

The City Record

Official Publication of the City of Cleveland


July the Twenty-Sixth, Two Thousand

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

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DIRECTORY OF CITY OFFICIALS

CITY COUNCIL—LEGISLATIVE

President of Council—Michael D. Polensek

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

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

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

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

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

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

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

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

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

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

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

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

DEPT. OF COMMUNITY DEVELOPMENT – Linda M. Hudecek, Director, 3rd Floor, City Hall.

DIVISIONS – Administrative Services – Terrence Ross, Commissioner.
 Neighborhood Services – Louise V. Jackson, Commissioner.
 Neighborhood Development – Donald T. Moss, Commissioner.
 Building & Housing – Robert Vilkas, Commissioner, 5th Floor, City Hall.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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WEDNESDAY, JULY 26, 2000

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CITY COUNCIL

MONDAY, JULY 24, 2000

The City Record

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RUBY F. MOSS

Clerk of Council
216 City Hall

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 1998-2001

MONDAY

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

MONDAY—Alternating

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

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

MONDAY

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

TUESDAY

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

TUESDAY—Alternating

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

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

WEDNESDAY—Alternating

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

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

WEDNESDAY—Alternating

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

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

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

OFFICIAL PROCEEDINGS CITY COUNCIL

NO MEETING

THE CALENDAR

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

NONE

BOARD OF CONTROL

July 19, 2000

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, July 19, 2000, at 11:00 a.m. with Mayor White presiding.

Present: Mayor White, Directors Brooks, Konicek, Acting Director Balraj, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Acting Directors McCafferty, Huth and Director Alexander.

Absent: Director Carter.

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

On motion, the following resolutions were adopted.

Resolution No. 482-00.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that Board of Control Resolution No. 391-00, adopted June 14, 2000, pursuant to the authority of Ordinance No. 516-2000, passed May 22, 2000, ap-

proving the bid of Hooks Concrete Corporation, as lowest and best for labor and materials to repair tree lawns (all items) for various divisions of the Department of Public Utilities, is hereby amended by deleting the contract amount of "Two Hundred Thirty Nine Thousand Five Dollars (\$239,005.00)" and adding the contract amount of "Two Hundred Forty Four Thousand Five Dollars (\$244,005.00)".

Be it further resolved that all other provisions of said Resolution No. 391-00 not expressly amended hereby shall remain unchanged and in full force and effect.

Yeas: Mayor White, Directors Brooks, Konicek, Acting Director Balraj, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Acting Directors McCafferty, Huth and Director Alexander.

Nays: None.

Absent: Director Carter.

Resolution No. 483-00.

By Director Sheffield-McClain.

Resolved, by the Board of Control of the City of Cleveland that the bid of Plantscaping, Inc. for an estimated quantity of labor and materials necessary to maintain and replace interior plants, for the various divisions of the Department of Port Control, for the period not to exceed two (2) years beginning with the date of execution of a contract, received on the 24th day of May 2000, pursuant to the authority of Ordinance No. 576-99, passed on June 7, 1999, which on the basis of the estimated quantity would amount to Forty-One Thousand Eight Hundred Thirty-Two and 00/100 Dollars (\$41,832.00), is hereby affirmed and approved as the lowest and best bid and the Director of Port Control is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 22187

which shall be certified against such contract in the sum of Ten Thousand and 00/100 Dollars (\$10,000.00).

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

Yeas: Mayor White, Directors Brooks, Konicek, Acting Director Balraj, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Acting Directors McCafferty, Huth and Director Alexander.

Nays: None.

Absent: Director Carter.

Resolution No. 484-00.

By Director Sheffield-McClain.

Resolved, by the Board of Control of the City of Cleveland that all bids received on April 13, 2000, for work uniforms, items 23, 26, 27, 30 through 32, 38, 43 through 46, 48 through 54, 56 and 57, for the various divisions of the Department of Port Control, pursuant to the authority of Ordinance No. 2054-99 passed by the Council of the City of Cleveland on February 7, 2000, be and the same are hereby rejected.

Yeas: Mayor White, Directors Brooks, Konicek, Acting Director Balraj, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Acting Directors McCafferty, Huth and Director Alexander.

Nays: None.

Absent: Director Carter.

Resolution No. 485-00.

By Director Sheffield-McClain.

Resolved, by the Board of Control of the City of Cleveland, that the bid of Cleveland Uniform Inc. for an estimated quantity of work uniforms for various divisions of the Department of Port Control, for the period of two years beginning with the date of execution of a contract, received on the 13th day of April 2000, pursuant to the authority of Ordinance No. 2054-99, passed on February 7, 2000 which on the basis of the estimated quantity would amount to Fourteen Thousand Five Hundred Ten and 00/100 Dollars (\$14,510.00), is hereby affirmed and approved as the lowest and best bid for item numbers 22, 25, 34, and 55, and the Director of Port Control is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 16197

which shall be certified against such contract in the sum of One Thousand and 00/100 Dollars (\$1,000.00).

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

Yeas: Mayor White, Directors Brooks, Konicek, Acting Director Balraj, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Acting Directors McCafferty, Huth and Director Alexander.

Nays: None.

Absent: Director Carter.

Resolution No. 486-00.

By Director Sheffield-McClain.

Resolved, by the Board of Control of the City of Cleveland that the bid of BP Britches, Inc. for the purchase by requirement contract of work uniforms for various divisions of the Department of Port Control, for the period of two years beginning with the date of execution of a contract, received on the 13th day of April 2000, pursuant to the authority of Ordinance No. 2054-99, passed on February 7, 2000 which on the basis of the estimated quantity would amount to One Hundred Eighteen Thousand and Four Hundred Fifty Eight and 50/100 Dollars

(\$118,458.50), is hereby affirmed and approved as the lowest and best bid for items numbers 1 through 15, 24, 28, 29, 33, 35, 39 through 42, 47, 58 and 59 and the Director of Port Control is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 16198

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: Mayor White, Directors Brooks, Konicek, Acting Director Balraj, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Acting Directors McCafferty, Huth and Director Alexander.

Nays: None.

Absent: Director Carter.

Resolution No. 487-00.

By Director Sheffield-McClain.

Resolved, by the Board of Control of the City of Cleveland that all bids received on June 23, 2000 for parts and supplies needed for the repair and maintenance of airport maintenance vehicles and equipment for the various divisions of the Department of Port Control, pursuant to the authority of Ordinance No. 781-99, passed by the Council of the City of Cleveland on June 7, 1999, be and the same are hereby rejected.

Yeas: Mayor White, Directors Brooks, Konicek, Acting Director Balraj, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Acting Directors McCafferty, Huth and Director Alexander.

Nays: None.

Absent: Director Carter.

Resolution No. 488-00.

By Director Sheffield-McClain.

Resolved, by the Board of Control of the City of Cleveland that the bid of Cyngier Systems Management, Inc. for an estimated quantity of labor and materials necessary to maintain and repair boilers, all items, for the various divisions of the Department of Port Control, for the period not to exceed two (2) years beginning with the date of execution of a contract, received on the 7th day of June 2000, pursuant to the authority of Ordinance No. 2053-99, passed on February 7, 2000, which on the basis of the estimated quantity would amount to Fifty Thousand Five Hundred and 00/100 Dollars (\$50,500.00), is hereby affirmed and approved as the lowest and best bid and the Director of Port Control is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 29033

which shall be certified against such contract in the sum of Ten Thousand and 00/100 Dollars (\$10,000.00).

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.

Be it further resolved by the Board of Control that the following subcontractor to Cyngier Systems Management, Inc. is hereby approved:

Steward Supply
MBE — \$1,000.00 — 2%

Yeas: Mayor White, Directors Brooks, Konicek, Acting Director Balraj, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Acting Directors McCafferty, Huth and Director Alexander.

Nays: None.

Absent: Director Carter.

Resolution No. 489-00.

By Director Ricchiuto.

Resolved, by the Board of Control of the City of Cleveland that the bid of South East Harley Davidson Sales, Co. for an estimated quantity of labor and materials necessary to repair police motorcycles, for the Division of Motor Vehicle Maintenance, Department of Public Service, for the period of one (1) year beginning with the date of execution of a contract, received on June 23, 2000, pursuant to the authority of Ordinance No. 2163-99, passed February 14, 2000, which on the basis of the estimated quantity would amount to Forty Five Thousand and no/100 Dollars (\$45,000.00) (NET), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 17841

which shall be certified against such contract in the sum of Ten Thousand Dollars and no/100 Dollars (\$10,000.00).

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

Yeas: Mayor White, Directors Brooks, Konicek, Acting Director Balraj, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Acting Directors McCafferty, Huth and Director Alexander.

Nays: None.

Absent: Director Carter.

Resolution No. 490-00.

By Director Whitlow.

Resolved by the Board of Control of the City of Cleveland, that all bids received on May 15, 2000 for animal trapping services for the Division of Environment, Department of Public Health, pursuant to the authority of Ordinance No. 365-2000, passed by the Council of the City of Cleveland on April 3, 2000, be and the same are hereby rejected.

Yeas: Mayor White, Directors Brooks, Konicek, Acting Director Balraj, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Acting Directors McCafferty, Huth and Director Alexander.

Nays: None.

Absent: Director Carter.

Resolution No. 491-00.

By Director Whitlow.

Resolved by the Board of Control of the City of Cleveland that all bids received on April 20, 2000 for Interior Improvements at Various Health Centers, for the Division of Health, Department of Public Health, pursuant to the authority of Ordinance No. 1964-99, passed by the Council of the City of Cleveland on February 7, 1999, be and the same are hereby rejected.

Yeas: Mayor White, Directors Brooks, Konicek, Acting Director Balraj, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Acting Directors McCafferty, Huth and Director Alexander.

Nays: None.

Absent: Director Carter.

Resolution No. 492-00.

By Director Guzman.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Panzica Construction Company, for the Police Headquarters Garage and Plaza Renovation, for the Department of Public Safety, received on June 15, 2000, pursuant to the authority of Ordinance No. 1578-90, passed February 24, 1992, for a gross price for the improvement in the aggregate amount of Seven Million Two Hundred Seventy Thousand and No/100 Dollars (\$7,270,000.00), is hereby affirmed and approved as the lowest responsible bid; including Alternates #1, 2, 3b, 4, 5a, 6, 7, 8 and 9, and the Director of Public Safety is hereby authorized to enter into contract for said improvement with said bidder.

Be it further resolved, by the Board of Control of the City of Cleveland that the employment of the following subcontractors by Panzica Construction Company, is hereby approved:

Coleman Spohn
MBE — \$533,995 — 7%

United Ready Mix
MBE — \$215,000 — 3%

KLE Construction
MBE — \$135,000 — 2%

Comm Steel
MBE — \$208,000 — 3%

Western Waterproofing
FBE — \$183,200 — 3%

Dean Contracting
FBE — \$62,455 — 1%

Mac Mechanical
FBE — \$190,000 — 3%

Yeas: Mayor White, Directors Brooks, Konicek, Acting Director Balraj, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Acting Directors McCafferty, Huth and Director Alexander.

Nays: None.

Absent: Director Carter.

Resolution No. 493-00.

By Director Guzman.

Resolved, by the Board of Control of the City of Cleveland that the bid of Able Contracting Group, Inc., for traffic signal equipment, item nos. 8, 8a, 8b, and 37 for the Division of Traffic Engineering and Parking, Department of Public Safety, for the period of one (1) year beginning with the date of execution of a contract, received on May 10, 2000, pursuant to the authority of Ordinance No. 2165-99, passed February 14, 2000, and Ordinance No. 1004-2000, passed on June 19, 2000, which on the basis of the estimated quantity would amount to One Hundred Eleven Thousand One Hundred Forty Five and 20/100 Dollars (\$111,145.20), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Safety is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 19675
which shall be certified against such contract in the sum of Fifty Thousand and no/100 Dollars (\$50,000.00).

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

Yeas: Mayor White, Directors Brooks, Konicek, Acting Director Balraj, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Acting Directors McCafferty, Huth and Director Alexander.

Nays: None.

Absent: Director Carter.

Resolution No. 494-00.

By Director Guzman.

Resolved, by the Board of Control of the City of Cleveland that the bid of Traffic Parts Inc., for traffic signal equipment, item nos. 11, 22 and 45 for the Division of Traffic Engineering and Parking, Department of Public Safety, for the period of one (1) year beginning with the date of execution of a contract, received on May 10, 2000, pursuant to the authority of Ordinance No. 2165-99, passed February 14, 2000, and Ordinance No. 1004-2000, passed on June 19, 2000, which on the basis of the estimated quantity would amount to Five Thousand Nine Hundred Ten and no/100 Dollars (\$5,910.00), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Safety is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 19674
which shall be certified against such contract in the sum of Five Thousand Nine Hundred Ten and no/100 Dollars (\$5,910.00).

Said requirement contract shall further provide that the Contractor shall furnish the remainder of the City's requirements for such goods and/or services, whether more or less than said estimated quantity, as

may be ordered under subsequent requisitions separately certified against said contract.

Yeas: Mayor White, Directors Brooks, Konicek, Acting Director Balraj, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Acting Directors McCafferty, Huth and Director Alexander.

Nays: None.

Absent: Director Carter.

Resolution No. 495-00.

By Director Guzman.

Resolved, by the Board of Control of the City of Cleveland that the bid of Traffic Control Products Inc., for traffic signal equipment, item nos. 7a, 7b, 7c, 7d, 12, 13, 14, 15, 16, 17, 18, 23, 27, 28, 29, 32, 33, 34, 36a, 38, 39, 40, 41, 43, 44, and 46 for the Division of Traffic Engineering and Parking, Department of Public Safety, for the period of one (1) year beginning with the date of execution of a contract, received on May 10, 2000, pursuant to the authority of Ordinance No. 2165-99, passed February 14, 2000, and Ordinance No. 1004-2000, passed on June 19, 2000, which on the basis of the estimated quantity would amount to Two Hundred Thirty Four Thousand Eight Hundred Ninety Eight and no/100 Dollars (\$234,898.00), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Safety is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 19673
which shall be certified against such contract in the sum of Seventy Thousand and no/100 Dollars (\$70,000.00).

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

Yeas: Mayor White, Directors Brooks, Konicek, Acting Director Balraj, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Acting Directors McCafferty, Huth and Director Alexander.

Nays: None.

Absent: Director Carter.

Resolution No. 496-00.

By Director Guzman.

Resolved, by the Board of Control of the City of Cleveland that the bid of General Traffic Equipment Corp., for traffic signal equipment, item nos. 6 and 7 for the Division of Traffic Engineering and Parking, Department of Public Safety, for the period of one (1) year beginning with the date of execution of a contract, received on May 10, 2000, pursuant to the authority of Ordinance No. 2165-99 passed February 14, 2000, and Ordinance No. 1004-2000, passed on June 19, 2000, which on the basis of the estimated quantity would amount to Nineteen Thousand Nine Hundred and no/100 Dollars (\$19,900.00), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Safety is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide

for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 19672

which shall be certified against such contract in the sum of Ten Thousand and no/100 Dollars (\$10,000.00).

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

Yeas: Mayor White, Directors Brooks, Konicek, Acting Director Balraj, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Acting Directors McCafferty, Huth and Director Alexander.

Nays: None.

Absent: Director Carter.

Resolution No. 497-00.

By Director Guzman.

Resolved, by the Board of Control of the City of Cleveland that the bid of Leader Electric Supply Company, Inc, for traffic signal equipment, item nos. 19, 20, 21, 24, 25, 26, 27a, 27b, 31, 31a, 31b, and 36 for the Division of Traffic Engineering and Parking, Department of Public Safety, for the period of one (1) year beginning with the date of execution of a contract, received on May 10, 2000, pursuant to the authority of Ordinance No. 2165-99, passed February 14, 2000, and Ordinance No. 1004-2000, passed on June 19, 2000, which on the basis of the estimated quantity would amount to Twelve Thousand Two Hundred Fifteen and 20/100 Dollars (\$12,215.20), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Safety is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 19671

which shall be certified against such contract in the sum of Twelve Thousand Two Hundred Fifteen and 20/100 Dollars (\$12,215.20).

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

Yeas: Mayor White, Directors Brooks, Konicek, Acting Director Balraj, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Acting Directors McCafferty, Huth and Director Alexander.

Nays: None.

Absent: Director Carter.

Resolution No. 498-00.

By Director Guzman.

Resolved, by the Board of Control of the City of Cleveland that the bid of Path Master, Inc, for traffic signal equipment, item nos. 1, 2, 3, 4, 5, 9, 10, 30, and 42, for the Division of Traffic Engineering and Parking, Department of Public Safety, for the period of one (1) year beginning with the date of execution of a contract, received on May 10, 2000, pur-

suant to the authority of Ordinance No. 2165-99, passed February 14, 2000, and Ordinance No. 1004-2000, passed on June 19, 2000, which on the basis of the estimated quantity would amount to Seventy Seven Thousand Four Hundred Fifty and no/100 Dollars (\$77,450.00), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Safety is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 19670

which shall be certified against such contract in the sum of Thirty Thousand and no/100 Dollars (\$30,000.00).

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

Yeas: Mayor White, Directors Brooks, Konicek, Acting Director Balraj, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Acting Directors McCafferty, Huth and Director Alexander.

Nays: None.

Absent: Director Carter.

Resolution No. 499-00.

By Director Guzman.

Resolved, by the Board of Control of the City of Cleveland that the bid of Rocal, Inc., for reflective sheeting and channel sign posts, item nos. 4a, 4b, 4c and 4d only, for the Division of Traffic Engineering and Parking, Department of Public Safety, for the period of one (1) year beginning with the date of execution of a contract, received on May 10, 2000, pursuant to the authority of Ordinance Nos. 2162-99 and 2164-99 both passed February 14, 2000, and Ordinance No. 1004-2000, passed on June 19, 2000 which on the basis of the estimated quantity would amount to Twenty Two Thousand Seven Hundred Eighty Five and No/100 Dollars (\$22,785.00), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Safety is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 28925

which shall be certified against such contract in the sum of Twelve Thousand Seven Hundred Eighty Five and No/100 Dollars (\$12,785.00).

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

Yeas: Mayor White, Directors Brooks, Konicek, Acting Director Balraj, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Acting Directors McCafferty, Huth and Director Alexander.

Nays: None.

Absent: Director Carter.

Resolution No. 500-00.

By Director Guzman.

Resolved, by the Board of Control of the City of Cleveland that the bid of Avery Dennison, for reflective sheeting and channel sign posts, item no. 1 only, for the Division of Traffic Engineering and Parking, Department of Public Safety, for the period of one (1) year beginning with the date of execution of a contract, received on May 10, 2000, pursuant to the authority of Ordinance Nos. 2162-99 and 2164-99 both passed February 14, 2000, and Ordinance No. 1004-2000, passed on June 19, 2000 which on the basis of the estimated quantity would amount to Thirty Seven Thousand Four Hundred Forty and No/100 Dollars (\$37,440.00), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Safety is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 28927

which shall be certified against such contract in the sum of Ten Thousand and No/100 Dollars (\$10,000.00).

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

Yeas: Mayor White, Directors Brooks, Konicek, Acting Director Balraj, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Acting Directors McCafferty, Huth and Director Alexander.

Nays: None.

Absent: Director Carter.

Resolution No. 501-00.

By Director Guzman.

Resolved, by the Board of Control of the City of Cleveland that the bid of Kent Adhesive Products Company, for reflective sheeting and channel sign posts, item nos. 2 and 3, for the Division of Traffic Engineering and Parking, Department of Public Safety, for the period of one (1) year beginning with the date of execution of a contract, received on May 10, 2000, pursuant to the authority of Ordinance Nos. 2162-99 and 2164-99, both passed February 14, 2000, and Ordinance No. 1004-2000 passed on June 19, 2000 which on the basis of the estimated quantity would amount to Thirty Eight Thousand Three Hundred Fifty and No/100 Dollars (\$38,350.00), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Safety is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 28929

which shall be certified against such contract in the sum of Twelve Thousand and No/100 Dollars (\$12,000.00).

Said requirement contract shall further provide that the Contractor shall furnish the remainder of the

City's requirements for such goods and/or services, whether more or less than said estimated quantity, as may be ordered under subsequent requisitions separately certified against said contract.

Yeas: Mayor White, Directors Brooks, Konicek, Acting Director Balraj, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Acting Directors McCafferty, Huth and Director Alexander.

Nays: None.

Absent: Director Carter.

Resolution No. 502-00.

By Director Jackson.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Standard Contracting & Engineering, Inc., for the Halloran Skating Rink Improvements Project Base Bid #4, for the Department of Parks, Recreation & Properties, received on July 13, 2000, pursuant to the authority of Ordinance No. 104-2000, passed April 17, 2000, for a gross price for the improvement in the aggregate amount of Two Hundred and Ten Thousand One Hundred Ninety Six Dollars and No/100 Dollars (\$210,196.00), is hereby affirmed and approved as the lowest responsible bid, including alternates #3a and #3b, and the Director of Parks, Recreation & Properties is hereby authorized to enter into contract for said improvement with said bidder.

Be it further resolved, by the Board of Control of the City of Cleveland that the employment of the following subcontractor by Standard Contracting & Engineering Inc., is hereby approved:

Pro Construction
MBE — \$22,450

Yeas: Mayor White, Directors Brooks, Konicek, Acting Director Balraj, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Acting Directors McCafferty, Huth and Director Alexander.

Nays: None.

Absent: Director Carter.

Resolution No. 503-00.

By Director Jackson.

Be it resolved by the Board of Control of the City of Cleveland, that the bid of Ballast Construction, Inc. for the public improvement of Pool Deck Fence Improvements for Base Bid Items #1A - #2E, #4A - #4D, #5A - #5C, #5E, #6A, #6C - #6D, #7A - #7C, #7E and #8A - #11E including the adjusted 5% contingency for the Division of Research, Planning & Development, Department of Parks, Recreation & Properties, received on June 21, 2000, pursuant to the authority of Ordinance No. 104-2000, passed April 17, 2000, upon a unit basis for the improvement in the aggregate amount of One Hundred Thirty Two Thousand, Seven Hundred Nine and 50/100 Dollars (\$132,709.50), is hereby affirmed and approved as the lowest responsible bid; and the Director of Department of Parks, Recreation & Properties is hereby authorized to enter into contract for said improvement with said bidder.

Be it further resolved by the Board of Control of the City of Cleveland that the following subcontractors for Ballast Construction, Inc. on the public improvement for

Pool Deck Fence Improvements are hereby approved.

SUBCONTRACTORS

RESPONSIBILITY

Barrow Sign
(FBE) Signage

Cook Paving
(MBE) Concrete Work

Yeas: Mayor White, Directors Brooks, Konicek, Acting Director Balraj, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Acting Directors McCafferty, Huth and Director Alexander.

Nays: None.

Absent: Director Carter.

Resolution No. 504-00.

By Director Warren.

Resolved by the Board of Control of the City of Cleveland, that all bids received on June 30, 2000 to manufacture and install signs for Cleveland Industrial Park for the Department of Economic Development pursuant to the authority of Ordinance No. 479-2000, passed by the Council of the City of Cleveland on May 22, 2000, be and the same are hereby rejected.

Yeas: Mayor White, Directors Brooks, Konicek, Acting Director Balraj, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Acting Directors McCafferty, Huth and Director Alexander.

Nays: None.

Absent: Director Carter.

Resolution No. 505-00.

By Director Guzman.

Resolved by the Board of Control of the City of Cleveland that the bid of Tom Paige Catering Company, for an estimated quantity of Prisoner Meals, for the Division of Police, Department of Public Safety, for the period of one (1) year beginning with the date of execution of a contract, received on July 13, 2000, pursuant to the authority of Ordinance No. 739-2000, passed on June 12, 2000, which on the basis of the estimated quantity would amount to Four Hundred Seventy Four Thousand, Five Hundred Eight and 80/100 Dollars (\$474,508.80) (Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Safety is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 23198

Prisoner Meals as specified, which shall be certified against such contract in the sum of Thirty Nine Thousand, Five Hundred Forty Two and no/100 Dollars (\$39,542.00).

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

Yeas: Mayor White, Directors Brooks, Konicek, Acting Director Balraj, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Acting Directors McCafferty, Huth and Director Alexander.

Nays: None.

Absent: Director Carter.

JEFFREY B. MARKS,
Secretary

CIVIL SERVICE NOTICES

General Information

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

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

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

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

ANNE BLOOMBERG,
President

**SCHEDULE OF THE BOARD
OF ZONING APPEALS**

MONDAY, AUGUST 7, 2000

9:30 A.M.

Calendar No. 00-177: 6520 Rogers Avenue (Ward 12)

William and Sandra Johnson, owners, appeal to construct a 16' x 16' wooden deck and awning to the front of an existing 20' x 26' one and one half dwelling house situated on a 30' x 70' parcel and located in a Two-Family District on the south side of Rogers Avenue at 6520 Rogers Avenue; said construction being contrary to the Yards and Courts Requirements where the proposed deck and awning extend within the 10' required setback along Rogers Avenue as stated in Section 357.13(b)(4) of the Codified Ordinances.

Calendar No. 00-192: 5601 Wichita Avenue (Ward 16)

Idalia Quinones, owner, appeals to install approximately 45 linear feet of 6' high vinyl privacy fencing to the west side of the 40' x 135' parcel and approximately 55 linear feet of 6' high chain link fencing to the east side of the 40' x 135' parcel located in a Two-Family District on the south side of Wichita Avenue at 5601 Wichita Avenue; said installation being contrary to the Yards and Courts Requirements where a fence on the interior side yard may be no higher than the least distance between such fence and residential buildings on the adjacent lot, and the distance between the neighboring house and the fence is 2' therefore the maximum height permitted is 2' as stated in Section 357.13(b)(3) of the Codified Ordinances.

Calendar No. 00-204: 986-988 East 63rd Street (Ward 13)

Robert Meadows, owner, appeals to establish an existing 40' x 140' vacant parcel into a parking lot to park commercial vehicles and located in a Two-Family District on the west side of East 63rd Street at 986-988 East 63rd Street; said proposed parking lot being contrary to the Residential District Regulations of Section 337.03 where a parking lot is not permitted in a Two-Family District but first permitted in a General Retail District as stated in Section 343.11(b)(2)(I)(3) and contrary to the Off-Street Parking and Loading Requirements where all access and maintenance driveways and maneuvering areas shall be properly graded for drainage and wheel and bumper guards are required and access for off-street parking shall be located to minimize traffic congestion and maximum width of driveway shall be 30' and 40' is proposed as stated in Section 349.07(a)(b)(c)(3) of the Codified Ordinances.

Calendar No. 00-205: 6001 Storer Avenue, a.k.a. 6101 Storer Avenue (Ward 17)

Wilfredo Cajigas, owner, appeals to change the use of an existing 2,863 sq. ft. irregular shaped one-story masonry gas station into an auto repair facility all situated on a 65' x 85' corner parcel and located in a General Retail Business District on the southwest corner of West 61st Street and Storer Avenue at 6001, a.k.a. 6101 Storer Avenue; said change of use being contrary to the Business District Regulations of Section 343.11 where auto repair is not permitted in a General Retail Business District but first permitted in a Semi-Industry District as stated in Section 345.03 and contrary to the Off-Street Parking and Loading Requirements of Section 349.04(g) where 6 customer parking spaces are required and 0 are proposed and Section 349.07(c3) where the maximum width of driveway shall be 30' and 38' and 32' driveways are proposed and contrary to the Yards and Courts Regulations where the proposed parking is within the setback areas and a 15' setback area exists on Storer Avenue and a 5' setback exists on West 60th Street, and parking of motor vehicles is not permitted in specific setback areas as stated in Section 357.14 of the Codified Ordinances.

Calendar No. 00-206: 1726-30 East 27th Street (Ward 13)

Mary Coyne Investment LLC, owner, and Brinks, Inc. appeal to establish an existing 80' x 140' asphalt surfaced parcel into a parking lot for 34 parking spaces located in a Semi-Industry District on the west side of East 27th Street at 1726-1730 East 27th Street; said proposed parking lot being contrary to the Off-Street Parking and Loading Requirements of Section 349.07(c) where the required maximum width of driveways shall be 30' with apron radius at the curb of not less than 6' or curb of not less than 60' and contrary to the Landscaping and Screening Requirements where a 6' wide medium landscape strip is required in front between the parking lot and street as stated in Sections 352.10 and 352.11 of the Codified Ordinances.

Calendar No. 00-207: 10009-10011 Somerset Avenue (Ward 8)

Reginald S. White, owner, appeals to construct a 12' x 10' wooden deck to the front of an existing 22' x 10' two family house situated on a 40' x 110' parcel located in a Two-Family District on the north side of Somerset Avenue at 10009-10011 Somerset Avenue, said construction being contrary to the Yards and Courts Requirements where open porches shall not project more than 6' and the proposed deck extends within the required setback along Somerset Avenue as stated in Section 357.13(a)(4) of the Codified Ordinances.

MOTION GRANTED FOR REHEARING

10:45 A.M.

Calendar No. 00-183: 9831 Denison Avenue (Ward 18)

Rosa and Ljubo Bjelovuk, owner, and James Thorne, tenant, appeal to change the first floor use of an existing 30' x 38' two-story masonry store building into a coffee shop situated on an approximate 43' x 160' corner parcel located in a General Retail Business District on the south side of Denison Avenue at 9831 Denison Avenue; said change of use being contrary to the Enforcement and Penalty Requirements of Section 327.02(e) where a plot plan drawn to scale needs to be submitted and 0 parking spaces are proposed and 9 are required as stated in the Off-Street Parking and Loading Requirements of Section 349.04 of the Codified Ordinances.

EUGENE CRANFORD, JR.,
Secretary

REPORT OF THE BOARD OF ZONING APPEALS

MONDAY, JULY 24, 2000

At the meeting of the Board of Zoning Appeals on Monday, July 24, 2000, the following appeals were heard by the Board:

The following appeal was **Approved**:

Calendar No. 00-46: 3300 West 65th Street

White Elephant Development Corporation, owner, appealed to change the use of an existing one-story rear portion of a two-story masonry building to an auto repair garage in a General Retail Business District.

The following appeals were **Denied**:

None.

The following appeals were **Postponed**:

Calendar No. 00-195: 3363 East 93rd Street postponed to August 14, 2000.

Calendar No. 00-196: 4029 Marvin Avenue, a.k.a. 3476 Fulton Road postponed to August 28, 2000.

Calendar No. 00-213: 2084 West 103rd Street postponed to August 14, 2000.

The following appeals were **Withdrawn**:

Calendar No. 00-189: 576 East 152nd Street

Tom Gettings, owner, appealed to construct a one-story automated car wash in a General Retail Business District.

Calendar No. 00-191: 7519 Claassen Avenue

Donald D. Artim, owner, appealed to change the use of a two dwelling house into a three dwelling house in a Two-Family District.

Calendar No. 00-194: 1900 West 52nd Street

City of Cleveland, owner, and Michael Bier, agent, appealed from the refusal to approve splitting a 120' x 132' parcel into two 35' x 132' parcels.

Calendar No. 00-94: 1448 West 32nd Street

Raymond J. Wolf, owner, d.b.a. Athletic Ventures of Ohio, appealed to construct a two-story masonry addition to a two-story "L" shaped health club building in a Two-Family District.

On Monday, July 24, 2000, in Executive Session:

The following appeals were heard on Monday, July 17, 2000 and said decisions were approved and adopted by the Board on July 24, 2000.

The following appeals were **Approved**:

Calendar No. 00-187: 11010-11012 Lorain Avenue

Melinda DeCaro, owner, and Goodwill Industries, tenant c/o Larry Baily, agent, appealed to change the use of an existing one-story masonry store building into a school and group counseling facility in a General Retail Business District.

Calendar No. 00-188: 4577 West 148th Street

Duson and Ana-Masi Palalic, owners, appealed to install 235 linear feet of 3' high wood picket fencing with 3 gates around a portion of a parcel in a One-Family District.

The following appeal was **Denied**:

Calendar No. 00-190: 10019 Cliff Drive

Andrew W. Gallagher, owner, appealed to construct a colonnade between an existing 2 1/2-story, one family dwelling and a renovation of a 23' x 82' garage in a Limited AA-One Family District.

The following appeal was heard on Monday, June 12, 2000, and said decision was approved and adopted by the Board on July 24, 2000.

Calendar No. 00-105: 3211 Clark Avenue

McDonald's Corporation, owners c/o Dave Gnatowski, appealed to construct a 79' x 107' one-story restaurant on a 263' x 206' parcel in a General Retail Business District.

EUGENE CRANFORD, JR.,
Secretary

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

NO MEETING

PUBLIC NOTICE

NONE

NOTICE OF PUBLIC HEARING

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

**Mercedes Cotner
Committee Room 217
City Hall, Cleveland, Ohio
On Monday, August 7, 2000
3:00 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 Monday, August 7, 2000, at 3:00 P.M., to consider the following ordinance now pending in the Council:

Ord. No. 1216-2000.
By Councilman Britt.
An ordinance to change the Use and Area Districts of lands on the south side of Quincy Avenue, S.E. and the east side of East 93 Street (Map Change No. 2015, Sheet Nos. 5 & 9)

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

July 26, 2000 and August 2, 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 applica-

tions for certification as to MBE or FBE status compliance with the Code, affirmative action in employment and, if applicable, joint venture status, are submitted to the Office of Equal Opportunity ("OEO") prior to the date of bid opening or submission of proposals or as specified by the Director. Failure to comply with the business enterprise code or with representations made on these forms may result in cancellation of the contract or other civil or criminal penalties."

FRIDAY, AUGUST 4, 2000

Signs for the Cleveland Industrial Park, for the Department of Economic Development, as authorized by Ordinance No. 479-2000, passed by the Council of the City of Cleveland, May 22, 2000.

Lamps, for the Various Divisions of City Government, Department of Finance, as authorized by Ordinance No. 811-2000, passed by the Council of the City of Cleveland, June 12, 2000.

July 19, 2000 and July 26, 2000

THURSDAY, AUGUST 10, 2000

Replacement Parts for Oshkosh Equipment, for the Various Divisions of the City of Cleveland, Department of Port Control, as authorized by Ordinance No. 781-99, passed by the Council of the City of Cleveland, June 7, 1999.

July 19, 2000 and July 26, 2000

THURSDAY, AUGUST 17, 2000

Biological and Chemical Testing Supplies, Apparatus and Apparatuses, for the Division of Water, Department of Public Utilities, as authorized by Section 129.28 of the Codified Ordinances of the City of Cleveland, 1976.

A PRE-BID MEETING WILL BE HELD ON THURSDAY, AUGUST 3, 2000, 10:00 A.M., IN THE 5TH FLOOR CONFERENCE ROOM OF THE PUBLIC UTILITIES BUILDING, 1201 LAKESIDE AVENUE, CLEVELAND, OHIO 44114. ATTENDANCE IS MANDATORY.

Hauling and Disposal of Water Plant Residuals, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 826-2000, passed by the Council of the City of Cleveland, June 12, 2000.

A PRE-BID MEETING WILL BE HELD ON FRIDAY, AUGUST 4, 2000, 10:00 A.M., IN THE CROWN WATER TREATMENT PLANT CONFERENCE ROOM, 955 CLAGUE ROAD, WESTLAKE, OH 44145.

Tree Trimming Around Wires and Streetlights, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 1326-97, passed by the Council of the City of Cleveland, March 29, 1999.

A PRE-BID MEETING WILL BE HELD ON WEDNESDAY, AUGUST 9, 2000, 1:00 P.M., CLEVELAND PUBLIC POWER, 1300 LAKESIDE AVENUE, CLEVELAND, OHIO 44114. ATTENDANCE IS MANDATORY.

July 19, 2000 and July 26, 2000

FRIDAY, AUGUST 18, 2000

Shotguns, for the Division of Police, Department of Public Safety, as authorized by Section 135.065 of the Codified Ordinances of the City of Cleveland, 1976.

Electronic Mugshot System, for the Division of Police, Department of Public Safety, as authorized by Ordinance No. 182-99, passed by the Council of the City of Cleveland, June 7, 1999.

July 19, 2000 and July 26, 2000

Request for Qualifications (RFQ): WBNS N930 — Owner Controlled Insurance Program (OCIP) Services

Interested firms may obtain Qualification Packages beginning July 21, 2000 by going to:

www.clevelandairport.com

Submit Questions (prior to the Pre-Qualification meeting) via the website or e-mail at:

proposal@clevelandairport.com

For Further Information Contact:

Denise Hale, M-F 8 A.M. to 5 P.M.
(216) 676-9699 x 103
(216) 676-9778 (fax)

PRE-QUALIFICATION MEETING:

FRIDAY, JULY 28, 2000,
11:00 a.m.
Program Management Team Office
19501 Five Points Road
Cleveland, Ohio 44135

SUBMITTAL DUE DATE:

FRIDAY, AUGUST 4, 2000
AT 12:00 O'CLOCK NOON

July 19, 2000 and July 26, 2000

Request for Qualifications (RFQ): WBS N925 — Professional Surveying Services

Interested firms may obtain Qualification Packages beginning July 21, 2000 by going to:

www.clevelandairport.com

Submit Questions (prior to the Pre-Qualification meeting) via the website or e-mail at:

proposal@clevelandairport.com

For Further Information Contact:

Denise Hale, M-F 8 A.M. to 5 P.M.
(216) 676-9699 x 103
(216) 676-9778 (fax)

PRE-QUALIFICATION MEETING:

FRIDAY, JULY 28, 2000,
11:00 a.m.
Program Management Team Office
19501 Five Points Road
Cleveland, Ohio 44135

SUBMITTAL DUE DATE:

FRIDAY, AUGUST 11, 2000
AT 12:00 O'CLOCK NOON

July 19, 2000 and July 26, 2000

WEDNESDAY, AUGUST 16, 2000

Construction and Demolition Debris Disposal, for the Division of Waste Collection and Disposal, Department of Public Service, as authorized by Ordinance No. 719-2000, passed by the Council of the City of Cleveland, May 22, 2000.

Crown Wash Water Tank Inspection and Repair, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 965-93, passed by the Council of the City of Cleveland, July 14, 1993.

A DEPOSIT OF TWO HUNDRED DOLLARS (\$200.00) CERTIFIED CHECK OR MONEY ORDER WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS. THE DEPOSIT WILL BE REFUNDED IF THE PLANS AND SPECIFICATIONS ARE RETURNED IN GOOD CONDITION WITHIN FIFTEEN (15) DAYS AFTER THE BID OPENING DATE.

A PRE-BID MEETING WILL BE HELD ON FRIDAY, AUGUST 4, 2000, 10:00 A.M. AT THE CROWN WATERWORKS PLANT, 955 CLAGUE ROAD, WESTLAKE, OHIO 44145 — TO BE FOLLOWED BY A WALK-THROUGH OF THE SITE.

July 26, 2000 and August 2, 2000

THURSDAY, AUGUST 17, 2000

Horse Supplies, for the Divisions of Police, Department of Public Utilities, as authorized by Ordinance No. 737-2000, passed by the Council of the City of Cleveland, June 12, 2000.

Rental of Snow Removal Equipment with Operators, for the various divisions of the Department of Port Control, as authorized by Ordinance No. 362-99, passed by the Council of the City of Cleveland, April 26 1999.

July 26, 2000 and August 2, 2000

MONDAY, AUGUST 21, 2000

Brook Park Road Waterline Project, for the Department of Port Control, as authorized by Ordinance No. 1105-2000.

BEGINNING JULY 26, 2000, PLANS AND SPECIFICATIONS MAY BE PURCHASED IN THE DIVISION OF PURCHASES AND SUPPLIES, CLEVELAND CITY HALL, 601 LAKE SIDE AVENUE, ROOM 128, CLEVELAND, OHIO 44114, FOR THE **NON-REFUNDABLE FEE OF ONE HUNDRED FIFTY DOLLARS (\$150.00) (CERTIFIED CHECK OR MONEY ORDER ONLY)**. PROSPECTIVE BIDDERS WILL THEN RECEIVE A VOUCHER TO PRESENT TO THE DESIGNATED PRINTER FOR BID DOCUMENTS. OUT OF AREA BIDDERS — PLEASE PROVIDE FEDERAL EXPRESS,

UPS OR OTHER ACCOUNT NUMBER FOR SHIPMENT. PACKAGE/FEE INCLUDES PLANS, TECHNICAL SPECIFICATIONS, GENERAL AND CONTRACTUAL REQUIREMENTS AND ANY ADDENDA.

A PRE-BID MEETING WILL BE HELD ON WEDNESDAY, AUGUST 2, 2000, 10:00 A.M. TO 12:00 P.M. IN THE PROGRAM MANAGEMENT TEAM (PMT), CONFERENCE ROOM, 19501 FIVE POINTS ROAD, CLEVELAND, OHIO 44135 (LOCATED AT THE SOUTH EAST CORNER OF CARGO ROAD AND FIVE POINTS ROAD). FOR ADDITIONAL INFORMATION, FAX QUESTIONS TO DEBORAH MIDGETT IN THE DIVISION OF PURCHASES AND SUPPLIES AT (216) 664-2177. PROJECT DETAILS: RELOCATE 5,000 FEET OF 12" DISTRIBUTION LINE. PROVIDE CONSTRUCTION STAKING SERVICES TO ESTABLISH CENTERLINE FOR ROADWAY RELOCATION (APPROXIMATELY 6,400 FEET). CONSTRUCTION COST ESTIMATE IS 3 TO 4 MILLION DOLLARS.

July 26, 2000 and August 2, 2000

ADOPTED RESOLUTIONS
AND ORDINANCES

Res. No. 947-2000.

By Councilman Britt (by request). An emergency resolution declaring the intention to vacate a portion of The First Unnamed Alley East of Woodhill Rd. between Woodland Ave. S.E. and Grandview Ave. S.E.

Whereas, this Council; is satisfied that there is good cause to vacate a portion of The First Unnamed Alley East of Woodhill Road S.E. between Woodland Avenue S.E. and Grandview Avenue S.E., as hereinafter described; 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 it hereby declares its intention to vacate the following described real property:

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being all that portion of:

THE FIRST UNNAMED ALLEY, (5.00 feet in width) as established by the Luna Heights Subdivision recorded in Volume 42, Page 19 of Cuyahoga County Map Records and extending Southerly from the Southerly line of Woodland Avenue S.E. (60.00 feet wide) to the Northerly line of Grandview Avenue S.E. (40.00 feet wide).

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

Adopted July 17, 2000.
Effective July 25, 2000.

Res. No. 1013-2000.

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

An emergency resolution declaring the necessity and intention to appropriate property for public use needed for the expansion of Greenwood Park.

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 for the public purpose of expanding Greenwood Park, it is necessary to appropriate in fee simple interest and this Council hereby declares its intent to appropriate the fee simple interest in and to the following described property:

PERMANENT PARCEL NO. 007-06-060

Situated in the City of Cleveland, County of Cuyahoga, State of Ohio and known as being part of Sublot No. 1 and part of Sublot No. 58 in Jonah P. Hill's Allotment of part of Original Brooklyn Township Lot No. 53, as shown by the recorded plat in Volume 8 of Maps, Page 16 of Cuyahoga County Records, and bounded and described as follows:

Beginning on the Easterly line of West 40th Street, at a point distant Northerly 24.5 ft. from its intersection with the most Southerly line of said Sublot No. 58; thence Northerly 0.5 ft. along the said Easterly line of West 40th Street, to an inner-corner of said Sublot No. 58; thence Westerly 20 ft. along the Southerly line of said Sublot No. 58, which is also the Northerly line of West 40th Street, to the Southwesterly corner of said Sublot No. 58; thence Northerly 25 feet along the Easterly line of West 40th Street, to the Northwesterly corner of said Sublot No. 58; thence Easterly along the Northerly line of said Sublot No. 58 and along the Northerly line of said Sublot No. 1, to a point distant Westerly 80 ft. from its intersection with the Westerly line of West 38th street; thence Southerly parallel with the said Westerly line of West 38th Street, to a point distant Northerly 24.5 ft. at right angles form the Southerly line of said Sublot No.1; thence Westerly parallel with the Southerly line of said Sublot No.1, to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

Parcel No.: 007-06-083

Exhibit "A"

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Sublot No. 2 in J. P. Hill's Allotment of part of Original Brooklyn Township Lot No. 53, as shown by the recorded plat in Volume 8 of Maps, Page 16 of Cuyahoga County Records, bounded and described as follows:

Beginning at the intersection of Northerly line of Bailey Avenue, S.W., with the Westerly line of West 38th Street, (formerly Mechanics Street); thence Northerly along the Westerly line of West 38th Street, 50 feet 1 inch to the Northerly line of Sublot No. 2; thence Westerly along the Northerly line of Sublot No. 2, 79 feet 2.5 inches to the Northeasterly corner of land conveyed to Frank Bede and Ethel Bede by Deed dated

June 11, 1943, and recorded in Volume 5609, Page 284 of Cuyahoga County Records; thence Southerly along the Easterly line of land so conveyed to Frank Bede and Ethel Bede about 50.04 feet to the Southeast corner thereof; thence Easterly along the Southerly line of Sublot No. 2, which is also the Northerly line of Bailey Avenue S.W., 82 feet to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

Parcel No.: 007-06-084

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being the Easterly 80 feet of Sublot No. 1 in Jonah P. Hill's Allotment of part of Original Brooklyn Township Lot No. 53 as shown by the recorded plat in Volume 8 of Maps, Page 16 of Cuyahoga County Records and being 50 feet 1 inch front on the Westerly side of West 38th Street (formerly Mechanics Street), and extending back of equal width 80 feet, as appears by said plat be the same more or less, but subject to all legal highways.

Parcel No. 007-06-101

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Sublot No. 1 and part of Sublot No. 58 in Jonah P. Hill's Subdivision of part of Original Brooklyn Township No. 53, as shown by the recorded plat in volume 8 of Maps, Page 16 of Cuyahoga County Records and bounded and described as follows:

Beginning on the Easterly line of West 40th Street at a point distant Northerly 24.5 feet from its intersection with the most Southerly line of said Sublot No. 58, thence Southerly 24.50 feet along the said Easterly line of West 40th Street to its intersection with the most Southerly line of said Sublot No. 58; thence Easterly along the most Southerly line of said Sublot No. 58, and along the Southerly line of said Sublot No. 1 to a point distant Westerly 80 feet form is intersection with the Westerly line of West 38th Street; thence Northerly parallel with the said Westerly line of West 38th Street; to a point distant Northerly 24.5 feet at right angles form the Southerly line of said Sublot No. 1; thence Westerly parallel with the Southerly line of said Sublot No. 1 to the place of beginning, be the same more or less, but subject to all legal highways.

Section 2. That the Director of Finance is hereby authorized to cause written notice of the adoption of this resolution to be given to the owners, persons in possession or having an interest of record in the above-mentioned premises, and such notice shall be served according to law by a person to be designated for that purpose by the Director of Finance which return shall be made in the manner provided by law.

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 July 17, 2000.
Effective July 25, 2000.

Res. No. 1257-2000.

By Councilman Britt.

An emergency resolution objecting to the renewal of a C1 and C2 Liquor Permit at 7904 Cedar Avenue.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of the state, and that 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 4303.271 of the Ohio Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a C1 and C2 Liquor Permit, Permit No. 1791566, owned by Cozy Meats Inc., DBA Cozy Meats, Cleveland, Ohio 44103 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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 July 17, 2000.
Effective July 25, 2000.

Res. No. 1258-2000.

By Councilman Britt.

An emergency resolution objecting to the renewal of a C2, C2X and D6 Liquor Permit at 7905 Cedar Avenue.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the

legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of the state, and that 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 4303.271 of the Ohio Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a C2, C2X and D6 Liquor Permit, Permit No. 3466225, owned by HKH Grocery, Inc., DBA EZ Foods, Cleveland, Ohio 44103 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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 July 17, 2000.
Effective July 25, 2000.

Res. No. 1259-2000.

By Councilman Britt.

An emergency resolution objecting to the renewal of a C1 Liquor Permit at 2623 Woodhill Rd.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws,

regulations or local ordinances of the state, and that 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 4303.271 of the Ohio Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a C1 Liquor Permit, Permit No. 4155619, owned by ISA Sylvia Inc., DBA Saveway Food, 2623 Woodhill Rd., Cleveland, Ohio 44104 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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 July 17, 2000.
Effective July 25, 2000.

Res. No. 1260-2000.
By Councilman Cimperman.
An emergency resolution urging the Immigration and Naturalization Service to launch a vigorous investigation into the granting of asylum to two generals, Jose Guillermo Garcia and Carlos Vides Casanova, high ranking members of the El Salvadoran army.

Whereas, in December, 1980, four American citizens were murdered in El Salvador while helping the poor and refugees of that country that were trying to live a life free of oppression; and

Whereas, two of the four women who were brutally murdered were Cleveland residents, Sr. Dorothy Kazel and Ms. Jean Donovan; and

Whereas, in 1984 after a cursory investigation, 5 low ranking national guardsmen were convicted on raping and killing the four women and are now sentenced to 30 years in prison; and

Whereas, two generals, Jose Guillermo Garcia and Carlos Vides Casanova, high ranking members of the El Salvadoran army, received political asylum in the United States; and

Whereas, there is substantial evidence that through a United Nations investigation, that the two generals were involved in the cover-up of the murders of the four Americans and, if so, this Council believes that the generals should not be able to remain in the United States enjoying the freedoms that we have to offer; and

Whereas, this resolution constitutes a measure for the immediate preservation of health, safety and welfare; now, therefore,

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

Section 1. That Cleveland City Council urges the Immigration and Naturalization Service to launch a vigorous investigation into the granting of asylum to two generals, Jose Guillermo Garcia and Carlos Vides Casanova, high ranking members of the El Salvadoran army.

Section 2. That the Clerk of Council is hereby requested to transmit a copy of this resolution to Congress members Kucinich and Tubbs-Jones.

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 July 17, 2000.
Effective July 25, 2000.

Res. No. 1261-2000.
By Councilman Cimperman.
An emergency resolution urging the Division of Building and Housing to conduct inspections at least annually on all load bearing structures to determine their fitness and to examine the applicable codes to ensure safety.

Whereas, this Council of the City of Cleveland is deeply concerned about the health, safety and welfare of its residents and visitors to our city; and

Whereas, the recent tragedy at Lonz Winery in the Lake Erie Islands in which a deck collapsed injuring countless visitors has heightened Council's awareness of the need to conduct systematic inspections of all load bearing structures that provide support for people, such as decks, bridges, roofs and outdoor patios; and

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

Section 1. That Cleveland City Council urges the Division of Building and Housing to conduct inspections at least annually on all load bearing structures, including decks, outdoor porches, bridges and roofs to determine their fitness and to examine the applicable codes to determine whether the code provisions governing the construction of those structures provide the maximum protection for our residents and visitors.

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

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

Adopted July 17, 2000.
Effective July 25, 2000.

Res. No. 1262-2000.
By Councilmen Cimperman and Lewis.

An emergency resolution urging the Departments of Public Service and Public Safety to begin the process of changing the direction of East 72nd Street.

Whereas, this Council of the City of Cleveland is deeply concerned about the health, safety and welfare of all residents of our city; and

Whereas, a recent tragedy occurred on East 72nd Street and St. Clair Avenue where a young girl was struck and killed by an automobile; and

Whereas, the residents of East 72nd Street have requested that Council investigate changing the current two way street into a one way street going northward to help ensure the safety of the residents in that area; and

Whereas, this Council supports the request of the residents of East 72nd Street and is desirous of changing the direction of the street; and

Whereas, this resolution constitutes a measure for the immediate preservation of health, safety and welfare; now, therefore,

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

Section 1. That Cleveland City Council urges the Departments of Public Service and Public Safety to begin the process of changing the direction of East 72nd Street.

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

Adopted July 17, 2000.
Effective July 25, 2000, without the signature of the Mayor.

Res. No. 1263-2000.
By Councilman Cintron.
An emergency resolution opposing the formula adopted by the Ohio Hospital Association for distribution of the Health Care Assurance Program.

Whereas, this Council believes that all citizens, those with and without financial means, should have access to affordable, quality health care as evidenced by its participation in the fight to save St. Michael Hospital; and

Whereas, the Ohio General Assembly established the Health Care Assurance Program (HCAP) approximately 10 years ago to assist in funding the provision of charity care in Ohio hospitals; and

Whereas, the distribution of the HCAP funds are currently governed by a formula determined by the Ohio Hospital Association, members of the hospital industry; and

Whereas, the Ohio Hospital Association recently announced a new formula that would drastically cut the funding of MetroHealth Medical

Center by \$5.9 million, a decrease of approximately 15% from the prior year's funding; and

Whereas, other hospitals that are adversely impacted in northeast Ohio include Community Health Partners (Lorain), Lake Hospital, Huron Road Hospital and Robinson Memorial (Portage); and

Whereas, this Council of the City of Cleveland is opposed to this Ohio Hospital Association formula in that it is inequitable and inconsistent with providing a safety net for indigent patients; and

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

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

Section 1. That this Council of the City of Cleveland strongly opposes the formula adopted by the Ohio Hospital Association for distribution of the Health Care Assurance Program funds since it adversely affects health care for indigent patients.

Section 2. That this Council urges the Governor Taft and the Ohio Department of Human Services to reject the Ohio Hospital Association formula.

Section 3. That this Council of the City of Cleveland urges state legislators to appoint an independent, non-governmental body, rather than the Ohio Hospital Association, to develop an equitable formula based on the original guiding principles that had previously governed the successful distribution of Health Care Assurance funds.

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

Adopted July 17, 2000.

Effective July 25, 2000.

Res. No. 1264-2000.

By Councilman Jackson.

An emergency resolution objecting to the renewal of a C2, C2X and D6 Liquor Permit to 2474 East 40th Street.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of the state, and that 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 4303.271 of the Ohio Revised

Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a C2, C2X and D6 Liquor Permit, Permit No. 4180462, owned by J. Moner Inc., 2474 East 40th Street, Cleveland, Ohio, 44104 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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 July 17, 2000.

Effective July 25, 2000.

Res. No. 1265-2000.

By Councilman Jackson.

An emergency resolution objecting to the issuance of a C1 Liquor Permit to 2288 East 55th Street.

Whereas, Council has been notified by the Director of Liquor Control of an application for the issuance of a C1 Liquor Permit to Permit No. 7739445, Raied A. Sara, DBA East Coast Market, 2288 East 55th Street, Cleveland, Ohio 44120; 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 issuance of a C1 Liquor Permit to Permit No. 7739445, Raied A. Sara, DBA East Coast Market, 2288 East 55th Street, Cleveland, Ohio 44120 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted July 17, 2000.

Effective July 25, 2000.

Res. No. 1266-2000.

By Councilman Lewis.

An emergency resolution objecting to the transfer of ownership of a C2 and C2X Liquor Permit to 8101-05 Hough Avenue, 1st Fl. & Bsmt.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a C2 and C2X Liquor Permit from Permit No. 30614370005, Phill Gary, 8101-05 Hough Avenue, 1st Fl. & Bsmt., Cleveland, Ohio 44103 c/o Josephine Gary, to Permit No. 9683566, Bessie Wilson, 8101-05 Hough Avenue, 1st Fl. & Bsmt., Cleveland, Ohio 44103; 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 C2 and C2X Liquor Permit from Permit No. 30614370005, Phill Gary, 8101-05 Hough Avenue, 1st Fl. & Bsmt., Cleveland, Ohio 44103 c/o Josephine Gary, to Permit No. 9683566, Bessie Wilson, 8101-05 Hough Avenue, 1st Fl. & Bsmt., Cleveland, Ohio 44103 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted July 17, 2000.
Effective July 25, 2000.

Res. No. 1267-2000.
By Councilman O'Malley.
An emergency resolution withdrawing objection to the transfer of ownership of a D2, D2X, D3 and D3A Liquor Permit to 4995-97 Denison Avenue, 1st Fl. & Bsmt., and repealing Res. No. 613-2000 objecting to said transfer of ownership.

Whereas, this Council objected to the transfer of ownership of a D2, D2X, D3 and D3A Liquor Permit to 4995-97 Denison Avenue, 1st Fl. & Bsmt. by Res. No. 613-2000 adopted by Council on April 17, 2000; and

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

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

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

Section 1. That objection to the transfer of ownership of a D2, D2X, D3 and D3A Liquor Permit to 4995-97 Denison Avenue, 1st Fl. & Bsmt., be and the same is hereby withdrawn and Res. No. 1332-99, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate transfer of ownership thereof.

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

Adopted July 17, 2000.
Effective July 25, 2000.

Res. No. 1268-2000.
By Councilman Polensek.
An emergency resolution objecting to the renewal of a D1, D2, D3 and D6 Liquor Permit at 16101 Arcade Avenue.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a D1, D2, D3 and D6 Liquor Permit, Permit No. 0254173, owned by Arcade Bar Inc., DBA Arcade Inc., 16101 Arcade Avenue, Street Floor & Bsmt., Cleveland, Ohio 44110 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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 July 17, 2000.
Effective July 25, 2000.

Res. No. 1269-2000.
By Councilman Polensek.
An emergency resolution objecting to the renewal of a D5 Liquor Permit at 231 East 156th Street, 1st Fl.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a D5 Liquor Permit, Permit No. 0142108, owned by Alojz Znidarsic, Inc., DBA Glen Cove Pub, 231 East 156th Street, 1st Fl., Cleveland, Ohio 44110 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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 July 17, 2000.
Effective July 25, 2000.

Res. No. 1270-2000.**By Councilman Polensek.****An emergency resolution objecting to the renewal of a D1, D2, D3, D3A and D6 Liquor Permit at 397 East 156th Street, 1st Fl.**

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a D1, D2, D3, D3A and D6 Liquor Permit, Permit No. 5819446, owned by Melbourne Men of Business Inc., DBA Cafe Blue Bird, 397 East 156th Street, 1st Fl., Cleveland, Ohio 44110 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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 July 17, 2000.
Effective July 25, 2000.

Res. No. 1271-2000.**By Councilman Polensek.****An emergency resolution objecting to the renewal of a C1, C2 and D6 Liquor Permit at 15428 Lakeshore Blvd.**

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a C1, C2 and D6 Liquor Permit, Permit No. 3653334, owned by HAS & KAL Inc., DBA Convenient Food Mart, 15428 Lakeshore Blvd., Cleveland, Ohio 44110 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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 July 17, 2000.
Effective July 25, 2000.

Res. No. 1272-2000.**By Councilman Polensek.****An emergency resolution objecting to the transfer of ownership of a C1 and C2 Liquor Permit to 17318 Lakeshore Blvd.**

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. 1709098, Convenient Express Inc., 17318 Lakeshore Blvd., Cleveland, Ohio 44119 to Permit No. 51799020005, Lez Inc., DBA Convenient Express, 17318 Lakeshore Blvd., 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, 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 and Liquor Permit from Permit No. 1709098, Convenient Express Inc., 17318 Lakeshore Blvd., Cleveland, Ohio 44119 to Permit No. 51799020005, Lez Inc., DBA Convenient Express, 17318 Lakeshore Blvd., 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 is hereby directed to transmit two certified copies of this resolution, together with two copies of a letter of objection and two copies of a letter requesting that the hearing be held in Cleveland, Cuyahoga County.

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

Adopted July 17, 2000.
Effective July 25, 2000.

Res. No. 1273-2000.**By Councilman Polensek.****An emergency resolution objecting to the transfer of ownership of a D5 Liquor Permit to 16921 St. Clair Avenue, 1st Fl.**

Whereas, Council has been notified by the Director of Liquor Con-

trol of an application for the of a D5 Liquor Permit from Permit No. 2011781, Dee Jay Inc., 16921 St. Clair Avenue, 1st Fl., Cleveland, Ohio 44110 to Permit No. 8463478, St. Clair & 170th Co. Inc., DBA Dee Jay Tavern, 16921 St. Clair Avenue, 1st Fl., 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 D5 Liquor Permit from Permit No. 2011781, Dee Jay Inc., 16921 St. Clair Avenue, 1st Fl., Cleveland, Ohio 44110 to Permit No. 8463478, St. Clair & 170th Co. Inc., DBA Dee Jay Tavern, 16921 St. Clair Avenue, 1st Fl., 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.

Adopted July 17, 2000.
Effective July 25, 2000.

Res. No. 1274-2000.

By Councilman Polensek.

An emergency resolution objecting to the renewal of a D1, D2, D3 and D3A Liquor Permit at 17438 St. Clair Avenue, 1st Fl.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a D1, D2, D3 and D3A Liquor Permit, Permit No. 8320927, owned by Smoht Corp., DBA Jake's Fire Water, 17428 St. Clair Avenue, Cleveland, Ohio 44110 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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 July 17, 2000.
Effective July 25, 2000.

Res. No. 1275-2000.

By Councilman Polensek.

An emergency resolution objecting to the renewal of a D1, D2, D3 and D6 Liquor Permit at 15610 Waterloo Rd., 1st Fl. & Bsmt.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a D1, D2, D3 and D6 Liquor Permit, Permit No. 3420935, owned by Grutta Inc., DBA Report Center Tavern/Cozy Spot, 15610 Waterloo Road, Cleveland, Ohio 44110 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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 July 17, 2000.
Effective July 25, 2000.

Res. No. 1276-2000.

By Councilman Westbrook.

An emergency resolution objecting to the renewal of a D5 and D6 Liquor Permit at 9720-24 Lorain Avenue, 1st Fl. & Bsmt.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of the state, and that 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 4303.271 of the Ohio Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a D5 and D6 Liquor Permit, Permit No. 6418022, owned by Lorain Avenue, Inc., DBA Royal Café, 9720-24 Lorain Avenue, 1st Fl. & Bsmt., Cleveland, Ohio 44102 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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 July 17, 2000.
Effective July 25, 2000.

Res. No. 1277-2000.
By Councilman Westbrook.
An emergency resolution objecting to the renewal of a C1 Liquor Permit at 3153 West 73rd Street.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of the state, and that 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 4303.271 of the Ohio Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a C1 Liquor Permit, Permit No. 8861048, owned by 3153 West 73rd Street, Inc., DBA Rite Shop, 3153 West 73rd Street, DBA Rite Shop, 3153 West 73rd Street, Cleveland, Ohio 44102 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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 July 17, 2000.
Effective July 25, 2000.

Res. No. 1278-2000.
By Councilman White.
An emergency resolution objecting to the issuance of ownership of a C1 Liquor Permit to 4025 East 93rd Street.

Whereas, Council has been notified by the Director of Liquor Control of an application for the issuance of ownership of a C1 Liquor Permit to Permit No. 3648077, Harvard Marathon Inc., 4025 East 93rd Street, Cleveland, Ohio 44105; and

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

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

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

Whereas, the place for which the permit is sought is so arranged or

constructed that law enforcement officers or agents of the Department of Liquor Control are prevented reasonable access to the establishment; and

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

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

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

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

Section 1. That Council does hereby record its objection to the issuance of a C1 Liquor Permit to Permit No. 3648077, Harvard Marathon Inc., 4025 East 93rd Street, Cleveland, Ohio 44105 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted July 17, 2000.
Effective July 25, 2000.

Res. No. 1279-2000.
By Councilman Willis.
An emergency resolution withdrawing objection to the renewal of a C1 Liquor Permit to 11025 Ashbury Avenue, and repealing Res. No. 1486-99 objecting to said renewal.

Whereas, this Council objected to the renewal of a C1 Liquor Permit to 11025 Ashbury Avenue, by Res. No. 1486-99 adopted by Council on August 11, 2000; and

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

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

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

Section 1. That objection to the renewal of a C1 Liquor Permit to 11025 Ashbury Avenue, be and the same is hereby withdrawn and Res.

No. 1486-99, 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.

Adopted July 17, 2000.

Effective July 25, 2000.

Ord. No. 551-2000.

By Mayor White and Councilmen Polensek and Coats.

An emergency ordinance to amend Sections 631.06, 631.26 and 631.99 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 87724, passed July 29, 1929, 63410A, passed September 22, 1924, and Ordinance No. 1240-A-78, passed October 16, 1978, respectively, and to enact new Section 631.27 thereof relating to railroads.

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 Sections 631.06, 631.26 and 631.99 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 87724, passed July 29, 1929, 63410A, passed September 22, 1924, and Ordinance No. 1240-A-78, passed October 16, 1978, respectively, are hereby amended to read as follows:

Section 631.06 Unnecessary Obstruction of Streets

(a) No railroad company, conductor, engineer or other person in the employ of any railroad company shall permit any locomotive car or train of cars, to stand on any street, lane or alley of the City, for a period of time longer than five (5) minutes when such street, lane or alley is at a railroad crossing used by vehicles or pedestrians, except that they may be permitted to stand on the northerly half of Front Street. No railroad company shall keep standing on any track or side-track, empty or loaded cars or engine, nearer than fifty feet from the nearest side line of streets so crossed by railroad company tracks. However, this requirement shall not interfere with the necessary stoppage when attached to an engine engaged in the actual work of switching cars and making up and dividing trains and the handling of freight therein, nor with such cars of engines when unloading or loading passengers, freight, fuel or water at any established place of business, fuel stand or water tank.

(b) No railroad company, conductor, engineer or other person in the employ of any railroad company shall obstruct, or permit to be obstructed, a public street, road or highway or a private road used as the primary means of ingress and egress by a landowner or business

enterprise by permitting a railroad car, locomotive, or other obstruction to remain upon or across it for a continuous period of more than twenty-five (25) minutes.

(c) No railroad company, conductor, engineer or other person in the employ of any railroad company shall permit any locomotive to stand for longer than thirty (30) minutes within one hundred (100) feet of the property line of any residential parcel while its engine is running or idling.

(d) This section does not apply to obstruction of a public street, road, or highway by a continuously moving through train or when the obstruction is caused by circumstances wholly beyond the control of the railroad company, but does apply to other obstructions, including without limitation those caused by stopped trains and trains engaged in switching, loading or unloading operations.

Section 631.26 Crossing Frogs

Where any steam railroad and street railroad cross each other at grade, the persons or companies operating the same shall, at their joint expense, put in crossing frogs of the most improved pattern and keep the same in good condition. A violator, in default of so doing after twenty days' notice in writing on the order of the Director of Public Service, shall be subject to the penalties provided in Section 631.99 (h).

Section 631.99 Penalty

(a) Whoever violates Section 631.02 shall be fined five hundred dollars (\$500.00). The employee or agent of any corporation or company in charge of any locomotive or other device operated in violation of Section 631.02 shall be subject to a like fine.

(b) Whoever violates Section 631.03 or 631.04 shall be guilty of a misdemeanor and fined not less than one hundred dollars (\$100.00) nor, more than two hundred and fifty dollars (\$250.00).

(c) Whoever violates division (a) of Section 631.06 or Section 631.07 shall be fined not more than one hundred dollars (\$100.00).

(d) Whoever violates division (b) or division (c) of Section 631.06 shall be fined for a first offense five hundred dollars (\$500.00) plus an additional one hundred dollars (\$100.00) for each minute that the violation exceeds twenty five (25) minutes, except that the total amount of the fine for a first offense shall not exceed ten thousand dollars (\$10,000.00). Whoever violates division (b) or division (c) of Section 631.06 shall be fined for a second or subsequent offense one thousand dollars (\$1,000.00) plus an additional two hundred dollars (\$200.00) for each minute that the violation exceeds twenty five (25) minutes, except that the total amount of the fine for a second or subsequent offense shall not exceed twenty thousand (\$20,000.00). In addition to the fines specified above, whoever violates division (b) or division (c) of Section 631.06 as a third or subsequent offense shall be sentenced to not less than ten (10) days nor

more than thirty (30) days imprisonment, or both.

(e) Whoever violates Section 631.09 shall be fined not less than seven hundred and fifty dollars (\$750.00) nor more than one thousand dollars (\$1,000.00).

(f) Any railroad company or any officer or employee of a railroad company violating any of the provisions of Sections 631.01 to 631.12, for which no specific penalty is provided, shall be fined not less than two hundred and fifty dollars (\$250.00) nor more than five hundred dollars (\$500.00).

(g) Any person, firm or corporation violating any of the provisions of Section 631.22 to 631.25 shall be guilty of a misdemeanor, and fined not more than seven hundred and fifty dollars (\$750.00) for a first offense, and not more than one thousand dollars (\$1,000.00) for each subsequent offense.

(h) Whoever violates or fails to comply with Section 631.26 shall be fined not more than two hundred and fifty dollars (\$250.00) for each offense, and one hundred dollars (\$100.00) for each day the offense is continued.

(i) If any person is found guilty of a first offense for violation of Section 631.01 upon a finding that he operated a train within the City limits faster than 35 mph, such person shall be guilty of a misdemeanor of the fourth degree. On each subsequent offense within one year after the first offense, such person shall be guilty of a misdemeanor of the third degree.

(j) Whoever violates Section 631.27 shall be fined ten thousand dollars (\$10,000) for a first offense and shall be fined twenty thousand dollars (\$20,000) for a second or subsequent offense.

Section 2. That existing Sections 631.06, 631.26 and 631.99 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 87724, passed July 29, 1929, 63410A, passed September 22, 1924, and Ordinance No. 1240-A-78, passed October 16, 1978, respectively, are hereby repealed.

Section 3. That the Codified Ordinances of Cleveland, Ohio, 1976, are hereby supplemented by enacting new Section 631.27 to read as follows:

Section 631.27 Failure to Pay Fine

No railroad company shall fail to pay a fine imposed pursuant to a violation of division (b) of Section 631.06 within one hundred twenty (120) days of the date set by the court for the payment of the fine. Each additional day beyond the one hundred twentieth day of failure to pay a fine imposed under that section is a separate offense.

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 July 17, 2000.

Effective July 25, 2000.

**Ord. No. 553-2000.
By Councilmen Lewis, Melena,
Cimperman and Patmon (by depart-
mental request).**

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 1727-29, 1725 East 45th Street to Midtown Express Busline.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 104-28-023 and 104-28-024, as more fully described in Section 2 below, to Midtown Express Busline.

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

P. P. No. 104-28-023

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 19 in James Mason's Subdivision of part of Original Ten Acre Lots Nos. 98 and 99, as shown by the recorded plat in Volume 4 of Maps, Page 31 of Cuyahoga County Records and being 36 feet front on the Easterly side of Belden Street (now know as East 45th Street), and extending back of equal width 183 feet deep to the Westerly line of an alley 16 feet wide, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

P. P. No. 104-28-024

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 17 in James Mason's Subdivision of part of Original Ten Acre Lots Nos. 98 and 99, as shown by the recorded plat in Volume 4 of Maps, Page 31 of Cuyahoga County Records and being 35 feet front on the Easterly side of Belden Street (now known as East 45th Street), 183 feet 3 inches deep on the Northerly line, 183 feet deep on the Southerly line and 38 feet in the rear on the 16 foot 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 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.

Passed July 17, 2000.
Effective July 25, 2000.

**LEGAL DESCRIPTION/
TOWER CITY RIVERVIEW, INC./
CENTRAL AVENUE**

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

All that portion of Central Avenue S.W. (66.00 feet wide) extending easterly from the most easterly line of the West 3rd Street Ramp (so called), to the westerly line of the Baltimore and Ohio Railroad tracks right-of-way.

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

Section 3. That the permit herein authorized shall contain a provision requiring the Permittee to comply with applicable provisions of the Codified Ordinances of Cleveland, Ohio, 1976, pertaining to proper City screening guidelines, including Chapters 352 and 457.

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 July 17, 2000.
Effective July 25, 2000.

**Ord. No. 592-2000.
By Councilmen Cimperman and
Polensek (by request).**

An emergency ordinance authorizing the Director of Public Service to issue a permit to Tower City Riverview, Inc. to encroach into the right-of-way of Central Avenue for ingress and egress access to a parking lot at this site.

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

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

Section 1. That the Director of Public Service hereby is authorized to issue a permit, revocable at the will of Council, and assignable by the Permittee with the written consent of the Director of Public Service to Tower City Riverview, Inc., (a subsidiary of Forest City Enterprises,) Terminal Tower, 50 Public Square, Suite 1250, Cleveland, Ohio 44113-2204, its successors and assigns, for the construction, use and maintenance of the proposed expansion and ingress and egress access to a parking lot at said site, Tower City Riverview, Inc., which abuts and will encroach into the public right-of-way of Central Avenue east of West 3rd Street and west of the Baltimore and Ohio Railroad tracks at the following locations described herein:

**Ord. No. 641-2000.
By Mayor White.**

An emergency ordinance authorizing the Director of Port Control to enter into a Lease By Way of Concession with Smarte Carte, Inc. for locker equipment and service at Cleveland Hopkins International Airport, for a term not to exceed five years.

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

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

Section 1. That the Director of Port Control ("Director") is hereby authorized to enter into a Lease By Way of Concession ("Lease") with Smarte Carte, Inc. ("Lessee") for locker equipment and service at Cleveland Hopkins International Airport. The term of the Lease shall not exceed five years and shall be effective upon execution of a Lease, with both parties having a one time option to terminate the Lease two (2) years after the date of execution, with six months written notice. Lessee shall pay a concession fee of twelve and one-half percent (12.5%) of gross monthly receipts, to be collected monthly, with no annual guaranteed minimum. The price of locker rentals shall be as follows:

up to 1/2 hour	\$1.00
1/2 hour to 1 hour	\$2.00
1 to 3 1/2 hours	\$3.00
over 3 1/2 hours	\$5.00
Daily Maximum	\$5.00

The Director shall have sole discretion over the location, within the terminal complex, of the locker rental equipment. All lockers shall be recessed into the wall and not freestanding in public areas.

Section 2. That the Lease authorized herein shall be prepared by the Director of Law and shall contain such other terms and conditions as said Director deems necessary to protect and benefit the public interest.

Section 3. That the Director of Port Control and the Director of Law, and other appropriate City officials, are authorized to execute such other documents and certificates, and take such other actions as may be necessary or appropriate to effect the Lease authorized by this ordinance.

Section 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 July 17, 2000.
Effective July 25, 2000.

Ord. No. 642-2000.

By Mayor White.

An emergency ordinance authorizing the Director of Port Control to enter into a Lease By Way of Concession with Smarte Carte, Inc. for luggage cart equipment and service at Cleveland Hopkins International Airport, for a term not to exceed five years.

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

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

Section 1. That the Director of Port Control ("Director") is hereby authorized to enter into a Lease By Way of Concession ("Lease") with Smarte Carte, Inc. ("Lessee") for luggage cart equipment and service at Cleveland Hopkins International Airport. The term of the Lease shall not exceed five years and shall be effective upon execution of a Lease, with both parties having a one time option to terminate the Lease two (2) years after the date of execution, with six months written notice. Lessee shall pay a concession fee of fifteen percent (15%) of gross monthly receipts, to be collected monthly, with no annual guaranteed minimum. The price of cart rental shall be One Dollar and Fifty Cents (\$1.50) during the term of the Lease, which price is subject to increase or decrease at the sole discretion of the Director. The Director shall have sole discretion over the location, within the terminal complex, of the cart rental equipment.

Section 2. That the Lease authorized herein shall be prepared by the Director of Law and shall contain such other terms and conditions as said Director deems necessary to protect and benefit the public interest.

Section 3. That the Director of Port Control and the Director of Law, and other appropriate City officials, are authorized to execute such other documents and certificates, and take such other actions as may be necessary or appropriate to effect the Lease authorized by this ordinance.

Section 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 July 17, 2000.
Effective July 25, 2000.

Ord. No. 649-2000.

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

An emergency ordinance declaring it necessary to provide for the control of blight and disease of shade trees by planting, removing, replacing, trimming, creating or excavating cutouts for shade trees, and other related activities, in and along the streets of portions of the City of Cleveland; establishing a district for said purpose in accordance with the provisions of Section 727.011 of the Revised Code; and providing for the assessment of the cost and expense of such work upon benefited property in such district.

Whereas, it is immediately urgent and necessary that work be authorized for the purpose of controlling blight and disease of shade trees within public rights of way by planting, removing, replacing, trimming, creating or excavating cutouts for shade trees, and other related activities in and along the streets of the downtown area of the City of Cleveland during 2001-2002 season; and

Whereas, the Director of Parks, Recreation and Properties has recommended to Council the planting, removing, replacing, trimming, creating or excavating cutouts for shade trees and other related activities in and along the streets of the downtown area of the City of Cleveland during a 12-month period beginning during 2001 in accordance with plans, specifications, profiles and cost estimates on file in the Office of the Clerk of Council; 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 it is hereby determined and declared necessary and conducive to the public health, convenience and welfare of the City of Cleveland and the inhabitants there-

of to control the blight and disease of shade trees within public rights of way by planting, removing, replacing, trimming, creating or excavating cutouts for shade trees, and other related activities (collectively, "Tree Maintenance") in and along the streets of a portion of the downtown area of the City of Cleveland for a 12-month period beginning during 2001.

Section 2. That for such Tree Maintenance, there is hereby created and established, pursuant to the provisions of Section 727.011, Ohio Revised Code, a district known as the "2001-2002 Tree Maintenance District" which shall include all territory within the following boundaries:

BOUNDARIES OF TREE MAINTENANCE DISTRICT

Beginning on the centerline of the Conrail Railroad right-of-way at its intersection with the Northerly prolongation of the centerline of West 10th Street;

Thence Southerly and Southeasterly along the Northerly prolongation and the centerline of West 10th Street to its intersection with the centerline of Superior Avenue N.W.;

Thence Easterly along the centerline of Superior Avenue N.W.; to its intersection with the Northerly prolongation of the Easterly right-of-way line of Columbus Road N.W.;

Thence Southerly along said Northerly prolongation and the Easterly right-of-way line of Columbus Road N.W. and its Southerly prolongation to its intersection with the centerline of the Cuyahoga River;

Thence Easterly and Southeasterly along the centerline of the Cuyahoga River to its intersection with the Easterly right-of-way line of Huron Road S.E.;

Thence Northerly along the Easterly right-of-way line of Huron Road S.E. to its intersection with the Southeasterly right-of-way line of Prospect Avenue S.E.;

Thence Southeasterly along the Southeasterly right-of-way line of Prospect Avenue S.E. to its intersection with the centerline of East 18th Street;

Thence Northerly along the centerline of East 18th Street and along its Northerly prolongation to its intersection with the centerline of said Conrail right-of-way;

Thence Westerly along said centerline of the Conrail right-of-way to its intersection with the Northerly prolongation of the centerline of West 10th Street and the place of beginning.

Section 3. That the plans, specifications and profiles for said Tree Maintenance, at the estimated cost of \$155,555.00, heretofore prepared and placed in File No. 649-2000-A in the office of the Clerk of Council are hereby approved.

Section 4. That the entire cost of such Tree Maintenance in the 2001-2002 Tree Maintenance District, less the one-fiftieth of such entire cost which shall be paid by the City, and excluding the cost of replacing any previously-assessed trees, be specially assessed by a percentage of

the tax value of all lots and lands within the 2001-2002 Tree Maintenance District, which said lots and lands are hereby determined to be specially benefited by said work in the amount equal to the amount specially assessed against each such lot and land. The cost of said work shall include the cost of plans, specifications, profiles and estimates and of printing, serving and publishing notices, resolutions and ordinances, the amount of damages resulting from the work assessed in favor of any owner of land affected by the work and the interest thereon, the costs incurred in connection with the preparation, levy and collection of special assessments, the cost of purchasing, appropriating and otherwise acquiring therefor any required real estate or interests therein, expenses of legal services, the cost of all labor and materials, and all other necessary expenditures.

Section 5. That the assessments to be levied shall be payable in cash within thirty (30) days after passage of the City's ordinance of assessment or at the option of the owner in one (1) annual installment. All cash payments remaining unpaid at the expiration of said thirty (30) days shall be certified by the Clerk of this Council to the County Auditor as provided by law to be placed by him on the tax duplicate and collected as other taxes are collected.

Section 6. That no notes or bonds of the City of Cleveland shall be issued in anticipation of the collection of the special assessment.

Section 7. That the Commissioner of Assessments and Licenses is hereby authorized and directed to prepare and file in the Office of the Clerk of Council an estimated assessment in accordance with the provisions of this resolution showing the amount of the assessment against each lot or parcel of land to be assessed. Such estimated assessments shall be based upon the estimated cost of the Tree Maintenance which is now on file in the Office of the Clerk of Council.

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 July 17, 2000.

Effective July 25, 2000.

Ord. No. 732-2000.
By Councilmen Melena, Cintron, Cimperman and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Public Service to lease property located at the southeast corner of Detroit Avenue and West 80th Street to St. Augustine Manor, or their designee, for a term not to exceed ten years, with two ten-year options to renew.

Whereas, the City of Cleveland owns certain property located on the

southeast corner of Detroit Avenue and West 80th Street which is not needed for public use for the next ten years; and

Whereas, St. Augustine Manor, or their designee, has proposed to lease said property from the City; and

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

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

Section 1. That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Service is authorized to lease to St. Augustine Manor, or their designee, certain property which is determined to be not needed for public use for the term of the lease, and which is described as follows:

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Original Brooklyn Township Lot No. 29 and parts of Sublots Nos. 1, 2, 3, 4 and 5 in The Chas Pease Subdivision of part of Original Brooklyn Township Lot No. 29 as shown by the recorded plat in Volume 20 of Maps, Page 12 of Cuyahoga County Records, together forming a parcel of land bounded and described as follows:

Beginning on the Southeasterly line of Detroit Avenue, N.W. (66 feet wide) at its point of intersection with the Northeasterly line of West 80th Street (40 feet wide);

Thence Northeasterly along said Southeasterly line of Detroit Avenue N.W. 438.83 feet to the Westerly line of a parcel of land conveyed to The West Side Deutscher Frauen Verein by deed dated March 19, 1894 and recorded in Volume 557 Page 636 of Cuyahoga County Records;

Thence Southerly along said Westerly line to a point distant Southeasterly by rectangular measurement 20 feet from said Southeasterly line of Detroit Avenue N.W.;

Thence Southwesterly parallel with said Southeasterly line of Detroit Avenue N.W. to said Northeasterly line of West 80th Street;

Thence Northwesterly along said Northeasterly line 20 feet to the place of beginning, be the same more or less, but subject to all legal highways.

Section 2. That the term of the lease authorized above shall not exceed ten years, with two (2) options exercisable by the Director of Public Service, to renew for an additional ten-year term, and cancellable upon thirty days written notice by said Director

Section 3. That the property described above shall be leased at a rental of \$1.00 per year.

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

Section 5. That the lease shall be prepared by the Director of Law and shall contain such authorized terms and conditions as are required to protect the interests of the City.

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

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

Passed July 17, 2000.

Effective July 25, 2000.

Ord. No. 820-2000.
By Councilmen O'Malley, Lewis and Patmon (by departmental request).

An emergency ordinance authorizing the submission to the electors of the City of Cleveland of a proposal to authorize the City of Cleveland to act as an aggregator on behalf of the Cleveland Electric Illuminating Company customers within the City for electrical power in the Year 2001 and thereafter.

Whereas, pursuant to Article XVIII, Section 4 of the Ohio Constitution, the City of Cleveland has plenary power to, among other things, own and operate municipal utilities or to contract with others for the provision of utility services to the residents and businesses located within the City; and

Whereas, pursuant to R.C. Section 4928.01, et seq., municipalities and others may aggregate customers within their jurisdiction in order to facilitate "customer choice" in electric power suppliers and to promote lower cost electric utility services within the City; and

Whereas, aggregation by the City may permit Cleveland Electric Illuminating Company customers within the City to realize lower electric rates from the collective purchasing of electric services; and

Whereas, the City of Cleveland desires to submit an ordinance to the Board of Elections to submit to the electors of the City of Cleveland the question of whether the City should create an aggregation program in accordance with R.C. Section 4928.20; and

Whereas, this ordinance constitutes an emergency measure providing for the immediate preservation of the public peace, property, health or safety in that it must be certified to the election authorities in order for the question to appear at a special election to be held on November 7, 2000, to establish a retail aggregation program for the benefit of the City's electric consumers by January 1, 2001, the date that "customer choice" commences in Ohio pursuant to R.C. Section 4928.01, et seq.; now, therefore,

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

Section 1. That this Council hereby authorizes the submission to the electors of the City of Cleveland at a special election to be held at the usual places of voting of said City on Tuesday, November 7, 2000, of a proposal to authorize the City of Cleveland to act as an aggregator on behalf of the Cleveland Electric Illuminating Company customers within the City for electric power in the year 2001 and thereafter in accordance with R.C. Section 4928.20.

Section 2. That the proposed aggregation authorization, upon receiving at least a majority of the votes cast thereon at the November 7, 2000, special election, shall become effective immediately upon its adoption, and the City's aggregation program shall thereafter commence in accordance with the plan of operation to be established pursuant to R.C. Section 4928.01, et seq. If the proposed aggregation authorization is so adopted, all Cleveland Electric Illuminating Company customers within the City shall automatically be included in the City's aggregation program, provided, however, that each customer shall have an opportunity to opt out of the City's aggregation program.

Section 3. That the Clerk of this Council is hereby authorized to promptly forward a certified copy of this ordinance to the Board of Elections of Cuyahoga County by no later than August 24, 2000.

Section 4. That the Board of Elections of Cuyahoga County shall cause an appropriate notice to be duly given of the election to be held on November 7, 2000, on the foregoing proposal and otherwise to provide for such election in the manner provided by the general laws of the State of Ohio.

Section 5. That the Clerk of this Council is hereby authorized to cause the full text of this Ordinance to be published once a week for two consecutive weeks in a newspaper of general circulation published in the City of Cleveland, with the first publication to be made at least fifteen days prior to the special election to be held on November 7, 2000, as provided in Article XVIII, Section 9 of the Constitution of the State of Ohio and Section 731.211 of the Ohio Revised Code.

Section 6. That it is found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were passed in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 7. That the ballot submitting the question of the adoption of the aforesaid proposal shall read as follows:

A majority affirmative vote is necessary for passage.

Shall the City of Cleveland have authority to act as an aggregator on behalf of the Cleveland Electric Illuminating Company customers within the City in the year 2001 and thereafter?

FOR THE CITY OF CLEVELAND
ACTING AS AN AGGREGATOR
ON BEHALF OF CLEVELAND
ELECTRIC ILLUMINATING COM-
PANY CUSTOMERS WITHIN
THE CITY OF CLEVELAND

AGAINST THE CITY OF CLEVELAND
ACTING AS AN AGGREGATOR
ON BEHALF OF CLEVELAND
ELECTRIC ILLUMINATING COM-
PANY CUSTOMERS WITHIN THE CITY OF CLEVELAND

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 July 17, 2000.
Effective July 25, 2000.

Ord. No. 837-2000.
By Councilmen Cintron, Lewis and Patmon (by departmental request).
An emergency ordinance to amend Sections 505.11 and 505.12 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1168-92, passed June 15, 1992, and Ordinance No. 2417-90, passed June 17, 1991, relating to duty to repair sidewalks, curbs and gutters, duty to maintain certain sidewalks and liability.

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 Sections 505.11 and 505.12 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1168-92, passed June 15, 1992, and Ordinance No. 2417-90, passed June 17, 1991, are hereby amended to read as follows:

Section 505.11 Duty to Repair Sidewalks, Curbs and Gutters; Duty to Maintain Certain Sidewalks; Liability

(a) No owner or occupant of abutting lots or lands shall fail to keep the sidewalks, curbs, and gutters in repair and free from snow, ice or any nuisance. (RC 723.011)

(b) In addition to the duty contained in division (a) of this section, no owner or occupant of abutting lots or lands which are used, in whole or in part, for the operation of a business, or which previously have been used for the operation of a business and are now vacant, shall maintain sidewalks with the characteristics contained in division (a) of Section 505.12. As used in this division, "business" means any enterprise, activity, profession or undertaking of any nature conducted for profit or ordinarily conducted for profit, whether by an individual, partnership, association, corporation

or any other entity, but not including the rental of residential premises.

(c) An owner or occupant of abutting lots or lands who fails to comply with division (a) or, if applicable, division (b) of this section:

(1) shall be liable in money damages to any person who, as a result of such owner's or occupant's failure to comply, sustains bodily injury or property damage while in the lawful use of the sidewalk (an "injured party"); and

(2) shall be liable to and reimburse the City for all money paid by the City on any claim made or judgment obtained against the City by an injured party.

(d) When the Director of Public Service determines that an owner fails to keep the sidewalks, curbs, and gutters in repair because those sidewalks have one or more of the characteristics set forth in division (a) of Section 505.12, the Director shall serve or cause to be served upon such owner a notice which states in detail the nature of the violation. The notice shall also contain an estimate of the cost to repair the sidewalk, curb, or gutter and shall notify the owner that he may submit payment of the estimated amount to the City by a certain date and enter into an agreement with the City to effectuate the repairs. Upon receipt of the estimated amount and the agreement, the City will construct or repair the sidewalk. If the actual cost of construction or repair is not equal to the estimated amount, the City will bill the owner for any additional cost or reimburse the owner for any amount paid to the City that exceeds the actual cost. The agreement required above shall contain such terms and provisions as determined by the Director of Law to protect and benefit the City. This notice is not a substitute for the notice described in division (b) of Section 505.12, but may be issued with that notice.

Section 505.12 Failure to Maintain Certain Sidewalks

(a) Sidewalks having the following characteristics are determined to be in need of maintenance:

(1) Any block having multiple cracks or any single crack larger than one-fourth inch (1/4") wide.

(2) Adjoining sections of block, or portion thereof, whose edges differ vertically by one-half inch (1/2") or more.

(3) Any block with a transverse slope in excess of three-eighths inch (3/8") plus or minus one-eighth inch (1/8") per horizontal foot toward the street.

(4) Any block with a reverse slope (a slope away from the street).

(5) Any block with a depression or depressions that impound water to a depth of one-quarter inch (1/4") or more.

(6) Any block with disintegrated or deteriorated areas or missing pieces or missing particles of aggregate.

(7) Any adjoining blocks the expansion or control joints of which are separated by one-half inch (1/2") or more.

(8) Any block which the Director of Public Service determines to be hazardous, regardless of whether it has any of the characteristics set forth in paragraphs (1) through (7) of this division.

(b) When the Director of Public Service determines that an owner is in violation of the provisions of division (b) of Section 505.11 because the sidewalk or sidewalks abutting said owner's property have one or more of the characteristics set forth in division (a) of this section, said director shall serve or cause to be served upon such owner a notice which states in detail the nature of the violation. The notice shall further provide that within thirty (30) days after service of the notice, the recipient thereof shall:

(1) remedy the violation;

(2) appeal the Director's determination to the Board of Sidewalk Appeals; or

(3) submit payment and enter into an agreement pursuant to division (d) of Section 505.11.

The notice shall clearly indicate to the recipient that if the recipient fails to take one of the three steps listed in this division within thirty (30) days after service of the notice, the recipient may be found guilty of a fourth degree misdemeanor.

(c) If an appeal is filed after service of the notice provided for in division (b) of this section, the Board of Sidewalk Appeals shall have the authority to modify, alter or revoke any such notice as to the amount or type of work required or the time in which it must be completed, consistent with City ordinances and specifications regarding sidewalk maintenance. The Board shall also have the authority to waive strict compliance with such requirements where such compliance would cause undue hardship, provided such waiver will not cause or continue a public nuisance or an unsafe condition. The Board shall issue an order setting forth its findings and indicating the period of time within which the owner must comply therewith.

(d) If the Board of Sidewalk Appeals issues an order pursuant to division (c) of this section, the property owner to whom the order applies may appeal such order to the Board of Zoning Appeals established pursuant to Charter Section 76-6. Written notice of such appeal shall be filed with the Board within ten (10) days after the making of such order. Within ten (10) days after the filing of such notice, the Board shall proceed to hear such appeal, at which hearing all parties interested shall be afforded an opportunity to be heard. The Board shall approve, modify or annul the order from which the appeal has been perfected, and the decision of the Board shall be final with respect to all parties thereto.

(e) Notwithstanding any other provision contained in this section, any notice served pursuant to division (b) of this section between November 15 of one year and February 1 of the succeeding year to an owner of a parcel of land which is located within the Central Business District shall provide that the violation shall be remedied or the

Director's determination appealed within thirty (30) days of the end of that period. Any order issued pursuant to division (c) of this section and any decision of the Board of Zoning Appeals pursuant to division (d) of this section shall take into consideration the provisions of Section 505.05.

(f) Any owner who violates the provisions of division (b) of this section or fails to comply with or appeal an order of the Board of Sidewalk Appeals issued pursuant to division (c) of this section within the period set forth in said order or fails to comply with the decision of the Board of Zoning Appeals pursuant to division (d) of this section shall be guilty of a misdemeanor of the fourth degree. Each day during which noncompliance or a violation continues shall constitute a separate offense. Provided that the fine set forth herein shall not, with respect to any one service of notice, exceed three times the cost of the sidewalk maintenance required in such notice, as estimated by the Director of Public Service. The fine set forth herein is mandatory and shall not be suspended by the court, in whole or in part. All fines collected for violations of this section, or an amount equal to the fines collected, shall be credited to the Neighborhood Sidewalk Assessment Fund, and such monies are hereby appropriated for the purposes for which the fund was created.

Section 2. That Sections 505.11 and 505.12 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1168-92, passed June 15, 1992, and Ordinance No. 2417-90, passed June 17, 1991, 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.

Passed July 17, 2000.

Effective July 25, 2000.

Ord. No. 858-2000.
By Councilmen Sweeney, 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 4775 West 130th Street to Bellaire-Puritas Development Corporation.

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). 020-15-016, as more fully described in Section 2 below, to Bellaire-Puritas Development Corporation.

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

P. P. No. 020-15-016

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 119 in the Clark Manchester Company's Homesite Allotment No. 6 of a part of Original Rockport Township Section No. 1 as shown by the recorded plat in Volume 59 of Maps, Page 8 of Cuyahoga County Records and being 44 feet front on the Easterly side of West 130th Street and extending back between parallel lines 140 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

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

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

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

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

Passed July 17, 2000.

Effective July 25, 2000.

Ord. No. 859-2000.
By Councilmen Melena and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Community Development to enter into contract with one or more non-profit agencies to operate a community gardening program.

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

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

Section 1. That the Director of Community Development is hereby authorized to enter into contract with one or more non-profit agencies to operate a community gardening program.

Section 2. That the cost of said contract shall be in an amount not to exceed \$80,000.00, and shall be paid from Fund No. 14 SC 026 Request No. 20682.

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 July 17, 2000.

Effective July 25, 2000.

Ord. No. 932-2000.
By Councilmen Rybka, Cimperman and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter into a Local Project Administration agreement with the Ohio Department of Transportation to fund and construct landscape beautifications on portions of Interstate 90 and Route 2; determining the method of making the public improvement; and authorizing the Director to enter into contract for the making of such improvement.

Whereas, the Ohio Department of Transportation ("ODOT") has expressed its willingness to apply, as the local sponsor on behalf of the City of Cleveland, for funding from the ODOT Transportation Enhancement Rural Program (the "Program"), for the construction of landscape beautifications for portions of Interstate 90 and Route 2 (the "Improvement"); and

Whereas, if this project were to be accepted for funding under the Program, a Local Project Administration agreement between the City of Cleveland and ODOT would need to be entered into, which would include, among other things, construction of the Improvement; 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 Local Project Administration ("LPA") agreement with the Ohio Department of Transportation to fund and construct landscape beautifications to Interstate 90, from East 185th Street to East 22nd Street, and on Route 2, from the Shoreway to the Westinghouse Curve.

Section 2. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of constructing landscape beautifications to Interstate 90, from East 185th Street to East 22nd Street, and on Route 2, from the Shoreway to the Westinghouse Curve, for the Department of Parks, Recreation and Properties, by contract duly let to the lowest responsible bidder after competitive bidding, upon a unit basis for the Improvement.

Section 3. That, provided ODOT's application for funding under the ODOT Transportation Enhancement Rural Program is approved, the Director of Parks, Recreation and Properties is hereby authorized to enter into a 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 4. That the cost of said Improvement hereby authorized shall be paid from the fund or funds to which are credited the funds received from the Program described above which funds are hereby appropriated for that purpose.

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 July 17, 2000.

Effective July 25, 2000.

Ord. No. 934-2000.
By Councilmen Rybka and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to plant trees at various locations through the City of Cleveland on City-owned property, for the Division of Park Maintenance and Properties, 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 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 labor and materialize necessary to plant trees at various locations throughout the City of Cleveland on City-owned properties in the approximate amount as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Park Maintenance and Properties, 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. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

Section 2. That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 12248)

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 July 17, 2000.

Effective July 25, 2000.

Ord. No. 935-2000.
By Councilman Polensek.
An emergency ordinance to amend Section 183.04 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 2339-A-78, passed June 11, 1979 relating to concession agreements and contract use of City-owned facilities.

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 183.04 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 2339-A-78, passed June 11, 1979, is hereby amended to read as follows:

Section 183.04 Concession Agreement and Contract for Use of City-Owned Facilities

An agreement granting the privilege of vending commodities or ren-

dering services to the public upon or within parks, public grounds, recreational and other publicly owned facilities of the City tending to enhance the enjoyment of such facilities and to promote the convenience and comfort of the public thereon may be made for a period not exceeding sixty (60) days by the director of the department involved when so authorized by the Board of Control. In no event shall the agreement be permitted to be extended or held over beyond sixty (60) days.

A concession agreement shall not be construed as the conveyance of any right, title or interest in public property but merely as the grant of the privilege, permit and license to purvey the enumerated concession commodities or service therein and thereon.

Section 2. That existing Section 183.04 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 2339-A-78, passed June 11, 1979, is hereby repealed.

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

Passed July 17, 2000.
Effective July 25, 2000.

Ord. No. 945-2000.
By Councilmen Robinson, Melena and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into a Neighborhood Development Investment Fund grant agreement with Mount Pleasant Now Development Corporation to provide economic development assistance to finance the demolition of existing buildings at 13815 Kinsman Avenue, Cleveland, Ohio, which will be the future location of an office building for Cuyahoga County's Human Services Work and Training Operations.

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

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

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

Section 1. That the Director of Economic Development is hereby authorized to enter into a Neighborhood Development Investment Fund grant agreement with Mount Pleasant Now Development Corporation to provide economic development assistance to finance the demolition of existing buildings at 13815 Kinsman

Avenue, Cleveland, Ohio, which will be the future location of an office building for Cuyahoga County's Human Services Work and Training Operations.

Section 2. That the terms of said grant agreement shall comply with the requirements of the Neighborhood Development Investment Program and NDIF, as set forth in Section 1 of Ordinance No. 56-94, passed June 13, 1994, and shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 945-2000-A.

Section 3. That the amount of said grant agreement shall not exceed Eighty Thousand Dollars (\$80,000.00), and shall be paid from Fund No. 10 SF 501, Request No. 26602.

Section 4. That the Director of Law is hereby authorized to prepare said grant agreement and such other documents as may be appropriate to complete the transaction.

Section 5. 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 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 July 17, 2000.
Effective July 25, 2000.

Ord. No. 1003-2000.

By Mayor White.
An emergency ordinance authorizing the Director of Port Control to enter into a Lease By Way of Concession with Cleveland National Air Show, Inc., for use of certain property and facilities at Burke Lakefront Airport to conduct an air show and related events.

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 ("Director") is hereby authorized to enter into a Lease By Way of Concession ("Lease") with Cleveland National Air Show, Inc. ("Lessee") for use of portions of the airfield and facilities (the "Premises") as designated by the Director, at Burke Lakefront Airport (the "Airport") to conduct an air show and related events. In addition, Lessee shall also lease approximately 481.58 square feet of office space in Room 137B of the Terminal Building at the Airport to administer the air show.

Section 2. That the Lease authorized in Section 1 above shall have a term of five (5) years. Lessee shall pay as rent for the use of the Premises \$19,000 per year for the term of the Lease. Additionally, Lessee shall pay as rent for use of

the office space \$12.00 per square foot per year. Lessee shall pay the cost of all services provided by the City on a Class B basis which are directly related to the air show. The Lease shall provide that, if total costs to Lessee derived from rent, office rent and payment for City services exceed \$90,000 in any given year of the term, Lessee may terminate the Lease prior to the end of the term, provided that Lessee gives written notice of such termination to the Director of Port Control, the President of City Council and the Chairman of the Aviation and Transportation Committee, six (6) months prior to the date of the next year's event, or within thirty (30) days of receiving notice of the final costs for the preceding year, whichever is earlier.

Section 3. That the Lease authorized herein shall be prepared by the Director of Law and include such terms and conditions as said Director deems necessary to protect and benefit the public interest as are not in conflict with 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 July 17, 2000.
Effective July 25, 2000.

Ord. No. 1005-2000.
By Councilmen Polensek and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of various types of safety equipment, for the various divisions of the Department of Public Safety.

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

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

Section 1. That the Director of Public Safety is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of various types of safety equipment as set forth in File No. 1005-2000-A in the approximate amount identified therein, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of the Department of Public Safety. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases

and Supplies until provision is made for the requirements for the entire year.

Section 2. That the cost of said contract shall be charged against the proper appropriation account funded by the restricted income tax 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 15238)

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 July 17, 2000.

Effective July 25, 2000.

Ord. No. 1006-2000.

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

An emergency ordinance to appropriate property for the public purpose of expanding Greenwood Park.

Whereas, the Council of the City of Cleveland, by Resolution No. 1013-2000, adopted July 17, 2000, declared the necessity and intention of appropriating the fee simple property interests herein described for the public purpose of expanding Greenwood Park; 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 expanding Greenwood Park, the following described fee simple interests be and the same hereby are appropriated:

PERMANENT PARCEL NO. 007-06-060

Situated in the City of Cleveland, County of Cuyahoga, State of Ohio and known as being part of Sublot No. 1 and part of Sublot No. 58 in Jonah P. Hill's Allotment of part of Original Brooklyn Township Lot No. 53, as shown by the recorded plat in Volume 8 of Maps, Page 16 of Cuyahoga County Records, and bounded and described as follows:

Beginning on the Easterly line of West 40th Street, at a point distant Northerly 24.5 ft. from its intersection with the most Southerly line of said Sublot No. 58; thence Northerly 0.5 ft. along the said Easterly line of West 40th Street, to an inner-corner of said Sublot No. 58; thence

Westerly 20 ft. along the Southerly line of said Sublot No. 58, which is also the Northerly line of West 40th Street, to the Southwesterly corner of said Sublot No. 58; thence Northerly 25 feet along the Easterly line of West 40th Street, to the Northwesterly corner of said Sublot No. 58; thence Easterly along the Northerly line of said Sublot No. 58 and along the Northerly line of said Sublot No. 1, to a point distant West 80 ft. form its intersection with the Westerly line of West 38th street; thence Southerly parallel with the said Westerly line of West 38th Street, to a point distant Northerly 24.5 ft. at right angles form the Southerly line of said Sublot No.1; thence Westerly parallel with the Southerly line of said Sublot No.1, to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

Parcel No.: 007-06-083

Exhibit "A"

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Sublot No. 2 in J. P. Hill's Allotment of part of Original Brooklyn Township Lot No. 53, as shown by the recorded plat in Volume 8 of Maps, Page 16 of Cuyahoga County Records, bounded and described as follows:

Beginning at the intersection of Northerly line of Bailey Avenue, S.W., with the Westerly line of West 38th Street, (formerly Mechanics Street); thence Northerly along the Westerly line of West 38th Street, 50 feet 1 inch to the Northerly line of Sublot No. 2; thence Westerly along the Northerly line of Sublot No. 2, 79 feet 2.5 inches to the Northeastly corner of land conveyed to Frank Bede and Ethel Bede by Deed dated June 11, 1943, and recorded in Volume 5609, Page 284 of Cuyahoga County Records; thence Southerly along the Easterly line of land so conveyed to Frank Bede and Ethel Bede about 50.04 feet to the Southeastly corner thereof; thence Easterly along the Southerly line of Sublot No. 2, which is also the Northerly line of Bailey Avenue S.W., 82 feet to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

Parcel No.: 007-06-084

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being the Easterly 80 feet of Sublot No. 1 in Jonah P. Hill's Allotment of part of Original Brooklyn Township Lot No. 53 as shown by the recorded plat in Volume 8 of Maps, Page 16 of Cuyahoga County Records and being 50 feet 1 inch front on the Westerly side of West 38th Street (formerly Mechanics Street), and extending back of equal width 80 feet, as appears by said plat be the same more or less, but subject to all legal highways.

Parcel No. 007-06-101

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

Sublot No. 1 and part of Sublot No. 58 in Jonah P. Hill's Subdivision of part of Original Brooklyn Township No. 53, as shown by the recorded plat in volume 8 of Maps, Page 16 of Cuyahoga County Records and bounded and described as follows:

Beginning on the Easterly line of West 40th Street at a point distant Northerly 24.5 feet from its intersection with the most Southerly line of said Sublot No. 58, thence Southerly 24.50 feet along the said Easterly line of West 40th Street to its intersection with the most Southerly line of said Sublot No. 58; thence Easterly along the most Southerly line of said Sublot No. 58, and along the Southerly line of said Sublot No. 1 to a point distant West 80 feet form its intersection with the Westerly line of West 38th Street; thence Northerly parallel with the said Westerly line of West 38th Street; to a point distant Northerly 24.5 feet at right angles form the Southerly line of said Sublot No. 1; thence Westerly parallel with the Southerly line of said Sublot No. 1 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 compensation 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 July 17, 2000.

Effective July 25, 2000.

Ord. No. 1011-2000.

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

An emergency ordinance authorizing the Director of Economic Development to enter into an Enterprise Zone Agreement with Howard Bradley and HLB Properties Limited to provide for a ten year abatement for certain tangible personal property and real estate taxes as an incentive to construct a new building on the southeast corner of East 93rd Street and St. Clair Avenue for Bradley Construction Company's world headquarters 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, Howard Bradley and HLB Properties Limited (the "Enterprise") has proposed to construct a new building on the southeast corner of East 93rd Street and St. Clair Avenue for Bradley Construction Company's world headquarters in the Cleveland Area Enterprise Zone; 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 construct a new building on the southeast corner of East 93rd Street and St. Clair Avenue for Bradley Construction Company's world headquarters in the Cleveland Area Enterprise Zone; 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. 1011-2000-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 July 17, 2000.

Effective July 25, 2000.

Ord. No. 1012-2000.

By Councilman O'Malley.

An ordinance to change the Use and Area District of lands on the northerly side of Memphis Avenue, S.W. between W. 62 Street and W. 58 Street. (Map Change No. 2013, Sheet No. 2)

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

Section 1. That the Use and Area Districts of lands bounded and described as follows,

Beginning at the intersection of the center line of Memphis Avenue, S.W. and the center line of West 62 Street; thence northerly along said center line of West 62 Street to its intersection with the westerly extension of a line located approximately one hundred twenty five (125) feet north of the northerly line of Memphis Avenue, S.W.; thence easterly along said westerly extension and along said line which is parallel to and approximately one hundred twenty five (125) feet north of said northerly line of Memphis Avenue, S.W. and along its easterly extension to the center line of Ridgeview Drive, S.W.; thence northerly along said center line of Ridgeview Drive, S.W. to its intersection with the westerly extension of the southerly line of Sublot No. 753 in the Ridgeview Manor Allotment as recorded in Volume 79, Page 1 of the Cuyahoga County Map Records (said southerly line of said Sublot No. 753 being located approximately seven hundred twenty five (725) feet north of the northerly line of Memphis Avenue, S.W.); thence easterly along said westerly extension and along said southerly line of said Sublot No. 753 to its intersection with the easterly line thereof; thence northerly along said easterly line of said Sublot No. 753 to its intersection with the southerly line of Sublot No. 49 in the Baser's Brookside Allotment as recorded in Volume 56, Page 26 of the Cuyahoga County Map Records; thence easterly along said southerly line of said Sublot No. 49 and along its easterly extension to its intersection with the center line of West 59 Street; thence southerly along said center line of West 59 Street to its intersection with the westerly extension of the southerly line of Sublot No. 5 in said Baser's Brookside Allotment; thence easterly along said westerly extension and along said southerly line of said Sublot No. 5 to its inter-

section with the westerly line of Sublot No. 52 in the Memphis Avenue Subdivision as recorded in Volume 84, Page 12 of the Cuyahoga County Map Records; thence southerly along said westerly line of said Sublot No. 52 to its intersection with the southerly line thereof; thence easterly along said southerly line of said Sublot No. 52 and along its easterly extension to the center line of West 58 Street; thence southerly along said center line of West 58 Street to said center line of Memphis Avenue, S.W.; thence westerly along said center line of Memphis Avenue, S.W. to the place of beginning, and as outlined in red on the map hereto attached be and the same are hereby changed to a Local Retail Use District and a 'C' Area District.

Section 2. That said changed designation of lands described in Section 1 shall be identified as Map Change No. 2013, Sheet No. 2 and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the Office of the City Planning Commission by the appropriate person designated for such purpose by the City Planning Commission.

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

Passed July 17, 2000.

Effective August 26, 2000.

Ord. No. 1054-2000.

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

An emergency ordinance authorizing the Director of Public Service to sign the Subsidy Stipulation and Recommendation with the Public Utilities Commission of Ohio and Norfolk Southern to provide for the relocation of active warning devices at the Norfolk Southern grade crossing at Miles Avenue and East 131st Street, at no cost to the City.

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

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

Section 1. That the Director of Public Service is hereby authorized to sign the Subsidy Stipulation and Recommendation with the Public Utilities Commission of Ohio and Norfolk Southern to provide for the relocation of active warning devices at the Norfolk Southern grade crossing at Miles Avenue and East 131st Street, which will be accomplished at no cost to the City of Cleveland.

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 July 17, 2000.

Effective July 25, 2000.

Ord. No. 1055-2000.

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

An emergency ordinance authorizing the Director of Public Service to make alterations and modifications in Contract No. 55251 for the Columbus Road lift bridge rehabilitation with National Engineering & Contracting Co. for the Department of Public Service.

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

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

Section 1. That the Director of Public Service is hereby authorized to make the following alterations and modifications in Contract No. 55251 with National Engineering & Contracting Co. for the Columbus Road lift bridge rehabilitation, for the Department of Public Service:

Subsidiary Additions

1. Repair South Girder	\$ 33,061.00
2. Repair North Girder	33,061.00
3. Miscellaneous stringers - 4 @ \$3,000.00	12,000.00
4. Added structural steel 8580#s - @ \$2.20/#	<u>18,876.00</u>
Subsidiary Additions	\$ 96,998.00
Original Contract Amount	\$ 1,221,413.20
Subsidiary Additions	<u>96,998.00</u>
TOTAL REVISED CONTRACT AMOUNT	\$ 1,318,411.20

Which alteration has been recommended in writing by the Director of Public Service, countersigned by the Mayor, and consented to by the surety on said contract, which price to be paid therefor has been agreed upon in writing and signed by the Director of Public Service and the Contractor. This alteration will cause an increase in the amount of the original contract in the sum of \$96,998.00, to be paid from Fund No. 20 SF 364.

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 July 17, 2000.

Effective July 25, 2000.

Ord. No. 1113-2000.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 6410, 6412 Varian Avenue; 1224 East 61st Street; 1114 East 68th Street to St. Clair Superior Neighborhood Development Association.

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. 105-21-123, 105-21-140, 104-15-105, and 105-25-042, as more fully described in Section 2

below, to St. Clair Superior Neighborhood Development Association.

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. 105-21-123

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublots Nos. 27 and 28 in the Varian Subdivision of part of Original One Hundred Acre Lots Nos. 346 and 347, as shown by the recorded plat in Volume 14 of Maps, Page 27 of Cuyahoga County Records, and bounded and described as follows:

Beginning at the intersection of Southeasterly line of Varian Avenue, N.E., with the Southwesterly line of Addison Road, N.E.; thence South 60° West 250.30 feet along the said Southeasterly line of Varian Avenue, N.E., to a point for the principal place of beginning; thence North 60° East 23 feet along the said Southeasterly line of Varian Avenue, N.E., to the most Northerly corner of a parcel of land conveyed to Mary Oblak by deed recorded in Volume 2924, Page 147 of Cuyahoga County Records; thence South 30° East 116.81 feet along the Northeastly line of land so conveyed to Mary Oblak to the most Easterly corner thereof; thence South 63° 13' 40" West 20.62 feet along the Southeasterly line of land so conveyed to Mary Oblak to a point; thence North 28° 02' West 19.48 feet to a point; thence North 42° 31' West 13.29 feet to a point; thence North 30° West 85 feet to the principal place of beginning.

Easement recorded in Volume 7295, Page 565.

Subject to Zoning Ordinances, if any.

P. P. No. 105-21-140

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as part of Sublots Nos. 28 and 29 in the Varian Subdivision of part of Original One Hundred Acre Lots Nos. 346 and 347 as shown by the recorded plat in Volume 14 of Maps, Page 27 of Cuyahoga County Records and bounded and described as follows:

Beginning at the intersection of the Southeasterly line of Varian Avenue, N.E., with Southwesterly line of Addison Road, N.E., thence South 60° West 250.30 feet along the said Southeasterly line of Varian Avenue, N.E., to a point for the principal place of beginning; thence South 60° West 23 feet along the said Southeasterly line of Varian Avenue, N.E., to the most Westerly corner of a parcel of land conveyed to Mary Oblak by deed recorded in Volume 2924, Page 147 of Cuyahoga County Records, thence South 30° East 116.02 feet along the Southwesterly line of land so conveyed to Mary Oblak to the most Southerly corner; thereof; thence North 63° 13' 40" East 25.25 feet along the Southeasterly line of land so conveyed to Mary Oblak to a point; thence North 28° 02' West 19.48 feet to a point; thence North 42° 31' West 13.29 feet to a point; thence North 30° West 85 feet to the principal place of beginning, according to a survey made August 1950 by Cleveland Surveys,

Civil Engineers and Surveyors, be the same more or less, but subject to all legal highways.

P. P. No. 104-15-105

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 11 in N. Helbig's Allotment of part of Original One Hundred Acre Lot No. 343 as shown by the recorded plat in Volume 10 of Maps, Page 30 of Cuyahoga County Records and being 40 feet front on the Westerly side of East 61st Street (formerly Dana Street) and extending back of equal width 181.04 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

P. P. No. 105-25-042

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 153 in W. J. Crawford and James Paramelee Subdivision of part of Original One Hundred Acre Lot No. 347, as shown by the recorded plat in Volume 13 of Maps, Page 40 of Cuyahoga County Records, and being 35 feet front on the Southwesterly side of East 68th Street, (formerly Lewis Avenue), and extending back of equal width 120 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

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

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

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

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

Passed July 17, 2000.

Effective July 25, 2000.

Ord. No. 1116-2000.

By Councilman Melena.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on West 54th Street to Detroit Shoreway Community Development Organization.

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 Nos. 002-31-046 and 002-31-048 to Detroit Shoreway Community Development Organization and more fully described as follows:

P. P. No. 002-31-046

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 201 in Benedict and Root's Subdivision of part of Original Brooklyn Township Lots Nos. 48 and 49, as shown by the recorded plat in Volume 1 of Maps, Page 13 of Cuyahoga County Records and bounded and described as follows:

Beginning in the Westerly line of West 54th Street at a point 52 feet Southerly measured along said Westerly line from its intersection with the Southerly line of Ithaca Court, N.W., thence Westerly and parallel with the said Southerly line of Ithaca Court, N.W., 132.49 feet; thence Southerly 28 feet to a point, 132.29 feet Westerly from the Westerly line of said West 54th Street; thence Easterly and parallel with the said Southerly line of Ithaca Court, N.W., 132.29 feet to the Westerly line of said Westerly 54th Street; thence Northerly along said Westerly line 28 feet to the point of beginning, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

P. P. No. 002-31-048

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and beginning in the Westerly line of West 54th Street at its intersection with the Southerly line of Ithaca Court, N.W., thence Southerly along the Westerly line of West 54th Street, 25 feet thence Westerly and parallel with the

Southerly line of Ithaca Court, N.W., 132.68 feet, thence Northerly a distance of 25 feet to a point in said Southerly line of Ithaca Court, N.W., 132.85 feet Westerly from the place of beginning; thence Easterly and along the said Southerly line of Ithaca Court, N.W., 132.85 feet to the place of beginning and being part of Sublot No. 200 in Benedict and Root Subdivision recorded in Volume 1, Page 13 of Cuyahoga County Records according to the survey of Korell and Wilhelm, Surveyors, July 9, 1920, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

Section 2. 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 3. 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 4. That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest including such restrictive covenants and reversionary interests as may be specified by the Board of Control, the Director of Community Development or the Director of Law.

Section 5. That the project to be implemented by the conveyance of the abovementioned properties shall be reviewed by the City Planning Commission.

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 July 17, 2000.

Effective July 25, 2000.

Ord. No. 1219-2000.

By Councilmen O'Malley, Polensek and Patmon.

An emergency ordinance disapproving the request to consent to transfer the cable franchise from Cablevision of Cleveland, L.P. to Adelphia Cleveland LLC.

Whereas, Cablevision of Cleveland, L.P., an indirect wholly-owned subsidiary of Cablevision Systems Corp., (collectively, "Cablevision") has the right to own, operate and

maintain a cable system in the City of Cleveland, Ohio pursuant to a Franchise Agreement, effective on or about September 16, 1986 (the "Franchise Agreement"), as amended by the Amendment to Franchise Agreement approved by this Council by Ordinance No. 305-94, effective March 9, 1994, (the "1994 Amendment," and together with the Franchise Agreement, the "Franchise"), which Franchise shall expire on or about September 15, 2001; and

Whereas, Adelphia Communications Corporation and Cablevision entered into a Purchase Agreement dated as of December 8, 1999 (the "Purchase Agreement"), whereby Adelphia Communications Corporation shall acquire Cablevision of Cleveland, L.P. resulting in the transfer of the Franchise from Cablevision to Adelphia Communications Corporation (the "Transfer"), which Purchase Agreement provides that subsequent to the Transfer from Cablevision, Adelphia Cleveland LLC, a wholly-owned subsidiary of Adelphia Communications Corporation (collectively, "Adelphia"), will hold the Franchise and operate the cable system in the City; and

Whereas, in mid-February 2000, Cablevision and Adelphia submitted an FCC Form 394 dated February 4, 2000 to the City Council, which described the Purchase Agreement and Transfer and requested that the City consent to the proposed Transfer; and

Whereas, after a review of the FCC Form 394 and other information submitted by Cablevision and Adelphia, it was determined that the FCC Form 394 was incomplete and the City Council's consultants requested additional information from Cablevision and Adelphia, which information was provided, in order for City Council to perform its due diligence review of the technical, legal and financial ability of Adelphia to perform the obligations of the Franchise, to ascertain Cablevision's compliance with the terms of the Franchise and to consider the effect of the proposed Transfer on the health, safety and welfare of the citizens of the City of Cleveland; and

Whereas, after reviewing Cablevision's compliance with the Franchise and performing a due diligence review of Adelphia's technical, legal and financial ability to perform the obligations of the Franchise, which reviews included public hearings, representatives of City Council, Cablevision and Adelphia have been and are continuing to negotiate in good faith relevant terms and conditions to address issues of past compliance, the ability of Adelphia to perform under this Franchise and any new franchise upon the Franchise's expiration on September 15, 2001 and other issues raised by the proposed Transfer, but have not yet reached agreement on such terms; and

Whereas, City Council, pursuant to Section 617 of the federal Cable Act [47 U.S.C. 537], must act on the request to approve the Transfer of the Franchise within one hundred twenty (120) days of receiving a complete FCC Form 394, which time period expires on August 8, 2000, or the Council will lose its rights with respect to the proposed Transfer

since the Transfer shall be deemed approved if no action is taken prior to said date of August 8, 2000, or unless an extension of time is agreed to by the parties; and

Whereas, this Council has determined that it is not in its best interest to approve the Transfer until the City Council, Cablevision and Adelphia have resolved, and reached agreement on, the appropriate terms and conditions of the Transfer; and

Whereas, City Council intends to continue negotiating in good faith with Cablevision and Adelphia for resolution of such issues but, because an extension of time has not been agreed to, Council has determined to deny its consent to the Transfer at this time in order to retain its rights under federal law by acting on Cablevision's and Adelphia's request within the time period allowed by the Cable Act so that the City Council, Cablevision and Adelphia can reach agreement on certain appropriate terms and conditions of the Transfer as described above; and

Whereas, this Council has established a regular meeting schedule in July and August 2000 to accommodate a reconsideration of this Ordinance, if appropriate, and to assure that this Ordinance takes effect, if necessary, in a timely manner; and

Whereas, this Ordinance constitutes an emergency measure providing for the immediate preservation of the public health, safety and welfare of the citizens of the City of Cleveland; now, therefore,

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

Section 1. That the City of Cleveland, in order to retain its full rights under the federal Cable Act with respect to the proposed Transfer, hereby denies and disapproves the Transfer of the Franchise from Cablevision to Adelphia Cleveland LLC pending continued negotiation and resolution of appropriate terms and conditions of issues raised by the Transfer.

Section 2. That this Council will reconsider the request to consent to Transfer the Franchise from Cablevision to Adelphia Cleveland LLC and may determine to approve the Transfer if this Council is able to negotiate and resolve appropriate terms and conditions of issues related to the Transfer with Cablevision and Adelphia.

Section 3. That it is found and determined that all formal actions by the Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council, and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements of Section 121.22 of the Ohio Revised Code.

Section 4. That the Clerk of Council is hereby requested to forward a certified copy of this Ordinance by certified mail upon Cablevision and Adelphia.

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 July 17, 2000,
Effective July 25, 2000, without the signature of the Mayor.

Ord. No. 1220-2000.

By Councilman Britt.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to God's House of Prayer and Deliverance Church to stretch two banners on Woodland Ave. between E. 110th and E. 111th Sts. and Woodhill Rd. between Kennedy and Cumberland using CPP utility poles (by separate permission) for the period of June 29, 2000 to July 31, 2000, inclusive, publicizing their special church event.

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

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

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio 1976, the Director of Public Service is hereby authorized and directed to issue a permit to God's House of Prayer and Deliverance Church Cleveland, to install, maintain and remove two (2) banners to be stretched on Cleveland Public Power utility poles, (by separate permission) publicizing a special church event, and said banners shall be hung for the period of June 29, 2000 to July 31, 2000, inclusive, on the following poles and at the following locations: Pole Number E4-30 at Woodland Avenue between East 110th Street and East 111th Street (South); Pole Number E4-18-2, the 2nd pole West of Woodhill Road (North); Pole Number E4-18A-5, at Woodhill Road between Kennedy and Cumberland, and which pole locations and 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 just be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner, and said banner shall be removed promptly upon the expiration of said permit.

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

Passed July 17, 2000,
Effective July 25, 2000.

Ord. No. 1221-2000.**By Councilman Britt.**

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the Murray Hill Arts Association to stretch banners at various locations on Murray Hill and Mayfield Road for the period from September 10, 2000 to October 10, 2000, inclusive, publicizing the Murray Hill Art Walk.

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

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

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances, of Cleveland, Ohio, 1976, the Director of the Department of Public Service is hereby authorized and directed to issue a permit to the Murray Hill Area Arts Association to install, maintain and remove banners at the corner of Murray Hill and Cornell, a double banner at the corner of Edgehill and Murray Hill, corner of East 120th and Mayfield, corner of Random Road and Mayfield, in front of Holy Rosary Church, at the corner of Colman and Mayfield, in front of Earthworks Gallery, on on Mayfield across from Murray Hill and at the corner of Murray Hill and Mayfield, in front of the Mayfield Show and two banners on Mayfield between East 123rd Street and East 124th Street on Mayfield across from East 125th and one in front of Alta House, for a period from September 10, 2000 to October 10, 2000, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

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

Passed July 17, 2000.

Effective July 25, 2000.

Ord. No. 1222-2000.**By Councilman Britt.**

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the MetroHealth Systems to stretch banners at Townsend and Keyes for the period from August 1, 2000 to September 1, 2000, inclusive, publicizing the MetroHealth Center for Community Health's "Around the World Health Fair".

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

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

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

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

Passed July 17, 2000.

Effective July 25, 2000.

Ord. No. 1223-2000.**By Councilman Cimperman.**

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Tremont West Development Corporation for support of the Cleveland San Jose Ballet event in Lincoln Park through the use of Ward 13 Neighborhood Equity Funds.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with Tremont West Development Corporation for support of the Cleveland San Jose Ballet event in Lincoln Park.

Section 2. That the cost of said contract shall be in an amount not to exceed \$8,000 and shall be paid from Fund No. 10 SF 166.

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

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

Passed July 17, 2000.

Effective July 25, 2000.

Ord. No. 1224-2000.**By Councilman Cimperman.**

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Cleveland Tenant's Organization for grounds improvements at St. Clair Place, located at 1380 East 13th Street through the use of Ward 13 Neighborhood Equity Funds.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with Cleveland Tenant's Organization for grounds improvements at St. Clair Place, located at 1380 East 13th Street.

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

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

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

Passed July 17, 2000.

Effective July 25, 2000.

Ord. No. 1225-2000.**By Councilman Cimperman.**

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Hijos de Borinquen for partial funding of office repairs, equipment, and support for social service programming through the use of Ward 13 Neighborhood Equity Funds.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with Hijos de Borinquen for partial

funding of office repairs, equipment, and support for social service programming.

Section 2. That the cost of said contract shall be in an amount not to exceed \$12,000 and shall be paid from Fund No. 10 SF 166.

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

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

Passed July 17, 2000.

Effective July 25, 2000.

Ord. No. 1226-2000.
By Councilman Cimperman.
An emergency ordinance authorizing the Director of Community Development to enter into an agreement with St. Vitus Development Corporation for site preparation and infrastructure for their Independent Senior Housing Initiative in Ward 13 through the use of Ward 13 Neighborhood Equity Funds.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with St. Vitus Development Corporation for site preparation and infrastructure for their Independent Senior Housing Initiative in Ward 13.

Section 2. That the cost of said contract shall be in an amount not to exceed \$100,000 and shall be paid from Fund No. 10 SF 166.

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

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

Passed July 17, 2000.

Effective July 25, 2000.

Ord. No. 1227-2000.
By Councilman Cimperman.
An emergency ordinance consenting and approving the issuance of a permit for the Walk for Diabetes (Walktoberfest) on October 4, 2000, sponsored by the American Diabetes Association.

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 Diabetes (Walktoberfest), sponsored by the American Diabetes Association, on October 4, 2000 starting at Nautica Stage/Power House, West Banks of the Flats, west on Main Avenue to Center Street, east on Center Street to Columbus Road, east on Columbus Road to Merwin Avenue, north on Merwin Avenue to West Superior Avenue, east on West Superior Avenue to Public Square, south on Public Square to Ontario Avenue, south on Ontario Avenue, to Huron Road, east on Huron Road to Prospect to East 14th Street, north on East 14th Street to Euclid Avenue, west on Euclid Avenue to East 9th Street, north on East 9th Street to Erieside Avenue, west on Erieside Avenue to West 3rd Street, south on West 3rd Street to Lakeside Avenue, west on Lakeside Avenue to West 9th Street, north on 9th Street to Front Avenue, west on Front Avenue to Old River Road, south on Old River Road to Merwin Center Street, south on Merwin Center Street to Columbus Road, west on Columbus Road to Center Road, west on Center Road to Main Avenue, east on Main Avenue to the Boardwalk, east on the Boardwalk and back to the Nautica Stage/Power House, 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.

Passed July 17, 2000.

Effective July 25, 2000.

Ord. No. 1228-2000.
By Councilman Cimperman.
An emergency ordinance consenting to and approving the issuance of a permit for the Race for Wishes on July 22, 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 Race for Wishes, sponsored by Hermes Race Systems, on July 22, 2000 starting on Euclid and East 13th Street, north on East 13th Street to Lakeside, Lakeside to East 9th Street, East 9th Street to Erieside, Erieside to West 3rd Street, West 3rd Street to Lakeside, Lakeside to East 13th Street, East 13th Street to Euclid, Euclid to East 17th Street and finish, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police or safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall 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 July 17, 2000.

Effective July 25, 2000.

Ord. No. 1229-2000.
By Councilmen Cimperman and Melena.

An emergency ordinance consenting and approving the issuance of a permit for the Rock and Roll Triathlon on July 16, 2000, sponsored by the Specific Sports.

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

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

Section 1. That, pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio, 1976, this Council consents to and approves the holding of the Rock and Roll Triathlon, sponsored by Specific Sports, on July 16, 2000 starting at East 9th Street to Shoreway west-bound to West Blvd. turn east to Shoreway to East 9th Street, East 9th Street to North Marginal, North Marginal to East 26th Street to South Marginal to East 38th Street to King to East 33rd Street to Hamilton to East 26th Street to Lakeside, Lakeside to West 9th Street, West 9th Street to Superior Hill to Old River Road to Front to West 9th Street to Lakeside to West 3rd Street to South Drive to Erieside to East 9th Street and finish, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976.

Streets may be closed as determined by the Chief of Police or safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall 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 July 17, 2000.

Effective July 25, 2000.

Ord. No. 1230-2000.

By Councilman Cintron.

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with YMCA of Greater Cleveland for scholarship funds for Cleveland residents to the West Side YMCA through the use of Ward 14 Neighborhood Equity Funds.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with YMCA of Greater Cleveland for scholarship funds for Cleveland residents to the West Side YMCA.

Section 2. That the cost of said contract shall be in an amount not to exceed \$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 passage and its approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed July 17, 2000.

Effective July 25, 2000.

Ord. No. 1231-2000.

By Councilman Cintron.

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Esperanza, Inc. for the development of their computer lab and related programming through the use of Ward 14 Neighborhood Equity Funds.

Whereas, this ordinance constitutes an emergency measure provid-

ing for the usual daily operation of a municipal department; now, therefore,

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with Esperanza, Inc. for the development of their computer lab and related programming.

Section 2. That the cost of said contract shall be in an amount not to exceed \$20,000 and shall be paid from Fund No. 10 SF 166.

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

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

Passed July 17, 2000.

Effective July 25, 2000.

Ord. No. 1232-2000.

By Councilman Cintron.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the Near West Theatre to stretch banners on utility poles (by separate permission), at W. 38th St. & Bridge Ave., and westerly of Fulton Ave., for the period of August 1, 2000, to September 1, 2000, inclusive, publicizing a special event.

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

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

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio 1976, the Director of Public Service is hereby authorized and directed to issue a permit to the Near West Theatre to install, maintain and remove banners to be stretched on Cleveland Public Power utility poles, (by separate permission) publicizing a special event, and said banners shall be hung for the period of August 1, 2000 to September 1, inclusive, on the following poles and at the following locations: at West 38th Street: the 3rd Pole North of Bridge (East), Pole Number AOM-43-58; the 2nd Pole North of Bridge (East), Pole Number 423120; the 1st Pole North of Bridge (East), Pole Number AOM-43-57; and Bridge Avenue: the 1st Pole East of West 38th Street (South), Pole Number 43281; the 2nd Pole East of West 38th Street (South), Pole Number 42380; the 4th Pole East of West 38th Street (South), Pole Number 42378; the 5th Pole East of West 38th Street (South), Pole Number (42395) No Tag; the 6th Pole East of West 38th Street, Pole Number 42377; the 1st Pole West of Fulton

(North), No Tag (New pole); the 2nd Pole West of Fulton (North), Pole Number (42376) No Tag; and which pole locations and 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 banner, and said banner shall be removed promptly upon the expiration of said permit.

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

Passed July 17, 2000.

Effective July 25, 2000.

Ord. No. 1233-2000.

By Councilman Coats.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 1002 East 147th and St. Clair Avenue to Terrell Reddix.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 115-13-002 (Easterly 17.75 feet of) and 115-13-085, as more fully described in Section 2 below, to Terrell Reddix.

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. 115-13-002
(Easterly 17.75 feet of)

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original Euclid Township Lot No. 2, Track 10, and bounded and described as follows:

Beginning at the intersection of the Southeasterly line of St. Clair Avenue, N.E., with the Easterly line of East 146th Street; thence Southerly along the Easterly line of East 146th Street; 100 feet; thence Northeasterly and parallel with the Southeasterly line of St. Clair Avenue, N.E., 82.25 feet and the principal place of beginning; then continuing Northeasterly along said line 17.75 feet to a point in the Westerly line of Amber Realty Company's East 147th Street Allotment and East 148th Street Extension, as shown by the recorded plat in Volume 52 of Maps, Page 23 of Cuyahoga County Records; thence Northerly along the Westerly line of said Subdivision, about 100 feet to the Southeasterly line of St. Clair Avenue, N.E., thence Southwesterly along the Southeasterly line of St. Clair Avenue, N.E., about 17.75 feet to the to a point therein; thence Southeasterly along a line parallel with the Southwesterly line of said Amber Realty Company's Allotment about 100 feet to the place of beginning.

Subject to restrictions in Volume 1812, Page 26 of Cuyahoga County Records and easements recorded in Volume 86-2639, Page 240 of Cuyahoga County Records.

Subject to Zoning Ordinances, if any.

P. P. No. 115-13-085

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being all of Sublot No. 196 and part of private alley in the Ambler Realty Company's East 147th Street Allotment of part of Original Euclid Township Lots Nos. 1 and 2, Tract Number 10 as shown by the recorded plat in Volume 52 of Maps, Page 23 of Cuyahoga County Records and bounded and describes as follows:

Beginning at a point in the Southwesterly line of East 147th Street at its intersection with the Southeasterly corner of Sublot No. 196 in the Ambler Realty Company's Allotment as aforesaid; thence Northwesterly along said Southwesterly line of East 147th Street, 48 feet to a point therein; thence Southwesterly, along a line being the Northwesterly line of said private alley, 64.14 feet; thence Southeasterly, along a line, being the Westerly line of East 147th Street Allotment as aforesaid, 48 feet to the Southwesterly corner of said Sublot No. 196; thence Northeasterly along the Southeasterly line of said Sublot No. 196, 64.43 feet to the place of beginning, be the same more or less, but subject to all legal highways.

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

Section 4. That the consideration for the subject parcel shall be established by the Board of Control and shall be not less than Fair Market

Value taking into account such terms and conditions, restrictions and covenants as are deemed necessary or appropriate.

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

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

Passed July 17, 2000.
Effective July 25, 2000.

Ord. No. 1234-2000.

By Councilman Dolan.

An emergency ordinance to amend Sections 1, 2, 3, 7, 8, 11, and 13 of Ordinance No. 552-2000, passed June 19, 2000, relating to the construction of a new runway and necessary project components 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 Sections 1, 2, 3, 7, 8, 11, and 13 of Ordinance No. 552-2000, passed June 19, 2000, are hereby amended to read, respectively, as follows:

Section 1. That the Director of Port Control is hereby authorized to employ by contract or contracts one or more consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to implement the Improvement described in Section 2 hereof, including:

(1) Design of FAA TRACON Renovation, in an amount not to exceed \$345,771.00;

(2) Design of NASA Facilities and Relocation, in an amount not to exceed \$20,335,402.00; and

(3) Design of Doan Brook, in an amount not to exceed \$600,000.00.

The selection of said consultant or consultants for such services shall be made by the Board of Control upon the nomination of the Director of Port Control from a list of qualified consultants available for such employment as may be determined after a full and complete canvass by the Director of Port Control for the purpose of compiling such a list. The contracts authorized herein 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 pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of constructing and implementing the construction of a new runway known as 5L-23R (Phase I), consisting of 10,500 feet of runway (approximately 9,000 feet of usable runway), the construction cost of which is hereby authorized in the amount of \$139,937,365.00, and its necessary appurtenances and the following project components necessary to effectuate the construction and use of the new runway:

(1) Demolition of Analex Office Building and demolition of the 100th Bomb Group Restaurant in an amount not to exceed \$2,692,047.00, and to allow the current operation of the 100th Bomb Group Restaurant and building to continue until absolutely necessary for the Brookpark Road relocation construction;

(2) Brookpark Road Relocation Construction in an amount not to exceed \$19,934,209.00; and

(3) West Hangar Road Construction in an amount not to exceed \$1,337,220.00 (collectively, "the Improvement").

The Director of Port Control is hereby authorized to enter into contracts for the making of the improvements authorized in Section 2 hereof, by contracts duly let to the lowest responsible bidders, after competitive bidding for a gross price, provided, however, that each separate trade and each distinct component part of the improvement may be treated as a separate improvement, and each, or any combination, of such trades or components may be the subject of a separate contract for a gross price, with the exception of roadwork, earthwork and utility work performed in connection with the projects authorized in Section 2 hereof, which shall be competitively bid on a unit price basis. For gross price contracts, the contractor shall furnish a correct schedule of unit prices, including profit and overhead, for all items constituting units of the improvement.

Section 3. That the Director of Port Control is hereby authorized to make written standard purchase contracts and written requirements contracts in accordance with the Charter and Codified Ordinances of Cleveland, Ohio, 1976, the period of such requirements not to exceed two years, for each and all of the necessary items of supplies, material, equipment and other items required to make the Improvement, including the rental of such items, and labor and materials to install and maintain any and all of the foregoing items, to be purchased or procured by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Cleveland Hopkins International Airport, Department of Port Control. Bids shall be taken in such a 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 7. That the Director of Port Control is hereby authorized to enter into agreements with federal,

state, and local governmental or regulatory entities or other public authorities necessary and to pay or reimburse directly related costs incurred by such entities for the purpose of making the projects authorized herein.

In accordance with the authorization granted in this Section 7, the Director of Port Control is authorized to enter into agreements necessary to implement wetland and stream mitigation programs as required by federal law, excluding mitigation at Doan Brook. All expenditures under such agreements shall not exceed \$8,197,000.00.

In accordance with the authorization granted in this Section 7 and in Section 2 hereof, the Director of Port Control is authorized to enter into agreements with the FAA for professional and engineering services. All expenditures under such agreement shall not exceed \$6,000,000.00.

In accordance with the authorization granted in this Section 7, the Director of Port Control is authorized to enter into agreements with the FAA for TRACON Renovation Design. All expenditures under such contract shall not exceed \$345,771.00.

Section 8. That the Director of Port Control is hereby authorized to apply for and pay for such permits and licenses required by any regulatory entity or other public authority for making of the projects authorized herein.

Section 11. That, as a condition precedent to entering into any contracts or agreements contemplated to make the Improvement, the Department of Port Control shall be in receipt of all necessary federal approvals, including the Record of Decision for the Environmental Impact Statement, and other such regulatory approvals as may be required.

Section 13. That the cost of any expenditures authorized by this ordinance for any contract, including all public improvements, standard purchases, requirements contracts, professional services, acquisition of rights or interests in real property shall not exceed a total amount of Two Hundred Fourteen Million Seventy Thousand Eighty-Two Dollars (\$214,070,082.00) and shall be paid from Fund Nos. 60 SF 001, 60 SF 104, 60 SF 105, 60 SF 106, passenger facility charges and the fund and/or sub-funds to which are credited the proceeds of any general airport revenue bonds, federal grants, state grants, and local grants issued for the purpose of the projects authorized herein. In the event that a project component listed herein exceeds or is anticipated to exceed the amount specified for each project component listed herein, the Director of Port Control shall notify the President of Council, the Chairman of the Aviation and Transportation Committee, and the Chairman of the Finance Committee of the need for a subsidiary agreement in accordance with Section 185.44 of the Codified Ordinances of the City of Cleveland, Ohio, 1976, and shall immediately proceed to secure the necessary legislative approval from Cleveland City Council.

Section 2. That existing 1, 2, 3, 7, 8, 11, and 13 of Ordinance No. 552-

2000, passed June 19, 2000, are hereby repealed.

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

Passed July 17, 2000.

Effective July 25, 2000.

Ord. No. 1235-2000.

By Councilman Jackson.

An emergency ordinance authorizing certain persons to engage in peddling in Ward 5. (Michael Horton)

Whereas, pursuant to Section 675.07 of the Codified Ordinances of Cleveland, Ohio, 1976, (the "Codified Ordinances") the consent of Council, expressed by ordinance, is a prerequisite to peddle upon the public rights of way outside of the Central Business District; and

Whereas, this Council has considered the requests of certain persons to engage in peddling outside of the Central Business District, and has determined that it is in the public interest to allow each of said persons to peddle in Ward 5; and

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

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

Section 1. That this Council consents, as required by Section 675.07 of the Codified Ordinances, to allow each person named below to engage in peddling in the public rights of way of Ward 5: Michael Horton at East 55th Street and Woodland Avenue, south corner.

Section 2. That all of the requirements of Chapter 675 of the Codified Ordinances shall apply to the persons named in Section 1 of this ordinance.

Section 3. That the privilege granted herein may be revoked at any time by this Council.

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

Passed July 17, 2000.

Effective July 25, 2000, without the signature of the Mayor.

Ord. No. 1236-2000.

By Councilman Jackson.

An emergency ordinance authorizing certain persons to engage in peddling in Ward 5. (Malachy Ihezie Nzewekwe)

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: Malachy Ihezie Nzewekwe.

Section 2. That all of the requirements of Chapter 675 of the Codified Ordinances shall apply to the persons named in Section 1 of this ordinance.

Section 3. That the privilege granted herein may be revoked at any time by this Council.

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

Passed July 17, 2000.

Effective July 25, 2000, without the signature of the Mayor.

Ord. No. 1237-2000.

By Councilman Jackson.

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Huachuca Veterans Association to sponsor a commemorative sculpture for Colonel Charles Young Square at East 46th Street and Prospect Avenue through the use of Ward 10 Neighborhood Equity Funds.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with Huachuca Veterans Association for to sponsor a commemorative sculpture for Colonel Charles Young Square at East 46th Street and Prospect Avenue.

Section 2. That the cost of said contract shall be in an amount not to exceed \$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 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 July 17, 2000.
Effective July 25, 2000.

Ord. No. 1238-2000.
By Councilman Jones.
An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Amistad Development Corporation to purchase a street sweeper for use in their Operation Clean Sweep Program through the use of Ward 1 Neighborhood Equity Funds.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with Amistad Development Corporation to purchase a street sweeper for use in their Operation Clean Sweep Program.

Section 2. That the cost of said contract shall be in an amount not to exceed \$100,000 and shall be paid from Fund No. 10 SF 166.

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

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

Passed July 17, 2000.
Effective July 25, 2000.

Ord. No. 1239-2000.
By Councilman Jones.
An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the Ward 1 Festival Committee to stretch banners at various intersections in Ward 1 for the period from July 21, 2000 to August 21, 2000, inclusive, publicizing the Lee-Harvard/Seville Community Festival.

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 Cleve-

land, Ohio, 1976, the Director of the Department of Public Service is hereby authorized and directed to issue a permit to the Ward 1 Festival Committee to install, maintain and remove banners on Miles Avenue and East 146th Street (north side of Miles Avenue CEI 811200 and south side of Miles Avenue CEI 500094), Harvard Ave. at East 147th Street (north side of Harvard Avenue CEI 2772 and south side of Harvard Avenue CEI 537531), Lee Road at Harvard Avenue (east side of Lee Road CPP E12-321 and west side of Lee Road CEI 814249), Harvard Avenue at Feiner Drive (north side of Harvard Avenue CEI 129706 and south side of Harvard Avenue CEI 344954), Lee Road at Sunny Glenn Avenue (east side of Lee Road CEI 54411 and west side of Lee Road), Miles Avenue at East 174th Street (south side of Miles Avenue CEI 301676 and north side of Miles Avenue), for a period from July 21, 2000 to August 21, 2000, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

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

Passed July 17, 2000.
Effective July 25, 2000.

Ord. No. 1240-2000.
By Councilman O'Malley.
An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Lutheran Housing Corporation for providing tutoring services for school-aged children through the use of Ward 16 Neighborhood Equity Funds.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with Lutheran Housing Corporation for providing tutoring services for school-aged children.

Section 2. That the cost of said contract shall be in an amount not to exceed \$53,951 and shall be paid from Fund No. 10 SF 166.

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

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

Passed July 17, 2000.
Effective July 25, 2000.

Ord. No. 1241-2000.
By Councilman Patmon.
An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Glenville Development Corporation for their Annual Ward 8 Clean-up Drive and Summer Intern Program through the use of Ward 8 Neighborhood Equity Funds.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with Glenville Development Corporation for their Annual Ward 8 Clean-up Drive and Summer Intern Program.

Section 2. That the cost of said contract shall be in an amount not to exceed \$5,425 and shall be paid from Fund No. 10 SF 166.

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

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

Passed July 17, 2000.
Effective July 25, 2000.

Ord. No. 1242-2000.
By Councilman Patmon.
An emergency ordinance authorizing the Director of Community Development to enter into an agreement with the Glenville Festival Reunion organization for their annual reunion festival through the use of Ward 8 Neighborhood Equity Funds.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with the Glenville Festival Reunion organization for their annual reunion festival.

Section 2. That the cost of said contract shall be in an amount not to exceed \$8,000 and shall be paid from Fund No. 10 SF 166.

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

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

Passed July 17, 2000.

Effective July 25, 2000.

Ord. No. 1243-2000.

By Councilman Polensek.

An emergency ordinance amending Section 1 of Resolution No. 1034-2000, adopted June 5, 2000, relating to the summer schedule of meetings of the Council of the City of Cleveland.

Whereas, this ordinance 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 Section 1 of Resolution No. 1034-2000, adopted June 5, 2000, is hereby amended to read as follows:

Section 1. That the schedule of meetings during the summer months for the Council of the City of Cleveland is hereby fixed as follows:

July 17, 2000
July 28, 2000
August 7, 2000

A notice identifying the time of the meeting as well as a schedule of committee meetings, if any, to be held prior to the meeting shall be prepared by the Clerk of Council prior to each of the above meeting dates. The Council will resume regular session at 7:00 P.M. on Monday, September 11, 2000.

Section 2. That existing Section 1 of Resolution No. 1034-2000, adopted June 5, 2000, is hereby repealed.

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 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 July 17, 2000.

Effective July 25, 2000.

Ord. No. 1244-2000.

By Councilman Robinson.

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Boys & Girls Clubs of Cleveland — Mt. Pleasant Club for the purpose of making capital improvements at the Mt. Pleasant Club through the use of Ward 3 Neighborhood Equity Funds.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with Boys & Girls Clubs of Cleveland — Mt. Pleasant Club for the purpose of making capital improvements at the Mt. Pleasant Club.

Section 2. That the cost of said contract shall be in an amount not to exceed \$200,000 and shall be paid from Fund No. 10 SF 166.

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

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

Passed July 17, 2000.

Effective July 25, 2000.

Ord. No. 1245-2000.

By Councilman Robinson.

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Murtis H. Taylor for partial funding of their Ashanti Day Camp Program for at risk youth through the use of Ward 3 Neighborhood Equity Funds.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with Murtis H. Taylor for partial funding of their Ashanti Day Camp Program for at risk youth.

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

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

Section 4. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of

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

Passed July 17, 2000.

Effective July 25, 2000.

Ord. No. 1246-2000.

By Councilman Westbrook.

An emergency ordinance amending Section 2 of Ordinance 2185-99, passed December 13, 1999 related to the renovation of a historic mixed-use building located at 9201 Lorain Avenue in Ward 18.

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

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

Section 1. That Section 2 of Ordinance No. 2185-99, passed December 13, 1999, is hereby amended to read as follows:

Section 2. That the costs of said contract shall be in an amount not to exceed One Hundred Fifty-Six Thousand Dollars (\$156,000) and shall be paid from Fund No. 10 SF 166.

Section 2. That the existing Section 2 of Ordinance No. 2185-99, passed December 13, 1999 is hereby repealed.

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

Passed July 17, 2000.

Effective July 25, 2000.

Ord. No. 1247-2000.

By Councilman Westbrook.

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Cudell Improvement, Inc. for their Commercial Security Program through the use of Ward 18 Neighborhood Equity Funds.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with Cudell Improvement, Inc. for their Commercial Security Program.

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

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

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

Passed July 17, 2000.

Effective July 25, 2000.

Ord. No. 1248-2000.

By Councilman Westbrook.

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Cudell Improvement, Inc. for support for the Midwest Housing Program through the use of Ward 18 Neighborhood Equity Funds.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with Cudell Improvement, Inc. for support for the Midwest Housing Program.

Section 2. That the cost of said contract shall be in an amount not to exceed \$126,500 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 passage and its approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed July 17, 2000.

Effective July 25, 2000.

Ord. No. 1249-2000.

By Councilman Westbrook.

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Neighborhood Progress, Inc. for the Ward 18 Dialogue program through the use of Ward 18 Neighborhood Equity Funds.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with Neighborhood Progress, Inc. for the Ward 18 Dialogue program.

Section 2. That the cost of said contract shall be in an amount not

to exceed \$30,000 and shall be paid from Fund No. 10 SF 166.

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

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

Passed July 17, 2000.

Effective July 25, 2000.

Ord. No. 1250-2000.

By Councilman Westbrook.

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

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with Westside Industrial Retention & Expansion Network (WIRE-Net) for their agency operations and administrative support.

Section 2. That the cost of said contract shall be in an amount not to exceed \$25,000 and shall be paid from Fund No. 10 SF 166.

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

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

Passed July 17, 2000.

Effective July 25, 2000.

Ord. No. 1251-2000.

By Councilman Westbrook.

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Westside Industrial Retention & Expansion Network (WIRE-Net) for security and program services through their Safety Net program through the use of Ward 18 Neighborhood Equity Funds.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with Westside Industrial Retention & Expansion Network (WIRE-Net) for security and program services through their Safety Net program.

Section 2. That the cost of said contract shall be in an amount not to exceed \$49,000 and shall be paid from Fund No. 10 SF 166.

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

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

Passed July 17, 2000.

Effective July 25, 2000.

Ord. No. 1252-2000.

By Councilman White.

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with WEB Dubois Community Center for agency operations and program support through the use of Ward 2 Neighborhood Equity Funds.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with WEB Dubois Community Center for agency operations and program support.

Section 2. That the cost of said contract shall be in an amount not to exceed \$15,000 and shall be paid from Fund No. 10 SF 166.

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

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

Passed July 17, 2000.

Effective July 25, 2000.

Ord. No. 1253-2000.**By Councilman White.**

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the Mystic Knights to stretch one banner at 11407 Miles Avenue using CPP utility poles (by separate permission) for the period of July 1, 2000 to July 25, 2000, inclusive, publicizing their special group event.

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

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

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio 1976, the Director of Public Service is hereby authorized and directed to issue a permit to the Mystic Knights to install, maintain and remove one (1) banner to be stretched on Cleveland Public Power utility poles, (by separate permission) publicizing a special group event and said banners shall be hung for the period of July 1, 2000 to July 25, 2000, inclusive, on the following poles and at the following locations: No pole number tag on the Pole located at 11407 Miles Avenue (North Side), and, no number tag on the Pole located at 11407 Miles Avenue (South Side), and which pole locations and 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 banner, and said banner shall be removed promptly upon the expiration of said permit.

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

Passed July 17, 2000.

Effective July 25, 2000.

Ord. No. 1254-2000.**By Councilman Dolan.**

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Kamm's Corners Development Corporation for Business District Groundskeeping through the use of Ward 21 Neighborhood Equity Funds.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with Kamm's Corners Development Corporation for Business District Groundskeeping.

Section 2. That the cost of said contract shall be in an amount not to exceed \$9,124.00 and shall be paid from Fund No. 10 SF 166.

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

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

Passed July 17, 2000.

Effective July 25, 2000.

Ord. No. 1255-2000.**By Councilman Robinson.**

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the City of Cleveland's Community Relations Board to stretch one banner on Kinsman Ave. at E. 113th St. using two CPP utility poles (by separate permission) for the period of July 12, 2000 to August 4, 2000, inclusive, publicizing the "Cleveland's Night Out Against Crime" event to be held at Luke Easter Park on August 1, 2000.

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 the Community Relations Board of the City of Cleveland, to install, maintain and remove one (1) banner to be stretched on two (2) Cleveland Public Power utility poles, (by separate permission) publicizing the "Cleveland's Night Out Against Crime" event, to be held at Luke Easter Park on August 1, 2000, and said banners shall be hung for the period of July 12, 2000 to August 4, 2000, inclusive, on the following poles and at the following locations: Pole Number C30-2 on Kinsman Avenue at East 113th Street on the South Side of the street; and, Pole Number C30-30 on Kinsman Avenue at East 113th Street on the North Side of the street, and which pole locations and banner shall be approved by the Director of Public Service in consultation with the Director of Public Safety, as to type, method of affixing and loca-

tion so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner, and said banner shall be removed promptly upon the expiration of said permit.

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

Passed July 17, 2000.

Effective July 25, 2000.

Ord. No. 1256-2000.**By Councilman Westbrook.**

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Cudell Improvement Inc./Midwest Housing Project for partial funding of the Cleveland Fix-Up Fund to subsidize home loan interest rates through the use of Ward 18 Neighborhood Equity Funds in Ward 18.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with Cudell Improvement Inc./Midwest Housing Project for partial funding of the Cleveland Fix-Up Fund to subsidize home loan interest rates in Ward 18.

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

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

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

Passed July 17, 2000.

Effective July 25, 2000.

**COUNCIL COMMITTEE
MEETINGS**

NO MEETINGS

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Reflective sheeting and channel sign posts - contract pursuant to Ord. 2162-99, 2164-99 and 1004-2000 to Avery Dennison - Division of Traffic Engineering and Parking, Dept. of Public Safety (BOC Res. 500-00) 1876

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Cleveland Fix-Up Fund to subsidize home loan interest rates — Cudell Improvement Inc./Midwest Housing Project — Ward 18 Neighborhood Equity Funds (O 1256-2000)	1909
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Colonel Charles Young Square — East 46th Street and Prospect Avenue — Huachucan Veterans Association to sponsor — Ward 5 Neighborhood Equity Funds (O 1237-2000)	1905
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Glenville Festival Reunion — annual reunion festival — Ward 8 Neighborhood Equity Funds (O 1242-2000)	1906
Independent Senior Housing Initiative — site preparation and infrastructure — St. Vitus Development Corporation — Ward 13 Neighborhood Equity Funds (O 1226-2000)	1902
Midwest Housing Program — Cudell Improvement, Inc. — Ward 18 Neighborhood Equity Funds (O 1248-2000)	1908
Mt. Pleasant Club — capital improvements — Boys & Girls Clubs of Cleveland - Mt. Pleasant Club — Ward 3 Neighborhood Equity Funds (O 1244-2000)	1907
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Avenue and East 131st Street — Public Service
(O 1054-2000) **1897**

Sidewalks, curbs and gutters, duty to maintain certain sidewalks and liability — amend
Sections 505.11 and 505.12 (O 837-2000) **1892**

St. Augustine Manor — lease property — southeast corner of Detroit Avenue and West 80th
Street — Public Service (O 732-2000)..... **1891**

The First Unnamed Alley East of Woodhill Road S.E. — intention to vacate
(R 947-2000) **1880**

Sidewalks

Sidewalks, curbs and gutters, duty to maintain certain sidewalks and liability — amend
Sections 505.11 and 505.12 (O 837-2000) **1892**

Street Vacation

The First Unnamed Alley East of Woodhill Road S.E. — intention to vacate
(R 947-2000) **1880**

Trees

Plant trees — various locations — City of Cleveland — City-owned property — Division
Park Maintenance and Properties (O 934-2000) **1894**

Planting, removing, relaying, trimming, creating or excavating cutouts for shade trees
— in and along the streets (O 649-2000) **1890**

Tremont West Development Corporation

Cleveland San Jose Ballet event in Lincoln Park — Tremont West Development Corporation
— Ward 13 Neighborhood Equity Funds (O 1223-2000) **1901**

Utilities Department

Electrical power in the Year 2001 — Cleveland Electric Illuminating Company — proposal
— city of Cleveland — as an aggregator (O 820-2000)..... **1891**

Ward 01

Lee-Harvard/Seville Community Festival — banners — Ward 1 Festival Committee
(O 1239-2000) **1906**

Street sweeper — Operation Clean Sweep Program — Amistad Development Corporation — Ward
1 Neighborhood Equity Funds (O 1238-2000) **1906**

Ward 02

East 93rd Street, 4025 - objecting to the issuance of a C1 Liquor Permit - (Ward 02)
(R 1278-2000) **1887**

Mystic Knights — special group event — banner (O 1253-2000) **1909**

WEB Dubois Community Center — agency operations and program — Ward 2 Neighborhood
Equity Funds (O 1252-2000) **1908**

Ward 03

Ashanti Day Camp Program — Murtis H. Taylor — Ward 3 Neighborhood Equity Funds
(O 1245-2000) **1907**

Cleveland's Night Out Against Crime — banner — Cleveland's Community Relations Board
(O 1255-2000) **1909**

Mt. Pleasant Club — capital improvements — Boys & Girls Clubs of Cleveland - Mt. Pleasant Club — Ward 3 Neighborhood Equity Funds (O 1244-2000)	1907
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Ward 05

Colonel Charles Young Square — East 46th Street and Prospect Avenue — Huachucan Veterans Association to sponsor — Ward 5 Neighborhood Equity Funds (O 1237-2000)	1905
East 40th Street, 2474, objecting to the renewal of a C2, C2X and D6, (Ward 05) (R 1264-2000)	1883
East 55th Street, 2288 - objecting to the issuance of a C1 - (Ward 05) (R 1265-2000)	1883
Horton, Michael — peddling in Ward 5 (O 1235-2000)	1905
Nzwekwe, Malachy Ihezue — peddling in Ward 5 (O 1236-2000)	1905

Ward 06

Cedar Avenue, 7904 - objecting to the renewal of a C1 and C2 Liquor Permit - (Ward 06) (R.1257-2000)	1881
Cedar Avenue, 7905 - objecting to the renewal of a C2, C2X and D6 Liquor Permit - (Ward 06) (R 1258-2000)	1881
God's House of Prayer and Deliverance Church — special church event — two banners (O 1220-2000)	1900
Murray Hill Art Walk — banners — Murray Hill Arts Association (O 1221-2000)	1901
Quincy Avenue, S.E. and the east side of East 93 Street — change the Use and Area Districts (O 1216-2000)	1879
The First Unnamed Alley East of Woodhill Road S.E. — intention to vacate (R.947-2000)	1880
Woodhill Road, 2623, - objecting to the renewal of a C1- (Ward 06) (R 1259-2000)	1881

Ward 07

East 45th Street, 1727-29, 1725 — Land Reutilization Program — Midtown Express Busline (O 553-2000)	1889
Hough Avenue, 8101-05, 1st Fl. & Bsmt., objecting to the transfer of ownership of a C2 and C2X, (Ward 07) (R 1266-2000)	1883

Ward 08

Annual Ward 8 Clean-up Drive — Summer Intern Program — Glenville Development Corporation — Ward 8 Neighborhood Equity Funds (O 1241-2000)	1906
East 93rd Street and St. Clair Avenue — new building — Howard Bradley and HLB Properties Limited — ten year abatement (O 1011-2000)	1896
Glenville Festival Reunion — annual reunion festival — Ward 8 Neighborhood Equity Funds (O 1242-2000)	1906
Westside Industrial Retention & Expansion Network (WIRE-Net) — agency operations and administrative support — Ward 18 Neighborhood Equity Funds (O 1250-2000)	1908

Ward 09

Ashbury Avenue, 11025 — Withdrawing objection to the renewal — (Ward 9) (R 1279-2000)	1887
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Ward 10

East 147th, 1002 — and St. Clair Avenue — Land Reutilization Program — Terrell Reddix (O 1233-2000)	1903
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Ward 11

Arcade Avenue, 16101 - objecting to the renewal of a D1, D2, D3 and D6 - (Ward 11)
 (R 1268-2000) 1884

East 156th Street, 231 - objecting to the renewal of a D5 - (Ward 11)
 (R 1269-2000) 1884

East 156th Street, 397 - objecting to the renewal D1, D2, D3, D3A and D6 - (Ward 11)
 (R 1270-2000) 1885

Lakeshore Blvd., 15428 - objecting to the renewal of a C1, C2 and D6 Liquor Permit - (Ward
 11) (R 1271-2000) 1885

Lakeshore Blvd., 17318, objecting to the transfer of ownership of a C1 and C2, (Ward 11)
 (R 1272-2000) 1885

St. Clair Avenue, 16921, 1st Fl., objecting to the transfer of ownership of a D5, (Ward
 11) (R 1273-2000) 1885

St. Clair Avenue, 17438 - renewal of D1, D2, D3 and D3A - (Ward 11)
 (R 1274-2000) 1886

Waterloo Road, 15610, 1st Fl. & Bsmt. - objecting to the renewal of a D1, D2, D3 and D6
 - (Ward 11) (R 1275-2000) 1886

Ward 13

Cleveland San Jose Ballet event in Lincoln Park — Tremont West Development Corporation
 — Ward 13 Neighborhood Equity Funds (O 1223-2000) 1901

Columbus Road lift bridge rehabilitation — alterations and modifications in Contract No.
 55251 — Public Service (O 1055-2000) 1898

Immigration and Naturalization Service to launch a vigorous investigation — granting of
 asylum to two generals — Jose Guillermo Garcia and Carlos Vides Casanova
 (R 1260-2000) 1882

Independent Senior Housing Initiative — site preparation and infrastructure — St. Vitus
 Development Corporation — Ward 13 Neighborhood Equity Funds
 (O 1226-2000) 1902

Inspections — annually on all load bearing structures— Urging the Division of Building
 and Housing (R 1261-2000) 1882

Office repairs, equipment, and support of social service programming — partial funding
 — Hijos de Borinquen — Ward 13 Neighborhood Equity Funds
 (O 1225-2000) 1901

Race for Wishes — permit — Hermes Race Systems (O 1228-2000)..... 1902

Rock and Roll Triathlon — permit — Specific Sports (O 1229-2000) 1902

St. Clair Place — 1380 East 13th Street — grounds improvements — Cleveland Tenant’s
 Organization — Ward 13 Neighborhood Equity Funds (O 1224-2000)..... 1901

Varian Avenue, 6410, 6412 — 1224 East 61st Street — 1114 East 68th Street — Land
 Reutilization Program — St. Clair Superior Neighborhood Development Association
 (O 1113-2000) 1898

Walk for Diabetes (Walktoberfest) — permit — American Diabetes Association
 (O 1227-2000) 1902

Ward 14

“Around the Work Health Fair” — banners — MetroHealth Systems
 (O 1222-2000) 1901

Computer lab and related programming — Esperanza, Inc — Ward 14 Neighborhood Equity
 Funds (O 1231-2000) 1903

Greenwood Park — expanding — appropriate property
 (O 1006-2000) 1896

Greenwood Park. — expansion — appropriate property for public use
 (R 1013-2000) 1880

Near West Theatre — special event — banners (O 1232-2000) 1903

West Side YMCA — scholarship funds for Cleveland residents — Ward 14 Neighborhood Equity
 Funds (O 1230-2000) 1903

Ward 16

Denison Avenue, 4995-97, 1st Fl. & Bsmt., withdrawing objection to the transfer of ownership of a D2, D2X, D3 and D3A, (Ward 16) (R 1267-2000)	1884
Memphis Avenue, S.W. between W. 62 Street and W. 58 Street — change the Use and Area District (O 1012-2000)	1897
Tutoring services for school-aged children — Lutheran Housing Corporation — Ward 16 Neighborhood Equity Funds (O 1240-2000)	1906

Ward 17

Rock and Roll Triathlon — permit — Specific Sports (O 1229-2000)	1902
St. Augustine Manor — lease property — southeast corner of Detroit Avenue and West 80th Street — Public Service (O 732-2000)	1891
West 54th Street — Land Reutilization Program — Detroit Shoreway Community Development Organization (O 1116-2000)	1899

Ward 18

Cleveland Fix-Up Fund to subsidize home loan interest rates — Cudell Improvement Inc./Midwest Housing Project — Ward 18 Neighborhood Equity Funds (O 1256-2000)	1909
Commercial Security Program — Cudell Improvement, Inc. — Ward 18 Neighborhood Equity Funds (O 1247-2000)	1907
Lorain Avenue, 9201 — renovation of a historic mixed-use building — Amending Section 2 of Ordinance 2185-99 — Ward 18 (O 1246-2000)	1907
Lorain Avenue, 9720-24, 1st Fl. & Bsmt., Objecting to the renewal of a D5 and D6, (Ward 18) (R 1276-2000)	1886
Midwest Housing Program — Cudell Improvement, Inc. — Ward 18 Neighborhood Equity Funds (O 1248-2000)	1908
Security and program services — Westside Industrial Retention & Expansion Network (WIRE-Net) — Ward 18 Neighborhood Equity Funds (O 1251-2000)	1908
Ward 18 Dialogue program — Neighborhood Progress, Inc. — Ward 18 Neighborhood Equity Funds (O 1249-2000)	1908
West 73rd Street, 3153, objecting to the renewal of a C1, (Ward 18) (R 1277-2000)	1887

Ward 20

West 130th Street, 4775 — Land Reutilization Program — Bellaire-Puritas Development Corporation (O 858-2000)	1893
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Ward 21

Business District Groundskeeping — Kamm's Corners Development Corporation — Ward 21 Neighborhood Equity Funds (O 1254-2000)	1909
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Zoning

Memphis Avenue, S.W. between W. 62 Street and W. 58 Street — change the Use and Area District (O 1012-2000)	1897
Quincy Avenue, S.E. and the east side of East 93 Street — change the Use and Area Districts (O 1216-2000)	1879