
**By Councilmen Jackson, 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 Central Avenue and East 63rd Street to Burten, Bell, Carr Development Corporation 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. 118-30-001 as more fully described in Section 2 below, to Burten, Bell, Carr Development Corporation 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. 118-30-001

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 144 in the W. S. and M. W. Chamberlain Subdivision of part of Original 100 Acre Lot No. 334 and 335 as shown by the recorded plat in Volume 3 of Maps, page 28 of Cuyahoga County Records and bounded and described as follows:

Beginning in the Easterly line of East 63rd Street (formerly Richland Avenue) at the Northwest corner of said Sublot No. 144; thence Southerly along the Easterly line of East 63rd Street, 47-57/100 feet; thence Easterly 40 feet to a point 47-52/100 feet Southerly from the Southerly line of Central Avenue S.E.; thence Northerly 47-52/100 feet to the Southerly line of Central Avenue S.E.; thence Westerly along the Southerly line of Central Avenue S.E. 40 feet to the place of beginning, be the same more or less, but subject to all legal highways.

Easement recorded in Volume 1369, Page 428 of Cuyahoga County Records.

Subject to Zoning Ordinances, if any.

**Section 3.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 118-30-002 as more fully described in Section 4 below, to Burten, Bell, Carr Development Corporation or designee.

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

P. P. No. 118-30-002

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 145 in W. S. and M. W. Chamberlain's Subdivision of part of Original 100 Acre Lot Nos. 334 and 335 as shown by the recorded plat in Volume 3 of Maps, Page 28 of Cuyahoga County Records and being 40 feet front on the Southerly side of Cen-

tral Avenue S.E. and extending back of equal width 160 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. 118-30-003 as more fully described in Section 6 below, to Burten, Bell, Carr Development Corporation or designee.

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

P. P. No. 118-30-003

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 146 in W.S. and M. W. Chamberlain's Allotment of part of Original 100 Acre Lots Nos. 334 and 335 as shown by the recorded plat of said allotment in Volume 3 of Maps, Page 28 of Cuyahoga County Records, and being 40 feet front on the Southerly side of Central Avenue, S.E. and extending back between parallel lines, 160 feet deep as appears by said plat be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

**Section 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. 118-30-053 as more fully described in Section 8 below, to Burten, Bell, Carr Development Corporation or designee.

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

P. P. No. 118-30-053

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being a part of Sublot No. 144 of the Subdivision by W.S. and M.W. Chamberlain of a part of Original One Hundred Acre Lot Nos. 334 and 335 in said City of Cleveland, reference being had to the Survey and plat of said Subdivision recorded in Cuyahoga County Records of Maps, Volume 3, Page 28. The part of said Sublot No. 144 hereby conveyed is the rear 50 feet of the same, fronting 50 feet on Richland Avenue (now known as East 63rd Street) and extending back of equal width a depth of 40 feet, be the same more or less, but subject to all legal highways.

**Section 9.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel Nos. 118-30-054 as more fully described in Section 10 below, to Burten, Bell, Carr Development Corporation or designee.

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

P. P. No. 118-30-054

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 144 in W.S. and M.W.

Chamberlain's Subdivision of part of Original One Hundred Acre Lot Nos. 334 and 335, the plat of which is recorded in Volume 3 of Page 28 of Cuyahoga County Records, and bounded and described as follows:

Beginning at a point in the Easterly line of 63rd Street (formerly Richard Avenue) 80 feet Southerly from the Southerly line of Central Avenue; thence Easterly, parallel with Central Avenue, 40 feet; thence Southerly, parallel with East 63rd Street (formerly Richland Avenue) 30 feet; thence Westerly, parallel with Central Avenue, 40 feet to the Easterly line of East 63rd Street (formerly Richland Avenue) thence Northerly along East 63rd Street (formerly Richland Avenue), 30 feet to the place of beginning, be the same more or less, but subject to all legal highways.

**Section 11.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 118-30-055 as more fully described in Section 12 below, to Burten, Bell, Carr Development Corporation or designee.

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

P. P. No. 118-30-055

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 144 in W.S. and M.W. Chamberlain's Allotment of part of Original 100 Acre Lots Nos. 334 and 335 as shown by the recorded plat in Volume 3 of Maps, Page 28 of Cuyahoga County Records, and bounded and described as follows:

Beginning on the Easterly line of East 63rd Street (formerly Richland Avenue) at a point 47.57 feet Southerly from its point of intersection with the Southerly line of Central Avenue S.E. (formerly Garden Street); thence Easterly 40 feet to a point on the Easterly line of said Sublot No. 144, 47.52 feet Southerly from the Southerly line of Central Avenue S.E.; thence Southerly along said Easterly line of Sublot No. 144, 32.48 feet; thence Westerly on a line parallel to said Southerly line of Central Avenue, S.E. 40 feet to the Easterly line of East 63rd Street; thence Northerly along the Easterly line of East 63rd Street, 32.43 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 zoning ordinances, if any.

**Section 13.** That all documents necessary to complete the conveyance authorized by this ordinance shall be executed within six (6) months of the effective date of this ordinance. If all of the documents are not executed within six (6) months of the effective date of this ordinance, or such additional time as may be granted by the Director of Community Development, this ordinance shall be repealed and shall be of no further force or effect.

**Section 14.** That the consideration for the subject parcel shall be established by the Board of Control and shall be not less than Fair Market Value taking into account such

terms and conditions, restrictions and covenants as are deemed necessary or appropriate.

**Section 15.** That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest.

**Section 16.** That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

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

**Ord. No. 217-2000.**

**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 7307-11 Lexington Avenue to Beverly Butler.**

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

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

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

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

**Section 1.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 106-16-027, as more fully described in Section 2 below, to Beverly Butler.

**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. 106-16-027

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 25 and the Westerly 5 feet of Sublot No. 24 in Celia B. Deming's Subdivision of part of Original One Hundred Acre Lot No. 342, as shown by the recorded plat in Volume 11 of Maps, Page 13 of Cuyahoga County Records, and being 56.80 feet front on the Northerly side of Lexington Avenue, N.E., and extending back 150 feet on the Easterly line, 150 feet on the Westerly line, and has a rear line of 57.2 feet, as



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

Also subject to all zoning ordinances, if any.

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

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

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

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

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

**Ord. No. 218-2000.**

**By Councilman Westbrook.**

**An emergency ordinance to amend Section 173.07 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 3028-84, passed December 20, 1984 relating to Members of Council.**

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 173.07 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 3028-84, passed December 20, 1984, is hereby amended to read as follows:

**Section 173.07 Members of Council**

(a) On and after January 2, 1982, and thereafter on January 2nd of each of the years 1983 and 1984, the salary of each member of Council as heretofore fixed by Ordinance No. 2927-76, passed December 20, 1976, shall be increased by the amount of 10% over the previous year's salary and on January 2nd of the year 1985 said salary shall be increased by the amount of 5% over the previous year's salary, except that of Council President, as member of Council shall receive twenty-five thousand dollars (\$25,000.00) per annum.

(b) The annual salary of members of Council for the year 1986 shall be twenty-six thousand six hundred sixty-four dollars (\$26,664.00). The annual salary of members of Council for the years 1987 through 2001 shall be twenty-six thousand six hundred sixty-four dollars (\$26,664.00) adjusted upward by an amount equal to six percent (6%) of the immediate preceding year's salary, provided, however, that such upward adjustment shall not be made in any year in which a majority of the collective bargaining agreements between the City and the various unions recognized by the City do not provide for salary or wage increases.

(c) **Commencing January 1, 2002, the annual salary of members of Council shall be increased each year by an amount which shall be computed by applying that percentage of the immediately preceding year's salary that is equal to the percentage for increases in salaries and wages established for that year in a majority of the collective bargaining agreements between the City and the various unions recognized by the City. Such increase shall be effective on January 1st of each year.**

(d) The salaries of members of Council shall be paid in equal semi-monthly installments, as provided by Charter Section 27.

**Section 2.** That existing Section 173.07 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 3028-84, passed December 20, 1984, 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 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 Finance, Law; Committees on Legislation, Finance.

**Ord. No. 233-2000.**

**By Councilman Cimperman.**

**An emergency ordinance to amend Section 2 of the Ordinance No. 258-95, passed, May 22, 1995, relating to a lease between the Director of Public Safety and the Police Historical 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 Section 2 of Ordinance No. 258-95, passed May 22, 1995, is hereby amended to read as follows:

Section 2. That the term of the lease authorized by Section 1 shall not exceed twenty years.

**Section 2.** That existing Section 2 of Ordinance No. 258-95, passed May 22, 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.

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

**FIRST READING EMERGENCY RESOLUTION REFERRED**

**Res. No. 219-2000.**

**By Councilmen White, Brady, Cimperman, Willis, Cintron and Jones.**

**An emergency resolution urging Boykin Lodging Company and Boykin Management Company to promptly resolve the labor dispute at the Berkeley Marina Radisson Hotel by signing a card check/neutral agreement with Local 2850 of the Hotel Employees and Restaurant Employees Union.**

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

Whereas, the Berkeley Marina Radisson Hotel, located in Berkeley, California, is owned by Boykin Lodging Company and operated by Boykin Management Company which are both members of the Cleveland business community; and

Whereas, with the assistance of Local 2850 of the Hotel Employees and Restaurant Employees Union, the workers of the Berkeley Marina Radisson Hotel have joined together for the purposes of choosing a union to better their wages, benefits and working conditions; and

Whereas, the workers have presented Boykin Lodging and Boykin Management Company with a written petition requesting a card check/neutral agreement for purposes of determining union representation; and

Whereas, Boykin Lodging and Boykin Management Company have refused to sign a card check/neutral agreement, leading to a labor dispute that has disrupted harmonious labor relations in Berkeley; and

Whereas, the demands of the Berkeley Marina Radisson Hotel workers have been officially endorsed by the Cleveland AFL-CIO and the Cleveland Central Labor Council; and

Whereas, the Council of the City of Cleveland supports the rights of all workers, as provided by the law, to seek union representation and does not wish to have the labor dispute in Berkeley adversely effect the harmonious labor relations in Cleveland; now therefore,

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

**Section 1.** That this Council of the City of Cleveland urges Boykin Lodging Company and Boykin Management Company to promptly resolve the labor dispute at the Berkeley Marina Radisson Hotel by signing a card check/neutral agreement with Local 2850 of the Hotel Employees and Restaurant Employees Union, providing the workers with a fair, nonconfrontational, and expedient method for determining whether they want union representation.

**Section 2.** That the Clerk is hereby requested to transmit a copy of this resolution to the President of Boykin Lodging Company and Boykin Management Company.

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

Referred to Director of Law; Committee on Employment, Affirmative Action and Training.

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

**Ord. No. 220-2000.**

**By Councilman Cimperman.**

**An emergency ordinance consenting to and approving the issuance of a permit for the Walk for Hunger on May 13, 2000, sponsored by the Hunger Network of Greater Cleveland.**

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

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

**Section 1.** That, pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio, 1976, this Council consents to and approves the holding of the Walk for Hunger, sponsored by the Hunger Network of Greater Cleveland, on May 13, 2000 beginning at Burke Lakefront Airport and progresses west on Erieside continuing North between stadium and Lake Erie. South on W. 3rd, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio; 1976. Streets may be closed as determined by the Chief of Police or safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall 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. 221-2000.**

**By Councilman Cimperman.**

**An emergency ordinance consenting to and approving the issuance of a permit for the Cleveland Indians Run on April 9, 2000, sponsored by Hermes Race Systems.**

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

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

**Section 1.** That pursuant to Section 411.06 of the Codified Ordina-

nances of Cleveland, Ohio 1976, this Council consents to and approves the holding of the Cleveland Indians Run, sponsored by Hermes Race Systems, on April 9, 2000, starting on Ontario heading north to St. Clair, St. Clair east on East 6th Street, East 6th Street north to Lakeside, Lakeside to West 3rd Street, West 3rd Street north around Stadium site to East 9th Street, East 9th Street south to Eagle, Eagle then west to finish in front of Jacobs Field (Plaza), 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. 222-2000.**

**By Councilman Cimperman.**

**An emergency ordinance consenting to and approving the issuance of a permit for the Cleveland Rockers walk on May 9, 2000, sponsored by the Cleveland Rockers and Hermes Race Systems.**

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

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

**Section 1.** That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of a walk, sponsored by the Cleveland Rockers and Hermes Race Systems, on May 9, 2000, starting on Ontario heading southerly to Hope Memorial Bridge to West 25th Street to Veterans Memorial Bridge to Huron to Ontario to finish in front of Jacobs Field Plaza, 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. 223-2000.**

**By Councilman Dolan.**

**An emergency ordinance authorizing the Director of Community Development to enter into an agreement with BOSH Builders for eligible costs related to the acquisition of a water and sewer easement on PPN# 027-01-068, for the City of Cleveland; beginning at Rocky River Drive going to the "Scullin Place" housing development project site using Ward 21 Workers' Compensation "Neighborhood Capital" 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 BOSH Builders for eligible costs related to the acquisition of a water and sewer easement on PPN# 027-01-068, for the City of Cleveland; beginning at Rocky River Drive going to the "Scullin Place" housing development project site using Ward 21 Workers' Compensation "Neighborhood Capital" Funds.

**Section 2.** That the costs of said contract shall be in an amount not to exceed Seventeen Thousand Five Hundred Dollars (\$17,500) 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 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. Passed. Yeas 19. Nays 0.

**Ord. No. 224-2000.**

**By Councilmen Dolan, Rybka, Cimperman, Melena, O'Malley, Cinton, Brady, Patmon, Jones and Lewis.**

**An emergency ordinance to repeal Ordinance No. 1108-96, passed, June 14, 1999, relating to authorization for the purchase, improvement and renovation, and relocation of fixtures of a facility located at 1440 Lakeside Avenue.**

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 Ordinance No. 1108-96, passed June 14, 1999, is hereby repealed.

**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. 225-2000.**

**By Councilman Jackson.**

**An emergency ordinance authorizing the Director of Community Development to enter into an agreement with MetroHealth for HIV/AIDS programming in Ward 5, using Ward 5 Workers' Compensation "Neighborhood Capital" 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 an agreement with MetroHealth for HIV/AIDS programming in Ward 5, using Ward 5 Workers' Compensation "Neighborhood Capital" Funds.

**Section 2.** That the costs of said contract shall be in an amount not to exceed Seventy Thousand Dollars (\$70,000) 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 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. Passed. Yeas 19. Nays 0.

**Ord. No. 226-2000.**

**By Councilman Melena.**

**An emergency ordinance authorizing the Director of Community Development to enter into an agreement with NOLASCO Housing Corporation for eligible costs related to the Bevedere project using Ward 17 Workers' Compensation "Neighborhood Capital" 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 NOLASCO Housing Corporation for eligible costs related to the Bevedere project using Ward 17 Workers' Compensation "Neighborhood Capital" Funds.

**Section 2.** That the costs of said contract shall be in an amount not to exceed Fifty-One Thousand Dollars (\$51,000) 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 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. Passed. Yeas 19. Nays 0.

**Ord. No. 227-2000.**

**By Councilman Rybka.**

**An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Ohio Canal Corridor for the preservation of the Hulett Ore Unloaders using Ward 12 Workers' Compensation "Neighborhood Capital" 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 Ohio Canal Corridor for the preservation of the Hulett Ore Unloaders using Ward 12 Workers' Compensation "Neighborhood Capital" Funds.

**Section 2.** That the costs of said contract shall be in an amount not to exceed Five Thousand Dollars (\$5,000) 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 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. Passed. Yeas 19. Nays 0.

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

**Res. No. 228-2000.**

**By Councilman Johnson.**

**An emergency resolution withdrawing objection to the transfer of ownership of a C1 and C2 Liquor Permit to 3111 East 93rd Street, and repealing Resolution No. 74-2000, objecting to said transfer of ownership.**

Whereas, this Council objected to the transfer of ownership of a C1 and C2 Liquor Permit to 3111 East 93rd Street by Resolution No. 74-2000, adopted January 10, 2000; and

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

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

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

**Section 1.** That the objection to the transfer of ownership of a C1 and C2 Liquor Permit to 3111 East 93rd Street is hereby withdrawn and Resolution No. 74-2000, adopted January 10, 2000, containing said objection is hereby repealed, and that this Council consents to the immediate transfer of ownership thereof.

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

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

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

**Res. No. 229-2000.**

**By Councilman Melena.**

**An emergency resolution withdrawing objection to the renewal of a D5 Liquor Permit to 6422 Storer Avenue, 1st Fl. & Bsmt., and repealing Res. No. 1324-99, objecting to said renewal.**

Whereas, this Council objected to the renewal of a D5 Liquor Permit to 6422 Storer Avenue, 1st Fl. & Bsmt., by Res. No. 1324-99, adopted by Council July 14, 1999; 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 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 6422 Storer Avenue, 1st Fl. & Bsmt., be and the same is hereby withdrawn and Res. No. 1324-99, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

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

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

**Res. No. 230-2000.**  
**By Councilman Rybka.**

**An emergency resolution expressing the support of Cleveland City Council for the Slavic Village Development proposal for housing tax credits for the Harvard Elementary School housing development project.**

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

Whereas, Slavic Village Development is preparing to develop the abandoned 60,000 s.f. Harvard Elementary an existing school building into 50 units of one and two bedroom affordable housing for low-income seniors; and

Whereas, 100 percent of these units will be occupied by low-income seniors; and

Whereas, 100 percent of these units will serve a special needs population, specifically low-income seniors; and

Whereas, this project site is a key component of a targeted revitalization plan, and will create significant positive spin-off through its redevelopment; and

Whereas, this development creates high quality affordable housing units for seniors, a currently underserved population in the local housing market, and is located within walking distance of many amenities; and

Whereas, the Harvard Elementary School development proposal restores a highly visible blighted building with architectural significance, thereby maintaining the integrity and promoting the stability of the neighborhood; and

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

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

**Section 1.** This Council supports the Slavic Village Development proposal for housing tax credits for the Harvard Elementary School housing development project.

**Section 2.** That the Clerk of Council be and she is hereby directed to transmit two copies of this resolution to the Executive Director of Slavic Village Development.

**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. 231-2000.**  
**By Councilman Polensek.**  
**An emergency resolution objecting to the transfer of ownership of a C1 and C2 Liquor Permit to 15220 Saranac 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 and C2 Liquor Permit from Permit No. 6494930, John V. Oblak Est. & Marie Oblak Extr., 15220 Saranac Rd., 1st Fl. Only, Cleveland, Ohio 44110 to Permit No. 89166070005, 3249 E. 143 Inc., DBA Milverton Food Mart, 15220 Saranac Rd., 1st Fl. Only, Cleveland, Ohio 44110; and

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

Whereas, the applicant does not qualify to be 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 and C2 Liquor Permit from Permit No. 6494930, John V. Oblak Est. & Marie Oblak Extr., 15220 Saranac Rd., 1st

Fl. Only, Cleveland, Ohio 44110 to Permit No. 89166070005, 3249 E. 143 Inc., DBA Milverton Food Mart, 15220 Saranac Rd., 1st Fl. Only, Cleveland, Ohio 44110 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

**Section 2.** That the Clerk of Council be and she 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. 232-2000.**  
**By Councilman Willis.**  
**An emergency resolution with-drawing objection to the issuance of a C1 Liquor Permit to 914-918 East 123rd Street, and repealing Res. No. 111-99 objecting to said issuance.**

Whereas, this Council objected to the issuance of a C1 Liquor Permit to 914-918 East 123rd Street, by Res. No. 111-99, adopted by Council January 25, 1999; and

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

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

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

**Section 1.** That objection to the issuance of a C1 Liquor Permit to 914-918 East 123rd Street, be and the same is hereby withdrawn and Res. No. 111-99, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate issuance thereof.

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

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

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

**SECOND READING  
EMERGENCY ORDINANCES**

**Ord. No. 1435-99.**

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

An emergency ordinance to amend Section 350.14, 350.19 and 350.20 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by various ordinances, relating to signs for shopping centers and other business uses.

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

1. In Section 1, at division (c) of Section 350.19, line 4, strike "twelve (12)" and in lieu thereof "**six (6)**"; in line 10, strike "faced" and insert in lieu thereof "**faded**"; and strike the last sentence in its entirety.

2. In Section 1, in Section 350.14, in division (d)(1), line 4, after "except that" insert the following: "**with approval of the council member whose ward is affected as expressed by an ordinance or resolution of Council, for**".

3. In Section 1, in Section 350.14, in division(d)(8), at the end, strike the period and insert a semicolon and new division "D." to read as follows:

**"D. the council member whose ward is affected approves, as expressed by an ordinance or resolution of Council."**

Amendments agreed to.

**Ord. No. 2096-99.**

By Councilmen Dolan and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary for the maintenance and repair of computerized keycard access/fire detection, time and attendance equipment, for the various divisions of the Department of Port Control for a period not to exceed two years.

Approved by Directors of Port Control, Finance, Law; Recommended by Committees on Aviation and Transportation, Finance.

**Ord. No. 2154-99.**

By Councilmen Lewis and Patmon (by departmental request).

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

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

1. In Section 1, at Section 127.42, line 6, strike "sum of Twenty-Five Dollars (\$25.00)" and insert in lieu thereof the following: "**one-time fee of Twenty-Five Dollars (\$25.00) for each check**".

2. Insert new Section 2 to read as follows:

**"Section 2. That the Department of Finance is authorized to issue policies and procedures necessary to assess the dishonored check fee described in Section 1. Such policies and procedures shall be issued in a form substantially similar to the policies and procedures submitted to**

**City Council by the Finance Department and contained in File No. 2154-99-A. Any substantial departure from the policies and procedures contained in the above mentioned file shall require City Council approval."**

3. Renumber existing Section 2 as new "**Section 3**".

Amendments agreed to.

**Ord. No. 2172-99.**

By Councilmen Rybka and Patmon (by departmental request).

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

Approved by Directors of Parks, Recreation and Properties, Finance, Law; Recommended by Committees on Parks, Property and Recreation, Finance.

**Ord. No. 59-2000.**

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, line 2, after "contract" insert "**in an amount not to exceed \$195,000.00**".

Amendment agreed to.

**Ord. No. 138-2000.**

By Councilmen White, Robinson, Patmon, Rybka, Cintron, Brady, Melena and Cimperman (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program on scattered sites to Cleveland Housing Network Limited Partnership 17.

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

1. In Section 23, line 3, strike "105-31-116" and insert in lieu thereof the following: "**004-19-022**".

2. Strike Section 24 in its entirety and insert in lieu thereof the following:

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

**P. P. No. 004-19-022**

**Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being the Western part of Sublot No. 671 in the S.S. Stone's Subdivision of part of Original Brooklyn Township Lot No. 87 as shown by the recorded plat in Volume 2 of Maps, Page 31 of Cuyahoga County Records. Said part of Sublot No. 671 has a frontage of 33 feet on the Easterly**

**side of West 7th Street (formerly University Street), and extends back of equal width 135 feet as appears by said plat, be the same more or less, but subject to all legal highways.**

**Subject to Zoning Ordinances, if any."**

3. Strike Sections 9 and 10 in their entirety and insert in lieu thereof, respectively "**Section 9. Reserved**" and "**Section 10**".

4. Strike Sections 11 and 12 in their entirety and insert in lieu thereof, respectively "**Section 11. Reserved**" and "**Section 12**".

5. Strike Sections 13 and 14 in their entirety and insert in lieu thereof, respectively "**Section 13. Reserved**" and "**Section 14**".

6. Strike Sections 35 and 36 in their entirety and insert in lieu thereof, respectively "**Section 35. Reserved**" and "**Section 36**".

7. Strike Sections 41 and 42 in their entirety and insert in lieu thereof, respectively "**Section 41. Reserved**" and "**Section 42**".

8. Strike Sections 45 and 46 in their entirety and insert in lieu thereof, respectively "**Section 45. Reserved**" and "**Section 46**".

9. Strike Sections 47 and 48 in their entirety and insert in lieu thereof, respectively "**Section 47. Reserved**" and "**Section 48**".

10. In Section 50, at the end, insert the following new sentence: "**In meeting the minority participation goals, Cleveland Housing Network shall utilize MBE firms certified by the City's Office of Equal Opportunity for all work exceeding \$2,500 for a single transaction, or \$10,000 for a year. Minority firms that are not certified shall not be counted toward the goals.**"

Amendments agreed to.

**Ord. No. 175-2000.**

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program on scattered sites to the Buckeye Area Development Corporation or designee.

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

1. Strike Section 5 in its entirety and insert in lieu thereof the following: "**Section 5. Reserved**".

2. Strike Section 6 in its entirety and insert in lieu thereof the following: "**Section 6. Reserved**".

3. Strike Section 19 in its entirety and insert in lieu thereof the following: "**Section 19. Reserved**".

4. Strike Section 20 in its entirety and insert in lieu thereof the following: "**Section 20. Reserved**".

5. In Section 44, at the end, insert the following new sentence: "**In meeting the minority participation goals, Cleveland Housing Network shall utilize MBE firms certified by the City's Office of Equal Opportunity for all work exceeding \$2,500 for a single transaction, or \$10,000 for a year. Minority firms that are not certified shall not be counted toward the goals.**"

Amendments agreed to.

**THIRD READING EMERGENCY ORDINANCES PASSED****Ord. No. 910-98.**

By Councilmen Zone and Johnson (by departmental request).

An emergency ordinance to amend Section 523.21 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 327-95, passed February 27, 1995, relating to the Cleveland Public Power energy adjustment charge, and to repeal Section 523.25 of the Codified Ordinances, passed July 23, 1990, and Section 523.251 of the Codified Ordinances, passed June 6, 1994, relating to the CEI Lawsuit Surcharge.

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

**Ord. No. 1963-99.**

By Councilman Cimperman.

An emergency ordinance authorizing the Director of Public Service to issue a permit to Cleveland State University to encroach into the right-of-way of the Easterly and Westerly Chester Avenue Median Islands between East 23rd and East 24th Streets, and between East 24th Street and the Inner-Belt Bridge with landscaping and an irrigation system.

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

**Ord. No. 2115-99.**

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

An emergency ordinance authorizing the purchase by requirement contract of the labor and materials necessary to dispose of catch basin debris, for the Division of Water Pollution Control, Department of Public Utilities.

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

**Ord. No. 2118-99.**

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

An emergency ordinance authorizing the Director of Public Service to

employ one or more professional consultants to provide the design of the rehabilitation of the West 77th Street bridge.

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

**Ord. No. 2158-99.**

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

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

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

**Ord. No. 2161-99.**

By Councilmen Cintron and Patmon (by departmental request).

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

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

**Ord. No. 2162-99.**

By Councilmen Cintron and Patmon (by departmental request).

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

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

**Ord. No. 2163-99.**

By Councilmen Cintron and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to repair police motorcycles, for the Division of Motor Vehicle Maintenance, Department of Public

Service, for a period not to exceed one year.

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

**Ord. No. 2164-99.**

By Councilmen Cintron and Patmon (by departmental request).

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

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

**Ord. No. 2165-99.**

By Councilmen Cintron and Patmon (by departmental request).

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

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

**MOTION**

By Councilman Coats, and seconded by Councilman Melena and unanimously carried that the absence of Councilman Patricia J. Britt and Councilman Odellia V. Robinson, be and is hereby authorized.

The Council adjourned at 8:30 p.m. to meet on Monday, February 28, 2000, at 7:00 p.m. in the Council Chambers.



Clerk of Council

**THE CALENDAR**

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

**ORDINANCES****Ord. No. 1435-99.**

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

An emergency ordinance to amend Section 350.14, 350.19 and 350.20 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by various ordinances, relating to signs for shopping centers and other business uses.

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 350.14, as amended by Ordinance No. 648-96, passed June 10, 1996,

Section 350.19, as amended by Ordinance No. 3076-A-89, passed December 10, 1990, and

Section 350.20, as amended by Ordinance No. 1131-93, passed June 14, 1993

are hereby amended to read, respectively, as follows:

**Section 350.14 Signs for Retail Districts**

Signs for uses in University Retail, Local Retail, General Retail and Shopping Center Districts shall be permitted as regulated below:

(a) Maximum Sign Face Area (Retail). The maximum sign face area of all permanent building-mounted signs for each building or unit thereof shall be related to the width of the building or unit. (For lots without buildings or with unusually small buildings, see division (d) of Section 350.20.) Maximum sign face area, excluding the area of free-standing signs, shall be determined according to the measurement standards of Section 350.05 and the following formula where "W" is the width of frontage (in feet) of the building or unit thereof:  $(W \times 1/5) + 25 = \text{SQUARE FEET OF SIGNAGE}$ .

(b) Permitted Types, Number, Area and Height (Retail).

Signs by use and structural type are permitted only in accordance with the regulations presented in the schedule of Permitted Types, Number, Area and Height (Retail). Sign types not listed are prohibited except for political signs which are permitted as regulated in Section 350.11. (All signs are permanent unless listed as temporary).

**SCHEDULE OF PERMITTED TYPES, NUMBER, AREA, & HEIGHT  
(RETAIL)**

SIGNS BY USE TYPE	SIGNS BY STRUCTURAL TYPE				
	FREE-STANDING	WALL	WINDOW	CANOPY	PROJECTING
IDENTIFICATION OR BUSINESS <sup>2, 3</sup>	#: 1 per lot <sup>4</sup> SF: 50 <sup>1</sup> Ht: 12'-Local Retail Districts 25'-Other Retail Districts	SF: As regulated by formula . . . .		#: 1 per building unit SF: 6 if hanging from soffit	#: 1 per building unit SF: 12
DIRECTIONAL & INFORMATION <sup>5</sup>	#: Minimum necessary as approved by Building Commissioner . . . .				
	SF: 4 Ht: 3'	SF: 4	SF: 4	SF: 4	Not Permitted
REAL ESTATE (Temporary)	#: 1 per street frontage SF: 48 Ht: 10'	#: 1 per building side SF: 48	#: 1 per building unit SF: 12	Not Permitted	Not Permitted
DEVELOPMENT <sup>6</sup> (Temporary)	#: 2 per lot (total) . . . .	SF: 96	SF: 12	Not Permitted	Not Permitted
TEMPORARY (Excluding Real Estate and Development)	As permitted in Section 350.12		SF: 25% of window area	As permitted in Section 350.12	

#: Maximum number of signs  
 SF: Maximum sign area (in square ft.) per side of each sign  
 Ht.: Maximum height for free-standing signs and roof signs  
 Sign Area Formula: (W x 1.5) + 25 - square feet

<sup>1</sup>Except 75 sq. ft. maximum for establishments with a building frontage of 100-200 ft. and 100 sq. ft. maximum for establishments with a building frontage exceeding 200 ft. For shopping centers, see Section 350.14(d).

<sup>2</sup>Identification or business signs using animation, electronically-changeable copy or flashing lights are specifically prohibited for "adult entertainment uses," as defined in Section 343.11(a)[347.07(b)].

<sup>3</sup>Identification and business signs using animation or electronically-changeable copy are permitted in General Retail and Shopping Center districts as free-standing, wall or window signs and, for theatres, also as canopy signs.

<sup>4</sup>See division (b) of Section 350.20.

<sup>5</sup>For hospitals, colleges and other public facilities and institutions, directional and information signs may be permitted to a maximum area of 12 sq. ft. and a maximum height of 6 ft. as necessary in the determination of the Building Commissioner.

<sup>6</sup>In Local Retail Districts, wall and free-standing development signs shall be limited to 48 sq. ft. and 10 ft. in height (for free-standing signs).

(c) Location (Retail). Free-standing signs as permitted for retail uses shall conform with the location regulations presented in the Schedule of Location Regulations (Retail) in addition to the regulations of Section 350.08.

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**SCHEDULE OF LOCATION REGULATIONS (RETAIL)**  
 Free-Standing Sign Types

Minimum Distance From	Identification/ Business	Real Estate & Development	Information & Political	Directional
Residential District Line Street R.O.W. Line(s)	25'	25'	5'	5'
Side & Rear Lot Lines	3'	3'	3'	1'
	5'	5'	5'	5'

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(d) Shopping Centers. For purposes of this Chapter three (3) or more retail businesses located on a single lot and served by common parking or common vehicular entrances shall be classified as a "shopping center" and shall be permitted one (1) free-standing identification sign and one (1) wall identification sign in addition to other permitted signs and in accordance with the following regulations:

(1) Display of Information. Each shopping center identification sign shall display only the name of the center and the name of not more than one (1) business located within the center, except that, **with approval of the council member whose ward is affected as expressed by an ordinance or resolution of Council, for any shopping center with retail floor area exceeding 150,000 square feet, excluding "outlots" with separate free-standing signs, such sign may display the names of not more than two (2) businesses located within the center.**

(2) Size. The maximum sign face area of a shopping center identification sign shall equal twenty (20) square feet for each 10,000 square feet of gross floor area but shall not exceed 125 square feet. All shopping centers, however, shall be permitted a sign of at least fifty (50) square feet.

(3) Other Regulations. All other regulations of this chapter applicable to identification signs shall apply to a shopping center identification sign.

(4) Other Signs. A lot displaying a shopping center identification sign may display no other free-standing identification or business signs.

(5) Secondary Frontages and Entrances. One (1) additional shopping center identification freestanding sign and one (1) additional shopping center identification wall sign shall be permitted for a shopping center with more than one vehicular entrance, provided that such signs meet the requirements of division (b) of Section 350.20.

(6) Outlots. If a vehicular entrance or parking lot of a shopping center also serves a use located on a separate lot (i.e., "out lot"), the free-standing identification or business sign permitted for such lot shall be limited to a maximum of twenty-five (25) square feet in area and seven (7) feet in height.

(7) Design Review. No sign identifying a shopping center or identifying two (2) or more businesses within a shopping center and no permanent identification sign of any type located within a designated Shopping Center District shall be erected or altered in appearance without the approval of the City Planning Commission or its Director. In considering such approval, the Commission shall seek to ensure that the signs demonstrate a high degree of graphic and architectural quality, legibility, and design compatibility with the shopping center, its signage and nearby development.

(8) Consolidation of Free-Standing Signs. In the case of a shopping center with more than the number of signs allowed under this Chapter, which signs were legally established prior to the effective date of this ordinance, a new free-standing sign identifying two (2) or more businesses may be erected if the following conditions are met:

A. the new multi-tenant sign shall display the name of the shopping center and tenant names no greater in number than the tenant names currently displayed on free-standing signs in the shopping center, but in no case shall more than six (6) tenant names be displayed on such sign;

B. all other free-standing business identification signs on the shopping center property shall be removed prior to erection of the new sign, except that conforming signs permitted for outlots may be retained;

C. the sign does not, exceed twelve (12) feet in height;

**D. the council member whose ward is affected approves, as expressed by an ordinance or resolution of Council.**

(e) Gasoline Service Stations. Signs for gasoline service stations shall conform with all regulations of this chapter except for the maximum sign area regulations of division (a) of Section 350.14 and any regulations which directly conflict with the regulations stated below:

(1) Free-standing Business Sign. Each station shall be permitted one (1) permanent free-standing business signs, with total sign face area of the panel or panels not exceeding one hundred (100) square feet. Such sign shall be limited to identifying the company name, management, fuel prices, and services offered.

(2) Signs at Service Islands. Stations shall be permitted information signs at fuel or other service islands which display information regarding type of service or are necessary in directing or instructing the motorist who has entered the station area. Signs not extending beyond the edges of fuel pumps are permitted and shall not be counted as business identification signs.

(3) Wall and Canopy Signs. Each station shall be permitted permanent identifications, business, directional and information signs displayed as wall or canopy signs and not exceeding one hundred (100) square feet in combined area. Non-opaque internally-illuminated canopy surfaces ("fascia") shall be considered as sign panels for purposes of sign area measurement.

(4) Temporary Signs. Temporary signs shall be permitted in accordance with the regulations of Section 350.12.

(f) Drive-Through Restaurants. For restaurants providing direct service to customers in motor vehicles, one (1) free-standing or wall-mounted "menu board" sign (limited to information regarding the restaurant's menu and related instructions) shall be permitted for each drive-through lane in addition to signs and sign area otherwise permitted. Such sign shall not exceed forty (40) square feet in area and six (6) feet in height and shall meet setback regulations applicable to free-standing identification signs (as specified in division (c) of this section).

(g) Regulations for Larger Projecting Signs. A projecting sign may exceed the otherwise maximum permitted size of twelve (12) square feet and the otherwise maximum permitted projection of four (4) feet from a building wall if such sign meets the following standards:

(1) Such sign shall be set back from the closest interior side lot line and the closest tenant party wall line at least one (1) foot for each one (1) square foot of sign area.

(2) Such sign shall in no case exceed thirty-six (36) square feet in area nor eight (8) feet in projection from the building wall and shall be set back at least two (2) feet from the outer edge of any street curb.

(3) No Building Permit shall be issued for such sign without approval of the City Planning Commission, which shall consider the design quality of the sign and its compatibility with the design character of the subject property and surrounding properties. In addition to considering such general design factors as placement, proportions, color, materials, and consistency with signs to be seen as a series, the City Planning Commission may specifically require use of non-rectangular, custom-shaped panels, exposed neon or reflected lighting, unobtrusive support structures, narrow-profile sign cabinets, or other design features necessary to ensure that a larger projecting sign will enhance the appearance of the building on which it is placed and the district in which it is located.

(4) At least five (5) working days prior to the City Planning Commission meeting at which approval under the regulations of this division will be considered, written notice shall be provided to the City Council member in whose ward the proposed sign is to be located.

(h) Supplemental Regulations. Signs in Retail Districts shall also conform to regulations of Section 350.20.

#### **Section 350.19 Nonconforming Signs and Uses**

A sign which is displayed pursuant to a Building Permit issued by the City, but does not conform to current regulations, shall be deemed a legal nonconforming sign (hereinafter referred to as a "nonconforming" sign) and shall be governed by the following regulations:

(a) Permitted Repair and Alterations. A nonconforming sign may be painted, cleaned or repaired as required in Section 350.18 but shall not be otherwise altered, moved or replaced unless made to conform to current regulations. Such sign, however, may be altered to permit a change of message or change of face if such change does not structurally alter the sign casing or support.



(b) **Limitation on Reconstruction.** A nonconforming sign or part thereof damaged or deteriorated to an extent exceeding fifty percent (50%) of its replacement cost shall not be reconstructed or replaced unless made to conform to regulations of this Code. For a nonconforming sign damaged by a single incident (such as a storm), to an extent less than fifty percent (50%) of its replacement cost, reconstruction is permitted only if such work is begun within six (6) months of the incident and is completed within twelve (12) months of the incident.

(c) **Discontinuance of Use.** A nonconforming sign shall be removed or made to conform to regulations of this Code if the use to which the sign refers has been discontinued for a continuous and immediately preceding period of at least **six (6)** months, except as provided in division (f) of this section. In the case of a nonconforming billboard, as defined in this chapter, such sign shall be removed or made to conform to regulations of this Code if, for a continuous and immediately preceding period of at least twelve (12) months, the billboard has been blank or has displayed copy which is **faded** or damaged so as to render it illegible or has referred to an event or activity which has ended or to a business or product or service which has been discontinued.

(d) **Temporary Signs.** All nonconforming temporary signs, including portable signs, shall be removed or made to comply with the regulations of this Code within thirty (30) days after issuance of a violation notice by the City.

(e) **Signs for Nonconforming Uses.** For legal nonconforming uses, such as a retail use in a residential zoning district, the applicable signage regulations shall be those most appropriate to the nature of the nonconforming use.

(f) **Landmark Signs.** A landmark sign is one which is determined to be historically or architecturally significant by the Landmarks Commission in accordance with the standards of divisions (a) of Section 161.04 of the Codified Ordinances. A sign so identified by the Commission shall be exempt from the prohibitions regarding reconstruction or retention as stated in divisions (a) and (b) of Section 350.19. Any proposed reconstruction of such sign shall be permitted only if approved by the Landmarks Commission in accordance with its customary standards for review.

#### **Section 350.20 Supplemental Regulations**

The following supplemental regulations shall apply to permitted signs in non-residential zoning districts:

(a) **Non-Ground Floor Uses.** For uses not located on the ground floor and for ground floor uses which lack direct access from the building exterior, the following signs shall be permitted in addition to signs otherwise permitted for the building. Regardless of the number of such uses in a building, not more than one (1) wall or projecting identification sign, a maximum of twelve (12) square feet in area, shall be placed at each ground floor entrance providing access to the uses in question. In addition, for each such use, window signs not exceeding twenty (20) square feet in total area shall be permitted for display on the inside surface of windows within the subject space.

(b) **Secondary Frontages and Entrances.**

(1) **Secondary Frontages.** A building or building unit with frontage on a second street or with a customer building entrance from a rear or side parking lot shall be permitted total additional wall, window, projecting and canopy sign area not to exceed 50% of the sign area otherwise permitted. Such signs shall be displayed so that the total sign area placed on any facade does not exceed the maximum sign area permitted for the building's primary frontage. This provision shall also apply to buildings or building units with secondary frontage along the Cuyahoga River or Lake Erie and to buildings adjoining a freeway right-of-way.

(2) **Secondary Entrances.** For lots served by more than one (1) vehicular entrance, one (1) additional free-standing identification sign shall be permitted at each additional vehicular entrance if the minimum distance between any two (2) such signs is five hundred (500) feet as measured along street lines. Where such distance is less than five hundred (500) feet but more than three hundred (300) feet, a second free-standing identification sign shall be permitted if the height of each such sign is no greater than twelve (12) feet and the combined sign area of the two signs is no greater than one hundred fifty percent (150%) of the maximum sign area permitted for a single free-standing identification sign on the subject property.

(c) **New Businesses.** Upon its initial opening, a new business establishment may display a temporary identification sign for a maximum period of sixty-two (62) days prior to installation of a permanent identification sign. Such temporary sign may be a wall, window or portable sign which shall conform with all regulations applicable to permanent signs (except clearly inapplicable structural requirements) and shall be counted as part of the maximum permitted permanent sign area. In addition, temporary window signs for such new businesses may cover up to 75% of window area. Strings of pennants, streamers, pinwheels, balloons and similar small lightweight objects shall be permitted for "grand openings" for a single period not exceeding seven (7) days within the first six (6) months after issuance of the initial Occupancy Certificate for a new business.

(d) **Open Lots.** For uses without buildings, and for uses on lots where building frontage is less than 20% of lot frontage, maximum sign face area for the use, including free-standing signs, shall be the greater of fifty (50) square feet or the figure resulting from the following formula where "LW" equals the width of the lot frontage, as defined in division (a)(2) of Section 350.05:  $LW \times 1.0 = \text{SQUARE FEET OF SIGNAGE}$ . The area of a free-standing sign shall in no instance exceed one hundred (100) square feet.

(e) **Major Public Assembly Facilities.** For public assembly facilities located within the Central Business District and providing a minimum seating or attendance capacity of 5,000 persons, signage shall be permitted in accordance with the following standards contained in this division (e) which recognize the unique nature of these large-scale public assembly facilities. Except as provided in these standards, all other regulations of this Zoning Code shall apply to such signage.

(1) **Type, Number, Height and Location of Signs.** The City Planning Commission may authorize variations in otherwise applicable regulations of this chapter to the extent necessary to provide adequate information to the public.

(2) **Electronic Changeable Copy Signs.** Information displayed through electronically changeable copy on signs located on the premises of a qualifying public assembly facility or on property located within 500 feet of the qualifying public assembly facility and owned or leased by the owners of said public assembly facility shall be limited to the following:

- A. identification of the facility or events held at the facility.
- B. identification of the events held at other local public assembly facilities and identification of festivals and other special events held in the City.
- C. identification of products or services offered for sale on the premises of the qualifying public assembly facility.
- D. public service messages, such as time, temperature and information of a civil nature, including welcoming of visitors to the City.
- E. acknowledgement of organizations or individuals sponsoring events held at the facility or contributing to the construction or operation of the facility as sponsors or patrons.

**Section 2.** That the following existing Sections of the Codified Ordinances of Cleveland, Ohio, 1976:

Section 350.14, as amended by Ordinance No. 648-96, passed June 10, 1996,

Section 350.19, as amended by Ordinance No. 3076-A-89, passed December 10, 1990, and

Section 350.20, as amended by Ordinance No. 1131-93, passed June 14, 1993

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.

**Ord. No. 2096-99.**

By Councilmen Dolan and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary for the maintenance and repair of computerized keycard access/fire detection, time and attendance equipment, for the various divisions of the Department of Port Control for a period not to exceed two years.

**Ord. No. 2154-99.**

By Councilmen Lewis and Patmon (by departmental request).

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

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

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

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

**Section 127.42 Dishonored Check Fee**

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

**Section 2.** That the Department of Finance is authorized to issue policies and procedures necessary to assess the dishonored check fee described in Section 1. Such policies and procedures shall be issued in a form substantially similar to the policies and procedures submitted to City Council by the Finance Department and contained in File No. 2154-99-A. Any substantial departure from the policies and procedures contained in the above mentioned file shall require City Council approval.

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

**Ord. No. 2172-99.**

By Councilmen Rybka and Patmon (by departmental request).

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

**Ord. No. 59-2000.**

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.

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 Personnel and Human Resources is hereby authorized to enter into contract in an amount not to exceed **\$195,000.00** with Integrated Consulting Services, Ltd. to provide workers' compensation actuarial and auditing services on the basis of their proposal dated November 29, 1999, payable from Fund No. 01-040201-632000, Request No. 16218, for the Department of Personnel and Human Resources.

**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.

**Ord. No. 138-2000.**

By Councilmen White, Robinson, Patmon, Rybka, Cintron, Brady, Melena and Cimperman.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program on scattered sites to Cleveland Housing Network Limited Partnership 17.

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. 007-20-007 as more fully described in Section 2 below, to Cleveland Housing Network Limited Partnership 17.

**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. 007-20-007

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

No. 450 in H. Stone Addition, of part of Original Brooklyn Township Lots Nos. 53 and 68 as shown by the recorded plat in Volume 1 of Maps, Page 41 of Cuyahoga County Records and being 50 feet front on the Southerly side of Seymour Avenue, S.W., and extending back of equal width 122 feet, 5 inches to the Northwesterly side line of Erin Avenue, S.W., 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. 007-24-075 as more fully described in Section 4 below, to Cleveland Housing Network Limited Partnership 17.

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

P. P. No. 007-24-075

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the West half of Sublot No. 187 in the East half of Sublot No. 188 in Hiram Stone's Allotment of part of Original Brooklyn Township Lots Nos. 53 and 68, as shown by the recorded plat in Volume 1 of Maps, Pages 41 and 42 of Cuyahoga County Records and being together a parcel of land 50 feet front on the South side of Wade Avenue, S.W., and extending back of equal width 132 feet deep, to an alley, 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. 008-06-045 as more fully described in Section 6 below, to Cleveland Housing Network Limited Partnership 17.

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

P. P. No. 008-06-045

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 16 in Mary B. Rowley's Allotment of part of Original Brooklyn Township Lot No. 72 as shown by the recorded plat in Volume 8 of Maps, Page 32 of Cuyahoga County Records, and being 30 feet front on the Easterly side of West 18th Place (formerly Ditton Street) and extending back of equal width 110 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 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. 019-13-115 as more fully described in Section 8 below, to Cleveland Housing Network Limited Partnership 17.

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

P. P. No. 019-13-115

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 7 in the Guardian Subdivision of part of Original Rockport Township Section No. 10, as shown by the recorded plat in Volume 65 of Maps, Page 9 of Cuyahoga County Records and being 40 feet front on the Northerly side of Brookfield Avenue, S.W., 104.06 feet deep on the Easterly line, 104.50 feet deep on the Westerly line and 40 feet wide 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. Reserved.**

**Section "10".**

**Section 11. Reserved.**

**Section "12".**

**Section 13. Reserved.**

**Section "14".**

**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. 019-18-078 as more fully described in Section 16 below, to Cleveland Housing Network Limited Partnership 17.

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

P. P. No. 019-18-078

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 185 in the Domal Land Company's Subdivision of part of Original Rockport Township Section No. 10, as shown by the recorded plat in Volume 25 of Maps, Page 20 of Cuyahoga County Records and being 40 feet front on the Northerly side of Matherson Avenue, S.W., and extending back of equal width, 100 feet deep, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

**Section 17.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 019-19-090 as more fully described in Section 18 below, to Cleveland Housing Network Limited Partnership 17.

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

P. P. No. 019-19-090

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 40 in Clark Manchester Company's Homesite Allotment No. 7 of part of Original Rockport Township Section No. 10 as shown by the recorded plat in Volume 67 of Maps, Page 5 of Cuyahoga County Records and being 40 feet front on the Northerly side of Kadel Avenue, S.W., and extending back of equal width, 123 feet deep, 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. 019-22-013 as more fully described in Section 20

below, to Cleveland Housing Network Limited Partnership 17.

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

P. P. No. 019-22-013

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 159 in Joseph Schrimshaw's Highview Allotment of part of Original Rockport Township Section No. 10, as shown by the recorded plat in Volume 83 of Maps, Page 27 of Cuyahoga County Records and being 40 feet front on the Southerly side of Grimsby Avenue, S.W., and extending back of equal width 112.47 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 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. 019-22-014 as more fully described in Section 22 below, to Cleveland Housing Network Limited Partnership 17.

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

P. P. No. 019-22-014

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 160 in Joseph Schrimshaw's Highview Allotment of part of Original Rockport Township Section No. 10, as shown by the recorded plat in Volume 83 of Maps, Page 27 of Cuyahoga County Records, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

**Section 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. 004-19-022 as more fully described in Section 24 below, to Cleveland Housing Network Limited Partnership 17.

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

P. P. No. 004-19-022

**Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being the Westerly part of Sublot No. 671 in the S.S. Stone's Subdivision of part of Original Brooklyn Township Lot No. 87 as shown by the recorded plat in Volume 2 of Maps, Page 31 of Cuyahoga County Records. Said part of Sublot No. 671 has a frontage of 33 feet on the Easterly side of West 7th Street (formerly University Street), and extends back of equal width 135 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 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. 108-08-092 as more fully described in Section 26 below, to Cleveland Housing Network Limited Partnership 17.

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

P. P. No. 108-08-092

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 44 in Schatzinger and Tremain's Subdivision of part of Original One Hundred Acre Lot No. 361, as shown by the recorded plat in Volume 18 of Maps, Page 7 of Cuyahoga County Records, and also the Easterly one-half of Block A in W. H. Van Tine Jr., Trustee's Allotment of part of Original One Hundred Acre Lots Nos. 361 and 369, as shown by the recorded plat in Volume 17 of Maps, Page 29 of Cuyahoga County Records, and together forming a parcel of land 60 feet front on the Westerly side of East 102nd Street, formerly Eldridge Avenue) and extending back of equal width 122.5 feet, as appears by the said plat, be the same more or less, but subject to all legal highways.

Also subject to zoning ordinances.

**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. 108-25-086 as more fully described in Section 28 below, to Cleveland Housing Network Limited Partnership 17.

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

P. P. No. 108-25-086

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 299 in Cleveland Realty Company's Subdivision of part of Original One Hundred Acre Lots Nos. 370 and 362, as shown by the recorded plat in Volume 24 of Maps, Page 17 of Cuyahoga County Records, and being 35 feet front on the Northerly side of Elgin Avenue, and extending back between parallel lines 110 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 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. 108-25-096 as more fully described in Section 30 below, to Cleveland Housing Network Limited Partnership 17.

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

P. P. No. 108-25-096

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 287 in the Cleveland Realty Company's Subdivision of part of Original One Hundred Acre Lots Nos. 370 and 362, as shown by the recorded plat in Volume 24 of Maps, Page 17 of Cuyahoga County Records, and being 35 feet front on the Southerly side of Elgin Avenue, N.E., and extending back of equal width 110 feet, as appears by said plat.

**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. 108-26-093 as more fully described in Section 32 below, to Cleveland Housing Network Limited Partnership 17.

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

P. P. No. 108-26-093

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 72 in the Cleveland Realty Company's Subdivision of part of Original One Hundred Acre Lots Nos. 362 and 370, as shown by the recorded plat in Volume 24 of Maps, Page 17 of Cuyahoga County Records, and being 35 feet front on the Northerly side of Garfield Avenue (formerly Bennington Street) and extending back of equal width 110 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to restrictions recorded in Volume 1083, Page 533 of Cuyahoga County Records.

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. 108-26-098 as more fully described in Section 34 below, to Cleveland Housing Network Limited Partnership 17.

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

P. P. No. 108-26-098

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 67 in the Cleveland Realty Company Subdivision, of part of Original One Hundred Acre Lots Nos. 370 and 362, as shown by the recorded plat in Volume 24 of Maps, Page 17 of Cuyahoga County Records, as appears by said plat, be the same more or less, but subject to all legal highways.

**Section 35. Reserved.**

**Section "36".**

**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. 135-09-020 as more fully described in Section 38 below, to Cleveland Housing Network Limited Partnership 17.

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

P. P. No. 135-09-020

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 157 in the Van DeBoeHager Company's Union Heights Subdivision of part of Original One Hundred Acre Lot No. 450, as shown by the recorded plat of said Subdivision in Volume 43 of Maps, Page 20 of Cuyahoga County Records. Said Sublot No. 157 has a frontage of 40 1/100 feet on the Northerly side of Sandusky Avenue, S.E., and extends back 126 8/100 feet on the Easterly line, 126 76/100 feet on the Westerly line, and has a rear line of 40 feet, as appears by said plat.

Also subject to all zoning ordinances, if any.

**Section 39.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 136-01-095 as more fully described in Section 40 below, to Cleveland Housing Network Limited Partnership 17.

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

P. P. No. 136-01-095

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 56 in Leo W. Sapp's Subdivision of part of Original One Hundred Acre Lots Nos. 457 and 458, as shown by the recorded plat in Volume 5 of Maps, Page 26 of Cuyahoga County Records, and being 40.02 feet front on the Northerly side of Elizabeth Street, (now known as Elizabeth Avenue, S.E.) and extending back of equal width 140 feet to the Southerly line of Prince Avenue, S.E. (formerly Prince Street), 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 41. Reserved.**

**Section "42".**

**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. 136-02-008 as more fully described in Section 44 below, to Cleveland Housing Network Limited Partnership 17.

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

P. P. No. 136-02-008

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 86 in Leo W. Sapp's Subdivision of part of Original One Hundred Acre Lots Nos. 458 and 457, as shown by the recorded plat in Volume 5 of Maps, Page 26 of Cuyahoga County Records and being a resurvey recorded in Volume 12, Page 25 of Cuyahoga County Records, and being 40.02 feet front on the Northerly side of Elizabeth Avenue and 140 feet deep running through to Prince Avenue, 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 45. Reserved.**

**Section "46".**

**Section 47. Reserved.**

**Section "48".**

**Section 49.** 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 50.** 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 nec-

essary or appropriate. **In meeting the minority participation goals, Cleveland Housing Network shall utilize MBE firms certified by the City's Office of Equal Opportunity for all work exceeding \$2,500 for a single transaction, or \$10,000 for a year. Minority firms that are not certified shall not be counted toward the goals.**

**Section 51.** That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest.

**Section 52.** That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

**Ord. No. 175-2000.**

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program on scattered sites to the Buckeye Area Development Corporation 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. 121-33-111 as more fully described in Section 2 below, to Buckeye Area Development Corporation 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. 121-33-111

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 40 in Grether and Palmer Subdivision of part of Original One Hundred Acre Lot No. 419 as shown by the recorded plat in Volume 14 of Maps, Page 39 of Cuyahoga County Records and being 40 feet front on the Southwesterly side of Mt. Carmel Road, and extending back of equal width 140 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

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. 121-33-112 as more fully described in Section 4 below, to Buckeye Area Development Corporation or designee.

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

P. P. No. 121-33-112

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 39 in Grether, Grether and Palmer and Perkins Subdivision of part of Original One Hundred Acre Lot No. 419, as shown by the recorded plat in Volume 14 of Maps, Page 39 of Cuyahoga County Records. Said Sublot No. 39 has a frontage of 40 feet on the Southwesterly side of Mt. Carmel Road, S.E., (formerly Ingersoll Road), and extends back between parallel lines 140 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

**Section 5. Reserved.**

**Section 6. Reserved.**

**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. 121-34-009 as more fully described in Section 8 below, to Buckeye Area Development Corporation or designee.

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

P. P. No. 121-34-009

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 13 in Quincy Heights Subdivision of part of Original One Hundred Acre Lots Nos. 418, 419 and 420, as shown by the recorded plat in Volume 37 of Maps, Page 2 of Cuyahoga County Records and being 36 feet front on the Southwesterly side of Woodstock Avenue, S.E., (formerly Quincy Avenue) and extending back of equal width 84.28 feet, as appears by said plat, be the same more or less, but subject to all legal highways. Subject to Zoning Ordinances, if any.

**Section 9.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel Nos. 121-34-089 as more fully described in Section 10 below, to Buckeye Area Development Corporation or designee.

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

P. P. No. 121-34-089

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 43 in Heisley Heights' Subdivision of part of Original One Hundred Acre Lot Nos. 418, 419 and 420 as shown by the recorded plat in Volume 36 of Maps, Page 23 of Cuyahoga County Records, and being 40 feet front on the Northeasterly side of Mount Overlook Avenue, S.E., and extending back of equal width

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

**Section 11.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 128-01-020 as more fully described in Section 12 below, to Buckeye Area Development Corporation or designee.

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

P. P. No. 128-01-020

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 16 in the Marshall Re-Subdivision of part of Original One Hundred Acre Lots Nos. 425 and 426, as shown by the recorded plat in Volume 22 of Maps, Page 15 of Cuyahoga County Records, and being 40 feet front on the Northerly side of Shale Avenue, S.E., and extending back of equal width 126 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 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. 128-01-024 as more fully described in Section 14 below, to Buckeye Area Development Corporation or designee.

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

P. P. No. 128-01-024

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and bounded and described as follows, to wit: and known as being Sublot No. 12 in Marshall Re-Subdivision of Block "A" and "B" and Sublots Nos. 52, 54, 56 and 58 in the Bigalow Allotment of part of Original One Hundred Acre Lots Nos. 425 and 426, as shown by the recorded plat in Volume 22 of Maps, Page 15 of Cuyahoga County Records and being 40 feet front on the Northerly side of Shale Avenue, S.E., and extending back of equal width, 126 feet deep, be the same more or less, but subject to all legal highways.

Also subject to all 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. 128-01-120 as more fully described in Section 16 below, to Buckeye Area Development Corporation or designee.

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

P. P. No. 128-01-120

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 90 in Benham's Luna Heights Subdivision of part of Original One Hundred Acre Lot Nos. 417 and 418 as shown by the recorded plat in Volume 42 of Maps, Page 19 of Cuyahoga County Records and being 40 feet front on the Southerly side of Crestwood Avenue, and extending

back of equal width 105 feet as appears by said plat.

Subject to zoning ordinances, if any.

**Section 17.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 128-13-004 as more fully described in Section 18 below, to Buckeye Area Development Corporation or designee.

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

P. P. No. 128-13-004

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 6 in J.J. Elwell and others Subdivision of part of Original One Hundred Acre Lots Nos. 426 and 425 as shown by the recorded plat in Volume 25 of Maps, Page 23 of Cuyahoga County Records and being 40 feet front on the Southerly side of Elwell Avenue, S.E., and extending back of equal width, 100 feet deep, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

Subject to restrictions and Building Line Restrictions recited in Volume 427, Page 615 of Cuyahoga County Records, filed April 11, 1888 and refilled in Volume 573, Page 492 of Cuyahoga County Records, filed July 14, 1894.

**Section 19. Reserved.**

**Section 20. Reserved.**

**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. 128-13-061 as more fully described in Section 22 below, to Buckeye Area Development Corporation or designee.

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

P. P. No. 128-13-061

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 28 in The I.H. Marshall Subdivision of part of Original One Hundred Acre Lots Nos. 425 and 426, as shown by the recorded plat in Volume 7 of Maps, Page 20 of Cuyahoga County Records, and being 40 feet front on the Southerly side of Stoughton Avenue, and extending back of equal width 136 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 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. 128-13-096 as more fully described in Section 24 below, to Buckeye Area Development Corporation or designee.

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

P. P. No. 128-13-096

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 36 in J. Heinas and G.W. Taylor Subdivision of part of Original One

Hundred Acre Lots Nos. 425 and 426, as shown by the recorded plat in Volume 13 of Maps, Page 42 of Cuyahoga County Records, and being 40 feet front on the Southerly side of Sophia Avenue, and extending back 113.07 feet on the Easterly line, 113.24 feet on the Westerly line, and having a rear line of 40 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 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. 128-14-016 as more fully described in Section 26 below, to Buckeye Area Development Corporation or designee.

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

P. P. No. 128-14-016

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and bounded and described as follows, to wit:

Known as being Sublot No. 63 in Prochaska and Polcar Subdivision of part of Original One Hundred Acre Lot No. 426 as shown by the recorded plat in Volume 28 of Maps, Page 23 of Cuyahoga County Records and being 35 feet front on the Westerly side of East 104th Street and extending back of equal width 140 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

BEING the same property acquired by the Grantor pursuant to the provisions of the National Housing Act, as amended (12 USC 1701 et. seq.) and the Department of Housing and Urban Development Act (79 Stat. 667).

SUBJECT TO ALL covenants, restrictions, reservations, easements, conditions and right appearing of record; and SUBJECT to any state of facts an accurate survey would show.

**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. 128-14-023 as more fully described in Section 28 below, to Buckeye Area Development Corporation or designee.

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

P. P. No. 128-14-023

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 56 in Prochaska and Polcar's South Woodland Avenue Allotment of a part of Original One Hundred Acre Lot No. 426, as shown by the recorded plat in Volume 28 of Maps, Page 23 of Cuyahoga County Records, and being 36 feet front on the Northerly side of Sophia Avenue, S.E., (formerly Heina Street), and extending back 117.08 feet on the Westerly line, 117.27 feet on the Easterly line, and having a rear line of 36 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 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. 128-14-024 as more fully described in Section 30 below, to Buckeye Area Development Corporation or designee.

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

P. P. No. 128-14-024

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 55 in Prochaska and Polcar's South Woodland Allotment of part of Original One Hundred Acre Lot No. 426 and Re-Allotment of Joseph Doffner's Allotment of part of Original One Hundred Acre Lot No. 426 as shown by the recorded plat in Volume 28 of Maps, Page 23 of Cuyahoga County Records and being 37 feet front on the Northerly side of Sophia Avenue, S.E., and extending back 117.08 feet on the Easterly line, 116.88 feet on the Westerly line and having a rear line of 37 feet, which is also the Southerly side of a 10 foot alley, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

**Section 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. 128-14-026 as more fully described in Section 32 below, to Buckeye Area Development Corporation or designee.

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

P. P. No. 128-14-026

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southerly 88 feet of Sublot No. 53 in Prochaska and Polcar's "South Woodland Avenue" Allotment of part of Original One Hundred Acre Lot No. 426, as shown by the recorded plat in Volume 28 of Maps, Page 23 of Cuyahoga County Records and being 40 feet front on the Northerly side of Sophia Avenue, S.E., (formerly Heina Street), and extending back of equal width with a distance of 88 feet along the Easterly side of East 102nd Street, (formerly Marshall Street), be the same more or less, but subject to all legal highways.

Also subject to all 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. 128-14-033 as more fully described in Section 34 below, to Buckeye Area Development Corporation or designee.

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

P. P. No. 128-14-033

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

46 in Prochaska Polcar's South Woodland Avenue Allotment of part of Original One Hundred Acre Lot No. 426, as shown by the recorded plat in Volume 28 of Maps, Page 23 of Cuyahoga County Records and being 35 feet front on the Southerly side of Sophia Avenue and extending back 110.44 feet on the Westerly line, 110.26 feet on the Easterly line and having a rear line of 35 feet, as appears by said plat.

Also subject to all zoning ordinances, if any.

**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. 128-14-036 as more fully described in Section 36 below, to Buckeye Area Development Corporation or designee.

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

P. P. No. 128-14-036

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 43 in Prochaska and Polcar's "South Woodland Avenue" Allotment of part of Original One Hundred Acre Lot No. 426 and a Re-Allotment of Joseph Duffner's Allotment of part of Original One Hundred Acre Lot No. 426, as shown by the recorded plat in Volume 28 of Maps, Page 23 of Cuyahoga County Records and being 35 feet front on the Southerly side of Sophia Avenue, S.E., and extending back 109.9 feet deep on the Westerly line, 109.72 feet deep on the Easterly line and 35 feet wide in the rear, be the same more or less, but subject to all legal highways.

Also subject to all 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. 128-14-089 as more fully described in Section 38 below, to Buckeye Area Development Corporation or designee.

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

P. P. No. 128-14-089

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Northerly 28.46 feet of Sublot No. 53 in Prochaska and Polcar's South Woodland Avenue Allotment of part of Original One Hundred Acre Lot No. 426, and a Re-Allotment of Joseph Duffner's Allotment of part of said Original One Hundred Acre Lot No. 426; the premise hereby conveyed being all of said Sublot No. 53, except the Southerly 88 feet thereof conveyed to Jennie Berta, by Deed dated March 28, 1922, and recorded in Cuyahoga County Records of Deeds, Volume 2538, Page 523, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

**Section 39.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell

Permanent Parcel No. 128-22-047 as more fully described in Section 40 below, to Buckeye Area Development Corporation or designee.

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

P. P. No. 128-22-047

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 59 in the Helper-Woodland Hills Park Subdivision of part of Original One Hundred Acre Lots Nos. 433 and 434, as shown by the recorded plat in Volume 42 of Maps, Page 26 of Cuyahoga County Records, and being 50 feet front on the Northernly side of Ramona Boulevard, 150 feet deep on the Easterly line, 150 feet deep on the Westerly line and 42.43 feet wide 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 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. 129-16-140 as more fully described in Section 42 below, to Buckeye Area Development Corporation or designee.

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

P. P. No. 129-16-140

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 38 in William M. Southern's Brugge Farm Subdivision of part of Original One Hundred Acre Lot No. 429, as shown by the recorded plat in Volume 35 of Maps, Page 9 of Cuyahoga County Records, and being 40 feet front on the Westerly side of East 125th Street (formerly John Street) and extending back of equal width 100 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to restrictions recorded in Volume 1494, Page 527 of Cuyahoga County Records.

Also subject to all zoning ordinances, if any.

**Section 43.** 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 44.** 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. **In meeting the minority participation goals, Cleveland Housing Network shall utilize MBE firms certified by the City's Office of Equal Opportunity for all work exceeding \$2,500 for a**

**single transaction, or \$10,000 for a year. Minority firms that are not certified shall not be counted toward the goals.**

**Section 45.** That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest.

**Section 46.** 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.

## BOARD OF CONTROL

February 9, 2000

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, February 9, 2000, at 11:00 a.m. with Acting Mayor Carter presiding.

Present: Acting Mayor Carter, Acting Director Carr, Directors Brooks, Konicek, Sheffield-McClain, Ricchiuto, Whitlow, Acting Director Szabo, Directors Jackson, Hudecek, Patterson, Warren, Axelrod.

Absent: Mayor White.

Others: Myrna Branche, Commissioner, Purchases and Supplies. Sharon Sobol Jordan, Director, Office of Equal Opportunity.

On motion, the following resolutions were adopted.

### Resolution No. 72-00.

By Director Brooks.

Resolved, by the Board of Control of the City of Cleveland that the bid of Westside Mobile Power Wash for an estimated quantity of Fleet Washing Services for the Various Divisions of City Government, Department of Finance, for the period of one (1) year beginning with the date of execution of a contract, received on December 1, 1999, pursuant to the authority of Ordinance No. 707-99, passed May 17, 1999, which on the basis of the estimated quantity would amount to Eighty Seven Thousand Two Hundred Sixty Seven and 20/100 Dollars (\$87,267.20) (2% 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Finance is hereby requested to enter into 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. 15570

which shall be certified against such contract in the sum of Seven Thousand and 00/100 Dollars (\$7,000.00).

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

Yeas: None.

Nays: Acting Mayor Carter, Acting Director Carr, Directors Brooks, Konicek, Sheffield-McClain, Ricchiuto, Whitlow, Acting Director Szabo, Directors Jackson, Hudecek, Patterson, Warren, Axelrod.

Absent: None.

### Resolution No. 73-00.

By Director Brooks.

Resolved by the Board of Control of the City of Cleveland, that all bids received on December 3, 1999 for Probation Department Servers and Workstations for the Division of Cleveland Municipal Court, Department of Probation, pursuant to the authority of Ordinance No. 1249-95 and 275-97, passed by the Council of the City of Cleveland on September 25, 1995 and March 24, 1997, respectively, be and the same are hereby rejected.

Yeas: Acting Mayor Carter, Acting Director Carr, Directors Brooks, Konicek, Sheffield-McClain, Ricchiuto, Whitlow, Acting Director Szabo, Directors Jackson, Hudecek, Patterson, Warren, Axelrod.

Nays: None.

Absent: None.

### Resolution No. 74-00.

By Director Brooks.

Resolved by the Board of Control of the City of Cleveland, that all bids received on December 1, 1999 for Fleet Washing Services for the Division of various divisions of City Government, Department of Finance, pursuant to the authority of Ordinance No. 707-99, passed by the Council of the City of Cleveland Oil May 17, 1999 be and the same are hereby rejected.

Yeas: Acting Mayor Carter, Acting Director Carr, Directors Brooks, Konicek, Sheffield-McClain, Ricchiuto, Whitlow, Acting Director Szabo, Directors Jackson, Hudecek, Patterson, Warren, Axelrod.

Nays: None.

Absent: None.

### Resolution No. 75-00.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Able Contracting Group, Inc. for an estimated quantity of labor and materials to repair and install fencing, for the Division of Water Pollution Control, Department of Public Utilities, for a period of one (1) year beginning with the date of execution of a contract, received on the 16th day of December, 1999, pursuant to the authority of Ordinance No. 2097-98, passed February 1, 1999 on the basis of the estimated quantity would amount to One Hundred Seventeen Thousand Five Hundred and 00/100 Dollars (\$117,500.00) (Net 30), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 11412

which shall be certified against such contract in the sum of Fifty Thousand and 00/100 Dollars (\$50,000.00).

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.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractor by Able Contracting Group, Inc., for the contract authorized herein hereby is approved:

**SUBCONTRACTOR**                      **WORK**

Crawford Fence and  
Guardrail, Inc.  
MBE                      Ornamental Fence

Yeas: Acting Mayor Carter, Acting Director Carr, Directors Brooks, Konicek, Sheffield-McClain, Richiuto, Whitlow, Acting Director Smith, Directors Jackson, Hudecek, Patterson, Warren, Axelrod.

Nays: None.  
Absent: None.

**Resolution No. 76-00.**

By Director Sheffield-McClain.  
Be it resolved by the Board of Control of the City of Cleveland that Board of Control Resolution No. 12-00, adopted January 12, 2000, authorizing the Director of Port Control to contract with Camp, Dresser & McKee for the purpose of providing environmental remediation and design services relating to Underground Storage Tank Sites, is hereby amended by changing the authorizing Ordinance Number from "550-99" to "550-98," where appearing.

Be it further resolved that all other terms and provisions of said Resolution No. 12-00 not expressly amended hereby shall remain unchanged and in full force and effect.

Yeas: Acting Mayor Carter, Acting Director Carr, Directors Brooks, Konicek, Sheffield-McClain, Richiuto, Whitlow, Acting Director Szabo, Directors Jackson, Hudecek, Patterson, Warren, Axelrod.

Nays: None.  
Absent: None.

**Resolution No. 77-00.**

By Director Jackson.  
Resolved by the Board of Control of the City of Cleveland, that all bids received on December 29, 1999 for Upgrade and Relocation of the Life Safety System Command Center at the Cleveland Convention Center for the Division of Convention Center and Stadium, Department of Parks, Recreation & Properties, pursuant to the authority of Ordinance No. 761-98, passed by the Council of the City of Cleveland on May 18, 1998, be and the same are hereby rejected.

Yeas: Acting Mayor Carter, Acting Director Carr, Directors Brooks, Konicek, Sheffield-McClain, Richiuto, Whitlow, Acting Director Szabo, Directors Jackson, Hudecek, Patterson, Warren, Axelrod.

Nays: None.  
Absent: None.

JEFFREY B. MARKS,  
Secretary

**CIVIL SERVICE NOTICES**

**General Information**

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

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

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

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

ANNE BLOOMBERG,  
President

**CIVIL SERVICE NOTICE**

**ANNOUNCEMENTS - 2000**

Announcement No.	Classification
13	School Building Custodian Cleveland Board of Education

**PROOF OF CITY RESIDENCY**

Any applicant wishing to receive residency credit will be asked to show that he/she is a bona fide resident of the City of Cleveland. The following list gives examples of items that an applicant may present **at the time of filing.** The Civil Service Commission requires a minimum of three items from at least three **different** categories, where applicable. All items must be **current.** Please note that presentation of these items does not constitute conclusive proof of bona fide residency. Acceptable categories include, but are not limited to, the following:

Lease - from rental agency.

Lease - from independent party. Must include copy of cancelled check or money order receipts for previous rent and/or security deposit, and fully executed; otherwise, it is unacceptable.

Utility bills bearing the property address **and** your name.

Post Office change of address form properly date stamped.

Official documents relating to home ownership including deed, purchase agreement, or insurance policy.

Bank statements (Within last three months).

School registration of children.

Car insurance documents.

Car registration **or** Driver's License **or** Ohio I.D. (**One only**).

Loans and credit card statements (Within last three months).

Rental contracts (e.g.: furniture, tools, car, etc.).

Current bills not listed above (Within last three months).

The following are examples of **unacceptable** categories of proof:

Library cards.

Voter registration cards.

Birth certificates.

Notarized letters or affidavits.

Social Security card.

Rental receipts from independent party without cancelled checks or money order receipt.

**APPROVED C.S.C. MINUTES  
ANNOUNCEMENT NO. 13**

**SCHOOL BUILDING CUSTODIAN  
CLEVELAND BOARD OF EDUCATION  
(Promotional)**

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of a Promotional examination for the above mentioned classification.

**SALARY**

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$19.22 to \$22.07 per hour.

**FILING OF APPLICATION**

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. **APPLICATIONS WILL BE RECEIVED FOR ENTRANCE TO THE EXAMINATION FROM 8:30 A.M. ON MONDAY, FEBRUARY 21, 2000 UNTIL 4:30 P.M. ON FRIDAY, MARCH 3, 2000.**

**NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON FRIDAY, MARCH 3, 2000.**

**THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.**

**EXAMINATION INFORMATION**

**TYPE: WRITTEN EXAMINATION**

**DUTIES OF THE POSITION**

Performs all necessary tasks personally or with the aid of such employees as are provided, responsible for the proper care, operation, heating, clean-



ing, maintenance, and repair of any school building in the Cleveland City School District to which he/she is assigned; supervises and instructs other employees in the proper performance of their duties and to control all assigned school property; operates, maintains and makes repairs to boilers, fans, motors, and other equipment to be found in a school building; cleans and maintains buildings, lawn, shrubbery, walks, and playgrounds in a neat and approved manner, supervises, instructs, and assists other employees in performing duties efficiently and economically.

**MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:**

This examination is open only to persons holding a regular appointment in the classification of an Assistant School Building Custodian with the Cleveland Board of Education for at least two (2) years immediately preceding the last day of filing.

Applicants must present a valid third-class stationary engineers license issued by the State of Ohio at the time of filing application.

**SENIORITY CREDIT:** Additional points are given to a passing grade on a Promotional Examination in compliance with the Ohio Revised Code and the Rules of the Civil Service Commission.

**AN EQUAL OPPORTUNITY EMPLOYER**

ANNE BLOOMBERG,  
President

February 16, 2000

**SCHEDULE OF THE BOARD OF ZONING APPEALS**

**MONDAY, FEBRUARY 28, 2000**

**9:30 A.M.**

**Calendar No. 00-18:** 2401 Superior Avenue a.k.a. 1469 East 24th Street (Ward 13)

Bruce Madorsky, owner, appeals under the authority of Section 329.02(c) and Section 367.09, where the appellant has the right to appeal to the Board of Zoning Appeals and Section 327.99(a) where the appellant is subject to prosecution and penalties, and the Charter of the City of Cleveland from the issuance of a Violation Notice on December 6, 1999 by the Commissioner of the Division of Building and Housing, Department of Community Development, where the appellant at the property of 2401 Superior Avenue a.k.a. 1469 East 24th Street has been cited under the Off-Street Parking and Loading Requirements of Section 349.07(a) where all access and maintenance driveways and maneuvering areas shall be properly graded for drainage and Section 349.08 where screening is required on a lot that is adjacent to a residential district or that adjoins a building con-

taining units and being contrary to the Sign Regulation Requirements of Section 350.04 where no outdoor sign or display structure shall be erected until a permit has been issued and contrary to the Yards and Courts Regulations where nothing shall be erected or stored or maintained beyond the established front building line as stated in Section 357.99(a) of the Codified Ordinances.

**Calendar No. 00-19:** 15021 Harvard Avenue (Ward 1)

Cassandra Wingfield, owner, appeals to construct an 8' x 14' one-story patio addition to an existing 23' x 33' one dwelling house situated on a 22' x 89' corner parcel located in a One-Family District at the northwest corner of East 151st Street and Harvard Avenue at 15021 Harvard Avenue; said construction being contrary to the Yards and Courts Regulations of Section 357.09(b)(1) where an interior side yard of 10' is required and 9' are provided and where the proposed patio is to be erected approximately 7' from the property known as 15017 Harvard Avenue and no building shall be erected less than 10' from a main building as stated in Section 357.09(b)(2) of the Codified Ordinances.

**Calendar No. 00-21:** 13407 Miles Avenue (Ward 2)

Reverend John Melvin, owner c/o John Taylor, agent, appeal to change the use of an existing 32' x 49' one-story masonry Laundromat building into a church situated on a 40' x 123' parcel in a General Retail Business District on the north side of Miles Avenue at 13407 Miles Avenue; said change of use being contrary to the Off-Street Parking and Loading Requirements where 17 parking spaces are provided and 27 are required as stated in Section 349.04(e) of the Codified Ordinances.

**Calendar No. 00-22:** 775 East 152nd Street (Ward 11)

Daniel Dzina, owner, and Little Hands and Feet, tenant c/o Victoria Smith, appeal to expand the use of an existing 120' x 215' one-story and basement (former YMCA) building situated on a 150' x 238' corner parcel in a Local Retail District on the northeast corner of East 152nd Street and Aspinwall Avenue at 775 East 152nd Street; said expansion being contrary to the Residential District Regulations of Section 337.02(f)(3) where the building use as proposed shall not be less than 30' from an adjoining premises not used for similar purposes and is subject to the review and approval of the Board of Zoning Appeals; and contrary to the Yards and Courts Requirements of Section 357.04(a) where the existing building has a 10' front yard setback and a 30' front yard setback is required and contrary to the expansion of non-conforming use limitations of Section 359.01 of the Codified Ordinances.

**Calendar No. 00-23:** 7704 Detroit Avenue (Ward 17)

Ali Kaddah, owner, and Phil Coblentz, agent c/o Ohio Soil Services, appeal to install a 42' x 58' x approximately 17'-4 1/2" high

canopy over 4 new pump islands all situated on an approximate 281' x 234' triangular parcel in a Semi-Industry District on the north side of Detroit Avenue at 7704 Detroit Avenue; said construction being contrary to the Yards and Courts Requirements where the canopy has a 4' setback from the property line and a 10' setback is required as stated in Section 357.14 of the Codified Ordinances.

EUGENE CRANFORD, JR.,  
Secretary

**REPORT OF THE BOARD OF ZONING APPEALS**

**MONDAY, FEBRUARY 14, 2000**

At the meeting of the Board of Zoning Appeals on Monday, February 14, 2000, the following appeals were heard by the Board:

The following appeals were **Approved:**

**Calendar No. 00-5:** 4399-4403 State Road

William McCullough, owner, appealed to change the use of a one-story masonry building into offices, demolish an attached garage and construct a 30' x 25' masonry garage for storage on a 72' x 117' parcel in a Local Retail District; approval subject to review of revised plan showing placement of landscape buffers, removal of barbed wire on existing fencing and a 6' board on board fence at rear of property that abuts a residence.

**Calendar No. 99-275:** 14301 Sylvia Avenue

Anthony Gray, owner, appealed to change the use of a 38' x 58' two-story residential and commercial building and 3 dwelling units into a Church and 2 dwelling units in a Two-Family District; approval with appellant's agreement to comply with request to submit within 6 months the documentation that confirms a location where future parking expansion can be accommodated.

The following appeal was **Denied:**

**Calendar No. 00-7:** 2408 Denison Avenue

John W. Hickey, owner, and John Rakauskas, agent, appealed to change the use of an existing one-story commercial building into a hot dog restaurant in a Local Retail Business District.

The following appeal was **Dismissed:**

**Calendar No. 99-522:** 4247 Fulton Road

Paran Management, owner, and Kevin Morand, agent, appealed to change the use to a bingo hall the former mercantile use of an existing 72' x 130' one-story building located in a Shopping Center District.

The following appeals were **Postponed:**

**Calendar No. 00-6:** 605-607 East 131st Street postponed to March 20, 2000.

**Calendar No. 00-13:** 706-710 East 152nd Street a.k.a. 15120 Cardinal Avenue postponed to March 27, 2000.

**Calendar No. 99-272:** 11601 Shaker Boulevard postponement pending.

**On Monday, February 14, 2000, in Executive Session:**

The following appeals were heard on Monday, February 7, 2000 and said decisions were approved and adopted by the Board on February 4, 2000.

The following appeal was **Approved:**

**Calendar No. 99-562:** 3222 Carnegie Avenue  
The Charles P. Comella Trust, owner, and White Hat Management, tenant, and Ocheltree Construction c/o Charles Ocheltree, agent, appealed to change the use of a 73' x 140' "L" shaped building into an adult training center in a Semi-Industry District.

The following appeals were **Denied:**

**Calendar No. 00-1:** 12325 Lorain Avenue  
Joseph S. Quirino, owner, and Eugene Zimmerman, tenant, appealed to expand an automobile repair shop by adding more parking spaces in a General Retail Business District.

**Calendar No. 00-4:** 5422 Fleet Avenue  
Charles T. Henley, owner, appealed from the issuance of a Violation Notice on July 7, 1999 by the Commissioner of Building and Housing for operating a motor vehicle repair shop in a Local Retail District.

EUGENE CRANFORD, JR.,  
Secretary

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

NO MEETING

**PUBLIC NOTICE**

NONE

**NOTICE OF PUBLIC HEARING**

**Notice of Public Hearing By the Council Committee On City Planning**

**Mercedes Cotner  
Committee Room 217  
City Hall, Cleveland, Ohio  
On Wednesday, February 23, 2000  
1:00 P.M.**

Notice is hereby given to all interested property owners that the Council Committee on City Planning will hold a public hearing in the Mercedes Cotner Committee Room 217, City Hall, Cleveland, Ohio, on Wednesday, February 23, 2000, at 1:00 P.M., to consider the following ordinances now pending in the Council:

**Ord. No. 1983-99.**  
By Councilman Robinson.  
An ordinance establishing the Kinsman Avenue/Mount Pleasant Business Revitalization District (BRD) (Map Change No. 2001, Sheet No. 10)

**Ord. No. 2179-99.**  
By Councilman Cimperman.  
An ordinance to change the Use, Area, and Height Districts of lands bounded by W. Superior Avenue, Lockwood Drive, and Columbus Road. (Map Change No. 2004, Sheet Nos. 1 and 5)

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

JOSEPH C. CIMPERMAN,  
Chairman  
Committee on City Planning

February 9, 2000 and February 16, 2000

**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."**

**THURSDAY, FEBRUARY 24, 2000**

**Traffic Cones and Safety Drums,** for the Division of Streets, Department of Public Service, as authorized by Ordinance No. 1827-99, passed by the Council of the City of Cleveland, December 6, 1999.

**HFRS2 Emulsion and Equipment Management Services and Paving Solution,** for the Division of Streets, Department of Public Service, as authorized by Ordinance No. 1828-99, passed by the Council of the City of Cleveland, December 6, 1999.

**Upgrade Life Safety System and Relocate Command Center,** for the Department of Parks, Recreation and Properties, as authorized by Ordinance No. 761-98, passed by the Council of the City of Cleveland, May 18, 1998.

**A PRE-BID MEETING WILL BE HELD ON WEDNESDAY, FEBRUARY 16, 2000, 10:00 A.M., AT 500 LAKESIDE AVENUE. ATTENDANCE IS MANDATORY.**

February 9, 2000 and February 16, 2000

**FRIDAY, FEBRUARY 25, 2000**

**Mower Parts and Labor,** for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 2174-98, passed by the Council of the City of Cleveland, March 1, 1999.

**New Tires,** for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 1961-99, passed by the Council of the City of Cleveland, March 1, 1999.

**Gasoline,** for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 1821-99, passed by the Council of the City of Cleveland, March 1, 1999.

February 9, 2000 and February 16, 2000

**WEDNESDAY, MARCH 1, 2000**

**Thirteen (13) MSASelf-Contained Breathing Apparatus,** for the Department of Public Safety, as authorized by Ordinance No. 1726-98, passed by the Council of the City of Cleveland, November 16, 1998.

**Various Items Required for the Domestic Preparedness Equipment Program,** for the Division of Police, Department of Public Safety, as authorized by Ordinance No. 1726-98, passed by the Council of the City of Cleveland, November 16, 1998.

February 9, 2000 and February 16, 2000

**THURSDAY, MARCH 2, 2000**

**Rehabilitation of East 40th Street — Phase II: East 55th Street to Central Avenue,** for the Division of Engineering and Construction, Department of Public Service, as authorized by Ordinance No. 1282-98, passed by the Council of the City of Cleveland, July 29, 1998.

**A DEPOSIT OF FIFTY DOLLARS (\$50.00) CERTIFIED CHECK WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS. THE DEPOSIT WILL BE REFUNDED IF THE PLANS AND SPECIFICATIONS ARE RETURNED IN GOOD CONDITION WITHIN FIFTEEN (15) DAYS AFTER THE BID OPENING DATE.**

February 9, 2000, February 16, 2000 and February 23, 2000

**WEDNESDAY, MARCH 8, 2000**

**Police Headquarters Parking Garage and Plaza Renovations**, for the Division of Architecture, Department of Public Service, as authorized by Ordinance No. 1578-90, passed by the Council of the City of Cleveland.

A DEPOSIT OF FIFTY DOLLARS (\$50.00) CERTIFIED CHECK WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS. THE DEPOSIT WILL BE REFUNDED IF THE PLANS AND SPECIFICATIONS ARE RETURNED IN GOOD CONDITION WITHIN FIFTEEN (15) DAYS AFTER THE BID OPENING DATE.

A PRE-BID MEETING WILL BE HELD ON TUESDAY, FEBRUARY 22, 2000, 2:00 P.M., AT THE POLICE HEADQUARTERS, 1300 ONTARIO AVENUE, CLEVELAND, OHIO.

February 9, 2000 and February 16, 2000

**WEDNESDAY, MARCH 1, 2000**

**Reflective Sheeting**, for the Division of Traffic Engineering, Department of Public Service, as authorized by Ordinance No. 759-98, passed by the Council of the City of Cleveland, June 1, 1998.

**Photocopiers**, for the Various Division of City Government, Department of Finance, as authorized by Ordinance Nos. 1065-98 and 172-99, passed by the Council of the City of Cleveland, July 29, 1998 and March 29, 1999, respectively.

**Commercial Electric Water Heaters**, for the Division of Convention Center and Stadium, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 761-98, passed by the Council of the City of Cleveland, May 18, 1998.

February 16, 2000 and February 23, 2000

**FRIDAY, MARCH 3, 2000**

**Emergency Repairs to Eagle Avenue Bridge/West 3rd Street Ramp**, for the Division of Engineering and Construction, Department of Public Service, as authorized by Ordinance No. 1642-97, passed by the Council of the City of Cleveland, December 24, 1997.

A DEPOSIT OF FIFTY DOLLARS (\$50.00) CERTIFIED CHECK WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS. THE DEPOSIT WILL BE REFUNDED IF THE PLANS AND SPECIFICATIONS ARE RETURNED IN GOOD CONDITION WITHIN FIFTEEN (15) DAYS AFTER THE BID OPENING DATE.

February 16, 2000 and February 23, 2000

**WEDNESDAY, MARCH 9, 2000**

**HVAC/R Equipment and Controls**, for the Division of Property Management, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 890-99, passed by the Council of the City of Cleveland, June 7, 1999.

**Cable**, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 1630-92, passed by the Council of the City of Cleveland, September 21, 1992.

**Uniform Clothing**, for the Division of Fire, Department of Public Safety, as authorized by Section 135.06 of the Codified Ordinances of the City of Cleveland, 1976.

February 16, 2000 and February 23, 2000

**THURSDAY, MARCH 16, 2000**

**SSI Tack Coat**, for the Division of Streets, Department of Public Service, as authorized by Ordinance No. 1831-99, passed by the Council of the City of Cleveland, December 6, 1999.

**Cold Mix**, for the Division of Streets, Department of Public Service, as authorized by Ordinance No. 1832-99, passed by the Council of the City of Cleveland, December 6, 1999.

**Manhole Risers**, for the Division of Streets, Department of Public Service, as authorized by Ordinance No. 1825-99, passed by the Council of the City of Cleveland, December 6, 1999.

February 16, 2000 and February 23, 2000

**ADOPTED RESOLUTIONS AND ORDINANCES**

**Res. No. 192-2000.**  
**By Councilman Citron.**  
**An emergency resolution objecting to the transfer of ownership of a C1 and C2 Liquor Permit to 4709 Clark Avenue.**

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a C1 and C2 and Liquor Permit from Permit No. 1518910, Clark Convenient Food Mart Inc., DBA Convenient Food Mart, 4709 Clark Avenue, Cleveland, Ohio 44102 to Permit No. 5326222, Lu Lu II Inc., DBA Convenient Food Mart, 4709 Clark Avenue, Cleveland, Ohio 44102; and

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

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

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

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

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

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

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

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

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

**Section 1.** That Council does hereby record its objection to the transfer of ownership of a C1 and C2 Liquor Permit from Permit No. 15183910, Clark Convenient Food Mart Inc., DBA Convenient Food Mart, 4709 Clark Avenue, Cleveland, Ohio 44102 to Permit No. 5326222, Lu Lu II Inc., DBA Convenient Food Mart, 4709 Clark Avenue, Cleveland, Ohio 44102 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted February 7, 2000.

Effective February 16, 2000.

**Res. No. 193-2000.**

**By Councilmen Johnson and Britt.**  
**An emergency resolution supporting the proposal by the Cleveland New Homes Limited Partnership for the development and construction of affordable housing with the use of housing tax credits from the Ohio Housing Finance Agency.**

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 Buckeye Area (Cleveland) Development Corporation, through Cleveland New Homes Limited Partnership, is proposing to develop up to 65 single family homes; and

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

Whereas, 20 percent of these homes will serve a specific needs population, namely single parent households; and

Whereas, this Council of the City of Cleveland supports the proposal of Cleveland New Homes Limited Partnership to develop this affordable housing for the benefit of the

citizens of Cleveland; now, therefore,

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

**Section 1.** That the Council of the City of Cleveland supports the proposal of Cleveland New Homes Limited Partnership to provide affordable housing for the citizens of Cleveland through use of housing tax credits from the Ohio Housing Finance Agency.

**Section 2.** That the Clerk of Council is hereby requested to transmit a copy of this resolution to the Executive Director of the Buckeye Area (Cleveland) Development 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.

Adopted February 7, 2000.

Effective February 16, 2000.

**Res. No. 194-2000.**

**By Councilman Melena.**

**An emergency resolution supporting the proposal by the Detroit Shoreway Community Development Organization for the development of affordable housing at the Courtland Building, located at 5403 Detroit Avenue in Ward 17, with the use of housing tax credits from the Ohio Housing Finance Agency.**

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 the Detroit Shoreway Community Development Organization is proposing to develop up to 16 residential units and 4 commercial storefronts at the Courtland Building, located at 5403 Detroit Avenue; and

Whereas, up to 100 percent of these units will be occupied by low-income families, up to 3 units may be reserved for market rate units; and

Whereas, 20 percent of these units will serve a specific needs population, namely single parent households; and

Whereas, this Council of the City of Cleveland supports the proposal of the Detroit Shoreway Community Development Organization to develop the Courtland Building for affordable housing for the benefit of the citizens of Cleveland; now, therefore,

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

**Section 1.** That the Council of the City of Cleveland supports the proposal of the Detroit Shoreway Community Development Organization to provide affordable housing at the Courtland Building, located at 5403 Detroit Avenue in Ward 17, for the citizens of Cleveland through use of housing tax credits from the Ohio Housing Finance Agency.

**Section 2.** That the Clerk of Council is hereby requested to transmit a copy of this resolution to the Executive Director of the Detroit Shoreway Community Development Organization.

**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 7, 2000.

Effective February 16, 2000.

**Res. No. 195-2000.**

**By Councilman Polensek.**

**An emergency resolution objecting to the transfer of location of a D1 and D2 Liquor Permit to 568 East 185th Street.**

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of location of a D1 and D2 and Liquor Permit from Permit No. 4420251, KRG Inc., DBA Back Door Beverage, 658 East 185th Street, 1st Fl. & Bsmt., Cleveland, Ohio 44119, to Permit No. 44202510001; KRG Inc., DBA Back Door Beverage, 568 East 185th Street, Cleveland, Ohio 44119; and

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

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

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

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

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

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

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

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

**Section 1.** That Council does hereby record its objection to the transfer of location of a D1 and D2 Liquor Permit from Permit No. 4420251, KRG Inc., DBA Back Door Beverage, 658 East 185th Street, 1st Fl. & Bsmt., Cleveland, Ohio 44119, to Permit No. 44202510001; KRG Inc., DBA Back Door Beverage, 568 East 185' Street, Cleveland, Ohio 44119

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

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

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

Adopted February 7, 2000.

Effective February 16, 2000.

**Ord. No. 1566-99.**

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

**An emergency ordinance to appropriate property for the public purpose of new housing construction, located at 1900 East 86th Street.**

Whereas, the Council of the City of Cleveland, by Resolution No. 1572-99, adopted November 29, 1999, declared the necessity and intention of appropriating the fee simple property interests herein described for the public purpose of new housing construction; and

Whereas, notice of the adoption of such Resolution has been served upon the persons in possession or having an interest in such property; and

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

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

**Section 1.** That for the public purpose of new housing construction, the following described fee simple interest is hereby appropriated:

1900 East 86th Street

PPN: 119-04-124

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. 400, and bounded and described as follows:

Beginning at a point in the West-erly line of East 86th Street, N.E., (formerly Glen Park Place), 592 feet Northerly from the Northerly line of Euclid Avenue;

Thence Northerly along the West-erly line of East 86th Street, N.E., 32 feet;

Thence Westerly at right angles 65 feet to the Westerly line of said Original Lot No. 400;

Thence Southerly along said Lot Line, 32 feet;

Thence Easterly at right angles 65 feet to the place of beginning be the same more or less, but subject to all legal highways.

**Section 2.** That the Director of Law is hereby directed to apply to a court of competent jurisdiction to have a jury impaneled to make inquiry into and assess the com-

pensation to be paid for the fee simple interests hereinbefore described.

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

Passed February 7, 2000.  
Effective February 16, 2000.

**Ord. No. 1654-99.**

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

**An emergency ordinance authorizing the Director of Port Control to enter into a Lease By Way of Concession with Sky Chefs, Inc. for operation of a flight kitchen at Cleveland Hopkins International Airport.**

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

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

**Section 1.** That the Director of Port Control is hereby authorized to enter into a Lease By Way of Concession with Sky Chefs, Inc. ("Lessee"), for use and occupancy of Lot 37A consisting of approximately 1.17 acres on which is located a building with approximately 25,000 square feet of gross building area, together with a parking lot and other related improvements and amenities, and commonly known as 5801 South Cargo Road, Cleveland, Ohio 44135 at Cleveland Hopkins International Airport ("Leased Premises"), for use only as a flight kitchen. The term of the Lease shall begin upon execution of a Lease By Way of Concession and end ten (10) years thereafter except that by mutual agreement the parties may extend the term for one (1) additional ten (10) year term ("Option Term"). The City may terminate the Lease at any time by giving six (6) months written notice to the Concessionaire that any part of the Leased Premises is required by the City in order to comply with federal, state, or local laws or regulations governing airports or is required for Airport development in accordance with an approved Master Plan. For use of the Leased Premises, Lessee shall pay the City a per annum rent of \$107,250.00 or a percentage fee of ten percent (10%) of gross revenues, whichever is greater.

Lessee shall receive rent credits for up to \$400,000.00 in improvements it makes to the Premises which are approved in writing by the Director.

Lessee shall pay as rent for the Premises, during the Option Term, a Guaranteed Minimum Rent based upon an appraisal obtained for such purpose.

**Section 2.** That the Lease hereby authorized shall be prepared by the Director of Law and shall contain such additional terms and conditions

as said director deems necessary to protect and benefit the public interest.

**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 7, 2000.  
Effective February 16, 2000.

**Ord. No. 1762-99.**

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

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

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

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

**Section 1.** That the Director of Economic Development is hereby authorized to enter into an Empowerment Zone Business Opportunity contract with Ayers Investments LLC to provide economic development assistance to partially finance the acquisition and renovation of property at 3200 Euclid Avenue, Cleveland, Ohio.

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

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

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

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

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

**Section 7.** That the Director of Economic Development is hereby

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

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

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

Passed February 7, 2000.  
Effective February 16, 2000.

**Ord. No. 1817-99.**

**By Councilmen Westbrook and Zone (by departmental request).**

**An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Section 139.15 thereof, relating to Navigational Aids and Weather Equipment.**

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, is hereby supplemented by enacting new Section 139.15 thereof to read as follows:

**Section 139.15 Navigational Aids and Weather Equipment**

Notwithstanding and as an exception to the provisions of Chapter 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Port Control is hereby authorized to enter into agreements with the United States of America through the Federal Aviation Administration to provide necessary real estate rights for the operation, installation, use and maintenance of navigational aids (NAVAIDS) and weather equipment for the various divisions of the Department of Port Control, subject to such terms and conditions as are acceptable to the Director of Law. The agreements authorized by this section are limited to providing necessary real estate rights and the Director of Port Control is not authorized to enter into any other agreements of any value.

**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 7, 2000.  
Effective February 16, 2000.

**Ord. No. 1839-99.**  
**By Councilmen Coats and Johnson**  
**(by departmental request).**

**An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the U.S. Department of Justice for the 1999-2000 Caribbean/Gang Task Force Program; and to enter into contract for the purchase by requirement contract of equipment needed to implement the program.**

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

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

**Section 1.** That the Director of Public Safety is hereby authorized to apply for and accept a grant in the amount of \$86,373.00, from the U.S. Department of Justice, to conduct the 1999-2000 Caribbean/Gang Task Force Program, for the purposes set forth in the application and according thereto; that the Director of Public Safety is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the application for said grant.

**Section 2.** That the application for said grant, File No. 1839-99-A, made a part hereof as if fully rewritten herein, including the obligation of the City of Cleveland to provide cash matching funds in the amount of \$28,791.00, payable from Fund No. 01-600200-639905, is hereby approved in all respects.

**Section 3.** That the Director of Public Safety is hereby authorized to make written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of the grant authorized in Section 1 hereof for the necessary items of equipment needed to implement the program, as described in the application. The cost of said contract is payable from the fund or funds to which are credited the grant proceeds accepted pursuant to Section 1 of this ordinance. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than the grant term may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

The cost of each contract shall be charged against the fund or funds to which are credited the grant proceeds accepted pursuant to Section 1 of this ordinance and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director and from cash matching funds identified in Section 2 of this ordinance.

**Section 4.** That this ordinance is hereby declared to be an emergency measure and, provided it receives

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

Passed February 7, 2000.  
 Effective February 16, 2000.

**Ord. No. 1959-99.**  
**By Councilmen O'Malley, Cimperman and Patmon (by departmental request).**

**An emergency ordinance determining the method of making the public improvement of constructing and installing replacement sewers and repairing sewers at various locations throughout the City, and authorizing the Director of Public Utilities to enter into one or more requirement contracts for the making of such improvement, for a one year period.**

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, it is hereby determined to make the public improvement of constructing and installing replacement sewers and repairing sewers at various locations throughout the City, for the Division of Water Pollution Control, Department of Public Utilities, by one or more public improvement requirement contracts duly let to the lowest responsible bidder after competitive bidding, for a one year period.

**Section 2.** That the Director of Public Utilities is hereby authorized to enter into a written requirement contract with the lowest responsible bidders after advertising for all such work estimated to be done during the one year period, upon a unit basis. In the discretion of the Board of Control, separate requirement contracts may be let for back-up construction, installation and repair services after advertising for all such work estimated to be done during the one year period, upon a unit basis.

**Section 3.** That the cost of the contract or contracts shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance.

**Section 4.** That the cost of the improvement hereby authorized shall be paid from Fund No. 54 SF 001, Request No. 11311.

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

Passed February 7, 2000.  
 Effective February 16, 2000.

**Ord. No. 1964-99.**  
**By Councilmen Gordon, Cimperman and Patmon (by departmental request).**

**An emergency ordinance determining the method of making the public improvement of rehabilitating, renovating, upgrading, or otherwise improving certain City-owned health centers, including site improvements and appurtenances; authorizing the Director of Public Health to enter into contract for the making of such improvements; authorizing said director to proceed with said improvements by the direct employment of the necessary labor for areas not otherwise improved; to employ one or more architectural or engineering firms and other consultants necessary to provide professional services relating to such improvements; and authorizing the purchase by contract of supplies and materials, including the rental of equipment necessary for the improvement for the Division of Health, Department of Public Health.**

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

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

**Section 1.** That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of rehabilitating, renovating, upgrading, or otherwise improving the Miles-Broadway, Tremont, McCafferty and J. Glen Smith Health Centers, including site improvements and appurtenances for the Division of Health, Department of Public Health, by contract duly let to the lowest responsible bidder after competitive bidding for a gross price for the improvement.

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

**Section 3.** That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of rehabilitating, renovating, upgrading, or otherwise improving the Miles-Broadway, Tremont, McCafferty and J. Glen Smith Health Centers, including site improvements and appurtenances necessary and incidental thereto, authorized by this ordinance, for the Division of Health, Department of Public Health, by the direct employment of the necessary labor and the purchase or rental of the necessary supplies and materials for the making of such improvements, with a separate accounting as to each improvement so made.

**Section 4.** That the Director of Public Health is authorized to make a written contact in accordance with the Charter and the Codified Ord-

nances of Cleveland, Ohio, 1976, for each or all of the items comprising the necessary supplies and materials for said improvement, including the rental of necessary equipment, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Health, Department of Public Health.

**Section 5.** That the Director of Public Health is hereby authorized to employ by contract one or more architects or engineers or one or more architectural or engineering firms and other consultants necessary for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to implement the improvement.

The selection of said consultants for such services shall be made by the Board of Control upon the nomination of the Director of Public Health for the purpose of compiling such a list. The compensation to be paid for such services shall be fixed by the Board of Control. The contract herein authorized shall be prepared by the Director of Law, approved by the Director of Public Health, and certified by the Director of Finance.

**Section 6.** That the costs for such improvement, professional services and other contracts herein contemplated shall be paid from Fund Nos. 20 SF 362 and 11 SF 006, Request No. 6752.

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

Passed February 7, 2000.  
Effective February 16, 2000.

**Ord. No. 1981-99.**  
**By Councilmen Melena and Patmon (by departmental request).**

**An emergency ordinance authorizing the Director of Economic Development to apply for and accept a grant from the U.S. Department of Labor for the Urban/Rural Opportunities Grant (School-to-Work Partnership) Program; and authorizing said director to enter into contract with the Cleveland Municipal School District for the implementation, administration and operation of the Program.**

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

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

**Section 1.** That the Director of Economic Development is hereby authorized to apply for and accept a grant in the amount of \$600,000, from the U.S. Department of Labor, to conduct the Urban/Rural Opportunities Grant (School-to-Work Partnership) Program, for the purposes set forth in the application and according thereto; that the Director of Economic Development is hereby authorized to file all papers and execute all documents necessary to

receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the application for said grant.

**Section 2.** That the application for said grant, File No. 1981-99-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

**Section 3.** That the Director of Economic Development is hereby authorized to enter into contract with the Cleveland Municipal School District for the implementation, administration and operation of the Program, and that said contract is payable from the fund or funds to which are credited the grant proceeds accepted pursuant to Section 1 of this ordinance.

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

Passed February 7, 2000.  
Effective February 16, 2000.

**Ord. No. 2047-99.**  
**By Councilmen O'Malley and Patmon (by departmental request).**

**An emergency ordinance authorizing the Director of Public Utilities to amend Requirement Contract No. 52204 with Motorola, Inc. for equipment and related software necessary for the City of Cleveland's 800 MHz radio system, for the Department of Public Utilities.**

Whereas, pursuant to Ordinance No. 1227-95, passed June 18, 1996, the Director of Public Utilities entered into Requirement Contract No. 52240 with Motorola, Inc. for equipment and related software necessary for the City of Cleveland's 800 MHz radio system; and

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

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

**Section 1.** That the Director of Public Utilities is authorized to enter into an amendment to Requirement Contract No. 52204 with Motorola, Inc. to extend the term of the existing contract from January 1, 2000, to December 31, 2002, to provide additional services.

**Section 2.** That this amendment to Requirement Contract No. 52240 shall be prepared and approved by the Director of Law and shall contain such provisions as he deems necessary to protect the public interest.

**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 7, 2000.  
Effective February 16, 2000.

**Ord. No. 2052-99.**

**By Councilmen Dolan and Patmon (by departmental request).**

**An emergency ordinance authorizing the Director of Port Control to enter into contract with Leo A. Daly for professional services necessary to design the replacement of internal lighting in Concourse A of Cleveland Hopkins International Airport, to design the wet sprinkler system in Concourse A of Cleveland Hopkins International Airport, to design the HVAC upgrade at Burke Lakefront Airport, and to design modifications and upgrades necessary to comply with the Americans with Disabilities Act at Cleveland Hopkins International Airport and Burke Lakefront Airport.**

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

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

**Section 1.** That the Director of Port Control is hereby authorized to enter into contract with Leo A. Daly for professional services necessary to design the replacement of internal lighting in Concourse A of Cleveland Hopkins International Airport, to design the wet sprinkler system in Concourse A of Cleveland Hopkins International Airport, to design the HVAC upgrade at Burke Lakefront Airport, and to design the modifications and upgrades necessary for Cleveland Hopkins International Airport and Burke Lakefront Airport to comply with the Americans with Disabilities Act on the basis of his proposal. The modifications and upgrades necessary to comply with the Americans with Disabilities Act shall include the following design modifications as described in the City's Request for Proposal: removal of existing fixtures, new partitions, new ceramic floors and walls, new bathroom accessories, and new fixtures at the following locations:

Hopkins Lobby Area Male/Female Restrooms T1 and T2,

Hopkins Concourse A Area Male/Female Restrooms T5 and T6,

Hopkins Ticket Level Male/Female Restrooms T7 and T8,

Hopkins Concourse C Male/Female Restrooms T3 and T4,

Hopkins Baggage Claim Area Male/Female Restrooms T9 and T10,

Burke Lakefront Field ADA East Side Restroom, and

Burke Lakefront Field ADA West Side Restroom;

the design for handrails and water fountains; the design for construction of new ramps; and the design modifications for existing doors within Cleveland Hopkins International Airport and Burke Lakefront Airport. The contract herein authorized shall be prepared by the Director of Law, approved by the Director of Port Control, and certified by the Director of Finance.

**Section 2.** That the costs for such services herein authorized shall not exceed \$750,000 and shall be paid from Fund No. 60 SF 001, 60 SF 105, 60 SF 106, 60 SF 114, and from any funds or subfunds to which are credited any federal grants for the above project and the proceeds from the sale of any airport revenue bonds issued for a purpose which

includes the above project, Request Nos. 8235 and 8236.

**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 7, 2000.  
Effective February 16, 2000.

**Ord. No. 2053-99.**  
**By Councilmen Dolan and Patmon**  
**(by departmental request).**

**An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to maintain and repair boilers for the various divisions of the Department of Port Control, for a period not to exceed two years.**

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

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

**Section 1.** That the Director of Port Control is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two (2) years for the necessary items of labor and materials necessary to maintain and repair boilers in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for various divisions of the Department of Port Control. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two (2) years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

**Section 2.** The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 8238)

**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 7, 2000.  
Effective February 16, 2000.

**Ord. No. 2054-99.**  
**By Councilmen Dolan and Patmon**  
**(by departmental request).**

**An emergency ordinance authorizing the purchase by requirement contract of work uniforms, for the various divisions of the Department of Port Control, for a period not to exceed two years.**

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

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

**Section 1.** That the Director of Port Control is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two (2) years for the necessary items of work uniforms in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of the Department of Port Control. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two (2) years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

**Section 2.** The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 8232)

**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 7, 2000.  
Effective February 16, 2000.

**Ord. No. 2059-99.**  
**By Councilmen Jackson, Melena,**  
**Cimperman and Patmon (by departmental request).**

**An emergency ordinance authorizing the Director of Economic Development to enter into an Enterprise Zone Agreement with Chromium Corporation to provide for a ten year abatement for certain tangible personal property and real estate taxes as an incentive to expand and improve their facility and for the acquisition of machinery, equipment, inventory, furniture and fixtures at 8701 Union Avenue located in the Cleveland Area Enterprise Zone.**

Whereas, pursuant to Ordinance No. 948-95, passed June 19, 1995, this Council designated an area which is in the City of Cleveland and described in File No. 948-95-A, as the

Cleveland Area Enterprise Zone (the "Zone") pursuant to Chapter 5709 of the Ohio Revised Code; and

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

Whereas, Chromium Corporation (the "Enterprise") has proposed to expand and improve their facility at its operation in the City of Cleveland; and

Whereas, the Enterprise has certified to the City that, but for abatement of personal property and real estate taxes the Enterprise would be at a competitive disadvantage by operating at this location; and

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

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

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

**Section 2.** That the Director of Economic Development is authorized to enter into an Enterprise Zone Agreement with Chromium Corporation to provide for a ten (10) year abatement for certain tangible personal property and real estate taxes as an incentive to expand and improve their facility and for the acquisition of machinery, equipment, inventory, furniture and fixtures at 8701 Union Avenue in Cleveland Ohio; said abatement shall be subject to annual review of the Tax Incentive Review Council.

**Section 3.** That the terms of said tax abatement shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 2059-99-A. The terms of said file notwithstanding, the terms of the tax abatement shall not be amended, nor shall the tax abatement be assignable or transferrable to any entity, without the prior legislative authorization by Cleveland City Council.

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

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



sions as he deems necessary to protect the City's interest.

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

Passed February 7, 2000.  
Effective February 16, 2000.

**Ord. No. 2060-99.**  
**By Councilmen Jackson, Melena and Patmon (by departmental request).**

An emergency ordinance authorizing the Director of Economic Development to enter into an Empowerment Zone Section 108 contract with Michelle R. Haggins to provide economic development assistance to partially finance the acquisition of real property located at 3600 Euclid Avenue, Cleveland, Ohio.

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

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

**Section 1.** That the Director of Economic Development is hereby authorized to enter into an Empowerment Zone Section 108 contract with Michelle R. Haggins to provide economic development assistance to partially finance the acquisition of real property located at 3600 Euclid Avenue, Cleveland, Ohio.

**Section 2.** That the terms of said loan shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 2060-99-A.

**Section 3.** That the costs of said contract shall not exceed \$1,329,180.00, and shall be paid from Fund Nos. 18 SF 001 and 18 SF 003, Request No. 13022.

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

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

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

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

**Section 8.** That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of

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

Passed February 7, 2000.  
Effective February 16, 2000.

**Ord. No. 2062-99.**  
**By Councilmen Patmon, Melena and Cimperman (by departmental request).**

An emergency ordinance authorizing the Director of Economic Development to enter into an Empowerment Zone Section 108 loan and an Economic Development Initiative Grant Agreement with Howard Bradley to provide economic development assistance to partially finance the acquisition and construction of real property located at the southeast corner of East 93rd and St. Clair Avenue, Cleveland, Ohio.

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

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

**Section 1.** That the Director of Economic Development is hereby authorized to enter into an Empowerment Zone Section 108 loan with Howard Bradley to provide economic development assistance to partially finance the acquisition and construction of real property located at the southeast corner of East 93rd and St. Clair Avenue, Cleveland, Ohio (the "Improvement").

**Section 2.** That the Director of Economic Development is hereby authorized to enter into a grant agreement with Howard Bradley to receive Economic Development Initiative Grant funds to partially finance the above-described Improvement.

**Section 3.** That the terms of said loan and grant shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 2062-99-B.

**Section 4.** That the costs of said contract shall not exceed a loan amount of \$423,000.00 and a grant amount of \$357,000.00. The loan shall be paid from Fund Nos. 18 SF 001 and 18 SF 003 and the grant shall be paid from Fund No. 18 SF 003, Request No. 13023.

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

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

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

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

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

Passed February 7, 2000.  
Effective February 16, 2000.

**Ord. No. 2121-99.**  
**By Councilmen Contron, Melena, Cimperman and Patmon (by departmental request).**

An emergency ordinance authorizing the Director of Economic Development to enter into an Enterprise Zone Agreement with Kowalski Heat Treating Company to provide for a ten year abatement for certain tangible personal property and real estate taxes as an incentive to assist with the construction of a corporate office and manufacturing facility and for the acquisition of machinery and equipment relative thereto located at 3617-25 Detroit Avenue in the Cleveland Area Enterprise Zone.

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

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

Whereas, Kowalski Heat Treating Company (the "Enterprise") has proposed to construct a corporate office and manufacturing facility and to acquire machinery and equipment relative thereto for its facility located at 3617-25 Detroit Avenue in the City of Cleveland; and

Whereas, the Enterprise has certified to the City that, but for abatement of personal property and real estate taxes the Enterprise would be at a competitive disadvantage by operating at this location; and

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

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

**Section 1.** That this Council hereby approves the application of the Enterprise for enterprise zone incentives on the basis that the Enterprise is qualified by financial

responsibility and business experience to create and preserve employment opportunities in the Cleveland Area Enterprise Zone and to improve the economic climate of the City of Cleveland.

**Section 2.** That the Director of Economic Development is authorized to enter into an Enterprise Zone Agreement with the Enterprise to provide for a ten (10) year abatement for certain tangible personal property and real estate taxes as an incentive to assist with the construction of a corporate office and manufacturing facility and for the acquisition of machinery and equipment relative thereto located at 3617-25 Detroit Avenue in Cleveland Ohio; said abatement shall be subject to annual review of the Tax Incentive Review Council.

**Section 3.** That the terms of said tax abatement shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 2121-99-A. The terms of said file notwithstanding, the terms of the tax abatement shall not be amended, nor shall the tax abatement be assignable or transferrable to any entity, without the prior legislative authorization by Cleveland City Council.

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

**Section 5.** That the Director of Law shall prepare and approve said agreement and that said agreement shall contain such terms and provisions as he deems necessary to protect the City's interest.

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

Passed February 7, 2000.  
Effective February 16, 2000.

**Ord. No. 58-2000.**  
**By Councilmen Rybka, Jackson, Melena and Patmon (by departmental request).**

**An emergency ordinance authorizing the Director of Economic Development to enter into Enterprise Zone Agreements with BF Goodrich Company to provide for ten year abatements for certain tangible personal property, new inventory and real estate taxes as an incentive to retain their manufacturing operations located at 8000 Marble Avenue and 2800 East 33rd Street, located in the Cleveland Area Enterprise Zone.**

Whereas, pursuant to Ordinance No. 948-95, passed June 19, 1995, this Council designated an area which is in the City of Cleveland and described in File No. 948-95-A, as the Cleveland Area Enterprise Zone (the "Zone") pursuant to

Chapter 5709 of the Ohio Revised Code; and

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

Whereas, BF Goodrich (the "Enterprise") has proposed to retain their manufacturing operations located at 8000 Marble Avenue and 2800 East 33rd Street; and

Whereas, the Enterprise has certified to the City that, but for abatement of personal property, new inventory and real estate taxes the Enterprise would be at a competitive disadvantage by operating at this location; and

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

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

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

**Section 2.** That the Director of Economic Development is authorized to enter into Enterprise Zone Agreements with the Enterprise to provide for ten (10) year abatements for certain tangible personal property, new inventory and real estate taxes as an incentive to retain their manufacturing operations located at 8000 Marble Avenue and 2800 East 33rd Street; said abatements shall be subject to annual review of the Tax Incentive Review Council.

**Section 3.** That the terms of said tax abatements shall be in accordance with Section III of the Summary entitled "Terms of Abatement Agreements" and contained in File No. 58-2000-A. The terms of said file notwithstanding, the terms of the tax abatements shall not be amended, nor shall the tax abatements be assignable or transferrable to any entity, without the prior legislative authorization by Cleveland City Council.

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

**Section 5.** That the Director of Law shall prepare and approve said

agreements and that said agreements shall contain such terms and provisions as he deems necessary to protect the City's interest.

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

Passed February 7, 2000.  
Effective February 16, 2000.

**Ord. No. 180-2000.**  
**By Councilman Britt.**  
**An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to Ministerial Day Care / Headstart Association to hang banners at 2442 E. 89th St. on the west side of the street, using utility poles (by separate permission) for the period of Feb. 14, 2000 to Mar. 14, 2000, inclusive.**

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

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

**Section 1.** That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio 1976, the Director of Public Service is hereby authorized and directed to issue a permit to Ministerial Day Care / Headstart Association, 11955 Shaker Boulevard, Cleveland, Ohio 44120, to install, maintain and remove four (4) banners to be hung on Cleveland Public Power utility poles, (by separate permission) publicizing their "Children First Learning & Enrichment Center, Our Children are Number One" campaign for the period of February 14, 2000 to March 14, 2000, inclusive, on the following addresses and pole numbers: at their center located at 2442 East 89th Street on the west side of the street; 25-19-7A-2, 25-19-7A-3, 25-19-7A-4, 25-19-7A-5 and which banners shall be approved by the Director of Public Service in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banners, and said banners shall be removed promptly upon the expiration of said permit.

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

Passed February 7, 2000.  
Effective February 16, 2000.

**Ord. No. 181-2000.**  
**By Councilman Cimperman.**  
**An emergency ordinance consenting and approving the issuance of a permit for the St. Malachi Run (5 and 2 mile) on March 11, 2000, sponsored by Hermes Race Systems.**

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

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

**Section 1.** That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio, 1976, this Council consents to and approves the holding of the St. Malachi Run (5 and 2 mile), sponsored by Hermes Race Systems, on March 11, 2000, with the 5 mile run starting on Main, heading north to Center, Center north to River Rd., River Rd. to Elm, Elm south to Riverbed, Riverbed all the way to Carter, Carter to Scranton, Scranton to Train, Train Ave. west to Willey, Willey to Columbus, Columbus east to Riverbed. Once on Riverbed back to Elm then Elm to Winslow. Then back to church for the finish for the 5 mile. The 2 mile run is as follows, start on Main to Center, Center to Riverbed, Riverbed to Columbus, Columbus to Center, Center north to Winslow, Winslow to Washington to the finish, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

Passed February 7, 2000.  
 Effective February 16, 2000.

**Ord. No. 182-2000.**  
**By Councilman Coats.**  
**An emergency ordinance authorizing the Director of Economic Development to enter into an agreement with Art Sea Food, for the purpose of improving the exterior and interior of 16404 Euclid Avenue and the purchase of restaurant equipment, in Ward 10, using Ward 10 Workers' Compensation "Neighborhood Capital" 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 Economic Development is authorized to enter into an agreement with Art Sea Food, for the purpose of improving the exterior and interior of 16404 Euclid Avenue and the purchase of restaurant equipment, in Ward 10, using Ward 10 Workers' Compensation "Neighborhood Capital" funds.

**Section 2.** That the costs of said contract shall be in an amount not to exceed Twenty Thousand Dollars (\$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 adoption 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 7, 2000.  
 Effective February 16, 2000.

**Ord. No. 183-2000.**  
**By Councilman Gordon.**  
**An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Old Brooklyn United Services Association for crime watch personnel and programs for business and residential groups in the Old Brooklyn Area, using Ward 15 Workers' Compensation "Neighborhood Capital" 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 Old Brooklyn United Services Association for crime watch personnel and programs for business and residential groups in the Old Brooklyn Area, using Ward 15 Workers' Compensation "Neighborhood Capital" funds

**Section 2.** That the costs of said contract shall be in an amount not to exceed Twenty-One Thousand Dollars (\$21,000) 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 adoption 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 7, 2000.  
 Effective February 16, 2000.

**Ord. No. 184-2000.**  
**By Councilman Jackson.**  
**An emergency ordinance authorizing certain persons to engage in peddling in Ward 5. (Vanetta Jackson)**

Whereas, pursuant to Section 675.08 of the Codified Ordinances of Cleveland, Ohio, 1976, (the "Codified Ordinances") the consent of Council, expressed by ordinance, is a prerequisite to mobile peddling upon the public rights of way outside of the Central Business District; and

Whereas, this Council has considered the requests of certain persons to engage in peddling outside of the Central Business District, and has determined that it is in the public interest to allow each of said persons to peddle in Ward 5; and

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

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

**Section 1.** That this Council consents, as required by Section 675.08 of the Codified Ordinances, to allow each person named below to engage in mobile peddling in the public rights of way of Ward 5: Vanetta Jackson.

**Section 2.** That all of the requirements of Chapter 675 of the Codified Ordinances shall apply to the persons named in Section 1 of this ordinance.

**Section 3.** That the privilege granted herein may be revoked at any time by this Council.

**Section 4.** That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its adoption 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 7, 2000.  
 Effective February 16, 2000, without the signature of the Mayor.

**Ord. No. 185-2000.**  
**By Councilman Jackson.**  
**An emergency ordinance authorizing certain persons to engage in peddling in Ward 5. (Ronald S. Jones)**

Whereas, pursuant to Section 675.08 of the Codified Ordinances of Cleveland, Ohio, 1976, (the "Codified Ordinances") the consent of Council, expressed by ordinance, is a prerequisite to mobile peddling upon the public rights of way outside of the Central Business District; and

Whereas, this Council has considered the requests of certain persons to engage in peddling outside of the Central Business District, and has determined that it is in the public interest to allow each of said persons to peddle in Ward 5; and

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

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

**Section 1.** That this Council consents, as required by Section 675.08 of the Codified Ordinances, to allow each person named below to engage in mobile peddling in the public rights of way of Ward 5: Ronald S. Jones.

**Section 2.** That all of the requirements of Chapter 675 of the Codified Ordinances shall apply to the persons named in Section 1 of this ordinance.

**Section 3.** That the privilege granted herein may be revoked at any time by this Council.

**Section 4.** That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its adoption 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 7, 2000.

Effective February 16, 2000, without the signature of the Mayor.

**Ord. No. 186-2000.**

**By Councilman Jackson.**

**An emergency ordinance authorizing the Director of Community Development to enter into an agreement with ParkWorks, Inc. to design and install a new playground at Anton Grdina Elementary School, resurface the parking lot and hard surface play area, and install a new outdoor classroom/learning garden in Ward 5, using Ward 5 Workers' Compensation Neighborhood Capital 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 an agreement with ParkWorks, Inc. to design and install a new playground at Anton Grdina Elementary School, resurface the parking lot and hard surface play area, and install a new outdoor classroom/learning garden in Ward 5, using Ward 5 Workers' Compensation Neighborhood Capital funds.

**Section 2.** That the costs of said contract shall be in an amount not to exceed Thirty-Five Thousand Dollars (\$35,000) 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 adoption 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 7, 2000.

Effective February 16, 2000.

**Ord. No. 187-2000.**

**By Councilman O'Malley.**

**An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Old Brooklyn United Services Association for crime watch personnel and programs for business and residential groups in the Old Brooklyn Area, using Ward 16 Workers' Compensation "Neighborhood Capital" 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 Old Brooklyn United Services Association for crime watch personnel and programs for business and residential groups in the Old Brooklyn Area, using Ward 16 Workers' Compensation "Neighborhood Capital" funds

**Section 2.** That the costs of said contract shall be in an amount not to exceed Twenty-Four Thousand Dollars (\$24,000) 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 adoption 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 7, 2000.

Effective February 16, 2000.

**Ord. No. 188-2000.**

**By Councilman O'Malley.**

**An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter into a second amendment to Lease Agreement No. 46956 with the Board of Park Commissioners of the Cleveland Metropark District to increase the leased premises and to make other modifications to the lease.**

Whereas, pursuant to Ordinance No. 1202-93, passed June 14, 1993, the Director of Parks, Recreation and Properties entered into Lease Agreement No. 46956 with the Board of Park Commissioners of the Cleveland Metropark District for the rental of Brookside Parks; and

Whereas, pursuant to Ordinance No. 1328-97, passed July 24, 1997, the Director of Parks, Recreation and Properties entered into an amendment to Lease Agreement No. 46956; and

Whereas, further modifications are desired; and

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

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

**Section 1.** That the Director of Parks, Recreation and Properties is hereby authorized to enter into a second amendment to Lease Agree-

ment No. 46956 with the Board of Park Commissioners of the Cleveland Metropark District, to increase the leased premises to include Permanent Parcel Numbers 013-16-075, 013-16-076, 013-16-077, 013-16-078, 013-16-104, 013-16-105, 013-16-106 and 013-16-107, identified on the map contained in File No. 188-2000-A, and further described as follows:

Permanent Parcel Nos. 013-16-104 thru 107 and 013-16-075 thru 078

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being Sublot Nos. 1, 2, 3, 4, 5, 6, 7 and 8 in the Municipal Realty Company's Memphis Avenue Subdivision, of a part of Original Brooklyn Township Lot No. 44, as shown by the recorded plat of said Subdivision in Volume 84 of Maps, Page 12 of Cuyahoga County Records.

The amendment shall also provide that in addition to the original annual rent of one dollar (\$1.00) per year for the term of the ninety-nine (99) year lease, a one-time rental payment of Eighty-Five Thousand Dollars (\$85,000), shall be payable by the Board of Park Commissioners of the Cleveland Metropark District. These payments shall represent all rental payments due under the terms of the lease, as amended.

All other terms and conditions contained in the original lease shall remain the same.

**Section 2.** That the second amendment to Lease Agreement No. 46956 herein authorized shall be prepared by the Director of Law and shall contain such terms and conditions as said Director deems necessary to protect and benefit the public interest.

**Section 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 7, 2000.

Effective February 16, 2000.

**Ord. No. 189-2000.**

**By Councilman O'Malley.**

**An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Cypress Beverage, for the purpose of improving the public right-of-way at their property, 4533 State Road at the corner of State Road and Cypress Avenue in Ward 16, using Ward 16 Workers' Compensation "Neighborhood Capital" 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 Cypress Beverage, for the purpose of improving the public right-of-way at their property, 4533 State Road at the corner of State Road and Cypress Avenue in Ward 16, using Ward 16 Workers' Compensation "Neighborhood Capital" funds.

**Section 2.** That the costs of said contract shall be in an amount not to exceed Ten Thousand Dollars (\$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 adoption 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 7, 2000.  
Effective February 16, 2000.

**Ord. No. 190-2000.**

**By Councilmen Polensek, Cimperman, Patmon, Melena, Britt, Lewis, Rybka, Cintron, O'Malley, Brady, Dolan and Sweeney.**

**An emergency ordinance authorizing the Director of Community Development to enter into an agreement with The Salvation Army of Greater Cleveland for the redevelopment of a facility located at 2100 Lakeside Avenue in Ward 13 of the City of Cleveland.**

Whereas, this Council of the City of Cleveland has been deeply concerned about the safety and welfare of the homeless members of our community; and

Whereas, this concern was evidenced by Council's passage of Ordinance No. 2045-99 on December 15, 1999, in which Council appropriated \$500,000 for the establishment of a Homeless Street Outreach and Detoxification Program; and

Whereas, the Pickup, Assessment, Services and Shelter (PASS) Program operated by The Salvation Army has sought an additional location to expand its services for the homeless for nearly a decade; and

Whereas, the PASS Program not only provides basic shelter and meals, it also provides access to detoxification programs and recovery services, job training, and financial management counseling; and

Whereas, the Salvation Army, through the financial assistance of Cuyahoga County, the Cleveland and Gund Foundations, and a grant from the Department of Housing and Urban Development, constructed a shelter at 2100 Lakeside Avenue to house approximately 300 homeless men, a dramatic increase from their current site housing up to 48 men; and

Whereas, this Council has been made aware that additional funding is needed by The Salvation Army to complete the construction of the facility at 2100 Lakeside Avenue in a timely manner; and

Whereas, this Council is wholly supportive of the mission of the PASS Program and the efforts of The Salvation Army to provide opportunities for persons living on the street to work towards and to obtain self-sufficiency; and

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

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

**Section 1.** That the Director of Community Development is authorized to enter into an agreement with The Salvation Army of Greater Cleveland, or its designee, to provide funding for the redevelopment of a facility at 2100 Lakeside Avenue in Ward 13 of the City of Cleveland, for a homeless shelter and associated programs.

**Section 2.** That the cost of said contract shall be in an amount not to exceed Three Hundred Twenty-Two Thousand Dollars (\$322,000.00) and shall be paid from Fund No. 01-999800-638000.

**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 7, 2000.  
Effective February 16, 2000.

**Ord. No. 191-2000.**

**By Councilman Robinson.**

**An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to Ministerial Day Care / Headstart Association to hang banners at East 103rd St. & Kinsman Rd. using utility poles (by separate permission) for the period of Feb. 14, 2000 to Mar. 14, 2000, inclusive.**

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

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

**Section 1.** That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio 1976, the Director of Public Service is hereby authorized and directed to issue a permit to Ministerial Day Care / Headstart Association, 11955 Shaker Boulevard, Cleveland, Ohio 44120, to install, maintain and remove six (6) banners to be hung on Cleveland Public Power utility poles, (by separate permission) publicizing their "Children First Learning & Enrichment Center, Our Children are Number One" campaign for the period of February 14, 2000 to March 14, 2000, inclusive, on the following addresses and pole numbers: East 103rd Street and Kinsman Road on the North side of the street: SE6-64, SE6-65; and at: 10406 Kinsman Road on the North side of the street: SE6-66, SE6-67, SE6-68, SE6-69; and which banners shall be approved by the Director of Public Service in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banners, and said banners shall be removed promptly upon the expiration of said permit.

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

Passed February 7, 2000.  
Effective February 16, 2000.

**COUNCIL COMMITTEE MEETINGS**

**Monday, February 14, 2000**

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

**Community and Economic Development Committee (Joint with City Planning and Finance Committees): 1:00 p.m.**—Present: Melena, Chairman; Lewis, Vice Chairman; Brady, Cimperman, Cintron, Jackson, Jones. Excused: Robinson, Willis.

**City Planning Committee (Joint with Community and Economic Development and Finance Committees): 1:00 p.m.**—Present: Cimperman, Chairman; Rybka, Vice Chairman; Dolan, Jackson, O'Malley, White. Excused: Robinson.

**Finance Committee (Joint with Community and Economic Development and City Planning Committees): 1:00 p.m.**—Present: Patmon, Chairman; Rybka, Vice Chairman; Cintron, Dolan, Johnson, Lewis, Melena, O'Malley, Polensek, Sweeney. Excused: Robinson.

**Legislation Committee (Joint with Finance Committee): 1:30 p.m.**—Present: Lewis, Chairman; Jones, Vice Chairman; Brady, Coats, Gordon, Johnson. Excused: Westbrook.

**Finance Committee (Joint with Legislation Committee): 1:30 p.m.**—Present: Patmon, Chairman; Rybka, Vice Chairman; Cintron, Dolan, Johnson, Lewis, Melena, O'Malley, Polensek, Sweeney. Excused: Robinson.

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

**Tuesday, February 15, 2000**

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

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

**Wednesday, February 16, 2000**

**Public Safety Committee: 10:00 a.m.**—Present: Polensek, Chairman; Patmon, Vice Chairman; Cimperman, Coats, Gordon, Jackson, Melena, Sweeney. Excused: Britt.

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Bold figures—Final Publication; D—Defeated; R—Reprint; T—Tabled; V—Vetoed;  
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